

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO LICENSING COMMITTEE

DECISION

meeting date: 2 NOVEMBER 2021
title: PRIVATE SECURITY INDUSTRY ACT 2001 – POWERS OF AUTHORITY
submitted by: CHIEF EXECUTIVE
principal author: STEPHEN BARKER, SOLICITOR

1 PURPOSE

1.1 To seek Committee's approval for the Head of Legal and Democratic Services to nominate officers to the Security Industry Authority ("the SIA") for such officers to be granted powers of inspection by the SIA under Section 19(2) of the Private Security Industry Act 2001 ("the Act") and to arrange any training that may be required.

1.2 Relevance to the Council's ambitions and priorities:

- Community Objectives }
 - Corporate Priorities }
 - Other Considerations }
- Approval of this nomination will promote the Council's aim to be a well-managed Council, and to help make peoples lives safer and healthier.

2 BACKGROUND

2.1 Within the Ribble Valley, a number of licensed premises utilise the services of door staff licensed by the SIA. Some of these establishments engage these staff voluntarily, based on their own risk assessments. Other establishments have door staff on certain days and at certain times, because of conditions on their licence.

2.2 Currently, the Council's licensing enforcement staff do not have the power to require door staff at premises to produce documents or information to verify the presence and actions of the door staff as a member of the security industry. In most circumstances, such documents or information are produced voluntarily on request, by professional staff who wish to cooperate with the Council and other regulatory authorities. However, currently the Council's officers do not have the power to require such production.

2.3 An approach has been received from the SIA seeking to establish whether the Council would wish them to grant powers to certain specified officers of the Council under Section 19(2) of the Act. An extract from Section 19 of the Act can be found at Appendix 1. A leaflet issued by the SIA on their enforcement powers can be found at appendix 2. Particular attention is drawn to page 13 of the leaflet which explains powers of entry and in particular powers to gather information by the SIA and those with written authority (such as any nominated and authorised officers of the Council).

3 ISSUES

- 3.1 The approach which has been received from the SIA is supported by a specimen letter of application, which can be found here at Appendix 3. Members will note that, if they are minded to approve the recommendation in this report, confirmation will be provided that any Council officers nominated are fit and proper and appropriately trained to be granted authority under section 19(2) of the Act.

4 RISK ASSESSMENT

- 4.1 The approval of this report may have the following implications

- Resources – resources will be expended in the time involved in submission of the application and any appropriate training.
- Technical, Environmental and Legal – on the next revision of part 3(2) of the Council's Constitution, the addition of the Security Industry Act 2001 to the non-exhaustive list of statutory provisions in Appendix 1.
- Political – no implications identified.
- Reputation – the Council's reputation will be enhanced by the acquisition of additional powers to address issues of public safety.
- Equality & Diversity – no implications identified.

5 **RECOMMENDED THAT COMMITTEE**

- 5.1 Approve the Head of Legal and Democratic Services

5.1.1 to nominate Council officers to the Security Industry Association to be granted powers of inspection by the SIA under Section 19(2) of the Private Security Industry Act 2001; and

5.1.2 to arrange for any appropriate training for Council officers so nominated.

STEPHEN BARKER
SOLICITOR

MARSHAL SCOTT
CHIEF EXECUTIVE

For further information please ask for Stephen Barker, extension 3216.