

STATUTORY AND PROPER OFFICERS

Any enactment, instrument or local statutory provision passed prior to the Local Government Act 1972	
Purpose	Officer
Any reference to the Clerk of a council which, by virtue of the Local Government Act 1972, is to be construed as a reference to the proper officer of the Council	Director of Governance & Law
Any reference to the Treasurer of a council which, by virtue of the Local Government Act 1972, is to be construed as a reference to the proper officer of the Council	Corporate Director of Finance and Procurement

Local Authority Social Services Act 1970		
Section	Purpose	Officer
6(A1)	Appointment as Director of Adult Social Services	Corporate Director Families & Social Care

Agriculture Act 1970		
Section	Purpose	Officer
67(3)	Appointment as Agricultural Analyst	Director of Customer Services

Local Government Act 1972		
Section	Purpose	Officer
83	Witness and receive declarations of Members' acceptance of office	Head of Democratic Services
84	Receive written notice of Members' resignation from office	Head of Democratic Services
88(2)	Convene Council meeting for election to vacant office of Chairman	Head of Democratic Services
89(1)(b)	Receive notice of casual vacancy from two local government electors	Head of Democratic Services
100B(2)	Decide on the exclusion of reports and agendas from public inspection	Head of Democratic Services
100B(7)(c)	Decide whether copy documents supplied to Members should also be supplied to the press	Director of Governance &

		Law
100C(2)	Produce a written summary of proceedings taken by a committee in private	Head of Democratic Services
100D(1)	Compile a list of background papers to a committee report	Managing Director or Corporate Director responsible for preparing report
100D(5)(a)	Identify background papers that disclose facts or matters on which a report is based	Managing Director or Corporate Director responsible for preparing report
100F(2)	Identify which documents contain exempt information that are not available for Members	Head of Democratic Services
115(2)	Receive from officers any money and property committed to their charge in connection with their office	Corporate Director of Finance and Procurement
146(1)	Sign statutory declaration to enable transfer of securities in the event of a change of name of the Council	Corporate Director of Finance & Procurement
151	Responsibility for the administration of the Council's financial affairs (Chief Finance Officer)	Corporate Director of Finance & Procurement
191(2)	Receive applications from Ordnance Survey for assistance in surveying disputed boundaries	Corporate Director, Enterprise & Environment
210(6)-(7)	Exercise residual functions in relation to charities	Director of Governance & Law
225(1)	Receive and retain deposited documents	Director of Governance & Law
229(5)	Certify photographic copy documents	Director of Governance & Law
234(1)	Sign public notices, orders and other documents on behalf of the Council	Managing Director or other officer where the document to be authenticated relates to a delegated power

236(10)	Send copy byelaws to district councils	Director of Governance & Law
238	Certification of copy byelaws	Director of Governance & Law
Sch.12 Pt.I Para.4(2)(b)	Sign summonses to attend meetings	Head of Democratic Services
Sch.12 Pt.I Para.4(3)	Receive written notice that a Member wants a summons sent to an alternative address	Head of Democratic Services
Sch.29 Pt.II Para.41(3)-(5)	Appoint interim superintendent registrars or interim registrars of births and deaths pursuant to the Registration Service Act 1953 Exercise powers provided by the local scheme of organisation of the Registration Service pursuant to the 1953 Act Prescription by the Registrar General of duties of proper officers under the Registration and Marriage Acts	Director of Customer Services

Local Government Act 1974

Section	Purpose	Officer
30(5)	Give public notice of Local Government Ombudsman's report	Head of Democratic Services

Local Government (Miscellaneous Provisions) Act 1976

Section	Purpose	Officer
41	Certifying copy resolutions and minutes of proceedings	Head of Democratic Services

Highways Act 1980

Section	Purpose	Officer
59(1)	Certify that extraordinary expenses have been incurred in maintaining the highway by reason of damage caused by excessive weight	Corporate Director, Enterprise & Environment
193(3)	Certify that additional expenses have been incurred in the execution of wider than normal street works	Corporate Director, Enterprise & Environment
205(3)-(5)	Undertake duties as specified in the schedules in	Corporate

	relation to private street works	Director, Enterprise & Environment
210(2)	Certify amendments to estimated costs and provisional apportionment of costs under the private street works code	Corporate Director, Enterprise & Environment
211(1) 212(4) 216(2)-(3)	Make final apportionment of costs as detailed in the schedules under the private street works code	Corporate Director, Enterprise & Environment
295(1)	Issue notice requiring removal of materials from non-maintainable streets in which works are due to take place	Corporate Director, Enterprise & Environment
321	Authenticate notices and other documents	Director of Governance & Law
Sch.9 Para.4	Sign plans showing proposed prescribed improvement or building lines	Corporate Director, Enterprise & Environment

