

Proper Officers

HEAD OF PAID SERVICE		
Section	Legislation	Function
Section 270 (3)	Local Government Act 1972	Appointment of Proper Officers.
Section 4	Local Government and Housing Act 1989	Duty to report to Council, where the Officer considers it appropriate, on the manner in which the discharge of the Council's functions is co-ordinated, the number and grades of staff required for the discharge of the Council's functions, the organisation of the Council's staff and the appointment and proper management of the Council's staff.
176	Local Government Act 1972	Officer who may defray expenses of any Members making official and courtesy visits, receptions and entertainment of distinguished persons visiting the Borough.
	Criminal Justice And Police Act 2001	Delegated power to authorise officers to enter premises and seize items where the Council has a power of seizure under this Act and to perform other related duties (return and security of seized items). (To be exercised by the Head of Paid Service in consultation with the relevant Director)
Section 191	Local Government Act 1972	Appointing officer -Ordnance Survey
Sections 17 and 37	Crime And Disorder Act 1998	Having regard to effect of the exercise of any function on the need to prevent crime and disorder and offending by children and young persons
Section 8	Representation of The People Act 1983	The Registration Officer for the purpose of the registration of electors.
Section 28	Representation of The People Act 1983	Discharge of Returning Officers functions.
Section 35	Representation of The People Act 1983	The Returning Officer at an election of Councillors.
Section 83 (1)	Local Government Act 1972	The officer to whom a person elected to the office of Councillor shall deliver a declaration of acceptance of office on a form prescribed by rules made under Section 42 of the Act.
Section 83 (3)(b)	Local Government Act 1972	The officer before whom a declaration of acceptance of office of Chair of Council or Deputy Chair of Council may be made.
Section 84	Local Government Act 1972	The officer to whom written notice of resignation of elected office shall be delivered.
Section 86	Local Government Act 1972	The officer to declare any vacancy in any office under the Section.
Section 88	Local Government Act 1972	The officer by whom a meeting of the Council for the election of the vacant office of Chair person of the Council may be convened.

Section 89	Local Government Act 1972	The officer to whom notice in writing of a casual vacancy occurring in the office of Councillor may be given by two local government electors for the Borough.
Sections 3 and 4	The Local Authorities (Referendums) (Petitions and Directions) England Regulations 2000	The Officer responsible for the publication of the verification number and checking the validity of any subsequent petition on whether the Authority should operate Executive arrangements which involve an elected Mayor.
Section 100 (4)	Local Government and Public Involvement in Health Act 2007 Sustainable Communities Act 2007	On behalf of Council, to undertake Community Governance Reviews in accordance with the 2007 Act and to receive petitions in respect of Community Governance Reviews. To consult, make and implement reviews in accordance with legislation and guidance.
Section 225 (1)	Local Government Act 1972	The officer to receive and retain statutory documents on behalf of the Authority.
Section 233	Local Government Act 1972	The officer to receive documents required to be served on the Authority.
Section 99 + Schedule 12 4(2)(b) and 4(3)	Local Government Act 1972	To give notice and send summonses in respect of any Council meeting.
Section 100	Local Government Act 1972	To give public notice of any meeting to which the public are entitled to attend, provide copies of the agenda and facilities for the press.
Section 100B (2)	Local Government Act 1972	The power to exclude from Committees, Sub-Committees, Council or Executive meeting agendas any information to be dealt with in a meeting from which the public are likely to be excluded.
Section 100B (7)(c)	Local Government Act 1972	The authority to supply to any newspaper copies of documents supplied to Members of committees, sub-committees, Council or Executive meetings in connection with an item for consideration.
Section 41	Local Government (Miscellaneous Provisions) Act 1976	The officer to certify copies of any resolution, order, report or minutes of proceedings of the Council as evidence in any legal proceedings.
Section 138	Local Government Act 1972 (as amended by Local Government and Housing Act 1989)	Authority to exercise powers of the Council in cases of emergency.
Section 100C (2)	Local Government Act 1972	The officer to prepare a written summary of proceedings of committees, sub-committees, Council or the Executive from which the public were excluded.
Section 100D (1)(a)	Local Government Act 1972	The officer to prepare a list of background papers for reports considered by committees, sub-committees, Council or the Executive. (See also General provisions regarding Background papers).
Section 100D (5)	Local Government Act 1972	The Officer to determine which documents constitute background papers and Section 100H

