

Part 3 – Officer Scheme of Delegation

Chapter 2 – Statutory Functions which are allocated to Officers

This section sets out those Officers who have been designated by the Council to discharge specified statutory functions.

1. Legislation, Function and Post

| Legislation | Function | Proper Officer |
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| Section 4 Local Government and Housing Act 1989 | Chief Executive | The Chief Executive |
| Sections 5 and 5A Local Government and Housing Act 1989 | Monitoring Officer | Director of Law & Governance |
| Section 151 LGA 1972 | Chief Financial Officer | Chief Operating Officer |
| Section 28(1) Representation of the People Act 1983 | Acting Returning Officer (Parliamentary Election) | The Chief Executive |
| Section 35(3) Representation of the People Act 1983 | Returning Officer (Local Election) | The Chief Executive |
| Section 8(2) Representation of the People Act 1983 | Electoral Registration Officer | The Chief Executive |
| Section 6(A1) Local Authority Social Services Act 1970 | Director of Adult Social Services | Strategic Director of Service Development & Improvement |
| Section 18 Children Act 2004 | Director of Children’s Services | Strategic Director of Service Development & Improvement |
| Section 72(1)(a) Weights and Measures Act 1985 | Chief Inspector of Weights and Measures | Chief Operating Officer |
| Section 73A of the National Health Service Act 2006, as amended by the Health and Social Care Act 2012 | Director of Public Health | Director of Public Health |

2. The Council employs the following Proper or appropriate Officers:

| Legislation | Function | Proper Officer |
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| Local Government Act 1972 | | |
| Section 83(1) to (4) | Witness and receipt of Declaration of Acceptance of Office | The Chief Executive |
| Section 84(1) | Receipt of notice of resignation of elected Member | The Chief Executive |
| Section 88(2) | Convening a meeting of Council to fill a casual vacancy in the office of Chair | The Chief Executive |
| Section 89(1) | Notice of casual vacancy | The Chief Executive |
| Section 100A – 100H | Assess to Information and admission of public (including press) to meetings | The Chief Executive |
| Section 115(2) | Receipt of money due from officers | The Chief Executive |
| Section 146(1)(a)&(b) | Declarations and certificates with regard to transfer of securities | Chief Operating Officer |
| Section 225 | Deposit of documents | The Chief Executive |
| Section 228(3) | Accounts for inspection by any Member of the Council | Chief Operating Officer |
| Section 229(5) | Certification of photographic copies of documents | Director of Law & Governance |
| Section 234 | Authentication of documents | Director of Law & Governance |
| Section 238 | Certification of byelaws | Director of Law & Governance |
| Section 248 | Officer who will keep the Roll of Freeman | The Chief Executive |
| Schedule 12 | | |
| Para 4(2)(b) | Signing of summons to Council meeting | The Chief Executive |
| Para 4(3) | Receipt of notice about address to which summons to meeting is to be sent | The Chief Executive |

| Legislation | Function | Proper Officer |
|--|---|------------------------------|
| Schedule 14 | | |
| Para 25 (7) | Certification of resolution concerning the Public Health Acts 1875 to 1925 | Chief Operating Officer |
| Local Government Act 1974 | | |
| Section 30(5) | To give notice that copies of an Ombudsman's report are available | The Chief Executive |
| Local Government (Miscellaneous Provisions) Act 1976 | | |
| Section 41(1) | The officer who will certify copies of evidence of resolutions and minutes of proceedings | The Chief Executive |
| Local Authorities Cemeteries Order 1977 | | |
| Regulation 10 | To sign exclusive rights of burial | Chief Operating Officer |
| Representations of the People Act 1983 | | |
| Sections 82 and 89 | Receipt of election expense declarations and returns and the holding of those documents for public inspection | The Chief Executive |
| Local Elections (Principal Areas) (England) Rules 2006 | | |
| Schedule 2, Rule 54 | Retention and public inspection of documents after an election | The Chief Executive |
| Local Government and Housing Act 1989 | | |
| Section 2(4) | Recipient of the list of politically restricted posts | Director of Law & Governance |
| 3A(1) | Grant and supervision of exemptions from political restriction | Chief Executive |
| Local Government (Committees and Political Groups) Regulations 1990 | | |
| Regulation 8 | For the purposes of the composition of Committees and nominations to political groups | Monitoring Officer |
| Local Authorities (Standing Orders)(England) Regulations 2001 | | |
| Schedule 1 Part 2 | Notification of appointment or | The Chief Executive |

