

**Report To:** Safe, Sustainable Communities  
Committee

**Date:** 05 May 2009

**Report By:** Corporate Director Environment &  
Community Protection

**Report No:**  
ECP/SCS/MM/09/019

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**Subject:** Delegated Powers: Authorisation of Officers

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## **1.0 PURPOSE**

- 1.1 To update the Delegated Powers of the Head of Safer Communities with respect to the authorisation of officers.

## **2.0 SUMMARY**

- 2.1 Safer Communities is responsible for the enforcement of a multitude of Acts and statutory instruments covering a wide range of topics. Since the last report on this issue in August 2008 the service has become responsible for the enforcement of further legislation.

## **3.0 RECOMMENDATIONS**

- 3.1 That the Head of Safer Communities be given delegated powers to authorise officers under the Acts contained in Appendix 1.

John Arthur  
Head of Safer Communities

## **4.0 Background**

- 4.1 Report no CS/ECS/009/06/MMcN on Delegated Powers: The Authorisation of Officers in January 2007 brought the Delegated Powers for functions enforced by Safer Communities, and thus the legality of officers' authorisations up to date.
- 4.2 Since that report the Council has become responsible the enforcement of regulations and orders made under the Consumers, Estate Agents and Redress Act 2007.
- 4.3 Amongst other matters Consumers, Estate Agents and Redress Act 2007 makes provision for the issue of fixed penalty notices for failure to participate in redress schemes. The powers to issue such will be contained in regulations made under the act.

## **5.0 Implications**

### 5.1 Legal

None – Consulted on initial scheme.

### 5.2 Finance

None

## **6.0 Proposal**

- 6.1 That the Head of Safer Communities should be given delegated powers to appoint and authorise individual officers under the primary legislation attached at Appendix 1 and all relevant statutory instruments made thereunder.

***Appendix 1 - List of Primary Legislation Under Which  
The Head of Safer Communities requires Delegated  
Powers to Authorise Officers.***

***Act***

Consumers, Estate Agents and Redress Act 2007