

## APPENDIX 5

### Part Eight - Officers Section A - Proper Officer Functions

The posts below are Proper Officers for the Council. Specific responsibilities are attached to each role.

If any of these Officers are unable to act or the post is vacant, the Chief Executive will nominate another officer to act in their place.

The Chief Executive is appointed as Proper Officer for all existing or future statutory provisions, where no Proper Officer appointment has been made.

	Function	Statutory provision	Function exercised by
1	Proper Officer for Births, Deaths and Marriages	Registration Services Act 1953	Group Director, Finance & Corporate Resources
2	Certification of documents as a decision of any Officer of the Council exercising delegated powers.	Greater London Council (General Powers) Act 1969	Chief Executive
3	The Officer to whom a person elected to the office of Councillor shall deliver a declaration of acceptance of office on a form prescribed by rules.	s83(1) Local Government Act 1972	Chief Executive

	<b>Function</b>	<b>Statutory provision</b>	<b>Function exercised by</b>
4	The Officer before whom a declaration of acceptance of office of Speaker or Deputy Speaker may be made.	s83(3)(b) Local Government Act 1972	Chief Executive
5	The Officer to whom written notice of resignation of elected office shall be delivered.	s84 Local Government Act 1972	Chief Executive
6	To declare any vacancy in any office under the Section.	s86 Local Government Act 1972	Chief Executive
7	The Officer by whom a meeting of the Council for the election of the vacant office of Chairperson of the Council may be convened.	s88(2) Local Government Act 1972	Chief Executive
8	The Officer to whom notice in writing of a casual vacancy occurring in the office of Councillor may be given by two local government electors for the Borough.	s89(1)(b) Local Government Act 1972	Chief Executive

	<b>Function</b>	<b>Statutory provision</b>	<b>Function exercised by</b>
9	To give notice and send summonses in respect of any Council meeting.	s99 and Schedule 12 Local Government Act 1972	Chief Executive
10	To give public notice of any meeting to which the public are entitled to attend, provide copies of agenda and facilities for the press.	s100 Local Government Act 1972	Chief Executive
11	The Officer to exclude from committees, sub committees, