



Local Government and Public Involvement in Health Act 2007

2007 CHAPTER 28

PART 6

BYELAWS

133 Community support officers etc

(1) The Police Reform Act 2002 (c. 30) is amended as follows.

^{F1}(2)

(3) In Schedule 5 (accredited persons)—

(a) in paragraph 1 (power to issue fixed penalty notices), after sub-paragraph (3) insert—

“(3A) For the purposes of paragraph (f) of section 64A(1B) of the Police and Criminal Evidence Act 1984 (photographing of suspects in relation to fixed penalty offences) “relevant fixed penalty offence”, in relation to an accredited person, includes an offence under a relevant byelaw within the meaning of paragraph 1A(4) (and, accordingly, the reference in that paragraph (f) to paragraph 1 of this Schedule includes a reference to paragraph 1A of this Schedule).”;

(b) after paragraph 1 insert—

“1A

(1) This paragraph applies to an accredited person whose accreditation specifies that it applies to him.

(2) The accreditation may specify that, in relation to that person, the application of sub-paragraph (3) is confined to one or more only (and not all) relevant byelaws, being in each case specified in the accreditation.

Changes to legislation: There are currently no known outstanding effects for the Local Government and Public Involvement in Health Act 2007, Section 133. (See end of Document for details)

- (3) Where that person has reason to believe that an individual has committed an offence against a relevant byelaw at a place within the relevant police area, he may exercise the power of an authorised officer of an authority to give a notice under section 237A of the Local Government Act 1972 (fixed penalty notices in relation to offences against certain byelaws).
- (4) In this paragraph “relevant byelaw”, in relation to an accredited person, means a byelaw which—
 - (a) falls within sub-paragraph (5); and
 - (b) is specified or described in that person's accreditation as a byelaw he has been accredited to enforce under this paragraph.
- (5) A byelaw falls within this sub-paragraph if—
 - (a) it is a byelaw to which section 237A of the Local Government Act 1972 applies (fixed penalty notices in relation to offences against certain byelaws); and
 - (b) the chief officer of the police force for the relevant police area and the authority who made the byelaw have agreed to include it in a list of byelaws for the purposes of this sub-paragraph.
- (6) A list under sub-paragraph (5)(b) must be published by the chief officer in such a way as to bring it to the attention of members of the public in localities where the byelaws in the list apply.
- (7) The list may be amended from time to time by agreement between the chief officer and the authority, by adding byelaws to it or removing byelaws from it, and the amended list shall also be published by the chief officer as mentioned in sub-paragraph (6).”;
 - (c) in paragraph 2(3) (relevant offence for the purpose of the power to require giving of name and address), after paragraph (aa) insert—
 - “(aza) an offence under a relevant byelaw within the meaning of paragraph 1A(4); or”;
 - (d) in paragraph 9ZA (photographing of persons given fixed penalty notices), after “paragraph 1(2)” insert “ or in exercise of the power mentioned in paragraph 1A(3) ”.

Textual Amendments

- F1** S. 133(2) omitted (31.1.2017 for specified purposes, 15.12.2017 in so far as not already in force) by virtue of [Policing and Crime Act 2017 \(c. 3\)](#), s. 183(1)(5)(e), [Sch. 12 para. 22\(a\)](#); S.I. 2017/1139, reg. 2(k) (as amended by S.I. 2017/1162, reg. 2)

Commencement Information

- I1** S. 133 in force at 27.1.2010 by [S.I. 2010/112](#), [art. 2\(e\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Local Government and Public Involvement in Health Act 2007, Section 133.