

PART 3 | SECTION 7 - PROPER OFFICER DESIGNATIONS

1. SECTION 7 – PROPER OFFICER DESIGNATIONS

The relevant post holders listed below have been designated as Proper Officers for the purposes of the adjacent legislative provisions and any subsequent amendments:

| Legislative Provision | Function | Proper Officer |
|----------------------------------|---|---------------------------|
| Local Government Act 1972 | | |
| S.83(1) to (4) | Witness and receipt of Declaration of Acceptance of Office | Chief Executive |
| S.84(1) | Receipt of notice of resignation of elected member | Chief Executive |
| S.88(2) | Convening a meeting of Council to fill a casual vacancy in the office of Chair | Chief Executive |
| S.89(1) | Notice of casual vacancy | Chief Executive |
| S.100 (except 100(D)) | Admission of public (including press) to meetings | Head of Law and Democracy |
| S.100(b)(2) | The Officer also may exclude from agendas any information which is likely to be dealt with in the absence of press and public | Head of Law and Democracy |
| S.100(B)(7) | The Officer to supply to newspapers copies of documents supplied to Councillors | Head of Law and Democracy |

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|---|--|---------------------------|
| S.100(C)(2) | The Officer to prepare a written summary of the proceedings at Committees and Sub-Committees | Head of Law and Democracy |
| S.115(2) | Receipt of money due from Officers | Chief Finance Officer |
| S.146(1)(a) and (b) | Declarations and certificates with regard to transfer of securities | Chief Finance Officer |
| S.151 (and S.114 Local Government and Finance Act 1988) | The Officer responsible for the proper administration of the Council's financial affairs | Chief Finance Officer |
| S.191 | Officer to whom an application under S.1 of the Ordnance Survey Act 1841 will be sent | Head of Law and Democracy |
| S.225 | Deposit of Documents | Head of Law and Democracy |
| S.228(3) | Accounts for inspection by any member of the Council | Chief Finance Officer |
| S.229(5) | Certification of photographic copies of documents | Head of Law and Democracy |
| S.236(9) and (10) | Sending copies of byelaws to County Council | Head of Law and Democracy |
| S.238 | Certification of byelaws | Head of Law and Democracy |
| S.248 | Officer who will keep the Roll of Freemen | Head of Law and Democracy |

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|---|---|---------------------------|
| Schedule 12 | | |
| Local Government Act 1972 | | |
| Para 4(2)(b) | Signing of summons to Council meeting | Chief Executive |
| Para 4(3) | Receipt of notice about address to which summons to meeting is being sent | Head of Law and Democracy |
| Schedule 14 | | |
| Para 25 | Certification of resolution passed under this paragraph | Head of Law and Democracy |
| Schedule 16 | | |
| Para 28 | Deposits of lists of buildings of special architectural or historic interest | Deputy Chief Executive |
| Local Government Act 1974 | | |
| S.30(5) | To give notice that copies of an Ombudsman's report are available | Chief Executive |
| Local Government (Miscellaneous Provisions) Act 1976 | | |
| S.41(1) | The Officer who will certify copies of evidence of resolutions and minutes of proceedings | Head of Law and Democracy |

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|--|---|---------------------------|
| Local Authorities Cemeteries Order 1977 | | |
| Regulation 10 | To sign exclusive rights of burial | Deputy Chief Executive |
| Representations of the People Act 1983 | | |
| S.9 | Registration Officer | Chief Executive |
| S.24 | Returning Officer for Local Elections | Chief Executive |
| S.28 | Acting Returning Officer for a Parliamentary Election | Chief Executive |
| S.82 and 89 | Receipt of election expense declarations and returns and the holding of those documents for public inspection | Chief Executive |
| Local Elections (Principal Area) Rules 1986 | | |
| Rule 46 | Retention and public inspection of documents after an election | Chief Executive |
| Local Elections (Parishes and Communities) Rules 1986 | | |
| Rules 46, 47 and 48 | Retention and public inspection of documents after an election | Chief Executive |
| Local Government and Housing Act 1989 | | |
| S.2(4) | Recipient of the list of politically restricted posts | Head of Law and Democracy |

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| S.3 | Employers certificate for exemption from politically restricted posts | Chief Executive |
| S.4 | Head of Paid Service | Chief Executive |
| S.5 | The Monitoring Officer | Head of Law and Democracy |
| S.15 | Officers to receive notices relating to membership of political groups | Head of Law and Democracy |
| Local Government (Committees and Political Groups) Regulations 1990 | | |
| | For the purposes of the composition of Committees and nominations to political groups | Head of Law and Democracy |
| Local Authorities (Standing Orders) (England) Regulations 2001 | | |
| | Officer who will give written notice of appointment or dismissal of Officers listed in Schedule I, Part II, paragraph 3 | Chief Executive |
| Local Government Act 2000 | | |
| | All references to the Proper Officer in the Local Government Act 2000 and subordinate legislation | Chief Executive |

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|------------------------------|---|------------------------|
| Housing Act 1985 | | |
| S.606 | Submission of reports on particular houses or areas by the Proper Officer | Deputy Chief Executive |