

Committee:	Date:
Port Health and Environmental Services Committee	24 November 2015
Subject: Decisions taken under Urgency since the last meeting of the Committee	Public
Report of: Town Clerk	For Information

Summary

This report advises Members of action taken by the Town Clerk, in consultation with the Chairman and Deputy Chairman, since the last meeting of the Committee, in accordance with Standing Order No. 41(a).

Recommendation:

Members are asked to note the report.

Main Report

Delegation of powers to the Director of Markets and Consumer Protection regarding the Consumer Rights Act 2015

Background

1. The Consumer Rights Act 2015 came into force on 1 October 2015. The Act has been used to consolidate the investigatory powers of those enforcing consumer law which regulates a diverse range of business sectors such as retailers, distance and doorstep sellers, public houses, estate agents and car dealers. These powers are detailed in Schedule 5 to the Consumer Rights Act 2015.
2. All existing officers who were appointed or authorised prior to 1 October 2015 to exercise a power replaced by Schedule 5 of the Consumer Rights Act 2015 are treated as covered by the new legislation. Any new permanent staff or contractors taken on after 1 October 2015 are not covered. It was proposed that the power to appoint authorised officers under the provisions of Schedule 5 of the Consumer Rights Act 2015 be delegated to the Director of Markets and Consumer Protection and, in his absence, the Director of Port Health and Public Protection.
3. A decision was sought under urgency to ensure that the City of London Corporation was prepared and able to authorise officers should any emergency situations arise prior to the Committee meeting on 24 November 2015. If a multi-site investment fraud had been identified in the City of London prior to this date, which required coordinated visits using officers from the

regional Scambusters team, it was necessary to give those officers the necessary powers of entry and inspection at short notice. This would not have been possible if authorisation were delayed until the end of November, thereby hindering the City Corporation's ability to provide an optimal level of protection to consumers.

Action taken

4. It was agreed by the Town Clerk, in consultation with the Chairman and Deputy Chairman of the Port Health and Environmental Services Committee, that the power be delegated to the Director of Markets and Consumer Protection and, in his absence, the Port Health and Public Protection Director, to appoint authorised officers under the provisions of Schedule 5 of the Consumer Rights Act 2015.

Conclusion

5. In accordance with Standing Order No. 41 (a), Members are asked to note the decisions taken by the Town Clerk, in consultation with the Chairman and Deputy Chairman, since the Committee's last meeting in September 2015.

Appendices

6. None

Background papers

7. Report of the Director of Markets and Consumer Protection: *Delegation of Powers to the Director of Markets and Consumer Protection (October 2015)*
8. [Consumer Rights Act 2015](#)

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