

## STATUTORY AND PROPER OFFICERS

- 1 The Local Government Act 1972 and other legislation require local authorities to make specific statutory appointments and designations (Statutory and Proper Officers) which carry specific responsibilities. For the avoidance of doubt, any post mentioned below will also include an interim appointment to that position.

In the event of the officers named below in 3 and 4 being unable to act or of any of the posts being vacant, the Chief Executive, or in his/her absence the relevant Executive Director, will appoint an officer to act in their place.

- 3 The following are the Statutory Officers of the Council for the purposes stated:-

<b>Legislation</b>	<b>Description</b>	<b>Allocated To</b>
Local Government and Housing Act 1989 Section 4	Head of Paid Service	Chief Executive
Local Government Act 1972 Section 151	Chief Finance Officer	Director of Finance and Commercial Services
Local Government and Housing Act 1989 Section 5	Monitoring Officer	Director of Legal and Governance
Local Authority Social Services Act 1970 Section 6	Director of Adult Social Services	Director of Adult Health and Social Care
Children Act 2004 Section 18	Director of Children's Services	Director of Children's Services
National Health Service Act 2006 Section 73A	Director of Public Health	Director of Public Health

4 The following are the Proper Officers of the Council for the purposes stated:-

<b>Local Government Act 1972</b>	<b>Description</b>	<b>Proper Officer</b>
Section 83	Officer who takes declarations of acceptance of office	Director of Legal and Governance
Section 84	Officer to whom a person elected to any office listed in Section 83 may give written notice of resignation	Director of Legal and Governance
Section 88(2)	Officer who may convene a meeting of the Council for the election to fill casual vacancy of chairman of the Council	Director of Legal and Governance
Section 89(1)	Officer who may receive notice in writing of a casual vacancy in the office of Councillor from two local government electors for the area	Electoral Services Manager
Section 100B(2)	Officer who may think fit to exclude from reports open to inspection by members of the public parts relating to items during which the meeting is likely not to be open to the public	Director of Legal and Governance in consultation with the relevant Executive Director
Section 100B(7)(c)	Officer who makes available to the press copies of documents already supplied to Councillors in connection with an item on the agenda for a meeting of the Council	Head of Democratic Services

Section 100C(2)	Officer responsible for preparing a written summary of those parts of the committee proceedings which disclose exempt information	Head of Democratic Services
Section 100D(1)(a)	Officer responsible for identifying background papers for the report for a meeting of the Council and compiling a list of such documents	Relevant Executive Director
Section 100F(2)	Officer who makes decisions as to documents disclosing exempt information which are not required to be open to inspection by Councillors	Director of Legal and Governance in consultation with the relevant Executive Director
Section 115	Officer to whom all officers shall pay monies received by them and due to the Local Authority	Director of Finance and Commercial Services or their nominee
Section 146(1)(a)	Officer authorised to produce a statutory declaration specifying securities and verifying the change of name and identity of the authority	Director of Legal and Governance
Section 151	Officer responsible for the proper administration of the authority's financial affairs ("Chief Finance Officer")	Director of Finance and Commercial Services
Section 191	Officer who receives applications from Ordnance Survey Office in relation to examining, ascertaining and marking out reputed Local Authority boundaries	Director of Legal and Governance

Section 210(6) and (7)	Officer in whom power is vested to exercise any power with respect to a charity exercisable by any officer of a former corresponding authority	Director of Legal and Governance
Section 225	Officer with whom documents may be deposited pursuant to law, who can make notes or endorsements and give acknowledgements or receipts	Director of Legal and Governance
Section 229(5)	Officer who signs a certificate that a document is a photographic copy of a document in the custody of the Council	Director of Legal and Governance
Section 234(1)	Officer who signs notices, orders or other documents on behalf of the Council	Director of Legal and Governance
Section 236(9)	Officer who sends copies of byelaws made by the Council to parish councils or parish meetings	Director of Legal and Governance
Section 238	Officer responsible for certifying copies of byelaws	Director of Legal and Governance
Schedule 12 Para 4(1A)(b)	Officer who may sign and send to all Councillors a summons to attend Council meetings	Director of Legal and Governance
Schedule 14 Para 25	Officer who may certify copies of resolutions passed under this Paragraph	Director of Legal and Governance

