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**Proper Officer Provisions And Designation Of Officers To Statutory Functions/Roles**

The relevant post holders listed below have been designated as Proper Officers, or have been designated to fulfil statutory functions or roles for the purposes of the adjacent legislative provisions and any subsequent amendments:

Legislative Provision	Function	Proper Officer
<b>Local Government Act 1972</b>		
S.83(1) to (4)	Witness and receipt of Declaration of Acceptance of Office	Chief Executive Officer Monitoring Officer
S.84(1)	Receipt of notice of resignation of elected member	Chief Executive Officer
S.88(2)	Arranging a Council meeting to appoint a Chair of the Council	Monitoring Officer
S.89(1)	Notice of casual vacancy	Chief Executive Officer
<del>S. 96</del>	<del>Disclosure of Members Interests</del>	<del>Monitoring Officer</del>
S.100 (except 100(D))	Admission of public (including press) to meetings	Monitoring Officer
S.100 <del>(B)</del> (2)	The officer who may exclude from agendas any information which is likely to be dealt with in the absence of press and public	Monitoring Officer
S.100 <del>(B)</del> (7)	The officer to supply copies of documents to newspapers	Monitoring Officer
S.100 <del>(C)</del> (2)	The officer to prepare a written summary of the	Monitoring Officer

Commented [CD1]: Provision repealed

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	proceedings at committees and sub-committees	
S.100 <del>(D)</del> (1)(a)	The officer to prepare a list of background papers for inspection.	Monitoring Officer
S.100 <del>(D)</del> (5)(a)	The officer to include in the list of background papers those documents which have been relied on.	Monitoring Officer
S.100 <del>(F)</del> (2)	The officer to determine when a document should not be open to inspection because it discloses exempt information.	Monitoring Officer
S.115(2)	Receipt of money due from officers	Head of Finance & Resources and S.151 Officer
<u>S137A (5)</u>	<u>Statement on Financial Assistance</u>	<u>Head of Finance &amp; Resources and S.151 Officer</u>
S.146(1)(a) and (b)	Declarations and certificates with regard to transfer of securities	Head of Finance & Resources and S.151 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	Head of Finance & Resources and S.151 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 - Deputy	Chief Account (BDC) and Chief Account (NEDDC)
S.191 <u>(2) and (4)</u>	Officer to whom an application under S.1 of the Ordinance Survey Act 1841 will be sent	Head of Corporate Governance and Monitoring Officer
S.225 <u>(1) and (2)</u>	Deposit of documents	Monitoring Officer
S.228(3)	Accounts for inspection by any member of the Council	

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		Head of Finance & Resources and S.151 Officer.
S.229(5)	Certification of photographic copies of documents	Team Manager (Solicitor)
s. 234	The officer required to give, make or issue any notice, order or other document under any enactment and to sign the same.	Chief Executive Officer <a href="#">Monitoring Officer</a>
S.236(9) and (10)	Sending of copies of byelaws to parish councils, parish meetings and County Council	Team Manager (Solicitor)
S.238	Certification of byelaws	Chief Executive Officer
S.248	Officer who will keep the Roll of Freeman	Chief Executive Officer
<b>Local Government Act 1972 – Schedule 12</b>		
Para 4(2)(b)	Signing of summons to Council meeting	Monitoring Officer
Para 4(3)	Receipt of notice about address to which summons to meeting is to be sent	Monitoring Officer
<b>Local Government Act 1972 – Schedule 14</b>		
Para 25	Certification of resolution passed under this paragraph <a href="#">(Street naming etc)</a>	Chief Executive Officer
<b>Local Government Act 1972 – Schedule 16</b>		

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Para 28	Deposits of lists of buildings of special architectural or historic interest	Chief Executive Officer
<b>Local Government Act 1974</b>		
S.30(5)	To give notice that copies of an Ombudsman's report are available	Monitoring Officer
<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	Monitoring Officer
<b>Local Authorities Cemeteries Order 1977</b>		
Regulation 10	To sign exclusive rights of burial	Strategic Director – Place Head of Property and Commercial Services
<b>Representations of the People Act 1983</b>		
S.8	Registration Officer	Chief Executive Officer
S.8	Deputy Registration Officer	Head of Corporate Governance and Monitoring Officer <del>Elections-Electoral Services</del> Manager (BDC) <del>Elections-Electoral Services</del> Manager (NEDDC)
S.35	Returning Officer for Local Elections	Chief Executive Officer
S.35	Deputy Returning Officer for Local Elections	Head of Corporate Governance and

**Commented [CD2]:** Repealed Planning (Listed Buildings and Conservation Areas) Act 1990 does not contain proper officer provisions or require designation of any person

