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| Section 3, Part 4: Proper Officer Functions |
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1. The Council has appointed the following Proper Officers for the purposes of the statutory provisions set out below.
2. Subject to the proper officer appointments set out below, the Chief Executive and each Strategic Director shall be authorised to act as the Proper Officer for the statutory responsibilities which fall within their area of responsibility.

| Any enactment, instrument or local statutory provision passed prior to the Local Government Act 1972 | |
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| Purpose | Proper Officer |
| Any reference to the Clerk of a council which, by virtue of the Local Government Act 1972, is to be construed as a reference to the proper officer of the Council | Director of Law & Governance |
| Any reference to the Treasurer of a council which, by virtue of the Local Government Act 1972, is to be construed as a reference to the proper officer of the Council | Deputy Chief Executive and Executive Director for Resources |

LOCAL AUTHORITY SOCIAL SERVICES ACT 1970

| Section | Purpose | Proper Officer |
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| 6(A1) | Appointment as Director of Adult Social Services | Executive Director for Adults, Wellbeing and Health Partnerships |

AGRICULTURE ACT 1970

| Section | Purpose | Proper Officer |
|----------------|-------------------------------------|---------------------------|
| 67(3) | Appointment of Agricultural Analyst | Head of Trading Standards |

LOCAL GOVERNMENT ACT 1972

| Section | Purpose of Appointment | Proper Officer |
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| 83 | Witness and receive declarations of Members' acceptance of office | Director of Law & Governance, Senior Principal and Principal Solicitors/Lawyers |

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| 84 | Receive written notice of Members' resignation from office. | Chief Executive |
| 88(2) | Convene Council meeting for election to vacant office of Chairman. | Chief Executive |
| 89(1)(B) | Receive notice of casual vacancy from two local government electors. | Chief Executive |
| 100B(2) | Decide on the exclusion of reports and agendas from public inspection. | Assistant Director – Governance and Democratic Services |
| 100B(7)(c) | Decide whether copy documents supplied to Members should also be supplied to the press. | Assistant Director – Governance and Democratic Services |
| 100C(2) | Produce a written summary of proceedings taken by a committee in private. | Assistant Director – Governance and Democratic Services |
| 100D(1)(a) | Compile a list of background papers to a committee report. | Executive Director, Director, Assistant Director, Head of Service or other officer in whose name the report is written. |

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| 100D(5)(a) | Identify background papers that disclose facts or matters on which a report is based. | Executive Director, Director, Assistant Director, Head of Service or other officer in whose name the report is written |
| 100F(2) | Identify which documents contain exempt information not open to inspection by Members. | Assistant Director – Governance and Democratic Services |
| 115(2) | Receive from officers any money and property committed to their charge in connection with their office. | Deputy Chief Executive and Executive Director for Resources |
| 146(1) | Sign the statutory declaration to enable the transfer of securities in the event of a change in the name or status of the council. | Deputy Chief Executive and Executive Director for Resources |
| 151 | Responsibility for the administration of the Council's financial affairs. | Deputy Chief Executive and Executive Director for Resources |
| 191(2) | Receive applications from Ordnance Survey for assistance in surveying disputed boundaries. | Director of Highways & Transport |
| 210(6)-(7) | Exercise residual functions relating to charities. | Director of Law & Governance |
| 225(1) | Receive and retain documents deposited with the council. | Chief Executive |

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| 229(5) | Certify, for the purpose of any legal proceedings, that a document is a photographic copy of the original. | Director of Law & Governance (generally) and the Officers listed in Part 2 of the Scheme of Delegation within their area of responsibility |
| 234(1) | Sign public notices, orders and other documents on behalf of the Council. | The Director of Law & Governance (generally) and the officers listed in Part 2 and Part 3 of the Scheme of Delegation within their area of responsibility |
| 236(10) | Send copy bylaws to district councils. | Director of Law & Governance |
| 238 | Certification of copy of by laws. | Director of Law & Governance |
| Sch.12 Pt1 Para.4(2)(b) | Sign and send to all Members of the Council the summons to attend meetings of the Council. | Chief Executive |
| Sch.12 Pt1 Para 4(3) | Receive written notice from a Member of the address to which a summons to the meeting is to be sent. | Assistant Director – Governance and Democratic Services |
| Schedule 29, Para.4 | Undertake duties that arise at County Council elections which, under the Representation of the People Acts, are required to be undertaken not by the Returning Officer but by the Proper Officer. | Chief Executive |
| Sch.29 Pt.I Para.4(1)(b) | Adaptation, modification and amendment of enactments. | Director of Law & Governance |
| Sch.29 Pt.II Para.41(3)-(5) | Appoint interim superintendent registrars or interim registrars of births and deaths pursuant to the Registration Service Act 1953. | Director – Customer, Culture and Transformation |

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| | <p>Exercise powers provided by the local scheme of organisation of the Registration Service pursuant to the 1953 Act.</p> <p>Prescription by the Registrar General of duties of proper officers under the Registration and Marriage Acts.</p> <p>In relation to the Registration of Births, Deaths and Marriages, to exercise the functions under the Marriage Act 1949.</p> <p>In relation to the approval of premises for the solemnisation of marriages under Section 26(1)(bb) and Section 46A of the Marriage Act 1949 (as amended by the Marriage Act 1994) and the Marriages and Civil Partnerships Act (Approved Premises) Regulations 2005.</p> | |
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LOCAL GOVERNMENT ACT 1974

| Section | Purpose of Appointment | Proper Officer |
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| 30(5) | Give public notice of receipt of Local Government Ombudsman's report | Assistant Director, Registration, Coroner's Service and Customer Strategy |

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

| Section | Purpose of Appointment | Officer |
|----------------|--|---|
| 41 | Certifying copy resolutions and minutes of proceedings | Assistant Director – Governance and Democratic Services |

HIGHWAYS ACT 1980

| Section | Purpose of Appointment | Proper Officer |
|----------------|---|--|
| 59(1) | Certify that extraordinary expenses have been incurred in maintaining the highway by reason of damage caused by excessive weight or extraordinary damage. | Director of Highways & Transport and Assistant Director – Highways Operations and Infrastructure |

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| 193(3) | Certify that additional expenses have been incurred in the execution of wider than normal street works | Director of Highways & Transport and Assistant Director – Highways Operations and Infrastructure |
| 205(3)-(5) | Undertake duties in relation to private street works. | Director of Highways & Transport and Assistant Director – Highways Operations and Infrastructure |
| 210(2) | Certify amendments to estimated costs and provisional apportionment of costs of street works under the private street works code. | Director of Highways and Transport and Assistant Director – Highways Operations and Infrastructure |
| 211(1), 212(4), 216(2)-(3) | Make a final apportionment of expenses of street works executed under the private street works code. | Director of Highways and Transport and Assistant Director – Highways Operations and Infrastructure |
| 295(1) | Issue a notice requiring owners to remove materials from non-maintainable streets in which works are due to take place. | Director of Highways and Transport and Assistant Director – Highways Operations and Infrastructure |
| 321 | Authenticate notices, consents, approvals, orders, demands, | Director of Highways and Transport and Assistant Director – Highways Operations and Infrastructure |

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| Sch.9, Para.4 | Sign plans showing proposed prescribed improvement or building lines. | Director of Highways and Transport and Assistant Director – Highways Operations and Infrastructure |
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REPRESENTATION OF THE PEOPLE ACT 1983

| Section | Purpose of Appointment | Proper Officer |
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| 35 | Appointment as Returning Officer. | Chief Executive |
| 67(7)(b) | Receive declarations and give public notice of election agents' appointments. | Chief Executive |
| 81 and 89 | Appropriate officer for the election of County Councillors. | Chief Executive |
| 82(4) | Receive declarations and give public notice of election agents' or candidates' election expenses. | Chief Executive |
| 131 | Providing accommodation for holding election count. | Chief Executive |

WEIGHTS AND MEASURES ACT 1985

| Section | Purpose of Appointment | Proper Officer |
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| 72(1) | Appointment as Chief Inspector of Weights And Measures | Head of Trading Standards |

LOCAL GOVERNMENT FINANCE ACT 1988

| Section | Purpose of Appointment | Proper Officer |
|-------------------|---|---|
| 114, 115 and 115B | Responsibility for Chief Financial Officer Reports. | Deputy Chief Executive and Executive Director for Resources |

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| 116(1) | Notify the external auditor of a meeting (and decisions made at such a meeting)to consider a report from the Chief Financial Officer (under section 114 and 115 above). | Deputy Chief Executive and Executive Director of Resources |
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LOCAL GOVERNMENT AND HOUSING ACT 1989

| Section | Purpose of Appointment | Proper Officer |
|----------------|---|---|
| 2(4) | Hold the council's list of politically restricted posts. | Director of People and Change |
| 3A | In consultation with the Monitoring Officer, determine applications for exemption from political restriction or for designation of posts as politically restricted. | Chief Executive |
| 4 | Designation as Head of Paid Service. | Chief Executive |
| 5(1) | Designation as Monitoring Officer. | Director of Law & Governance |
| 5(7) | Nominated as Deputy Monitoring Officers | Assistant Director – Governance and Democratic Services; Assistant Director – Legal Services – Adults and Place; Assistant Director – Legal Services – Children's Safeguarding |
| 15-17 | Undertake all matters relating to the formal establishment of political groups within the membership of the Council. | Assistant Director – Governance and Democratic Services |

