

## Officer Non Key Executive Decision

<b>Relevant Chief Officer (Decision Maker):</b>	Dawn Goodall, Head of Legal Services
<b>Relevant Cabinet Member (for consultation purposes):</b>	Councillor Jim Hobson, Cabinet Member for Environment and Climate Change
<b>Report Author (Officer name and title):</b>	Dawn Goodall, Head of Legal Services
<b>Implementation Date of Decision:</b>	6 January 2021

### APPOINTMENT OF OFFICERS TO ENFORCE:-

#### THE HEALTH PROTECTION (CORONAVIRUS RESTRICTIONS) (ALL TIERS) (ENGLAND) REGULATIONS 2020.

#### THE HEALTH PROTECTION (CORONAVIRUS RESTRICTIONS) (ALL TIERS AND REGULATIONS OF UNDERTAKINGS) (ENGLAND) (AMENDMENT) REGULATIONS 2020

#### THE HEALTH PROTECTION (CORONAVIRUS RESTRICTIONS) (No3) and (All TIERS) (ENGLAND) (AMENDMENT) REGULATIONS 2021

##### 1.0 Purpose of the report:

- 1.1 To consider the appointment of officers to enforce the Health Protection (Coronavirus Restrictions) (All Tiers) Regulations 2020, the No 2 and No 3 Amendment (England) Regulations 2020 and 2021.

##### 2.0 Recommendation(s):

- 2.1 That the officers listed at 5.5 below be appointed to enforce the Health Protection (Coronavirus Restrictions) (All Tiers) (England) Regulations 2020, the Health Protection (Coronavirus Restrictions) (All Tiers and Regulations of Undertakings) (England) (Amendment) Regulations 2020 and the Health Protection (Coronavirus Restrictions) (No 3) and (All Tiers) (Amendment) (England) Regulations 2021 and to take such action as is necessary to instigate enforcement or restriction imposed by those 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 enforce in accordance 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:- enforcement, making or registration of any notice, charge, prohibition or requirement, by or in relation to the authority.

5.2 The Health Protection (Coronavirus Restrictions) (All Tiers) (England) Regulations 2020 came into force on the 2<sup>nd</sup> December 2020 and the subsequent amended All Tiers and Regulation of Undertakings on the 20 December 2020 and the No3 amended regulations on the 6 January 2021. The regulations are made in response to the serious and imminent threat to Public Health. The Regulations require closure of businesses and premises and other restrictions on are required in respect of opening hours and services frequented by members of the public to protect against the risks to public health arising from Coronavirus.

5.3 Regulation 9 provides powers to enforce the restrictions imposed by these regulations to a 'relevant person'. A relevant person is defined (paragraph 9 (b)) as including a person designated by a local authority for the purposes of this regulation although a local authority may only designate a person for the purposes of Parts 2 or

3 of Schedules 1, 2 and 3 of the regulations which deal with the closure of, and restrictions on businesses. (Reg 9 par 10 a to c). As amended by Part 2 par 2 (5) of the Health Protection (Coronavirus Restrictions) (All Tiers and Restrictions of Undertakings) (England) (Amendment) Regulations 2020.

5.4 If the authority does not delegate any officers for the purposes of these regulations, it will not be able to undertake any enforcement activities in relation to them.

5.5 The Head of Legal Services hereby designates the following officers to enforce the Health Protection (Coronavirus Restrictions) (All Tiers) (England) Regulations 2020 as amended by the Health Protection (Coronavirus Restrictions) (All Tiers and Restrictions of Undertakings) (England) (Amendment) Regulations 2020 and the Health Protection (Coronavirus Restrictions) (No 3) and (All Tiers) (England) (Amendment) Regulations 2021 on behalf of Blackpool Borough Council:

Tim Coglan  
Lee Petrak  
Dave Verity  
Oliver Watts  
Karl Bischoff  
Jennifer Clayton  
Nicola Helm  
Carolyn Bland  
Lindsay Milner  
Sarah Longden  
Dominic Blackburn

5.6 Does the information submitted include any exempt information? No

5.7 **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 5.5 above be appointed by Blackpool Borough Council to enforce the Health Protection (Coronavirus Restrictions) (All Tiers) Regulations 2020 as amended by the Health Protection (Coronavirus Restrictions) (All Tiers and Restrictions of Undertakings) (England) (Amendment) Regulations 2020 and the Health Protection (Coronavirus Restrictions) (No 3) and (All Tiers) (England) (Amendment) Regulations 2021 on behalf of Blackpool Borough Council.

**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.