

# Norfolk County Council

## Record of Decision made by Head of Paid Service using Emergency Powers

Enforcement of Coronavirus legislation by Trading Standards Officers

**Responsible Executive Director: Tom McCabe, Head of Paid Service.**

### Background and Purpose:

**Due to the emerging situation regarding the Coronavirus pandemic, the Head of Paid Service has made this decision using Emergency Powers as set out in APPENDIX 5 - SCHEME OF DELEGATED POWERS TO OFFICERS of the Norfolk County Council Constitution**

The Government has enacted new legislation; the Health Protection (Coronavirus, Restrictions) (England) Regulations 2020, superseding the Health Protection (Coronavirus, Business Closure) (England) Regulations 2020. The Office of Product Safety and Standards has issued clear guidance that local authority Trading Standards Officers should enforce these regulations. Therefore, there is a need to ensure that the County Council's Trading Standards Officers have the relevant authority to do so.

### Decision:

**To add the following provision into the County Council's Constitution at Appendix 5 – Scheme of Delegated Powers to Officers, within the delegated powers for the Community and Environmental Services Department:-**

Area of Delegation	Officer(s) / Range of Grades
<b>(47) Appointing and authorising officers of the Council to enforce the Health Protection (Coronavirus, Business Closure) (England) Regulations 2020, the Health Protection (Coronavirus, Restrictions) (England) Regulations 2020 and any ancillary or consequential health protection legislation in so far as it relates to the functions of Trading Standards.</b>	<b>Head of Trading Standards</b>

**Is it a key decision?**

**No**

**Is it subject to call in?  
If Yes – Deadline for Call in**

**No  
Date: N/A**

**Impact of the Decision:**

This will enable Trading Standards officers to enforce the Regulations, where required, to keep communities safe and well. This includes issuing prohibition notices and fixed penalty notices, where necessary.

**Evidence and reason for the decision:**

This will enable the Council to enforce the new legislation, where needed, to keep communities safe and well.

**Alternative options considered and rejected:**

If authority is not given to enable the Regulations to be enforced the Council will not be able to respond to the new legislation enacted by Government, which will risk being unable to take necessary steps to keep communities safe and well.

**Financial, Resource or other implications considered:**

Enforcement will be undertaken using existing Trading Standards resources. New burdens funding will be applied for, if available

**Record of any conflict of interest:**

None.

**Background Documents:**

None.

**Date of Decision:**

9 April 2020

**Publication date of decision:**

15 April 2020

**Signed by Head of Paid Service:**

I confirm that I have made the decision set out above, for the reasons also set out

Signed:



Print name: Tom McCabe

Date: 9 April 2020

**Accompanying Documents**

None.