Committee: Standards Agenda Item 7.

No.:

Date: 4th November 2010 Category *

Subject: Authorisation of Officers Status Open

Report by: Head of Planning and

Environmental Health Head of Regeneration

Other Officers Environmental Health Commercial Manager involved: Environmental Health Residential Manager

Director Director of Development

Relevant Councillor D. Kelly, Portfolio Holder for Environment and Climate

Portfolio Change Champion,

Holder Councillor A. F. Tomlinson, Portfolio Holder for Regeneration and

Access Champion

RELEVANT CORPORATE AIMS

Community Safety - by taking measures within our renewal work that help to reduce crime and residents fear of crime, arranging for the removal of abandoned vehicles and fly tipping and the collection of stray dogs and dealing with the statutory noise aspect of anti social behaviour.

Customer Focused Services - by responding promptly to all enquiries, complaints and requests for service within target times and delivering services which meet the needs of customers.

Environment - by helping to protect and enhance the environment in the most deprived areas of the district, by monitoring the quality of air, food, water, visits to trade premises, environmental enforcement, responding to complaints and contributing to the Climate Change agenda.

Regeneration - by helping to bring about sustainable improvements in health, housing and environmental conditions in our most deprived areas.

Social Inclusion - by helping to revive local communities through targeted regeneration schemes including working with partners to deliver training and job opportunities.

Strategic Organisational Development - by continuing to seek our customers' views and as a result improving our services and shaping service delivery and also by training and developing staff and ensuring 80% of all our Performance Indicator targets are met.

TARGETS

Environment – contributing to the reduction of the per capita CO2 emissions across Derbyshire by 3% year on year by working with partners to deliver domestic energy efficiency programmes in the District.

Regeneration – contributing to improving the health of the District by raising awareness of food safety amongst 1000 older people through the Food Hygiene and Vulnerable Groups safe project by October 2010, with a view to preventing food poisoning - contributing to securing a decent standard of housing across the District by increasing the number of decent homes occupied by vulnerable people in the private sector to 70% by March, 2011.

Social Inclusion – contributing to the development of skills and learning within communities by assisting to deliver the Raising Aspirations project by March 2012 to raise the aspirations and employability skills of school children and their families, and young people that are not in education, employment or training (NEET) and adults that are economically inactive of unemployed contributing to reducing poverty by developing a Fuel Poverty and Affordable Warmth Strategy by March,2011 and by engaging with 110 private sector households, provide advice and carry out energy efficiency measures where appropriate to assist at least 36 households out of fuel poverty by March, 2011.

VALUE FOR MONEY – The Authorisation of Officers approval process ensures that staff are competent to undertake their relevant environmental health duties in an efficient and effective manner which minimises the risk of customer complaint and or legal challenge.

THE REPORT

AUTHORISATION OF OFFICERS – ENVIRONMENTAL HEALTH (Commercial and Residential Sections)

Due to changes in staffing and legislation it is necessary to amend the "Authorisation of Officers" document.

The following amendments are necessary:

1. Schedule of Amendments

Add Authorisation Doc 100907 supersedes Authorisation Doc 091012

2. Schedule A EHOs

Delete O McEneaney – Environmental Health Officer

3. Schedule B Technical Support Staff

Add E Raper - Technical Assistant

4. Schedule One – Legislation

Add The Products of Animal Origin (Third Country Imports) (England)

(Amendment) Regulations 2010

The Official Feed and Food Controls (England) Regulations

2009

Delete Official Feed and Controls (England) Regulations 2007

Products of Animal Origin (Third Country Import) (England)

Regulations 2003

5. Schedule Two - Legislation specifics

Under The Food Hygiene (England) Regulations 2006, last paragraph

Delete In the case of O McEneaney (Environmental Health Officer) she

shall have no powers in respect of Emergency Prohibition Notices, Hygiene Emergency Prohibition Notices, Remedial Action Notices and Detention Notices until she completes 2 years post qualification experience in food safety matters

Under Environmental Protection Act 1990, first bullet point

Delete the words "Authorisations and related documents under Part 1

of the Act and"

Under Environmental Protection Act 1990, third bullet point

Add E Raper

Under Environmental Protection Act 1990, fifth bullet point

Add The Environmental Permitting (England and Wales) Regulations

2010

• In the case of environmental permits and related documents and the authority to serve Notices, the authority shall extend only to:

S Gillott

J W Sherwood

H Rawson

S Bentley

In addition, although the Head of Planning and Environmental Health and the Head of Regeneration are not qualified or practising Environmental Health Officers, it is necessary for them to have the same delegated powers as the Officers listed in Schedule A as if they were practising EHOs. Also both these Officers need to be included as Officers who can serve Notices under the

Environmental Protection Act 1990 and the Head of Planning and Environmental Health needs to be included as an Officer who can issue permits and related documents and serve Notices under the Environmental Permitting (England and Wales) Regulations 2010.

IMPLICATIONS

Financial: None.

Legal: It is a legal requirement that Officers be properly

authorised to act on behalf of the Council.

Human Resources : None.

RECOMMENDATIONS that

1. the amendments be made

- 2. the amended document be known as EHSTAFF 100907
- 3. Council approve the changes for inclusion in the Constitution.

ATTACHMENT: N
FILE REFERENCE:)
SOURCE DOCUMENT)