FOOD SAFETY ACT 1990

| Section | Purpose of Appointment | Proper Officer |
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| 27(1) | Appointment of Public Analyst | Head of Trading Standards |
| 49(3) | Sign any document authorised or required to be given, made or issued by the Food Authority. | Head of Trading Standards. Trading Standards Manager |

THE LOCAL GOVERNMENT (COMMITTEES AND POLITICAL GROUPS) REGULATIONS 1990

| Regulation | Purpose | Proper Officer |
|------------|--|---|
| | Notifications to and by the Proper Officer | Assistant Director – Governance and Democratic Services |

EDUCATION ACT 1996

| Section | Purpose | Proper Officer |
|---------|--|--|
| 532 | Appointment as Chief Education Officer | Executive Director, Children, Families and Lifelong Learning |

**CRIME AND DISORDER ACT 1998, SECTION 115
CRIME AND DISORDER (FORMULATION AND IMPLEMENTATION OF STRATEGY) REGULATIONS 2007/1830**

| Regulation | Purpose | Proper Officer |
|------------|--|--------------------------------|
| 4(3) | Primary Designated Officer for information sharing | Director of Law and Governance |

**LOCAL GOVERNMENT ACT 2000 SECTIONS 9G, 9GA AND 22
LOCAL AUTHORITIES (EXECUTIVE ARRANGEMENTS) (MEETINGS AND ACCESS TO INFORMATION) (ENGLAND) REGULATIONS 2012**

| Regulation | Purpose of Appointment | Proper Officer |
|------------|------------------------|----------------|
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| 7 | Exclusion of whole or part of any reports to the Cabinet or Cabinet Member where they relate only to items during which the meeting is likely not to be open to the public. | Assistant Director – Governance and Democratic Services |
| 10 | Inform the relevant Select Committee Chairman or the Committee Members by notice in writing of decisions to be made, where it has been impracticable to comply with the publicity requirements (in the “Forward Plan”) and make available for public inspection notices relating to this | Assistant Director – Governance and Democratic Services |
| 12 | Produce a written statement of Cabinet decisions made at meetings. | Assistant Director – Governance and Democratic Services |
| 13 | Produce a written statement of decisions made by individual Cabinet Members. | Assistant Director – Governance and Democratic Services |
| 14 | Make a copy of written statements of Cabinet and Cabinet Member and officer executive decisions and associated reports available for inspection by the public. | Assistant Director – Governance and Democratic Services |
| 15 and 2 | Make available for inspection a list of background papers. | Assistant Director – Governance and Democratic Services |
| 16(5) | Determine whether certain documents contain exempt information. | Assistant Director – Governance and Democratic Services |
| 16(7) | Determine whether certain documents contain advice provided by a political adviser or assistant. | Assistant Director – Governance and Democratic Services |
| 20 | Determine whether documents contain confidential information, exempt information or the advice of a political adviser or assistant. | Assistant Director – Governance and Democratic Services |

**LOCAL GOVERNMENT ACT 2000, SECTION 34
LOCAL AUTHORITIES (REFERENDUMS) (PETITIONS AND DIRECTIONS)
REGULATIONS 2000**

| Regulation | Purpose of Appointment | Proper Officer |
|-------------------|--|-------------------------|
| 4-5 | Publish the verification number of local government electors for the purpose of petitions under the Local Government Act 2000. | Member Services Manager |

**REGULATION OF INVESTIGATORY POWERS ACT (RIPA) 2000
THE REGULATION OF INVESTIGATORY POWERS (PRESCRIPTION OF OFFICES, RANKS AND POSITIONS) ORDER 2000**

| Section | Purpose of Appointment | Proper Officer |
|-----------------------|--|--------------------------------|
| 21, 22, 27, 28 and 29 | The Senior Responsible Officer for RIPA. | Director of Law and Governance |

**REGULATION OF INVESTIGATORY POWERS ACT 2000, SECTIONS 22(2)(B) AND 25(2)
THE REGULATION OF INVESTIGATORY POWERS (COMMUNICATIONS DATA) ORDER 2010
THE REGULATION OF INVESTIGATORY POWERS (COVERT SURVEILLANCE AND PROPERTY INTERFERENCE: CODE OF PRACTICE) ORDER 2010
THE REGULATION OF INVESTIGATORY POWERS (COVERT HUMAN INTELLIGENCE SOURCES: CODE OF PRACTICE) ORDER 2010**

| Regulation | Purpose | Proper Officer |
|-------------------|---------------------------------------|--------------------------------|
| | Designated Senior Responsible Officer | Director of Law and Governance |

