



meeting **PUBLIC PROTECTION & GENERAL PURPOSES COMMITTEE**

date 17 February 2003

agenda item number

## **REPORT OF THE ASSISTANT DIRECTOR (PUBLIC PROTECTION)**

### **NURSES AGENCIES ACT 1957 AND PETROLEUM CONSOLIDATION ACT 1928**

#### **1. Purpose of Report**

To update the Public Protection & General Purposes Committee on the changes of responsibilities for enforcement of the Nurses Agencies Act 1957 and the Petroleum Consolidation Act 1928.

#### **2. Background**

- 2.1 Members were informed in October 2002 of the imminent changes for enforcement responsibilities of the County Council under the above two Act of Parliament.

##### **Nurses Agencies Act**

- 2.2 The Nurses Agencies Act 1957 makes it the duty of the County Council to licence agencies which supply nurses to clients which include private individuals, businesses such as nursing homes and also hospitals.
- 2.3 The responsibility for enforcement of this Act was due to transfer to the National Care Standards Commission from 1 July 2002 but sole transfer date was deferred until 1 September 2002 and to 1 January 2003. The current advice from the Department of Health is that the transfer will now definitely take place on 1 April 2003.
- 2.4 The Trading Standards Service has re-licensed the eight nurses agencies in Nottinghamshire for this year. The licenses are valid until 31 December 2003 and will be recognised by the National Care Standards Commission.

### **3. Petroleum Consolidation Act 1928**

- 3.1 On 9<sup>th</sup> December 2002 new regulations came into force (the Dangerous Substances and Explosives Atmospheres Regulations 2002). These Regulations amended the Act by removing from the licensing requirements all storage of petroleum in workplace premises except where the petroleum is dispensed from an underground tank into the tank of an internal combustion engine.
- 3.2 This means that all workplace storage, often referred to as can stores, no longer needs a licence. Safety of these stores passes to the District Councils under the provisions of the Health & Safety Act.
- 3.3 Until the next amendment in the pipeline, the County Council are still responsible for licensing / registration of retail petrol sites, private sites where petrol is dispersed into vehicles and non workplace sites which includes domestic storage.
- 3.4 The changes will result in a loss of income of £7,500 in the next financial year. This loss of income will need to be contained within the 2003/04 revenue budget for the Trading Standards Service.

### **4. Statutory and Policy Implications**

The report has been compiled after consideration of implications in respect of finance, equal opportunities, personnel, Crime and Disorder, and users. Where such implications are material, they have been brought out in the text of the report.

### **5. Head of Legal Services' Comments (IR 16.1.03)**

Any statutory or legal implications have been dealt with in the body of the report.

### **6. County Treasurer's Comments (CS/RWK)**

The financial implications are set out in the report.

### **7. Recommendations**

That the Public Protection and General Purposes Committee note the content of the report and the reduction in income these changes will bring.

### **8. Background Papers Available for Inspection: NIL**

### **9. Electoral Divisions Affected: All**

**RICHARD HODGE**

**Assistant Director (Public Protection)**