

## SECTION 8 - PROPER OFFICER DESIGNATIONS

The relevant postholders listed below have been designated as Proper Officers for the purposes of the adjacent legislative provisions and any subsequent amendments:

Legislative Provision	Function	Proper Officer
<b>Local Government Act 1972</b>		
S.83(1) to (4)	Witness and receipt of Declaration of Acceptance of Office	Chief Executive
S.84(1)	Receipt of notice of resignation of elected member	Chief Executive
S.88(2)	Convening a meeting of Council to fill a casual vacancy in the office of Chair	Chief Executive
S.89(1)	Notice of casual vacancy	Chief Executive
S.100 (except 100D)	Admission of public (including press) to meetings	Head of Legal and Commercial Services
S.100(b)(2)	The officer also may exclude from agendas any information which is likely to be dealt with in the absence of press and public	Head of Legal and Commercial Services
S.100(B)(7)	The officer to supply to newspapers copies of documents supplied to councillors	Head of Legal and Commercial Services
S.100(C)(2)	The officer to prepare a written summary of the proceedings at committees and sub-committees	Head of Legal and Commercial Services

# NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL CONSTITUTION

<b>Legislative Provision</b>	<b>Function</b>	<b>Proper Officer</b>
S.115(2)	Receipt of money due from officers	S151 Officer
S.146(1)(a) and (b)	Declarations and certificates with regard to transfer of securities	S151 Officer
S.151 (and S.114 Local Government and Finance Act 1988)	The officer responsible for the proper administration of the Council's financial affairs	Head of Finance / S151 Officer
S.191	Officer to whom an application under S.1 of the Ordnance Survey Act 1841 will be sent	Head of Legal and Commercial Services
S.225	Deposit of documents	Head of Legal and Commercial Services
S.228(3)	Accounts for inspection by any member of the Council	Head of Finance
S.229(5)	Certification of photographic copies of documents	Chief Executive / Head of Legal and Commercial Services
S.236(9) and (10)	Sending of copies of byelaws to parish councils, parish meetings and County Council	Head of Legal and Commercial Services
S.238	Certification of byelaws	Head of Legal and Commercial Services
S.248	Officer who will keep the Roll of Freeman	Head of Legal and Commercial Services
<b>Schedule 12</b>		
<b>Local Government Act 1972</b>		
Para 4(2)(b)	Signing of summons to Council meeting	Chief Executive

# NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL CONSTITUTION

<b>Legislative Provision</b>	<b>Function</b>	<b>Proper Officer</b>
Para 4(3)	Receipt of notice about address to which summons to meeting is to be sent	Head of Legal and Commercial Services
<b>Schedule 14</b>		
Para 25	Certification of resolution passed under this paragraph	Head of Legal and Commercial Services
<b>Local Government Act 1974</b>		
S.30(5)	To give notice that copies of an Ombudsman's report are available	Chief Executive
<b>Local Government (Miscellaneous Provisions) Act 1976</b>		
S.41(1)	The officer who will certify copies of evidence of resolutions and minutes of proceedings	Head of Legal and Commercial Services
<b>Local Authorities Cemeteries Order 1977</b>		
Regulation 10	To sign exclusive rights of burial	Strategic Director of Place
<b>Representations of the People Act 1983</b>		
S.9	Registration Officer	Chief Executive
S.24	Returning Officer for Local Elections	Chief Executive
S.28	Acting Returning Officer for a Parliamentary Election	Chief Executive
S.82 and 89	Receipt of election expense declarations and returns and the holding of those documents for public inspection	Chief Executive

# NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL CONSTITUTION

Legislative Provision	Function	Proper Officer
<b>Local Elections (Principal Areas) (England and Wales) Rules 2006/3304</b>		
Rule 54	Retention and public inspection of documents after an election	Chief Executive
<b>Local Elections (Parishes and Communities) (England and Wales) Rules 2006/3304</b>		
Rule 54	Retention and public inspection of documents after an election	Chief Executive
<b>Local Government and Housing Act 1989</b>		
S.2(4)	Recipient of the list of politically restricted posts	Head of Legal and Commercial Services
S.3	Employers certificate for exemption from politically restricted posts	Chief Executive
S.4	Reports of Head of the Paid Service	Chief Executive
S.5	Reports of the Monitoring Officer	Head of Legal and Commercial Services
S.15	Officers to receive notices relating to membership of political groups	Head of Legal and Commercial Services
<b>Local Government (Committees and Political Groups) Regulations 1990</b>		
	For the purposes of the composition of committees and nominations to political groups	Head of Legal and Commercial Services
<b>Local Authorities (Standing Orders) (England) Regulations 2001</b>		

# NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL CONSTITUTION

Legislative Provision	Function	Proper Officer
	Officer who will give written notice of appointment or dismissal of officers listed in Schedule 1, Part II, paragraph 3	Chief Executive
<b>Local Government Act 2000</b>		
	All references to the Proper Officer in the Local Government Act 2000 and subordinate legislation	Chief Executive
<b>The Local Authorities (Executive Arrangements) (Meeting and Access to Information) (England) Regulations 2012</b>		
Regulation 7	Access to agenda and connected reports	Head of Legal and Commercial Services
Regulation 9	Publicity in connection with key decisions	Head of Legal and Commercial Services
Regulation 10	General exception relating to the Executive Decision Notice	Head of Legal and Commercial Services
Regulation 11	Special Urgency	Head of Legal and Commercial Services
Regulation 12	Recordings of executive decisions made at the meetings of Cabinet	Head of Legal and Commercial Services
Regulation 13	Individual executive decisions	Head of Legal and Commercial Services
Regulation 14	Inspection of documents following executive decisions	Head of Legal and Commercial Services
Regulation 15	Inspection of background papers	Head of Legal and Commercial Services

# NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL CONSTITUTION

<b>Legislative Provision</b>	<b>Function</b>	<b>Proper Officer</b>
Regulation 16	Members' rights of access to documents	Head of Legal and Commercial Services
Regulation 20	Confidential/exempt information and exclusion of public from meetings	Head of Legal and Commercial Services
<b>Public Health Act 1936</b>		
S.85(2)	To serve notice requiring remedial action where there are verminous persons or articles	Strategic Director of Place
<b>Public Health Act 1961</b>		
S.37	Control of any verminous article	Strategic Director of Place