
APPOINTMENT OF PROPER OFFICER

**Responsible Cabinet Member(s) - Councillor Stephen Harker,
Consumer and Environmental Services Portfolio**

Responsible Director(s) - John Buxton, Director of Development and Environment

Purpose of Report

1. To bring to Members' attention to a request from Dr Roberta Marshall, Director of County Durham and Darlington Local Health Protection Unit, that a revised list of Proper Officers be adopted.

Information and Analysis

2. A copy of a letter from Dr A R Marshall is attached as **Appendix A**.
3. Dr Marshall is employed by the Health Protection Agency as the Director of County Durham and Darlington Local Health Protection Unit and is responsible for the monitoring and control of infectious diseases.
4. Cabinet last revised the authorisation of Proper Officers, on 11 February 2003, before Dr Marshall was appointed to post and before the Health Protection Agency was established.
5. It is necessary for the Council to select and appoint Officers to carry out the statutory duties associated with:
 - (a) Public Health (Control of Diseases) Act 1984
 - (b) National Assistance Act 1948 and its amendment for the purposes of Section 47 Removals.
 - (c) Public Health Aircraft Regulations 1979
6. The Proper Officer acting under the powers of Section 47 may certify, in writing, that it is necessary to remove a person from unsuitable to suitable premises to secure necessary care and attention for persons who:
 - (a) Are suffering from grave chronic disease, or being aged, infirm or physically incapacitated, are living in unsanitary conditions.
 - (b) Are unable to devote to themselves and are not receiving from other persons proper care and attention.

7. The Proper Officer acting under the powers of the Public Health (Control of Diseases) Act 1984 may take action to prevent the spread of communicable diseases.
8. All of the persons nominated as Proper Officers are Doctors are specialists in Public Health Medicine and employed by the Health Protection Agency.

Financial Implications

9. None involved with the revision of the list of Proper Officers.

Council Policy Framework

10. The issues contained within this report do not represent change to Council policy or the Council's policy framework.

Decision Deadline

11. For the purpose of the 'call-in' procedure this represents an urgent matter, as appropriate arrangements should be in place to carry out the statutory duties.

Key Decisions

12. This is a key decision as it directly impacts upon the ability to carry out statutory duties.

Recommendation

13. It is recommended that Dr A R Marshall be appointed as Proper Officer and Dr Deborah Wilson, Dr Anne Lowe, Dr Ian Holtby, Dr Patricia Cresswell, Dr Michael Grandey and Dr David Walker be appointed as alternate Proper Officers for the purposes of the:

- (a) Public Health (Control of Diseases) Act 1984
- (b) National Assistance Act 1948 and its amendment for the purposes of Section 47 Removals
- (c) Public Health Aircraft Regulations 1979

Reasons

14. The recommendations are supported to enable the Council to carry out its statutory duties to protect the health of individuals and the general community.

John Buxton
Director of Development and Environment

Background Papers

File held by Public Protection Division relating to Appointment of Proper Officer

Appendix

Letter from Health Protection Agency dated 5 April 2005

Barry Pearson : Extension 388560

10/5

07 APR 2005



Our Ref: RM/SA/0504darpo

Mr B Pearson
 Environmental Health Department
 Darlington Borough Council
 11 Houndgate
 Darlington
 Co Durham
 DL1 5RF

Health Protection Agency

County Durham and
 Darlington Local Health
 Protection Unit

Appleton House
 Lanchester Road
 Durham
 DH1 5XZ

Tel 0191 333 3372
 Fax 0191 333 3228
 www.hpa.org.uk

5 April 2005

Dear Mr Pearson

Proper Officer Appointments

As discussed at the recent County Durham and Darlington Infection Control Committee meeting this is to propose a list of Proper Officers for the purposes of functions under the Public Health (Infectious Disease) Act 1984, Public Health (Infectious Diseases) Regulations 1988 and National Assistance Act 1984 as amended by the National Assistance (Amendment) Act 1951 and, for Durham Tees Valley Airport, the Public Health (Aircraft) Regulations, 1979. I propose myself as Proper Officer for the above functions and the other Consultants in the County Durham and Tees Valley Health Protection Unit plus the Consultants from the County Durham and Darlington on-call rota as alternative proper officers as summarised below.

Proper Officer

Dr A R Marshall, Director, County Durham and Tees Valley Health Protection Unit

Alternative Proper Officers

Dr Deb Wilson, Consultant in Communicable Disease Control, County Durham and Tees Valley Health Protection Unit

Dr Ian Holtby, Consultant in Communicable Disease Control, County Durham and Tees Valley Health Protection Unit

Dr Michael Grandey, Consultant in Communicable Disease Control, County Durham and Tees Valley Health Protection Unit

Dr David Walker, Director of Public Health, County Durham and Tees Valley Strategic Health Authority

Dr Anne Lowe, Director of Public Health, Derwentside Primary Care Trust

Dr Tricia Cresswell, Director of Public Health, Durham and Chester-le-Street Primary Care Trust

If the proposed arrangements are acceptable to the Council I would be grateful if you would let me have a copy of the minutes of the Council meeting when the appointments are approved or a letter confirming the acceptability of the arrangements to the Council.

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If you have any queries in relation to this please do contact me to discuss.

I look forward to working with you.

Kind regards.

Yours sincerely

Roberta Marshall

Dr A R Marshall
Director