

Officer Non Key Executive Decision

Relevant Chief Officer (Decision Maker):	Dawn Goodall, Head of Legal Services
Relevant Cabinet Member (for consultation purposes):	Cllr Jim Hobson, Cabinet Member for Environment and Climate Change.
Report Author (Officer name and title):	Dawn Goodall, Head of Legal Services
Implementation Date of Decision:	21 September 2020

Authorisation of Officers to issue Fixed Penalty Notices under the Health Protection (Coronavirus, collection of contact details etc. and related requirements) Regulations 2020.

1.0 Purpose of the report:

- 1.1 To consider the authorisation of officers to issue fixed penalty notices under the Health Protection (Coronavirus, collection of contact details, etc. and related requirements) Regulations 2020 (the Regulations).

2.0 Recommendation(s):

- 2.1 That the officers listed at 5.6 below be authorised to issue fixed penalty notices under the Regulations.

3.0 Reasons for recommendation(s):

- 3.1 This will allow for the efficient discharge of powers by officers with relevant knowledge/experience who perform tasks and functions under relevant legislation as part of their duties.

3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.2b Is the recommendation in accordance with the Council's approved budget? Yes

3.3 Other alternative options to be considered:

If no appointments are made, no officers will be able to issue fixed penalty notices for non-compliance with the Regulations.

4.0 Council Priority:

4.1 The relevant Council Priority is: “Communities: Creating stronger communities and increasing resilience”.

5.0 Background Information

5.1 The Constitution currently authorises the Head of Legal Services to take such measures as she considers appropriate in connection with the issue, enforcement, making or registration of any notice, charge, prohibition or requirement, by or in relation to the authority.

5.2 Health Protection (Coronavirus, collection of contact details, etc. and related requirements) Regulations 2020, places obligations on relevant persons who occupy or operate relevant premises as defined in the regulations. These obligations include collecting and retaining for a specified period, contact information on persons/groups who seek to enter relevant premises.

5.3 The Regulations create a number of offences:

- Failing to display a QR code
- Failure to request certain details from individuals
- Failure to request certain details from groups
- Failure to take certain details from individuals/groups
- Failure to record additional details (where the individual is only likely to come into contact with one person at the relevant premises)
- Requirement to retain and destroy details
- Requirement to disclose details when required for contact tracing

5.4 A fixed penalty notice may be issued to the relevant person as an alternative to prosecution. Such a notice may be issued by an authorised person.

Authorised person means

- A constable;
- A police community support officer;
- A person designated by the Secretary of State for the purposes of this regulation;
- A person designated by the relevant local authority for the purposes of this regulation;

- 5.5 The cost of the fixed penalty is as follows:
£1000, reduced to £500 if paid within 14 days if this is the first FPN issued
£2000 if this is the second FPN issued
£3000 if this is the third FPN issued
£4000 for the fourth and subsequent FPN issued
- 5.6 The Head of Legal Services hereby authorises the following officers to issue fixed penalty notices under the Health Protection (Coronavirus, collection of contact details, etc. and related requirements) Regulations 2020 on behalf of Blackpool Borough Council:

Tim Coglan
Lee Petrak
Karl Bischoff
Shaun McKinney
Simon Evans
Oliver Watts
Myron Moss
Dave Verity
Danny Stephenson
Carolyn Bland
Sarah Longden
Lindsay Milner
Louisa Sharpe
Dominic Blackburn
Douglas Peterson
Jon Yates
Dave Fitch
Alex Bracken
Paul Satchell
Trevor Marshall
Sam Caldwell
Ivy Hardcastle
Sonia Cooke
Cheryl Bennett
Michelle Townsend
Steve Hobson
Donna Rigby
Jennifer Clayton
Nicola Helm
Lloyd Anderson
Claire Heaney
Nicola Rigby

Ryan Unsworth
Karen Parker
Craig Walker

5.7 Does the information submitted include any exempt information? No

5.8 List of Appendices:

None.

6.0 Legal considerations:

6.1 None.

7.0 Human Resources considerations:

7.1 None.

8.0 Equalities considerations:

8.1 There are no equality issues.

9.0 Financial considerations:

9.1 None.

10.0 Risk management considerations:

10.1 Only those with relevant knowledge and expertise are to be authorised.

11.0 Ethical considerations:

11.1 The proposed actions would support the Council's core values, morals and beliefs, as well as the Council's priorities.

12.0 Internal/ External Consultation undertaken:

12.1 With the Director of Community and Environmental Services and Head of Public Protection.

13.0 Decision of Head of Legal Services

13.1 The officers listed at 5.6 above will be authorised by Blackpool Borough Council to issued fixed penalty notices under the Health Protection (Coronavirus, collection of contact details, etc. and related requirements) Regulations 2020.

14.0 Reasons for the Decision of the Head of Legal Services

14.1 This will allow for the efficient discharge of powers by officers with relevant knowledge/experience.