1994 No. 498

LOCAL GOVERNMENT

Local Government (Employment of Group Environmental Health Staff) Order (Northern Ireland) 1994

Made . . . . . *22nd December 1994*

Coming into operation . . . *1st April 1995*

WHEREAS the Department of the Environment has consulted with district councils concerned with the employment of environmental health staff on the matter of the employment of such staff:

AND WHEREAS the Department of the Environment after that consultation is satisfied that it is expedient that an Order should be made providing for the employment of environmental health staff by certain councils on behalf of groups of councils:

NOW, THEREFORE, the Department of the Environment in exercise of the powers conferred on it by section 41(8), (8A) and (8B) of the Local Government Act (Northern Ireland) 1972 and now vested in it(**a**) and of every other power enabling it in that behalf, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Local Government (Employment of Group Environmental Health Staff) Order (Northern Ireland) 1994 and shall come into operation on 1st April 1995.

Interpretation

2. In this Order—

"district environmental health plan" means an annual plan prepared by a council and specifying the level of the environmental health service to be provided by the council and identifying the associated resources;

"Department" means the Department of the Environment;

"employer council" means a council responsible for the employment of group environmental health staff;

"group" means councils on behalf of which group environmental health staff are employed by an employer council;

"group environmental health staff" means an officer designated by the employer council as responsible for environmental health and such

(**a**) 1972 c. 9 (N.I.); relevant amending instrument is Article 35(2) of S.I. 1992/810 (N.I. 6). *See also* S.R. & O. (N.I.) 1973 No. 504 Article 7 and S.I. 1976/424 (N.I. 6) Article 3

other officers employed by the employer council to assist the group in carrying out its environmental health functions;

"group committee" means a committee established for the purpose of consultation in accordance with Article 10; and

"trading accounts" means accounts which show the charges for services carried out and the rates agreed, together with the cost of providing those services.

Groups

3. The councils named in column 2 of the following Table shall be divided into the 4 groups shown in that column and such groups shall be known by the respective designations indicated in column 1 of that Table:

TABLE

Groups

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

Employer councils

4. For the purpose of the employment of group environmental health staff 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

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

Appointment of group environmental health staff

5.—(1) Before appointing group environmental health staff, the employer council shall consult all the councils in the group by means of a group committee.

(2) Subject to paragraph (1), the employer council for each group shall appoint an officer to be responsible for environmental health and such other staff as the group committee may recommend.

(3) Notwithstanding that he is employed by the employer council, any officer employed for the purposes of the group shall undertake, at the request and authorisation of a council in the group and with the approval of the group committee, any environmental health function exercisable by an officer of that council and in so doing he shall be responsible to that council.

Responsibilities of the Officer responsible for environmental health

6. The Officer responsible for environmental health shall—

(*a*) be responsible to the group committee for advising it on the matters referred to in Article 11 and for the day to day administration of those functions;

(*b*) be responsible to the employer council for the supervision of group environmental health staff;

(*c*) at least once a year report to each council within the group and the group committee on the services given by group environmental health staff to councils;

(*d*) be responsible for the preparation of annual trading accounts and annual estimates in relation to the services provided by group environmental health staff to councils;

(*e*) be responsible for monitoring, advising and reporting annually to councils and the group committee on the production of district environmental health plans;

(*f*) furnish such reports to the councils and the group committee as may from time to time be required by the group committee or as he may consider necessary;

(*g*) liaise with environmental health staff within the areas of the councils of the group and other officers responsible for environmental health to ensure consistency of interpretation, application and enforcement of regulations;

(*h*) be required to report to the group committee on services provided by group environmental health staff to the councils, government departments and other public bodies; and

(*i*) furnish to the Department, if requested by it, a copy of reports mentioned in sub-paragraphs (*c*), (*e*), (*f*) and (*h*) and such other reports as the Department considers appropriate.

Transfer of staff

7.—(1) This Article applies to any officer of an employer council who immediately before the date of the coming into operation of this Order, is