

<b>UPDATE TO SCHEME OF AUTHORISATION AND DELEGATION OF POWERS</b>	<b>6<sup>th</sup> February 2018</b>
<b>TO: ENVIRONMENTAL SERVICES COMMITTEE</b>	
<b>FOR DECISION</b>	

<b>Linkage to Council Strategy (2015-19)</b>	
<b>Strategic Theme</b>	Innovation & Transformation
<b>Outcome</b>	Appointment of Cautioning Officer
<b>Lead Officer</b>	Head of Health & Built Environment
<b>Cost: (If applicable)</b>	Not Applicable

## **Background**

Further to the adoption of the Councils Enforcement Policy OD 150312 item 5.3 refers, the policy allows for the issue of formal cautions where due to extenuating circumstances it is not considered appropriate to prosecute. The cautioning officers for the Council will be a senior officer authorised by the Council on the recommendation of the Director of Environmental Services.

A formal caution is a written acceptance by an offender that they have committed an offence and may only be used where a prosecution could properly have been brought. Where appropriate, it will be registered with the Office of Fair Trading and brought to the Courts attention if the offender is convicted of a subsequent offence.

Officers will take account of current Home Office guidelines when considering whether to offer a formal caution. Where a person declines such an offer the Council will consider taking alternative enforcement action, which will usually take the form of a prosecution. The Director of Environmental Services nominates the following post-holders as cautioning officers:

Head of Health & Built Environment  
 Building Control Manager  
 Environmental Health & Housing Manager  
 Licensing and Emergency planning Manager  
 Food, Health & Safety and Consumer Protection Manager

## **Recommendation**

It is recommended that Council approve the above nominations.