

<b>PROPER OFFICER PROVISIONS</b>
----------------------------------

The Council has approved "Proper Officer" appointments as set out hereunder:-

Statutory Provision	Description	Proper Officer
<b>National Assistance Act 1948</b> <b>Local Government Act 1972</b>	The removal of persons in care and attention	Persons nominated for the purposes of the Public Health (Control of Diseases Act)
S13(3)	Chairman of Parish Council and Proper Officer shall become a body corporate where there is no separate parish council.	Chief Executive
S83(1)-(4)	Officer to whom persons elected to any of the following offices of the Borough Council shall make declaration of acceptance of office: Mayor, Deputy Mayor, Councillor.	Chief Executive
S84	The Officer to whom a person elected to any office under the Borough Council may give written notice of resignation.	Chief Executive
S88(2)	The Officer who may convene a meeting of the Council for the election to fill a vacancy.	Chief Executive
S89(1)(b)	The Officer who may receive notice in writing of a casual vacancy in the office of Councillor from two local government electors.	Chief Executive
S96(1)	Receipt of notices of pecuniary interest.	Director of Legal Services
S96(2)	The Officer who shall keep the record of disclosures of pecuniary interest under Section 94 and of notices under Section 96(1) and of Section 19 of the Local Government and Housing Act 1989.	Director of Legal Services
S115(2)	The Officer who shall receive all money due from every officer employed by the Council.	Director of Financial Services
S146(1)(a) and (b)	The Officer who shall give statutory declarations and certificates with	Director of Financial Services

## APPENDIX 2

	regard to securities on the change of name or status.	
S146(1)(a)	Declarations and Certificates with regard to securities	Chief Executive
S151	The Officer responsible for the proper administration of financial affairs.	Strategic Director Resources
S191	Functions with respect to ordnance survey	Director of Legal Services
204(3)	Receipt of application for licence under Schedule 2 Licensing Act 1964	Chief Executive
S204(3)	The Officer to whom notice of application for a Justices Licence under Schedule 1 to the Licensing Act 1964 should be given.	Director of Regeneration Housing and Neighbourhood
S210(6) and (7)	Charities	Director of Legal Services
S225(1)	Deposit of Documents with the Proper Officer the making of notes or endorsements and receipts.	Director of Legal Services
S229(4) and (5)	The Officer who shall certify that a document is a photographic copy of a document in the custody of the Council.	The Director having custody of the original or the Chief Executive or the Director of Legal Services.
S234(1) and (d)	The Officer who may authenticate documents.	Ditto
S234(2)	(a) Statutory notices under the Public Health Act 1936 and 1961, the Public Health (Recurring Nuisances) Act 1969, the Clean Air Acts 1956 and 1968, the Control of Pollution Act 1974, the Housing Acts 1957 to 1988 and the Local Government and Housing Act 1989 (other than for Council Houses), the Local Government (Miscellaneous Provisions) Act 1976 (except as specified in the next paragraph), the Prevention of Damage by Pests Act 1948, the Food Act 1984 and the Environmental Protection Act 1990 (as it relates to statutory nuisances).	Director of Regeneration Housing and Neighbourhood

## APPENDIX 2

	(b) Notice under the Building Regulations and the Building Act 1984 and under the Local Government (Miscellaneous Provisions) Act 1976 with regard to dangerous trees and excavations.	Director of Regeneration Housing and Neighbourhood
	(c) Notices in respect of Council dwellings relating to the right to buy or proceedings for the termination of a secure tenancy.	Director of Regeneration Housing and Neighbourhood
S236(9)	(d) Any other matter. The Officer who is responsible for sending certified copies of byelaws to appropriate bodies.	Director of Legal Services Ditto
S238	The Officer who shall certify copies of Byelaws as true copies.	Ditto
S248	Keeping the roll of freemen.	Chief Executive
Sch 12/Para.4 (2)(b)	Receipt of notices regarding address to which Summons to meeting is to be sent.	Chief Executive
Sch.12/para.4 (2)(b)	The Officer who may sign a summons to Council meetings.	Chief Executive
Sch.12/para.4 (3)	The Officer who may receive notice from a member of the address to which a summons to a meeting is to be sent.	Chief Executive
Sch.14/para.25 (7)	The Officer who may certify copies of resolutions passed under the Public Health Acts 1875 to 1925 as true copies for production in legal proceedings.	Director of Legal Services
S100B(2)	Exclusion from reports open to inspection parts relating to items during which the meeting is likely not to be open to the public.	Chief Executive
S100B(7)(C)	The supply to the press of additional material supplied to Members of the Council in connection with items of business to be discussed.	Chief Executive
S100C(2)	Preparation of a written summary of	Chief Executive

