**Governance Framework Document**

**Document E: Proper Officers**

**Proper Officers**

The Council is required to designate individual officers to hold specified statutory responsibilities. These officers are known as Proper Officers. The following is a list of current Proper Officer appointments and responsibilities. This list is not necessarily exhaustive and any omission shall not affect the validity of any action or decision taken by the Proper Officer. For more information on Proper Officers, see Article 5 of the Constitution – Officers.

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| **Legislation** | | **Description** | **Proper Officer** |
| Local Government Act 1972 | S83 (1)-(4) | Officer to whom persons elected to any of the following offices of the City Council shall make declaration of acceptance of office: Lord Mayor, Deputy Lord Mayor, Councillor | Chief Executive |
| Local Government Act 1972 | S84 | The Officer to whom a person elected  to any office under the City Council may give written notice of resignation | Chief Executive |
| Local Government Act 1972 | S88(2) | The Officer who may convene a meeting of the Council for the election to fill a vacancy | Chief Executive |
| Local Government Act 1972 | 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 |
| Local Government Act 1972 | S115(2) | The Officer who shall receive all money due from every officer employed by the Council | Corporate Director for Finance and Resources |
| Local Government Act 1972 | S146 (1)(a) and (b) | The Officer who shall give statutory declarations and certificates with regard to securities on the change of name or status | Corporate Director for Finance and Resources |
| Local Government Act 1972 | S146(1)(a) | Declarations and Certificates with regard to securities | Chief Executive |
| Local Government Act 1972 | S151 | The Officer responsible for the proper administration of financial affairs | Corporate Director for Finance and Resources |
| Local Government Act 1972 | S191 | Functions with respect to ordnance survey | Corporate Director for Finance and Resources |
| Local Government Act 1972 | S191(2), (4) (b) | The Officer to whom applications under Section 1 of the Ordnance Survey Act 1842 should be sent | Corporate Director for Finance and Resources |
| Local Government Act 1972 | S204(3) | The Officer to whom notice of application for a Justices Licence under Schedule 1 to the Licensing Act 1964 should be given | Corporate Director for Resident Services |
| Local Government Act 1972 | S210(6) and (7) | Charities | Corporate Director for Finance and Resources |
| Local Government Act 1972 | S225(1) | Deposit of Documents with the Proper Officer and the making of notes or endorsements and receipts | Corporate Director for Finance and Resources |
| Local Government Act 1972 | 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 Director for Legal and Governance |
| Local Government Act 1972 | S234(1) | Authentication of documents | The Director having custody of the original or the Director for Legal and Governance |
| Local Government Act 1972 | S234(2) | 1. 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, the Prevention of Damage by Pests Act 1948, the Food Act 1984 and the Environmental Protection Act 1990 (as it relates to statutory nuisances). The Building Regulations and the Building Act 1984 and under the Local Government (Miscellaneous Provisions Act 1976 with regard to dangerous trees and excavations. 2. Notices in respect of Council dwellings relating to the right to buy or proceedings for the termination of a secure tenancy. | Corporate Director for Resident Services or the Director for Legal and Governance |
| Local Government Act 1972 | 236(9) | The Officer responsible for sending certified copies of byelaws to appropriate bodies | Corporate Director for Finance and Resources |
| Local Government Act 1972 | 238 | The Officer who shall certify copies of Byelaws as true copies | Corporate Director for Finance and Resources |
| Local Government Act 1972 | 248 | Keeping the roll of Freemen | Chief Executive |
| Local Government Act 1972 | Sch.12/para 4 (2) (b) | Summons to attend meeting | Director of Legal and Governance |
| Local Government Act 1972 | 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. | Director of Legal and Governance |
| Local Government Act 1972 | 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 for Legal and Governance |
| Local Government Act 1972 | 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. | Director of Legal and Governance |
| Local Government Act 1972 | 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. | Director of Legal and Governance |
| Local Government Act 1972 | S100C(2) | Preparation of a written summary of those parts of the proceedings of a Committee which disclose exempt information. | Director of Legal and Governance |
| Local Government Act 1972 | S100D(1)(a) and (5)(a) | Identification of background papers and of a list of such documents. | Director responsible  for the report |
| Local Government Act 1972 | S100F(2) | Making of decisions as to documents disclosing exempt information which are not required to be open to inspection by Members of the Council. | Director of Legal and Governance |
| Local Elections (Principal Areas) Rules 1986 | -- | All references to the Proper Officer in these rules relate to the Chief Executive | Chief Executive |
| Local Government Act 1974 | S30(5) | Publication in newspapers of reports of Local Commissioner. | Chief Executive |
| Local Government Act 1976 | S41 | Certification of copies of resolutions, minutes and other documents. | Director for Legal and Governance |
| Public Health (Control of Diseases) Act 1984 | S11 | Notifiable disease/food poisoning | Corporate Director for Resident Services |
| Public Health (Control of Diseases) Act 1984 | S18 | Information to be furnished with regard to notifiable diseases/ food poisoning | Corporate Director for Resident Services |
| Public Health (Control of Diseases) Act 1984 | S20 | Preventing someone working to stop spread of disease | Corporate Director for Resident Services |
| Public Health (Control of Diseases) Act 1984 | S21 | Exclusion from school of a child liable to convey a notifiable disease | Corporate Director for Resident Services |
| Public Health (Control of Diseases) Act 1984 | S22 | List of day pupils at school having a case of notifiable diseases | Corporate Director for Resident Services |
| Public Health (Control of Diseases) Act 1984 | S24 | Infected articles not to be sent to any laundry | Corporate Director for Resident Services |
| Public Health (Control of Diseases) Act 1984 | S29 | Letting of house or room after recent case of concerning a notifiable disease | Corporate Director for Resident Services |
| Public Health (Control of Diseases) Act 1984 | S31 | Disinfection of premises | Corporate Director for Resident Services |
| Public Health (Control of Diseases) Act 1984 | S32 | Removal of person from an infected house | Corporate Director for Resident Services |
| Public Health (Control of Diseases) Act 1984 | S48 | Removal of body to a mortuary or for immediate burial | Corporate Director for Resident Services |
| Public Health (Control of Diseases) Act 1984 | S59 | Authentication of documents | Corporate Director for Resident Services |
| Public Health (Control of Diseases) Act 1984 | S60 | Service of notices and other documents | Corporate Director for Resident Services |
| Food Safety Act 1990 | S49 | Proper Officer of the Authority as regards documents relating to matters within his/her province | Corporate Director for Resident Services |
| Housing Act 1985 | S606(1) and (2) | Reports on unfitness and clearance | Corporate Director for Resident Services |
| Local Government and Housing Act 1989 | S2 | Receipt of list of politically restricted posts | Chief Executive |
| Local Government and Housing Act 1989 | S114 | Financial report to the authority | Corporate Director for Finance and Resources |
| Registration Service Act 1953 | -- | All references to Proper Officer | Director for Legal  and Governance |
| The Local Government (Committees and Political Groups) Regulations 1990 | -- | Notifications to and by the Proper Officer | Director for Legal and Governance |
| The Local Authorities (Standing Orders) (England) Regulations 2001 | -- | Functions in relation to notifying executive of appointments, dismissals etc | Corporate Director  for Finance and Resources or Director for HR and Customer |
| The Local  Authorities (Standing Orders) (England)  Regulations  2001 | **--** | The Local Code of Conduct | Director of Legal and Governance |
| Freedom of  Information  Act 2000 | S36 | Exemption | Monitoring Officer or  in his absence, the  Chief Executive |