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		Monitoring Officer Elections Manager (BDC)  Elections Manager (NEDDC)
S.24	Acting Returning Officer for a Parliamentary Election	Chief Executive Officer
S.24	Deputy Acting Returning Officer for a Parliamentary Election	Head of Corporate Governance and Monitoring Officer Elections Manager (BDC)  Elections Manager (NEDDC)
<a href="#">S.52</a>	<a href="#">To act in place of Registration Officer</a>	<a href="#">Deputy Registration Officer (see above)</a>
<a href="#">S.67</a>	<a href="#">Appointment of election agent</a>	<a href="#">Chief Executive Officer</a>
S.82 and 89	Receipt of election expense declarations and returns and the holding of those documents for public inspection	Chief Executive Officer
<a href="#">S.128, S.131, S.145, S.146</a>	<a href="#">Provisions relating to election petitions</a>	<a href="#">Chief Executive Officer</a>
<a href="#">S. 200</a>	<a href="#">Publication of Notices under the Act</a>	<a href="#">Chief Executive Officer</a>
<a href="#">Sch. 4, (3), (6) and (8)</a>	<a href="#">Elections Expenses</a>	<a href="#">Chief Executive Officer</a>
<b><a href="#">Local Authorities (Conduct of Referendums) (England) Regulations 2012</a></b>		
<a href="#">S. 4, S41 and S.43</a>	<a href="#">Publicity in connection with the referendum and the Declaration of result</a>	<a href="#">Chief Executive Officer</a>

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Local Elections (Parishes and Communities) (England and Wales) Rules 2006		
Rules 5	Officer to receive the request for election to fill a casual vacancy in a Parish Council.	Chief Executive Officer
Local Government Act 2000		
	All references to the Proper Officer in the Local Government Act 2000 and subordinate legislation	Chief Executive Officer except as specifically provided in this scheme
The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012		
<a href="#">Regulation 2</a>	<a href="#">Determination of documents constituting Background Papers</a>	<a href="#">Monitoring Officer</a>
Regulation <del>123</del>	Recording of Executive decisions made at meetings of the Executive or Cabinet.	Monitoring Officer
Regulation <del>145</del>	Inspection of documents following Executive decisions	Monitoring Officer
Regulation <del>156</del>	Inspection of background papers	Monitoring Officer
Regulation <del>139</del>	Individual Executive decisions	Monitoring Officer
Regulation <del>447</del>	Access to agenda and connected reports	Monitoring Officer
<del>Regulation 12</del>	<del>Publicity in connection with Key Decisions</del>	<del>Monitoring Officer</del>

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Regulation <a href="#">1045</a>	General exception relating to Key Decisions	Monitoring Officer
Regulation <a href="#">1647</a>	Members' rights of access to documents	Monitoring Officer
Regulation <a href="#">2024</a>	Confidential/exempt information and exclusion of public from meetings	Monitoring Officer
<b>Building Act 1984</b>		
S.78	Signing of Notices	Head of Property and Commercial Services
<del>Public Health (Control of Disease) Act 1984</del>		
<del>S.31</del>	<del>Certification by officer of need for disinfection of premises</del>	<del>Head of Housing and Community Safety</del>
<del>S.32</del>	<del>Certification by officer of need to remove person from infected house</del>	<del>Head of Housing and Community Safety</del>
<b>Public Health Act 1936</b>		
S.85(2)	To serve notice requiring remedial action where there are verminous persons or articles	Head of Housing and Community Safety
<b>Public Health Act 1961</b>		
S.37	Control of any verminous article	Head of Housing and Community Safety
<b>Localism Act 2011</b>		
<a href="#">S. 33</a>	<a href="#">Submission of written requests for Standards Dispensations</a>	<a href="#">Monitoring Officer</a>

Commented [CD3]: Repealed

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S. 81	Administration of Community Right to Challenge	Monitoring Officer
S.87	Maintenance of List of Assets of Community Value	Monitoring Officer
<b>Freedom of Information Act 2000</b>		
S. 36	Qualified Person <u>determining prejudice to effective conduct of public affairs</u>	Monitoring Officer
<b>Local Government and Housing Act 1989</b>		
S.2(4)	Recipient of the list of politically restricted posts	Monitoring Officer
S.3A	Employers certificate for exemption from politically restricted posts	<del>Monitoring Officer</del> <u>Head of Paid Service</u>
S.4	Head of Paid Service	Chief Executive Officer
S.5	The Monitoring Officer	<del>Assistant Director of Governance</del> <u>Head of Corporate Governance</u>
S. 5	Deputy Monitoring Officer	Team Manager (Contentious) (Solicitor)
<del>S.15</del>	<del>Officers to receive notices relating to membership of political groups</del>	<del>Monitoring Officer</del>
<del>S. 19</del>	<del>Keeping the Register</del>	<del>Monitoring Officer</del>

**Commented [CD4]:** Specified in the Act

**Commented [CD5]:** Provisions covered by the 1990 regulations below.

**Commented [CD6]:** Repealed



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<b>Local Government (Committees and Political Groups) Regulations 1990</b>		
	For the purposes of the composition of committees and nominations to political groups	Monitoring Officer
<b>Local Authorities (Standing Orders) (England) Regulations 2001</b>		
<a href="#">Schedule 1, Part II, para 5.</a>	Officer who will <u>be given</u> written notice of appointment or dismissal of officers listed in Schedule 2, Part <u>II</u> 44, paragraph 3	Chief Executive Officer
<b><a href="#">General Data Protection Regulation (EU) 2016/679</a> <a href="#">Data Protection Act 2018</a></b>		
<a href="#">Article 37S. 69</a>	Data Protection Officer	Information, Engagement and Performance Manager