

Council – 21st February 2013

Transition of Public Health

1. Summary

In accordance with Article 14 of the Constitution and the Council's duty to monitor and review the Constitution, this report sets out delegations to be given to the Director of Public Health.

2. Recommendation

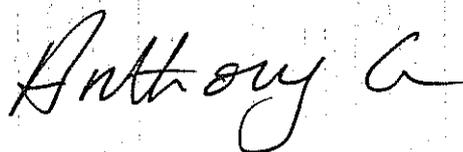
That the delegations to the Director of Public Health be approved as set out in the Appendix to this report to take effect from 1st April 2013, and that the Constitution be amended accordingly.

3. Report detail

Council will be aware that as a result of the Health and Social Care Act 2012 the Council will take on the new Public Health responsibilities from 1st April 2013. As a result of the "2012 Act" each local authority has to appoint a Director of Public Health whose statutory responsibilities are designed to match the corporate public health duties of the local authority.

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Signed

Tony Cox
Head of Legal and Democratic Services

Date: 13th February 2013

Director of Public Health

Delegations

The Director of Public Health shall be responsible for the day to day management of the public health function and without prejudice to the foregoing shall, subject to compliance with the constitutional arrangements and any relevant provisions of the Council's financial and contract rules:

1. Exercise the Council's functions under Section 2B; 111; 249 or Schedule 1 of the National Health Service Act 2006, as amended and Section 73(A)(1) of the National Health Service Act 2006, where applicable.
2. Exercise the Council's functions by virtue of Section 6C(1) or (3) of the National Health Service Act 2006, as amended.
3. Exercise the Council's functions in pursuance of arrangements under Section 7A of the National Health Service Act 2006, as amended.
4. Exercise any of the functions of the authority that relate to planning for, or responding to emergencies, involving a risk to public health as may be prescribed.
5. Exercise the functions of the authority under Section 325 of the Criminal Justice Act 2003.
6. Be responsible for the local authority's health response as a responsible authority under the Licensing Act 2003, such as making representations about licensing applications.