## APPENDIX 2

	those parts of the proceedings of a Committee which disclose exempt information.	
S100D(1)(a) and (5)(a)	Identification of background papers and compilation of list of such documents.	Director responsible for the report.
S100F(2)(b)	Making of decisions as to documents disclosing exempt information which are not required to be open to inspection by Members of the Council.	Chief Executive
<b>Local Elections (Principal Areas) Rules 1986</b>	All references to the Proper Officer in these rules relate to the :-	Director of Legal Services
<b>Local Government Act 1974 S30(5)</b>	Publication in newspapers of reports of Local Commissioner.	Chief Executive
<b>Local Government (Miscellaneous Provisions) Act 1976 S41</b>	Certification of copies of resolutions, minutes and other documents.	Director of Legal Services
<b>Public Health (Control of Diseases) Act 1984</b>		
S11	Notifiable disease/food poisoning	Person nominated by Director of Regeneration Housing and Neighbourhood.
S18	Information to be furnished with regard to notifiable diseases/food poisoning.	ditto.
S20	Preventing someone working to stop spread of disease.	ditto.
S21	Exclusion from school of a child liable to convey a notifiable disease.	ditto.
S22	List of day pupils at school having a case of notifiable diseases.	Director of Regeneration Housing and Neighbourhood.



## APPENDIX 2

S24	Infected articles not to be sent to any laundry.	ditto.
S29	Letting of house or room after recent case of concerning a notifiable disease	ditto.
S31	Disinfection of premises	Director of Regeneration Housing and Neighbourhood.
S32	Removal of person from an infected house.	ditto.
S48	Removal of body to a mortuary or for immediate burial.	Director of Regeneration Housing and Neighbourhood.
S59	Authentication of documents	ditto
S60	Service of notices and other documents	ditto
<b>Food Safety Act 1990</b>		
S49	Proper Officer of the Authority as regards documents relating to matters within his province.	Director of Regeneration Housing and Neighbourhood
<b>Housing Act 1985</b>		
S606(1) and (2)	Reports on unfitness and clearance.	Director of Regeneration Housing and Neighbourhood
<b>Local Government Finance Act 1988</b>		
S114	Financial Report to the Authority	Strategic Director Resources
<b>Local Government and Housing Act 1989</b>		
Monitoring Officer		Director of Legal Services
Head of Paid Service		Chief Executive
S2	Receipt of list of Politically Restricted Posts	Chief Executive
<b>All references to Proper Officer The Local Authorities (Standing</b>		Director of Legal Services
	Functions in relation to notifying Executive of appointments dismissals etc.	The Chief Executive except in connection with an appointment as Head of Paid Service when

Orders)  
(England)  
Regulations  
2001

it shall be the Director of Legal  
Services.

**“DEPUTY PROPER OFFICER” PROVISIONS**

The Director of Legal Services is authorised to act as Deputy Returning Officer for Elections when the Chief Executive is unable to act.

In other cases where the designated Proper Officer is unable to act, the following are designated Deputy Proper Officers:-

For the Chief Executive, the Deputy Chief Executives, Strategic Directors or any Director, as appropriate.

For the Strategic Director Resources, the Director of Financial Services

For the Director of Legal Services, a Deputy Monitoring Officer

For the Director of Financial Services, a Senior Accountant

For the Director of Regeneration, Housing and Neighbourhood, each of the Assistant Directors as appropriate.

If neither the designated Proper Officer nor the Deputy Proper Officer is able to act, the Chief Executive may designate an appropriate person to act as Proper Officer or Deputy Proper Officer. If the Chief Executive is unable to act, this power shall then be exercised by one of the Deputy Chief Executives, or should they be unable to act, the Director of Legal Services or an officer nominated by the Director of Legal Services.