

**BUCKINGHAMSHIRE COUNTY COUNCIL AND  
SURREY COUNTY COUNCIL**

**TRADING STANDARDS JOINT MANAGEMENT COMMITTEE**

**DATE: 23 SEPTEMBER 2020**

**LEAD OFFICER: STEVE RUDDY, HEAD OF TRADING STANDARDS**

**SUBJECT: TRADING STANDARDS SCHEME OF DELEGATIONS**

**SUMMARY OF ISSUE:**

Surrey County Council and Buckinghamshire County Council established a Joint Committee in 2015 to take responsibility for executive Trading Standards functions of both authorities. It is necessary to ensure that powers exercised by officers are properly delegated to them. The Joint Committee first agreed the scheme of delegations in April 2015 and agreed that subsequent amendments to the terms of reference and scheme of delegation will need to be determined by the Joint Committee.

Amendments are required to the scheme of delegations to ensure that it remains current in relation to legislative requirements and Trading Standards Service structure and job titles.

**RECOMMENDATIONS:**

It is recommended that the Scheme of Delegation attached as Annex A is approved by the Joint Committee.

**REASON FOR RECOMMENDATIONS:**

The Scheme of Delegations for the Service needs to be updated to correctly reflect legislative requirements, job titles and current Service structure.

**DETAILS:**

1. In 2015 Surrey County Council and Buckinghamshire County Council established joint arrangements for the provision of their executive Trading Standards functions and set up a Joint Committee for that purpose. Relevant decisions were made by Surrey County Council's Cabinet on 21 October 2014 and Buckinghamshire County Council's Cabinet on 20 October 2014.
2. As part of the Joint Committee's role in discharging the Trading Standards functions, it is necessary to consider and agree as it sees fit, amendments to the Scheme of Delegations originally agreed by the Joint Committee in 2015.

3. The attached Scheme of Delegation is based closely on the Scheme previously agreed by the Joint Committee in 2015. It has been updated to reflect the current Trading Standards service structure and changes in legislative requirements. In particular a change in the requirements in relation to Communications Data checks under the Regulation of Investigatory Powers Act.
4. Any subsequent amendments to the terms of reference and scheme of delegation will need to be determined by the Joint Committee.

#### **CONSULTATION:**

5. The joint arrangements established in 2015 were subject to extensive consultation with relevant officers and members in both local authorities. There has been no further consultation on the Scheme of Delegation.

#### **RISK MANAGEMENT AND IMPLICATIONS:**

6. These decisions are necessary to ensure that there is continuity of authority for officers to make decisions in relation to trading standards functions. Without this there would be a risk of challenge as a result of a lack of proper authority.

#### **Financial and Value for Money Implications**

7. There are no financial implications arising from this decision.

#### **Legal Implications**

8. This Joint Committee has been established by section 101(5) of the Local Government Act 1972- taken together with section 9EB of the Local Government Act 2000 and the relevant regulations. Section 101(5) and (2) of the 1972 Act additionally makes provision for such a joint committee to arrange for the discharge of its functions by officers. By putting in place an appropriate scheme of delegation officers will be given the necessary powers to discharge the various regulatory functions entrusted to the Joint Committee.

#### **Equalities and Diversity**

9. It is our opinion that there are no equalities implications arising from this decision.

#### **WHAT HAPPENS NEXT:**

10. The scheme of delegation for officers will have immediate effect and will be communicated to officers in the shared trading standards service.
11. Arrangements will be made for any necessary changes to each Council's Constitution as a result of this decision.

#### **Contact Officer:**

Steve Ruddy, Head of Trading Standards, 01372 371 730

**Consulted:**

**Annexes:**

Annex A: Revised Buckinghamshire and Surrey Trading Standards Scheme of Delegations.

**Sources/background papers:**

- None

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