1973. No. 168 [C]

LOCAL GOVERNMENT

Employment of Public Health Inspectors

ORDER, DATED 29TH MAY 1973, MADE BY THE MINISTRY OF DEVELOPMENT UNDER SECTION 41(8) AND (9) OF THE LOCAL GOVERNMENT ACT (NORTHERN IRELAND) 1972.

WHEREAS, the Ministry of Development has consulted the existing local authorities concerned with the employment of public health inspectors on the matter of the future employment of such officers:

AND WHEREAS the Ministry of Development, following such consultations, is satisfied that it is expedient that an order should be made providing for the employment of public health inspectors by certain councils on behalf of groups of councils:

NOW, THEREFORE, the Ministry of Development on behalf of the Secretary of State and in exercise of the powers conferred by section 41(8) and (9) of the Local Government Act (Northern Ireland) 1972(a) hereby makes the following Order:—

Citation

1. This Order may be cited as the Local Government (Employment of Public Health Inspectors) Order (Northern Ireland) 1973.

Interpretation

2. In this Order—

"employer council" means the council responsible for the employment of public health inspectors on behalf of a group;

"existing local authority" has the meaning assigned to it by section 131(4) of the Local Government Act (Northern Ireland) 1972;

"group" means those councils on whose behalf public health inspectors are employed by an employer council;

"group committee" means a committee established for the purpose of consultation in accordance with Article 5;

"public health inspector" includes a chief administrative public health inspector and the officers employed to assist or support public health inspectors.

Groups

3. For the purpose of the employment of public health inspectors the councils named in coulmn 2 of the following Table shall be divided into the four groups shown in that column and such groups shall be known by the respective designations indicated in column 1 of that Table:—

(a) 1972. c. 9 (N.I.).

TABLE

Groups

Designation (Column 1)	*Constituent councils* (Column 2)
Northern Group	Antrim, Ballymena, Ballymoney, Carrickfergus, Coleraine, Cookstown, Larne, Magherafelt, Moyle and Newtownabbey.
Western Group	Fermanagh, Limavady, Londonderry, Omagh and Strabane.
Southern Group	Armagh, Banbridge, Craigavon, Dungannon and Newry and Mourne.
Eastern Group	Ards, Castlereagh, Down, Lisburn and North Down.

Employer councils

4.—(1) For the purpose of the employment of public health inspectors the councils named in column 2 of the following Table shall be the employer councils for the respective groups named in column 1 of that Table:—

TABLE

Employer Councils

Group (Column 1)	*Employer council* (Column 2)
Northern	Ballymena
Western	Omagh
Southern	Armagh
Eastern	Castlereagh

(2) In each group the employer council shall employ all the public health inspectors necessary to discharge all the functions exercisable by public health inspectors in the districts of the councils in the group and such services as may be authorised under Article 9; and, subject to the provisions of this Order and the directions of the group committee, the employer council shall be responsible for all matters relating to the employment of such public health inspectors.

(3) In each group a chief administrative public health inspector shall be appointed who, subject to the directions of the group committee, shall be responsible for the supervision of all public health inspectors employed for the purposes of the group.

(4) Notwithstanding that he is employed by the employer council and subject to the provisions of Article 9—

(*a*) a public health inspector employed for the purposes of the group shall be responsible in the discharge of any of his functions to the council for the district in which that function is being discharged and shall report direct to such council; and

(*b*) the chief administrative public health inspector shall at least once in each year report to each council on all the functions exercisable by public health inspectors within the district of the council and shall furnish such other reports to the council as he may from time to time be required by the employer council, as a consequence of a direction from the group committee, so to furnish or which he may consider necessary.

Appointment of public health inspectors

5.—(1) Before appointing any person as a public health inspector the employer council, in addition to fulfilling the provisions of section 41 of the Local Government Act (Northern Ireland) 1972, shall consult all the councils in the group by means of a group committee to be established within the group in accordance with the following provisions:—

(*a*) each council in the group shall appoint two councillors as members of the group committee and each council at any time may vary or revoke the appointments made;

(*b*) if a councillor appointed by a council under sub-paragraph (*a*) is unable for any reason to attend a meeting of the group committee the council may appoint a councillor as substitute to attend such meeting; and

(*c*) the group committee may invite any public body or government department who appears to the committee likely to use the services of public health inspectors to nominate one representative to attend meetings of the group committee.

(2) Following consideration by the group committee of a proposal for the appointment of any person as a public health inspector the group committee shall decide whether or not the person should be appointed and the employer council shall act in accordance with such decision.

(3) All decisions of the group committee shall be decided by a majority of the members present and voting thereon, and in the case of an equality of votes the person presiding at the meeting shall have a second or casting vote.

(4) Subject to paragraph (3) the group committee may regulate its own procedure (including quorum).

Additional functions of group committees

6. In addition to being consulted on the appointment of public health inspectors a group committee—

(*a*) shall be responsible for co-ordinating the provision of the services of public health inspectors within the areas of the councils in the group;

(*b*) shall be responsible for determining the staffing establishment of public health inspectors for the group; and

(*c*) may undertake such other matters incidental to the appointment of public health inspectors as the group committee considers to be necessary.

Administration of group committees

7. The employer council shall be responsible for providing all administrative services necessary for the efficient discharge by the group committee of its functions.

Allocation of expenses

8.—(1) Subject to paragraph (2), all expenses of the employer council in connection with the employment of public health inspectors (including a charge for administrative services provided by the employer council) shall be apportioned among the councils in the group as such councils may determine.

(2) In the case of disagreement on the basis of the apportionment of the expenses of the employer council for the purposes of paragraph (1) the Ministry shall determine the apportionment to be made.

Use of the services of public health inspectors by public bodies or government departments

9. Where a public body or government department for the purpose of carrying out any of its functions requires the services of public health inspectors, the group committee at the request of such public body or government department, may authorise the employer council to make the services of public health inspectors who are employed for the purposes of the group available to that public body or government department and, if so, shall specify a scale of fees (which shall include a charge for administrative services by the employer council) in accordance with which such services are to be made available.

Sealed with the Official Seal of the Ministry of Development for Northern Ireland this 29th day of May 1973.

(L.S.) *P. A. Sythes,*
Deputy Secretary.

EXPLANATORY NOTE

(This note is not part of the Order, but is intended to indicate its general purport.)

This Order provides for the employment of public health inspectors by certain councils on behalf of groups of councils, for consultation between such councils on the appointment of and other matters relating to such inspectors, and for consequential provisions arising from such employment.