| Legislation | Function | Proper Officer |
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| | dismissal of officers | |
| The Local Authorities (Executive Arrangements) Access to Information (England) Regulations 2012 | | |
| Regulation 12 | Recording of Executive decisions made at meetings of the Executive Board | Monitoring Officer |
| Regulation 14 | Inspection of documents following Executive decisions | Monitoring Officer |
| Regulation 15 | Inspection of background papers | Monitoring Officer |
| Regulation 13 | Individual Executive decisions | Monitoring Officer |
| Regulation 7 | Access to agenda and connected reports | Monitoring Officer |
| Regulation 9 | Publicity in connection with key decisions | Monitoring Officer |
| Regulation 10 | General exception relating to the Forward Plan | Monitoring Officer |
| Regulation 16 | Members' rights of access to documents | Monitoring Officer |
| Regulation 7(2) | Confidential/exempt information and exclusion of public from meetings | Monitoring Officer |
| Building Act 1984 | | |
| Section 93 | Authentication of documents | Strategic Director of Growth & Homes |
| Food Safety Act 1990 | | |
| Section 49(3)(a) | Authentication of documents | Chief Operating Officer |
| Public Health Act 1936 | | |
| Section 85(2) | To serve notice requiring remedial action where there are verminous persons or articles | Chief Operating Officer |
| Public Health Act 1961 | | |
| Section 37 | Control of any verminous article | Chief Operating Officer |

| The Health Protection (Local Authority Powers) Regulations 2010 | | |
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| Regulation 2 | Exclusion from school of a child liable to convey a notifiable disease | Chief Operating Officer |
| Regulation 3 | Requesting names and addresses of pupils attending a school or department of a school | Chief Operating Officer |
| Regulations 4-7 | Disinfection of things and premises | Chief Operating Officer |
| Regulation 8 | Request for co-operation for health protection purposes | Chief Operating Officer |
| Regulations 9,10 | Restriction of Access to and control of dead bodies | Chief Operating Officer |
| Part 2A | Authority to apply to a JP for a Part 2A Order that imposes restrictions or requirements on a person (or persons), or relating to a thing (or things), a body or human remains, or premises. to protect human health against infection or contamination that presents, or could present, significant harm to human health. | Chief Operating Officer |
| Section 48 | Certifying that the retention of a body in a building would endanger health | Chief Operating Officer |
| Section 59 | Authentication of documents relating to matters within his/her responsibility | Chief Operating Officer |
| National Assistance Act 1948 | | |
| Section 47 | Removal to suitable premises of people in need of care and attention | Strategic Director of Service Development & Improvement |
| National Assistance (Amendment) Act 1951 | | |
| Section 1 | Certification of the need for immediate action | Strategic Director of Service Development & Improvement |
| National Health Service Act 2006, as amended by the Health and Social Care Act 2012 | | |
| Section 73A (1) (a) | the exercise by the authority of its functions under section 2B, 111 | Director of Public |

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| | or 249 or Schedule 1 | Health |
| Section 73A (1) (b) | the exercise by the authority of its functions by virtue of section 6C(1) or (3), | Director of Public Health |
| Section 73A (1) (c) | anything done by the authority in pursuance of arrangements under section 7A | Director of Public Health |
| Section 73A (1) (d) | the exercise by the authority of any of its functions that relate to planning for, or responding to, emergencies involving a risk to public health, | Director of Public Health |
| Section 73A (1) (e) | the functions of the authority under section 325 of the Criminal Justice Act 2003 | Director of Public Health |
| Section 73A (1) (f) | such other functions relating to public health as may be prescribed | Director of Public Health |
| Freedom of Information Act 2000 | | |
| Section 36 | To carry out the functions of the 'qualified person' for the purposes of determining prejudice to effective conduct of public affairs | Monitoring Officer |