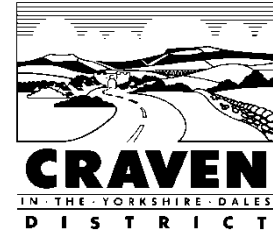


Policy Committee – 22nd July 2014

Authorisation of Appropriately Qualified Officers For the Purpose of Enforcing the Provisions of the Sunbeds (Regulation) Act 2010



Report of the Director of Services

Ward(s) affected: All

1. **Purpose of Report**

Seek delegated authority for either the Director of Services or the Environmental Health & Housing Manager to authorise appropriately qualified officers for the purpose of enforcing the provisions of the Sunbeds (Regulation) Act 2010

2. **Recommendations**

Members are recommended to;

- 2.1 resolve that the Director of Services or the Environmental Health & Housing Manager be given delegated authority to authorise suitably qualified officers for the purpose of enforcing the provisions of the Sunbeds (Regulation) Act 2010
- 2.2 resolve that the Environmental Health and Housing Manager be authorised to take enforcement action in respect of breaches of the Sunbeds (Regulation) Act 2010

3. **Background**

- 3.1 The Sunbeds (Regulation) Act 2010 received Royal Assent in April 2010 and came into force on 8 April 2011 (Appendix A). The main purpose of the Act is to prevent the use of sunbeds on commercial business premises by children and young people under the age of 18.
- 3.2 The Act came into being as a response to the increased incidences of skin cancer through exposure to ultraviolet (UV) rays from either natural sunlight or artificial rays from the use of sunbeds and sunlamps.
- 3.3 Accompanying the Act is guidance issued by the Department of Health on how the Act is to be implemented.
- 3.4 As the Council is the enforcing Authority for this legislation we have a duty to appoint 'authorised officers' to undertake the work of securing compliance

with the Act. Authorised Officers will have the right to enter premises which they believe are sunbed businesses and carry out inspections.

- 3.5 Such 'authorised officers' will need to be authorised in accordance with the Council's Scheme of Delegation. The current Scheme does not contain the necessary authorisations for officers to enforce the aforementioned legislation.
- 3.6 Members are asked to give the Director of Services or the Environmental Health and Housing Manager the necessary delegated authority to authorise suitably qualified officers for the purpose of the Act.

4. **Implications**

4.1 **Financial and Value for Money (vfm) Implications –**

There are no financial implications arising from this report

- 4.2 **Legal Implications –** The Council has a legal duty to enforce the provisions of the Sunbeds (Regulation) Act 2010 and must have suitably qualified authorised officers for that purpose

4.3 **Contribution to Council Priorities –**

A statutory obligation and does not directly relate to one of the Council Plan Priorities.

4.4 **Risk Management –**

There are no strategic risk management issues arising from the report other than reputational risk should the Council not enforce the legislation.

4.5 **Equality Analysis –**

An Equality Impact analysis has been undertaken and there is no negative impact resulting from the Council enforcing the legislation

5. **Consultations with Others –**

Director of Services, Finance Manager (Deputy s151 Officer), Legal Services Manager, Procurement, Payments and Risk Manager

6. **Access to Information : Background Documents –** Nil

7. **Author of the Report –**

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Note : Members are invited to contact the author in advance of the meeting with any detailed queries or questions.

Appendices –

Appendix A - [Sunbeds \(Regulation\) Act 2010](#)