

PART 1 - PUBLIC

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**Decision Maker:** General Purposes and Licensing Committee

**Date:** 27 May 2010

**Decision Type:** Non-Urgent Non-Executive Non-Key

**Title:** **SUNBEDS (REGULATION) ACT 2010 - DELEGATION OF POWERS**

**Contact Officer:** Paul Lehane, Head of Food Safety, Occupational Safety and Licensing  
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**Chief Officer:** Nigel Davies - Director of Environmental Services

**Ward:** All

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1. Reason for report

To ask Members to agree to the delegation of authority to the Director of Environmental Services

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2. **RECOMMENDATION(S)**

**Members are asked to agree that**

**1. The Director of Environmental Services be authorised to**

**a. Enforce the provisions of the Sunbeds (Regulation) Act 2010**

**b. Appoint 'Authorised Officers'**

### Corporate Policy

1. Policy Status: N/A.
  2. BBB Priority: Children and Young People. Safer Bromley
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### Financial

1. Cost of proposal: No cost
  2. Ongoing costs: N/A.
  3. Budget head/performance centre: Public Protection
  4. Total current budget for this head: £3.5m
  5. Source of funding: N/A
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### Staff

1. Number of staff (current and additional): 62 ( Licensing Team 8)
  2. If from existing staff resources, number of staff hours:
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### Legal

1. Legal Requirement: Statutory requirement.
  2. Call-in: Call-in is applicable
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### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): All persons under the age of 18
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### Ward Councillor Views

1. Have Ward Councillors been asked for comments? N/A.
2. Summary of Ward Councillors comments:

### 3. COMMENTARY

The Sunbeds (Regulation) Act received Royal Assent on 8 April 2010 and comes into force on 8 April 2011, and seeks to prevent commercial sunbeds being used by persons under the age of 18.

This act has its background set against the medical concerns about the increased risk of skin cancer to young people from the use of commercial sunbeds

Local Authorities are charged with its enforcement (section 7(1)) and are required to appoint officers for that purpose who have powers of entry as set out in the schedule. (section 7(2))

Authorised Officers have the powers to

- a. Enter and inspect premises (not a dwelling) where its believed that a sunbed business is being carried on
- b. Require the production of books, documents or records, inspect them and take copies or extracts or take possession of them
- c. Require other information and ask for other assistance as necessary
- d. Make purchases and secure the provision of such services (Test purchasing)
- e. Apply for a warrant of entry to a Justice of the Peace

To enable the Council to effectively discharge its responsibilities the Director of Environmental Services seeks the delegation of authority to appoint 'Authorised Officers'.

### 4. LEGAL IMPLICATIONS

The Council has a duty to enforce this Act and appoint 'Authorised Officers'

<b>Non-Applicable Sections:</b>	<b>POLICY IMPLICATIONS, PERSONNEL IMPLICATIONS, FINANCIAL IMPLICATIONS</b>
Background Documents: (Access via Contact Officer)	Sun beds (Regulation) Act 2010