		- ability to charge for the provision of such documents.
Schedule 12 - paragraphs 4(2)(b) and 4(3)	Local Government Act 1972	The officer responsible for the receipt of notices regarding address to which summons to meetings is to be sent.
Section 2	Local Government And Housing Act 1989	The officer to hold on deposit the list of politically restricted posts and Section 2 - provision of certificates as to whether a post is politically restricted.
Sections 15 to 17	Local Government And Housing Act 1989 Local Government (Committees and Political Groups) Regulations 1990	The officer to receive notices relating to the membership of political groups.
	Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012	The Proper Officer in relation to the 2012 Regulations.
Section 100F (2)	Local Government Act 1972	The officer to decide which documents are not, by virtue of containing exempt information, required to be open to inspection.
Section 100G	Local Government Act 1972	To maintain a register of the names and addresses of Members and membership of committees, lists of delegations and the like.
Section 248	Local Government Act 1972	The officer responsible for the keeping of the roll of Freemen of the City.
Schedule 14 - paragraph 25(7)	Local Government Act 1972	The officer responsible for the certification of true copies of resolutions.
	Local Government Act 2000	The officer responsible for ensuring a proper record is made of Executive decisions.
	Local Government Act 2000	To make payments of relevant allowances in accordance with the Council's Members' allowances scheme.
Section 234 (1) and (2)	Local Government Act 1972	The officer to authenticate documents on behalf of the Council.
Section 229 (5)	Local Government Act 1972	The officer to certify photographic copies of documents.
	Local Government Act 2000	To ensure that copies of the constitution are available for inspection.
Section 19	Land Charges Act 1975	The officer to act as Local Registrar as defined in Section 3 of the Land Charges Act 1975 and to administer the Council's Land Charges Register.
	The Building Act 1984	Action / enforcement provisions
	Building Regulations 2010 (as amended)	Action / enforcement provisions
Section 37	The Public Health Amendments Act 1890	Action / enforcement provisions

Section 20	The Building (Approved Inspectors, etc.) Regulations 2010	Action / enforcement provisions
	The Building (Local Authority Charges) Regulations 2010	Appointing officer
	Freedom of Information Act 2000	Determination of appeals against refusal to provide information.

Corporate Director

Section	Legislation	Function
Sections 17 and 37	Crime And Disorder Act 1998	Having regard to effect of the exercise of any function on the need to prevent crime and disorder and offending by children and young persons.
	Civil Evidence Act 1995	To certify Council records for the purposes of admitting the document in evidence in civil proceedings.
	Local Government (Contracts) Act 1997 and Regulations	Certification of relevant powers to enter into contracts
Section 236 (10)	Local Government Act 1972	The officer responsible for forwarding Council byelaws to the County Council.
Section 238	Local Government Act 1972	The officer to certify printed copies of byelaws.
	Food Safety Act 1990	All purposes relating to and including authority to authorise such other officer(s) as the Head of Place and Head of Communities deems appropriate to exercise the powers under the Food Safety Act 1990.
13(2)(a) and 69(2)(a) 304 of Part 15	Licensing Act 2003 and Gambling Act 2005	Authorised person as defined by, and responsible to the Council for carrying out its responsibilities as a Licensing Authority under the Acts
Schedule 14 para. 25(7)	Local Government Act 1925	Certification of resolution under Public Health Acts 1875 – 1925.

Chief Finance (S151) Officer

Section	Legislation	Function
Section 115 (2)	Local Government Act 1972	The officer to whom money properly due from officers shall be paid.
Section 146 (1) (a and b)	Local Government Act 1972	The officer to make statutory declarations and issue any certificate with regard to securities held by local authority companies.
S151 and Sections 113 and 114	Local Government Finance Act 1988)	The officer to be responsible for the proper administration of the Authority's financial affairs (and to issue a report to Members if there is or is likely to be unlawful expenditure or an unbalanced budget).
210(6) and (7)	The Local Government Act 1972	In relation to Treasurer or Finance Officer.

Section 228(3)	Local Government Act 1972	Inspection of accounts.
	Local Government Act 2003	Requirement to report to Council annually on the robustness of estimates and financial reserves.
Regulation 6	Accounts and Audit Regulations 2011	Requirement to provide adequate and effective system of internal audit of its accounting records and of its system of internal control. Also to provide for internal auditors to have access to, and be supplied with, any documents, information, or explanations necessary for the purpose of the audit.
Section 116 -	Local Government Finance Act 1988	Notification to the Council's auditor of any meeting to be held under Section 15 of the 1988 Act (meeting to consider any report of the Chief Finance Office under Section 114).
Section 139A	Local Government Finance Act 1988	Provision of information to the Secretary of State in relation to the exercise of his powers under this Act as and when required.
	Local Government (Contracts) Act 1997 and Regulations	Certification of relevant powers to enter into contracts
	The Local Authority (Capital Finance and Accounting) (England) Regulations 2003	

Monitoring Officer

Section	Legislation	Function
Section 5	Local Government and Housing Act 1989	The officer to be designated Monitoring Officer (see also Monitoring Officer's Protocol in Part 5 of the Constitution).
Section 29	Localism Act 2011	To establish and maintain the Members' Register of Interests and ensure it is available for public inspection.
Section 33	Localism Act 2011	To receive written requests for and grant dispensations
		The officer designated Senior Information Risk Officer.