

"Proper Officer" Appointments

Local Government Act 1972

Section	Responsibility	Proper Officer
83	To receive declarations of acceptance of office.	Head of Legal and Democratic
13(3)	To act as Parish Trustee with Chairman of Parish Meetings where no Parish Council exists.	Head of Legal and Democratic
100(B)(2)	To exclude from agenda papers made available to public, reports (or parts) likely to be taken in absence of public.	Head of Legal and Democratic
100(B)(7)(c)	To supply copies of other documents.	Head of Legal and Democratic
100(C)(2)	To make a written summary in lieu of confidential minutes.	Head of Legal and Democratic
100(F)(2)	To identify documents not available to Members under that section.	Head of Legal and Democratic
191	To receive notices of Ordnance Survey in relation to ascertaining or locating local authority boundaries.	Head of Legal and Democratic
210(6)&(7)	To exercise any charity functions by officers of the "old" local authority where there is no holding of a corresponding office in the "new" local authority.	Head of Legal and Democratic
212(1)&(2)	To act as local registrar for Land Charges Act, 1925.	Head of Legal and Democratic
225(1)	To receive and give receipt for any document required to be formally deposited with the Council.	Head of Legal and Democratic
229(5)	To certify a photographic copy of a document in the custody of the Council.	Head of Legal and Democratic
236(9)&(10)	To send copies of all bye laws made by the Council to the Council of every Parish or Community to which they apply and to the County Council.	Head of Legal and Democratic
238	To sign the certificate on any printed copy of the bye laws authenticating such prints as a true and correct copy.	Head of Legal and Democratic
248	To keep the Roll of Freemen.	Head of Legal and Democratic
Schedule 6 para.1	To be deputy to Electoral Registration Officer.	Head of Legal and Democratic
Schedule 14 para.25(7)	To certify copy resolutions.	Head of Legal and Democratic
Schedule 16 para.28	To receive on deposit lists of buildings of special architectural or historic interest.	Head of Legal and Democratic

115(2)	To whom all officers shall pay monies received by them and due to the local authority.	Head of Revenues
146	To keep declarations and issue certificates in connection with the holding or transfer of securities or the payment of dividend or interest.	Head of Finance
151	To be responsible for the administration of the financial affairs of the Council.	Head of Finance
100(D)(1)(a)	To compile a list of background papers to a report.	Head of Service originating the report
100(D)(5)(a)	To identify the background papers on which a report is based.	Chief Executive, Director or Head of Service originating the report
270	Appointment as Proper Officer in relation to all matters where no other officer is specifically designated.	Chief Executive
88	To convene a meeting of the Council to fill vacancy in office of Mayor (where such a casual vacancy exists).	Head of Legal and Democratic
81	To receive declarations of financial and other interests by Councillors and the keeping of the register of declarations of financial and other interests.	Head of Legal and Democratic
81	To receive declarations of gifts and hospitality by Councillors and the keeping of the register of gifts and hospitality.	Head of Legal and Democratic
234	Power to sign formal notices, orders or other documents made or issued by the Council.	Head of Legal and Democratic
Schedule 12	To issue and service of summons to meetings of Council and Committees thereof: receipt of formal notification from Councillors of address to which it is desired such summons to be sent.	Head of Legal and Democratic

Public Health (Control of Disease) 1984

Section	Responsibility	Proper Officer
S14	To receive certificates of notifiable disease and to send copies to authorities as required.	Communicable Disease Control Consultant & Senior Clinical Medical Officer of PHE (Wessex)

Commented [HE1]: Update to reflect repealed legislation

S18	To require information to be provided by occupiers of premises regarding notifiable diseases or food poisoning.	ditto
S20	With a view to preventing the spread of disease, to request subject to compensation by the local authority that a person discontinue his work.	ditto
S21	To prohibit children attending school if suffering from a notifiable disease.	ditto
S22	To require information regarding school roll, where a pupil is suffering from a notifiable disease.	ditto
S24	To satisfy himself that infected laundry has been satisfactorily disinfected so that it can be sent to any laundry or public wash house.	ditto
S29	To satisfy himself that infected houses and articles within houses have been properly disinfected.	ditto
S31	To provide a certificate that he/she is satisfied that the cleansing and disinfection of any premises, and the destruction of any articles there likely to retain infection, would tend to prevent the spread of any infectious disease.	ditto
S36	To issue a written certificate stating that a suspected carrier of notifiable disease should be medically examined.	ditto
S40	To make complaint to a JP for a warrant to medically examine a person in a common lodging house suffering, or who has recently suffered from a notifiable disease.	ditto
S42	To certify that a common lodging house is free from infection.	ditto
S43	To certify that the body of a person who died in hospital whilst suffering from a notifiable disease should not be removed from hospital other than being taken directly for burial or cremation.	ditto
S48	To certify that retention of a dead body in any building would endanger public health.	ditto

Local Government Act 1972, Section 270 (3) as amended
Public Health (Control of Disease) Act 1984, Section 74 as amended and
regulations made thereunder

Commented [HE2]: Update to reflect current legislative position

<u>Section</u>	<u>Responsibility</u>	<u>Proper Officer</u>
<u>Part II A</u>	<u>To act for such of the functions relating to notification, investigations, prevention and</u>	<u>CCDCs/Consultant in Health</u>

