

PROPER OFFICERS

STATUTE	DUTY/RESPONSIBILITY	DESIGNATION	RESPONSIBLE EMPLOYEE
Section 52. Representation of the People Act 1983	Acts may be undertaken in the event of the incapacity or vacancy of the Registration Officer.	Proper Officer	Head of Legal, Democracy and HR
Section 67. Representation of the People Act 1983	The duties and responsibilities of the appropriate employee.	Proper Officer	Chief Executive
Section 83(1) Local Government Act 1972	Witness and receipt of declarations of acceptance of office.	Proper Officer	Head of Legal, Democracy and HR or in their absence Democratic Services Manager
Section 84(1) Local Government Act 1972	Receipt of declaration of resignation of office.	Proper Officer	Head of Legal, Democracy and HR or in their absence Democratic Services Manager
Section 89(1) Local Government Act 1972	Receipt of notice of casual vacancy from two local government electors.	Proper Officer	Head of Legal, Democracy and HR
Section 30(5) Local Government Act 1974	To give public notice of report by the Local Commissioner.	Proper Officer	Head of Legal, Democracy and HR
Section 88(2) Local Government Act 1972	Convening of meeting of Council to fill casual vacancy in the office of Chairman.	Proper Officer	Head of Legal, Democracy and HR
Section 100B(2) Local Government Act 1972	Exclude any report relating to an item not likely to be considered in public.	Proper Officer	Head of Legal, Democracy and HR or in their absence Democratic Services Manager
Section 100B(7) Local Government Act 1972	Supply to a newspaper copies of documents already supplied to Members.	Proper Officer	Head of Legal, Democracy and HR

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Section 100C(2) Local Government Act 1972	Make a written summary of proceedings.	Proper Officer	Head of Legal, Democracy and HR
Section 100D(1) Local Government Act 1972 Reg. 6 Local Authorities (Cabinet Arrangements) (Access to Information) (England) Regulations 2000	Compile a list of background papers. Inspection of background papers.	Proper Officer	The employee in whose name the report is written provided that in the case of reports written in the name of more than one employee the proper officer shall be the first named employee. In the case of reports not written in the name of an officer or employees, the proper officer shall be the Head of Legal, Democracy and HR or such other employee identified by her as having the principal interest in the report.
Section 100D(5) Local Government Act 1972	Decide what comprises a background paper.	Proper Officer	The proper officer appointed for the purposes of Section 100D(1).
Section 100F(2) Local Government Act 1972	Decide whether a document discloses exempt information.	Proper Officer	Head of Legal, Democracy and HR or in their absence Democratic Services Manager
Section 210 Local Government Act 1972	Vesting of charities.	Proper Officer	Chief Executive.
Section 225 Local Government Act 1972	Deposit of documents.	Proper Officer	Head of Legal, Democracy and HR

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Section 228 Local Government Act 1972	Inspection of documents.	Proper Officer	Head of Legal, Democracy and HR
Section 229 Local Government Act 1972	Certification of photographic copies of documents.	Proper Officer	Head of Legal, Democracy and HR
Section 234 Local Government Act 1972	Authentication of documents.	Proper Officer	Head of Legal, Democracy and HR
Section 236 Local Government Act 1972	To send copies of bylaws for parish records.	Proper Officer	Head of Legal, Democracy and HR
Section 236 Local Government Act 1972	To send copies of bylaws to County Council.	Proper Officer	Head of Legal, Democracy and HR
Section 248 Local Government Act 1972	Keep a roll of freemen	Proper Officer	Head of Legal, Democracy and HR
Schedule 12, paragraph 4(2)(b) Local Government Act 1972	Signing of summonses to Council meetings.	Proper Officer	Head of Legal, Democracy and HR
Schedule 12, paragraph 4(3) Local Government Act 1972	Receipt of notices regarding address to which summons to meeting is to be sent.	Proper Officer	Head of Legal, Democracy and HR
Schedule 14, paragraph 25(7) Local Government Act 1972	Certification of resolutions under paragraph 25 of Schedule 14.	Proper Officer	Head of Legal, Democracy and HR
Sections 3, 71 and Schedule 2 Licensing Act 1964 and 204(3) Local Government Act 1972	To receive a notice on an application for a Justices Licence.	Proper Officer	Head of Economy and Planning

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Section 3 Compulsory Purchase (Vesting Declaration) Act 1981	Notice under this Act to be registered in the Local Land Charges Register.	Proper Officer	Head of Legal, Democracy and HR
Section 116 Local Government Finance Act 1988	Notify the auditor of steps taken under Section 115 of this Act.	Proper Officer	Head of Legal, Democracy and HR
Local Government (Committees and Political Groups) Regulations 1990	The giving of, delivery to and receipt of notices and expressions of wishes.	Proper Officer	Head of Legal, Democracy and HR
Section 2, Local Government and Housing Act 1989	Deposit of list of politically restricted posts.	Proper Officer	Head of Legal, Democracy and HR
Section 15, Local Government and Housing Act 1989	Receipt of notices - political groups.	Proper Officer	Head of Legal, Democracy and HR
Section 19, Local Government and Housing Act 1989	Receiving notice of Members' prejudicial interests and the maintenance of required records.	Proper Officer	Head of Legal, Democracy and HR
Section 115(2) Local Government Act 1972	Accountability of officers.	Proper Officer	Head of Corporate Finance
Section 146(1)(a) and (b) Local Government Act 1972	Declaration and certificates with regard to securities.	Proper Officer	Head of Corporate Finance
Section 54 Town and Country Planning Act 1971	Deposit of list of buildings of special architectural or historic interest.	Proper Officer	Head of Economy and Planning
Section 191 Local Government Act 1972	Function under the Ordnance Survey Act 1841	Proper Officer	Head of Economy and Planning

