

**Request for Delegated Authority Approval  
(Emergency Powers – 2020 COVID-19 Pandemic)**

*Completed form should be emailed to the Chief Executive*

<b>Directorate:</b>	Chief Executives
<b>Service:</b>	Trading Standards and Environmental Health
<b>Subject:</b>	Designation of “relevant persons” under Health Protection (Coronavirus) (Restrictions) (S) Regulations 2020
<b>Author:</b>	Morton Houston, Service Lead, Trading Standards and Environmental Health
<b>Date of Request:</b>	27.3.20
<b>Background:</b>	<p>The above Regulations have come into force today, dealing with the restrictions in place during the Covid-19 pandemic. They provide for the designation by local authorities of “relevant persons” who can take necessary action to enforce requirements imposed by the legislation e.g. issue of prohibition notices on businesses and social distancing in and around these premises.</p> <p>The Regulations offer no guidance on which officers should be designated although national discussions recommend and indicate that both EH and TS Officers will be the preferred officers for this role. It is proposed that for South Ayrshire Council, officers of the Trading Standards and Environmental Health Service should be designated as “relevant persons” for the purposes of Regulation 7 (enforcement).</p>
<b>Approval Sought For:</b>	Approval is sought for delegated power under paragraph G21B of the Scheme of Delegation, to the Head of Regulatory Services and the Service Lead, Trading Standards and Environmental Health, to authorise such officers as they deem necessary and appropriate to act as “relevant persons” under Regulation 7 of the Health Protection (Coronavirus) (Restrictions) (S) Regulations 2020.

<b>Additional Information:</b>	<p>Existing delegations in the Scheme of Delegation do not cover the necessary authorisation, as they refer to Trading Standards or Environmental Health legislation, whereas the 2020 Regulations do not specify this, and leave it to each local authority to decide which officers to designate as relevant persons.</p> <p>It is important to designate appropriate officers as quickly as possible, in order that they can start to respond to the threat to public health.</p> <p>Environmental Health and Trading Standards Officers are recognised as appropriate for this role due to their knowledge of premises, enforcement training and ongoing role in giving business advice.</p>
<b>Legal Implications:</b>	<p>It is important that the necessary delegated authority is put in place as soon as practicable, in order to avoid subsequent challenges to any enforcement measure taken by officers under the 2020 Regulations.</p>
<b>Procurement Implications:</b>	<p>None</p>
<b>Financial Implications:</b>	<p>None</p>

**Chief Executive's Office use only:**

<b>Name(s) of Elected Member(s) consulted:</b>	<p>Douglas Campbell Philip Saxton</p>
<b>Elected Member Feedback:</b>	
<b>Decision:</b>	<p>Approved</p>