	<u>control of notifiable diseases and food poisoning</u>	<u>Protection of PHE (Wessex)</u>
<u>S48</u>	<u>To certify that retention of a dead body in any building would endanger public health.</u>	<u>- ditto -</u>

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Public Health (Infections Diseases) Regulations 1988

Section	Responsibility	Proper Officer
R6	To make special reports to the authorities regarding certain cases of infectious disease.	Communicable Disease Control Consultant & Senior Clinical Medical Officer of PHE (Wessex)
R8	To make weekly and quarterly returns to the authorities of notified diseases.	- ditto -
R9(1) Sch 3	To report any case of typhus or relapsing fever to the local authority.	- ditto -
R9(1) Sch 3 Para 3	To issue any notice under the provisions of Sch 3 for the purpose of preventing the spread of infection if it is immediately and urgently necessary.	- ditto -
R9(2) Sch 4	To make reports to the local authority of food poisoning and food borne infections.	- ditto -
R9(2) Sch 4 Para 3	To issue any notice under the provisions of Sch 4 for the purpose of preventing the spread of infection if it is immediately and urgently necessary.	- ditto -
R10	To arrange for immunisation or vaccination of any person who has or may come into contact with a case of any notifiable disease or any disease mentioned in Schedule 1 (other than tuberculosis).	- ditto -

Commented [HE3]: Update to reflect repealed legislation

Health Protection (Notification) Regulations 2010

Section	Responsibility	Proper Officer
<u>2</u>	<u>To receive notifications about patients with suspected notifiable disease or infection</u>	<u>CCDCs/Consultant in Health Protection of PHE (Wessex)</u>
<u>3</u>	<u>To receive notifications about patients who have died with suspected notifiable disease or infection</u>	<u>- ditto -</u>

Commented [HE4]: Update to reflect current legislative position

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<u>6</u>	<u>Duty to disclose notification to others</u>	<u>- ditto -</u>
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Health Protection (Local Authority Powers) Regulations 2010

Commented [HE5]: Update to reflect current legislative position

<u>Section</u>	<u>Responsibility</u>	<u>Proper Officer</u>
		<u>CCDCs/Consultant in Health Protection of PHE (Wessex)</u>

Public Health Act 1984

Section	Responsibility	Proper Officer
13	To control notifiable diseases and food poisoning.	Head of Housing and Environmental Health

Public Health Act 1936

Section	Responsibility	Proper Officer
ss84 & 85	Power to issue certificate to the Council regarding the cleansing or destruction of filthy or verminous articles.	Head of Housing and Environmental Health

Data Protection Act 1998

Section	Responsibility	Proper Officer
	To be the Data Protection Officer.	<u>Head of Legal and Democratic Services Corporate Director (Carol Moore)</u>

Commented [HE6]: To reflect current position following the introduction of GDPR

National Assistance Act 1948 as amended by the National Assistance (amendment) Act 1951

Section	Responsibility	Proper Officer
S47(2)	Where a person residing in the area of the local authority who is suffering from grave chronic disease or being aged and living in insanitary conditions or infirm and living in insanitary conditions or physically incapacitated and living in insanitary conditions and unable to devote to themselves, and are not	Communicable Disease Control Consultant & Senior Clinical Medical Officer of PHE Wessex

	receiving from others, proper care and attention: To provide a certificate to the local authority that he is satisfied that it is in the interests of any such person aforesaid, or for preventing injury to the health of or, serious nuisance to, other persons, it is necessary to remove any such person from the premises in which he is residing.	
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Local Government (Miscellaneous Provisions) Act 1976

Section	Responsibility	Proper Officer
	To sign licences for hackney carriage and private hire vehicles and drivers	Head of Legal and Democratic

Representation of the People Act 1983

Section	Responsibility	Proper Officer
36	To receive the report of the Returning Officer of District Council Elections.	Head of Legal and Democratic

Dairy Products (Hygiene) Regulations 1995

Section	Responsibility	Proper Officer
R19(1)	To give notice to the occupier of any registered dairy premises that he considers it necessary to make an examination of persons at the premises who come into contact with milk or milk receptacles.	

Local Government Finance Act 1988

Section	Responsibility	Proper Officer
116	Officer designated to notify auditor of date, time and place of meeting to consider S.114 report and decision of such meeting.	Head of Finance

Local Government Housing Act 1989

Section	Responsibility	Proper Officer
	To retain a list of politically restricted posts.	Head of Legal and Democratic
15-17	Voting Rights and Political Balance. Officer designated for the purpose of these sections.	Head of Legal and Democratic

Local Authorities (Executive Arrangements) (Meetings and Access to information) (England) Regulations 2012

Section	Responsibility	Proper Officer
	To act as "Proper Officer"	Head of Legal and Democratic

Local Authority (Standing Orders) (England) Regulations 2002

Section	Responsibility	Proper Officer
	To notify the Executive of proposed appointments to and dismissals from senior posts for the purposes of Schedule 1 to the Local Authorities (Standing Orders) (England) Regulations 2001	Human Resources Manager

Highways Act 1980

Section	Responsibility	Proper Officer
Part VII A	Provision of amenities on certain highways.	Head of Property and Asset Management Service

Building Act 1984

Section	Responsibility	Proper Officer
78	To enforce Section 78 of the Building Act, 1984 in relation to Dangerous Buildings.	Head of Legal and Democratic