

**PUBLIC PROTECTION COMMITTEE: 7th May 2013**

**Report of the Head of Regulatory and Supporting Services**

**APPOINTMENTS FOR THE PURPOSES OF HEALTH AND SAFETY**

**1. Background**

The Health and Safety at Work, etc. Act 1974 allows local authorities to appoint inspectors to enforce the various duties laid down in the Act. This report concerns the areas of responsibility currently allocated to the Regulatory Service area.

**2. The Issues**

2.1 A number of officers employed within the Trading Standards service need to be appointed as Inspectors for the purposes of the Health and Safety at Work, etc. Act 1974. This appointment will be made in accordance with the conditions, and subject to the limitations, set out in a copy of the draft instrument appended to this report.

2.2 The officers requiring authorisation are:

- *Thomas Clack*
- *Michael Davies*
- *Christopher Drinkall*
- *Andrew Evans*
- *Catherine Gay*
- *Jackie Hotchkiss*
- *Allyson Hunt*

**3. Achievability**

The recommendations can be achieved; the authorisations enable the Inspector to undertake and perform her duties in an effective manner.

**4. Legal Implications**

As has been indicated, the Inspector cannot undertake her duties effectively without the authorisation.

**5. Financial Implications**

The recommendation in this report has no direct financial implications as the cost will be met from the existing budget and will enable the Inspector to undertake and perform his duties in an effective manner.

## **6. Recommendations**

That the officers identified in 2.2 above be appointed as inspectors for the purposes of the Health and Safety at Work, etc. Act 1974 and authorised in accordance with the attached instrument of appointment

**Dave Holland**  
**Head of Regulatory and Supporting Services**

**19<sup>th</sup> April 2013**

This report has been prepared in accordance with procedures approved by the Corporate Management team.

Background papers:

The Health and Safety at Work etc Act 1974  
Health and Safety Executive/Local Authorities Enforcement Liaison Committee (HELA) – Local Authority Circular LAC 22/8

## INSTRUMENT OF APPOINTMENT

1. In this Appointment unless the context otherwise requires the following words, expressions and phrases shall have the meanings hereby ascribed to them:-
  - (i) "The Council" shall mean the County Council of the City and County of Cardiff.
  - (ii) "The 1974 Act" shall mean the Health and Safety at Work, etc. Act 1974.
  
2. In exercise of the power conferred upon the Council by Section 19(1) of the 1974 Act and being satisfied that **name** has suitable qualifications, I hereby appoint him/her to be an Inspector for the purposes of the 1974 Act within the field of the responsibility of the Council and for that purpose to:-
  - (i) exercise the powers of an Inspector specified in the following sections of the 1974 Act:-

*Section 20 (a) to (l)*
  
3. This Instrument revokes any previous Instrument of Appointment of the said Inspector and shall remain in force until revoked by the Council. For the avoidance of doubt, this Appointment shall be automatically revoked upon the said **name** ceasing for whatever reason to occupy a post as a **Fair Trading Officer** in the employment of the Council or its successors.

*To be executed on behalf of the Council in accordance with Standing Orders*

**Dated:**