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Section 295 Highways Act 1980	Service of notice requiring owner to remove old materials.	Proper Officer	Head of Economy and Planning
Section 321 and Schedules 9 and 15 Highways Act 1980	To sign any notice, consent, approval, order etc. under this Act.	Proper Officer	Head of Legal, Democracy and HR
Section 61 Building Act 1984	Access to the repair etc. of a drain.	Proper Officer	A person appointed by the Chief Executive
Section 78 Building Act 1984	Exercise the powers of the local authority in relation to emergency measures to dangerous buildings.	Proper Officer	Head of Economy and Planning
Section 93 Building Act 1984	Authentication of documents.	Proper Officer	A person appointed by the Chief Executive
Section 351 Housing Act 1985	To keep a register of houses in multiple occupation etc.	Proper Officer	Head of Strategic Housing
Section 606 Housing Act 1985	Report in writing on an unfit house or need for a clearance area and inspect a house or area on complaint.	Proper Officer	Head of Economy and Planning
Section 212 (2) and (4) Local Government Act 1972	Act on behalf of Council as registering authority under Local Land Charges Act 1975	Proper Officer	Head of Legal, Democracy and HR
Local Government (Miscellaneous Provisions) Act 1976	Certification of copies of formal documents as evidence in legal proceedings.	Proper Officer	Head of Legal, Democracy and HR
Local Government Act 1972 Schedule 14 (para 13) Public Health (Control of Disease) Act 1984 Public Health (Aircraft) Regulations 1979 (as amended)	Power to act in relation to notifiable disease and related matters.	Proper Officer/Medical Officer	Person appointed by the Head of Economy and Planning

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National Assistance Act 1948 National Assistance (Amendment) Act 1951 Public Health Act 1936 Public Health 1961 Public Health (International Trains) Regulations 1994 The Health Protection (Notification) Regulations 2010			
Regulation 4, Local Authorities (Referendums) (Petitions and Directions) (England) Regulations 2000	Publication of verification number for petitions.	Proper Officer	Chief Executive
Local Authorities (Referendums) (Petitions and Directions) (England) Regulations 2000 apart from Regulation 4	Responsibilities in relation to petitions etc.	Proper Officer	Head of Legal, Democracy and HR
Local Authorities (Cabinet Arrangements) (Access to Information) (England) Regulations 2000 (Reg. 3 and 4, 5, 9, 11, 15, 17, 21)	Recording of decisions Inspection of documents Access to papers Publicity in connection with key decisions Exceptions to forward plans Additional rights Committees for Members Confidential information	Proper Officer	Head of Legal, Democracy and HR
Any reference in any enactment passed before or during the 1971/72 session of Parliament		Proper Officer	Chief Executive

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<p>other than the Local Government Act 1972 or in any instrument made before 26 October 1972 to the Clerk of the Council or the Town Clerk of a Borough which, by virtue of any of the provisions of the said Act, is to be construed as a reference to the Proper Officer of the Council.</p>			
<p>Any reference in any local statutory provisions to the work of a specified Council or the Town Clerk of a specified Borough which, by virtue of any order made under Section 254 of the Local Government Act 1972, is to be construed as a reference to the Proper Officer of the Council.</p>		Proper Officer	Chief Executive
<p>Local Authorities (Standing Orders) (England) Regulations 2001</p>		Proper Officer	Head of Legal, Democracy and HR
<p>Part 1 – Listed Buildings, Planning (Listed Buildings and Conservation Area) Act 1990 (c.9)</p>	<p>To serve formal notice on the owner / occupier of a building to inform them that the building has been listed</p>	Proper Officer	Chief Executive
<p>Localism Act 2011</p>	<p>Receipt of written applications for dispensations under Section 33 of the Localism Act 2011</p>	Proper Officer	Monitoring Officer

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Localism Act 2011	Grant applications for dispensations pursuant to the provisions in Section 33 of the Localism Act 2011	Proper Officer	Monitoring Officer
The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012	Determination, in consultation with the Leader, to respond to any representations received about why a Cabinet meeting, or part of a Cabinet meeting, should be held in public following publication of a notice of intention to meet in private	Proper Officer	Head of Legal, Democracy and HR

In the event of any Officers appointed as Proper Officers being absent or otherwise unable to act, the Chief Executive shall be authorised to act as Proper Officer in their place.

In the event of the Chief Executive being appointed as Proper Officer and being absent or otherwise unable to act, the appropriate Head of Service shall be authorised to act as Proper Officer in their place