Representation of the People Act 1983

Section	Purpose	Officer
35	Appointment as Returning Officer for local elections	Managing Director
67(7)(b)	Receive declarations and giving public notice of election agents' appointments	Head of Democratic Services
82(4)	Receive declarations and giving public notice of election agents' or candidates' election expenses	Head of Democratic Services
131(1)	Provide accommodation for holding election court	Head of Democratic Services

Weights and Measures Act 1985

Section	Purpose	Officer
72(1)	Appointment as Chief Inspector of Weights And Measures	Assistant Head of Trading Standards

Local Government Finance Act 1988

Section	Purpose	Officer
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116(1)	Notify external auditor of meeting under the Act to consider a report from the Chief Finance Officer	Corporate Director of Finance & Procurement
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Local Government and Housing Act 1989		
Section	Purpose	Officer
2(4)	Hold the Council's list of politically restricted posts	Director of Governance & Law
4	Designation as Head of Paid Service	Managing Director
5(1)	Designation as Monitoring Officer	Director of Governance & Law
5(7)	Nomination to act as deputy in the absence of the Monitoring Officer	Head of Democratic Services
15-17	Receive notification of the formation of a political group, changes in membership, names of group leaders and deputies, and group nominations to sit on committees	Head of Democratic Services

Food Safety Act 1990		
Section	Purpose	Officer
27(1)	Appointment of Public Analysts	Director of Customer Services
49(3)	Sign any document authorised or required to be given, made or issued by the Food Authority	Director of Customer Services

The Local Government (Committees and Political Groups) Regulations 1990		
Regulation	Purpose	Officer
	Notifications to and by the Proper Officer	Head of Democratic Services

Education Act 1996		
Section	Purpose	Officer
532	Chief Education Officer	Corporate Director, Education,

		Learning & Skills
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Crime and Disorder Act 1998, section 115

Crime and Disorder (Formulation and Implementation of Strategy) Regulations 2007/1830

Regulation	Purpose	Officer
4(3)	Primary Designated Officer for information sharing	Director of Customer Services

Local Government Act 2000, section 22

Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2000

Regulation	Purpose	Officer
3	Produce a written statement of executive decisions made at meetings	Managing Director
4	Produce a written statement of executive decisions made by individual Members	Managing Director
5	Make a copy of written statements of executive decisions and associated reports available for public inspection	Head of Democratic Services
6	Make available for public inspection a list of background papers	Head of Democratic Services
12	Publish key decisions of the Council	Head of Democratic Services

Local Government Act 2000, section 34

Local Authorities (Referendums)(Petitions and Directions) Regulations 2000

Regulation	Purpose	Officer
34	Publish the verification number of electors for the purpose of petitions under the 2000 Act	Director of Governance & Law

Regulation of Investigatory Powers Act 2000, section 30

The Regulation of Investigatory Powers (Prescription of Offices, Ranks and Positions) Order 2000

Regulation	Purpose	Officer
2	Authorise the carrying out of directed surveillance or the	Director of Customer Services, Chief Internal Auditor, Director of

	conduct or use of a covert human intelligence source	Governance & Law, Head of Planning Applications Group, Principal Planning Officer (Enforcement), Public Rights of Way Operations Manager, Public Rights of Way Officer (Enforcement), Head of Trading Standards (TS), TS Area Managers, TS Operational Manager
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Freedom of Information Act 2000		
Section	Purpose	Officer
36	Qualified person to confirm or deny whether disclosure of information is likely to prejudice the effective conduct of public affairs	Director of Governance & Law

The Local Authorities (Standing Orders)(England) Regulations 2001		
Regulation	Purpose	Officer
Sch. 1, Part II, Paras. 5 and 6	Functions in relation to notifying Executive of appointments, dismissals, etc.	Director of Governance & Law

Children Act 2004		
Section	Purpose	Officer
18	Director of Children's Services	Corporate Director, Families and Social Care

Local Democracy, Economic Development and Construction Act 2009		
Section	Purpose	Officer
31	Designation of Scrutiny Manager	Head of Democratic Services

Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children (DfE Guidance, March 2010)		
	Purpose	Officer
-	Local Authority Designated Officer (LADO)	Safeguarding Manager – Education and LADO

- In the event of the Managing Director (Head of the Paid Service) not being available to deal with matters for which s/he has been designated the proper officer, the Director of Governance & Law be authorised to act as proper officer in his/her absence.
- In the event of any other designated officer being unable to fulfill his/her duties as proper officer, his/her deputy be authorised to undertake such duties instead.
- Notwithstanding the above, a proper officer may at any time delegate or authorise other officers to perform the designated duties on his/her behalf.