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## Council warned over legionnaire's fear

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**DAN GRIMMER**

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A lack of clarity on who is responsible for making sure schools and council-run care homes are free from legionnaire's disease could land Norfolk County Council in court, it emerged today.

Council bosses are keen to update County Hall's strategy for managing the risk of infection from the disease in its premises after a council in Cumbria was taken to court following seven deaths.

The council wants to establish a chain of command, making clear who is responsible for controlling the risk of infection and ensuring those people are properly trained.

It will ask members to agree the revised strategy when the council's cabinet meets next week.

In the report, which will go before the county council, Derryth Wright, corporate health and safety manager at the council, and Mike Britch, managing director of NPS Property Consultants, concede that, as things stand, the council could end up in court should a legionnaire's outbreak claim lives.

It adds: "Members will be aware of a recent case in Barrow that illustrates this graphically."

The Barrow case occurred in August 2002, when seven members of the public died and 180 people suffered ill health as a result of an outbreak of legionella at a council-owned arts and leisure facility in the Cumbrian town.

It led to Barrow Borough Council and architect Gillian Beckingham, who was in charge of design services for the council, being taken to court on seven counts of manslaughter.

In March 2005, a judge ordered the jury to find Barrow Borough Council not guilty of all charges. The council had already admitted breaching Health and Safety legislation.

In April 2005 the Crown Prosecution Service asked for a retrial of Mrs Beckingham, 48, on seven manslaughter charges after the jury failed to reach a verdict. She was subsequently cleared of the manslaughter charges but found guilty of breaching the Health and Safety at Work Act.

Six people in Norfolk contracted legionnaire's disease in August last year - four from Norwich and two from North Walsham - and a probe by the Health Protection Agency failed to establish the cause.

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