<b>Public Health Act 1936</b>	<b>Description</b>	<b>Proper Officer</b>
Section 84	Officer who certifies that an article is filthy or verminous	Director of Street Scene and Regulation
Section 85(2)	Officer who reports that any person or the clothing of any person is verminous	Director of Street Scene and Regulation
Section 85(4)	Officer who authorises a woman to carry out cleansing of females	Director of Street Scene and Regulation
<b>Registration Service Act 1953</b>	<b>Description</b>	<b>Proper Officer</b>
Section 9	Officer who determines or appoints interim superintendent registrar or interim registrar of births and deaths	Director of Human Resources and Customer Services
Section 13	Officer on whom powers are conferred under the local scheme of organisation	Director of Human Resources and Customer Services
<b>Local Authority Social Services Act 1970</b>	<b>Description</b>	<b>Proper Officer</b>
Section 6	Officer appointed as Director of Adult Social Services	Director of Adult Health and Social Care
<b>Local Government Act 1974</b>	<b>Description</b>	<b>Proper Officer</b>
Section 30(5)	Officer responsible for arranging publication in newspapers of a notice that a Local Commissioner's	Director of Legal and Governance

	report on an investigation of a matter is available for inspection by the public	
<b>Local Government (Miscellaneous Provisions) Act 1976</b>	<b>Description</b>	<b>Proper Officer</b>
Section 41	Officer responsible for certifying copies of resolutions, orders, reports, minutes of Council meetings and other documents or authorising a person in that behalf	Director of Legal and Governance
<b>Rent Act 1977</b>	<b>Description</b>	<b>Proper Officer</b>
Schedule 15, Part IV	Officer who signs certificate that the local housing authority will provide suitable alternative accommodation	Director of Housing
<b>Highways Act 1980</b>	<b>Description</b>	<b>Proper Officer</b>
Section 59	Officer responsible for certifying that extraordinary expenses have been or will be incurred in maintaining the highway by reason of damage caused by excessive weight passing along the highway or other extraordinary traffic	Head of Highway Maintenance
Section 205	Officer responsible for undertaking duties as specified in this Section and Schedule 16 in relation to private street works	Head of Highway Maintenance
Section 210	Officer responsible for certifying amendments to	Head of Highway Maintenance

	estimated costs and consequential provisional apportionment of costs under the private street works code	
Sections 211, 212 and 216	Officer responsible for making a final apportionment of costs under the private street works code	Head of Highway Maintenance
Section 295	Officer responsible for issuing notices requiring removal of materials from non-maintainable streets in which works are due to take place	Head of Strategic Transport Sustainability and Infrastructure
Section 321	Officer responsible for signing notices, consents, approvals, orders, demands, licences, certificates and other documents	Head of Strategic Transport Sustainability and Infrastructure
Schedule 9 Para 4	Officer responsible for signing plans showing proposed prescribed improvement lines or building lines	Head of Highway Maintenance
<b>Representation of the People Act 1983</b>	<b>Description</b>	<b>Proper Officer</b>
Section 8	Officer appointed as Registration Officer for the registration of Parliamentary and Local Government Electors	Chief Executive
Section 28	Officer to discharge duties of the returning officer as Acting Returning Officer at	Chief Executive

	Parliamentary Elections	
Section 35	Officer appointed as Returning Officer for local elections	Chief Executive
Section 52	Officer approved as deputy to perform the powers and duties of the Registration Officer and officer appointed to carry out any acts of the Registration Officer in the event of his incapacity or a vacancy	Electoral Services Manager
Section 67	Officer to whom declarations and public notice of election agents' appointments are made	Chief Executive for Parliamentary Elections; Electoral Services Manager for local elections
Section 131	Officer responsible for providing accommodation for holding election court	Electoral Services Manager
<b>Building Act 1984</b>	<b>Description</b>	<b>Proper Officer</b>
Section 78(1) and (8)	Officer who may take immediate action in relation to dangerous buildings, structures or parts thereof	Director of Investment and Climate Change
<b>Public Health (Control of Disease) Act 1984</b>	<b>Description</b>	<b>Proper Officer</b>
Section 48	Officer who certifies that it would be a health risk to retain a body in a place	Any person for the time being employed as a Consultant in Communicable Disease Control /



		Consultant in Health Protection at the Yorkshire and Humber Health Protection team of the UK Health Security Agency (UKHSA)
Section 59	Officer who signs and authenticates notices, orders or other documents	Director of Street Scene and Regulation
Section 61	Officer with power to enter premises	Director of Street Scene and Regulation and any officer personally authorised by him
<b>Local Government Finance Act 1988</b>	<b>Description</b>	<b>Proper Officer</b>
Section 114	Officer responsible for making financial reports to the authority	Director of Finance and Commercial Services
Section 116	Officer responsible for notifying the authority's auditor of the date, time and place of meeting to consider s114 report and of decision of such meeting	Director of Finance and Commercial Services
<b>Local Government and Housing Act 1989</b>	<b>Description</b>	<b>Proper Officer</b>
Section 2(4)	Officer with whom the list of politically restricted posts shall be deposited	Chief Executive
Section 4	Officer designated as Head of Paid Service	Chief Executive

