

## 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:

<b>Legislative Provision</b>	<b>Function</b>	<b>Proper Officer</b>
<b>Local Government Act 1972</b>		
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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<b>Legislative Provision</b>	<b>Function</b>	<b>Proper Officer</b>
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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<b>Legislative Provision</b>	<b>Function</b>	<b>Proper Officer</b>
<b>Schedule 12</b>		
<b>Local Government Act 1972</b>		
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
<b>Schedule 14</b>		
Para 25	Certification of resolution passed under this paragraph	Head of Law and Democracy
<b>Schedule 16</b>		
Para 28	Deposits of lists of buildings of special architectural or historic interest	Strategic Director - Finance
<b>Local Government Act 1974</b>		
S.30(5)	To give notice that copies of an Ombudsman's report are available	Chief Executive
<b>Local Government (Miscellaneous Provisions) Act 1976</b>		
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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<b>Legislative Provision</b>	<b>Function</b>	<b>Proper Officer</b>
<b>Local Authorities Cemeteries Order 1977</b>		
Regulation 10	To sign exclusive rights of burial	Strategic Director
<b>Representations of the People Act 1983</b>		
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
<b>Local Elections (Principal Area) Rules 1986</b>		
Rule 46	Retention and public inspection of documents after an election	Chief Executive
<b>Local Elections (Parishes and Communities) Rules 1986</b>		
Rules 46, 47 and 48	Retention and public inspection of documents after an election	Chief Executive
<b>Local Government and Housing Act 1989</b>		
S.2(4)	Recipient of the list of politically restricted posts	Head of Law and Democracy

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<b>Legislative Provision</b>	<b>Function</b>	<b>Proper Officer</b>
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
<b>Local Government (Committees and Political Groups) Regulations 1990</b>		
	For the purposes of the composition of Committees and nominations to political groups	Head of Law and Democracy
<b>Local Authorities (Standing Orders) (England) Regulations 2001</b>		
	Officer who will give written notice of appointment or dismissal of Officers listed in Schedule I, Part II, paragraph 3	Chief Executive
<b>Local Government Act 2000</b>		
	All references to the Proper Officer in the Local Government Act 2000 and subordinate legislation	Chief Executive

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<b>Legislative Provision</b>	<b>Function</b>	<b>Proper Officer</b>
<b>Housing Act 1985</b>		
S.606	Submission of reports on particular houses or areas by the Proper Officer	Strategic Director - Finance