FREEDOM OF INFORMATION ACT 2000

| Section | Purpose of Appointment | Proper Officer |
|----------------|--|------------------------------|
| 36 | Qualified person to confirm or deny whether disclosure of information is likely to prejudice the effective conduct of public affairs | Director of Law & Governance |

THE LOCAL AUTHORITIES (STANDING ORDERS)(ENGLAND) REGULATIONS 2001

| Regulation | Purpose | Proper Officer |
|---------------------------------|---|-------------------------------|
| Sch. 1, Part II, Paras. 5 and 6 | Notifications to the Cabinet concerning appointments and dismissals | Director of People and Change |

CHILDREN ACT 2004

| Section | Purpose | Proper Officer |
|----------------|--|--|
| 18 | Appointment as Director in Children's Services | Executive Director Children, Families, and Lifelong Learning |

Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children (DfE Guidance, March 2010)

| | Purpose | Proper Officer |
|---|---|-------------------------------------|
| - | Local Authority Designated Officer (LADO) | Director of Quality and Performance |

Department of Health – Health Service Circular: LAC (2002) 2

| | Purpose | Proper Officer |
|---|----------------------------------|---|
| - | Designated as Caldicott Guardian | Strategic Director – Transformation, Integration and Assurance (Adults, Wellbeing and Health Partnerships)) Assistant Director Quality Relationships (Children, Families and Lifelong Learning) |

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**MARRIAGES AND CIVIL PARTNERSHIPS (APPROVED PREMISES)
REGULATIONS 2005 AS AMENDED**

| Section | Purpose of Appointment | Proper Officer |
|----------------|---|---|
| | Proper Officer for the purposes of the Registration Act 1953, the Marriage Act 1949 (as amended by the Marriage Act 1994) the Civil Partnership Act 2004, the and the Marriages and Civil Partnerships (Approved Premises) Regulations 2005 as amended and receive applications, set fees and offer discounts where applicable. | Assistant Director – Registration, Coroner’s Services and Customer Strategy |

LOCALISM ACT 2011

| Section | Purpose of Appointment | Proper Officer |
|----------------------|---|------------------------------|
| 29 | Establish, maintain and publish a Register of Interests. | Director of Law & Governance |
| 33(1) | Receiving applications for dispensations | Director of Law & Governance |
| 33(2) | Grant dispensations to Members pursuant to paragraph 8 of the Code of Conduct to speak only or to speak and vote where: (i) so many members of the decision-making body have disclosable pecuniary interests in a matter that it would impede the transaction of the business; or (ii) without a dispensation, no member of the executive would be able to participate on a particular item of business | Director of Law & Governance |
| Sch.2, Pt1, Para.9FB | Designation as Scrutiny Officer | Scrutiny Business Manager |

LOCAL GOVERNMENT ACT 2003

| Section | Purpose of Appointment | Proper Officer |
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| 25 | When the annual budget report is considered by Cabinet or by the County Council, the Chief Financial Officer must make a report on the robustness of the estimates made in determining the budget requirement and on the adequacy of the proposed level of financial reserves. | Deputy Chief Executive and Executive Director of Resources |
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THE LOCAL AUTHORITIES (EXECUTIVE ARRANGEMENTS) (MEETINGS AND ACCESS TO INFORMATION) (ENGLAND) REGULATIONS 2012

| Regulation | Purpose | Proper Officer |
|-------------------------|--|---|
| 2, 7, 10, 12, 13-16, 20 | Functions relating to the recording and publication of information relating to executive decisions | Assistant Director – Governance and Democratic Services |

NHS BODIES AND LOCAL AUTHORITIES (PARTNERSHIP ARRANGEMENTS, CARE TRUSTS, PUBLIC HEALTH AND LOCAL HEALTHWATCH) REGULATIONS 2012

| Regulation | Purpose | Proper Officer |
|-------------------|--|---------------------------|
| 22(4) | Designated as Responsible Person for ensuring compliance with the regulations | Chief Executive |
| 22(5) | Designated as Complaints Manager for managing the procedures for handling complaints | Director of Public Health |

DATA PROTECTION ACT 2018

| Section | Purpose of Appointment | Proper Officer |
|----------------|--|-------------------------|
| 69, 70 and 71 | To be the Council's designated Data Protection Officer and discharge the functions associated with the Data Protection Act 2018. | Data Protection Officer |

- (i) In the event of the Chief Executive not being available to deal with matters for which they have been designated the proper officer, another Executive Director may be authorised by them to act as proper officer in their absence.
- (ii) In the event of any other designated officer being unable to fulfil their duties as proper officer, their deputy be authorised to undertake such duties instead.

(iii) Notwithstanding the above, a proper officer may at any time delegate or authorise other officers to perform the designated duties on their behalf.