

**PROPER OFFICERS OF THE COUNCIL**

The Council has appointed the following proper officers for the purposes of the statutory provisions set out below.

Subject to the proper officer appointments set out below, the Chief Executive and each Deputy Chief Executive shall be authorised to act as the proper officer for the statutory responsibilities which fall within their area.

| <b>Local Government Act 1972</b> | <b>Purpose of Appointment</b>  | <b>Proper Officer</b>                     |
|----------------------------------|--|---|
| Section 83                       | To witness, and to receive, declarations of acceptance of office.  | Chief Executive or the Monitoring Officer |
| Section 84                       | To receive notices from Members of resignation from office.  | Chief Executive                           |
| Section 87                       | To publish a notice of vacancy   | Chief Executive                           |
| Section 88                       | To convene if necessary a meeting of the Council when the office of Mayor is vacant.   | Chief Executive                           |
| Section 89                       | To receive notice by local government electors of a casual vacancy in the office of Borough Councillor.  | Chief Executive                           |
| Section 96                       | To receive from Councillors general notices of Disclosable Pecuniary interests and to keep a record of such disclosures.   | Group Head of Corporate Governance        |
| Section 100B                     | To take decisions as to whether information is likely to be "exempt" when coming before the Council or a Committee.<br>To decide if other copy documents supplied to councillors should be supplied to the press | Group Head of Corporate Governance        |
| Section 100C                     | To produce a written summary of proceedings taken by the Council, or a Committee in private (i.e. Minute)  | Chief Executive                           |
| Section 100D                     | To compile a list of background papers for a Committee report.   | Chief Executive                           |
| Section 100F                     | To decide if a requested document appears to contain exempt information  | Group Head of Corporate Governance        |
| Section 115                      | To receive money due from Officers.  | Chief Finance Officer                     |
| Section 146                      | To sign declarations and certificates with regard to securities.   | Chief Finance Officer                     |

|                                    |  |                                    |
|------------------------------------|--|------------------------------------|
| Section 191                        | To receive applications made by the Ordnance Survey Office for assistance in determining boundaries                    | Deputy Chief Executive             |
| Section 210                        | To exercise any power with respect to a charity exercisable by any officer of a former authority.                      | Chief Executive                    |
| Section 225                        | To receive and retain any document deposited with the Council for custody.   | Chief Executive                    |
| Section 228                        | To keep accounts open for inspection by any member of the Authority.   | Chief Finance Officer              |
| Section 229                        | To certify, for the purpose of any legal proceedings, photographic copies of documents.                                | Group Head of Corporate Governance |
| Section 234                        | To authenticate notices, orders or other documents on behalf of the Council.   | Group Head of Corporate Governance |
| Section 236                        | To send copies of confirmed byelaws made by the Council to the County Council.   | Group Head of Corporate Governance |
| Section 238                        | To certify copies of byelaws.  | Group Head of Corporate Governance |
| Section 248                        | To keep the rolls of Honorary Aldermen and Honorary Freemen.   | Chief Executive                    |
| Schedule 12(4)                     | To sign, and send to all Members of the Council, the summons to attend meetings of the Council.                        | Chief Executive                    |
| Schedule 14(25)                    | To certify resolutions under this paragraph for the purpose of legal proceedings.                                      | Chief Executive                    |
| <b>Local Land Charges Act 1975</b> |  |                                    |
| Section 9                          | To act as local registrar for the registration of local land charges and the issue of official certificates of search. | Group Head of Corporate Governance |

| <b>Representation of the People Act 1983</b>  |  |  |
|---|--|--|
| Section 24  | To be the Acting Returning Officer for the conduct of Parliamentary Elections.   | Chief Executive  |
| Section 35  | To be the Returning Officer for the conduct of Local Elections.  | Chief Executive  |
| Section 67  | To receive appointments of Election Agents   | Chief Executive  |
| Section 67  | To publish a notice of Election Agents   | Chief Executive  |
| <b>Local Government And Housing Act 1989</b>  |  |  |
| Section 2   | To retain on deposit a list of politically restricted posts.   | Head of Human Resources  |
| Section 3A  | In consultation with the Monitoring Officer, to determine applications for exemption from political restriction or for designation of posts as politically restricted            | Chief Executive  |
| Section 9, 15 and 16  | To undertake all matters relating to the formal establishment of political groups within the membership of the Council.  | Chief Executive  |
| Section 34  | To publish the verification number of Local Government electors for the purposes of petitions  | Chief Executive  |
| <b>The Public Health (Control of Diseases) Act 1984</b>   | To take control of all communicable disease functions.   | The Consultant in Communicable Disease Control for the time being appointed by the Local Health Protection Agency. |
| <b>The Public Health (Control of Diseases) Act 1984</b>   | To act as the Deputy in the absence of the appointed Consultant, to take control of all communicable disease functions.  | The Consultants in Public Health Medicine for the time being appointed by the Local Health Protection Agency.      |
| <b>Section 47 of the National Assistance Act 1948 [as amended by Section 1 of National Assistance (Amendment) Act 1951]</b> | To make Section 47 Orders to secure without delay the necessary care and attention for residents of the Borough who are aged, infirm, or physically incapacitated and are living | The Consultant in Communicable Disease Control for the time being appointed by the Local Health Protection Agency. |

|  |  |  |
|--|--|--|
|  | in insanitary conditions.  |  |
| <b>Section 47 of The National Assistance Act 1948 [as amended]</b> | To act as Deputy in the absence of the appointed Consultant to make any Section 47 Orders. | Any Consultant in Public Health Medicine for the time being appointed by the Local Health Protection Agency. |

## GENERAL STATUTORY PROVISIONS

In legislation predating the 1971/1972 Session of Parliament, other than the Local Government Act 1972, and in Statutory Instruments made prior to 26th October, 1972, references to the designations in the left hand column below shall be construed as a reference to the Officers of the Council listed in the right hand column below.

| <b>Designation</b>          | <b>Officer of the Council</b>   |
|-----------------------------|---|
| The Clerk of the Council    | Chief Executive or the Chief Finance Officer, whichever is most appropriate to their departmental responsibilities. |
| The Town Clerk              | Chief Executive or Chief Finance Officer whichever is most appropriate to their departmental responsibilities.      |
| The Treasurer               | Chief Finance Officer   |
| The Surveyor                | Deputy Chief Executive  |
| The Engineer                | Deputy Chief Executive  |
| The Sanitary Inspector      | Deputy Chief Executive  |
| The Public Health Inspector | Deputy Chief Executive  |