Section 5	Officer designated as Monitoring Officer	Director of Legal and Governance
<b>Local Government (Committees and Political Groups) Regulations 1990</b>	<b>Description</b>	<b>Proper Officer</b>
Regulation 8(1) and (5)	Officer to whom notice in writing is delivered about the constitution of a political group or the change of name of a political group	Head of Democratic Services
Regulations 9 and 10	Officer to whom notice in writing is delivered about a Councillor's membership, or cessation of membership, in a political group	Head of Democratic Services
Regulation 13	Officer to whom the wishes of a political group are expressed	Head of Democratic Services
Regulation 14	Officer responsible for notifying in writing the leader or deputy leader of a political group about allocations and vacancies of seats	Head of Democratic Services
<b>Environmental Protection Act 1990</b>	<b>Description</b>	<b>Proper Officer</b>
Section 149	Officer responsible for discharging functions conferred by this section for dealing with stray dogs	Director of Street Scene and Regulation

<b>Food Safety Act 1990</b>	<b>Description</b>	<b>Proper Officer</b>
Section 49	Officer who signs any document authorised or required by or under the Act	Director of Street Scene and Regulation
<b>The Local Authorities (Standing Orders) (England) Regulations 2001</b>	<b>Description</b>	<b>Proper Officer</b>
Schedule 1, Part 2, Paragraphs 5 and 6	Officer responsible for receiving notification of proposed appointment or dismissal of certain officers, notifying executive members of that proposed appointment or dismissal and for receiving and notifying of objections to the proposed appointment or dismissal	Director of Human Resources and Customer Services
<b>Children Act 2004</b>	<b>Description</b>	<b>Proper Officer</b>
Section 18	Officer appointed as Director of Children's Services	Director of Children's Services
<b>Housing Act 2004</b>	<b>Description</b>	<b>Proper Officer</b>
Section 4	Officer responsible for inspection of premises and who gives an opinion as to the existence of category 1 or 2 hazards or the need to declare a clearance area	Director of Housing
Section 239	Officer with power to enter premises in connection with a section 4 inspection	Director of Housing
Section 249	Officer who signs certificate on copy of designation by	Director of Legal and Governance

	the authority of an area as subject to additional or selective licensing	
<b>National Health Service Act 2006</b>	<b>Description</b>	<b>Proper Officer</b>
Section 73A	Officer appointed as Director of Public Health	Director of Public Health
<b>Local Elections (Principal Areas) (England and Wales) Rules 2006</b>	<b>Description</b>	<b>Proper Officer</b>
Schedule 2 Rule 50 Schedule 3 Rule 50	Officer to whom Returning Officer gives notice of candidates elected to the Council	Director of Legal and Governance
<b>Local Authority Social Services and National Health Service Complaints (England) Regulations 2009</b>	<b>Description</b>	<b>Proper Officer</b>
Regulation 4(1)(a) and (4)	Officer designated as Responsible Person to ensure compliance with arrangements made under these Regulations	Chief Executive
Regulation 4(2)	Officer authorised by the Council to perform the functions of the Responsible Person	Director of Adult Health and Social Care Director of Integrated Commissioning
Regulation 4(1)(b) and (5)	Officer designated as complaints manager to manage the procedures for handling and considering complaints	Complaints Manager

<b>Health Protection (Notification) Regulations 2010</b>	<b>Description</b>	<b>Proper Officer</b>
Regulations 2, 3 and 6	Receipt and disclosure of notification of suspected notifiable disease, infection or contamination in patients and dead persons.	Any person for the time being employed as a Consultant in Communicable Disease Control / Consultant in Health Protection at the Yorkshire and Humber Health Protection team of the UK Health Security Agency (UKHSA)
<b>Localism Act 2011</b>	<b>Description</b>	<b>Proper Officer</b>
Section 33	Officer to whom request is made for dispensation from the restrictions in section 31(4) on participation where a member has a disclosable pecuniary interest	Director of Legal and Governance
<b>Local Authorities (Referendums) (Petitions) (England) Regulations 2011</b>	<b>Description</b>	<b>Proper Officer</b>
Regulation 4(1)	Officer who publishes the number that is equal to 5 per cent of the number of local government electors for the authority's area	Director of Legal and Governance
<b>Openness of Local Government Bodies Regulations 2014</b>	<b>Description</b>	<b>Proper Officer</b>

Regulation 6	Officer who forms an opinion as to whether the documents relating to an officer delegated decision under Regulation 7(2) are background papers for the purpose of this Regulation	Director of Legal and Governance
Regulation 9	Officer who determines whether a document contains or is likely to contain either exempt or confidential information	Director of Legal and Governance
<b>Counter Terrorism and Security Act 2015</b>	<b>Description</b>	<b>Proper Officer</b>
Section 37	Officer designated to represent the authority on the statutory assessment and support panel (the “Channel Panel”)	Service Manager – East Area (child protection) Fieldwork Team
<b>Data Protection Act 2018</b>	<b>Description</b>	<b>Proper Officer</b>
Section 69	Officer designated as Data Protection Officer	Senior Information Manager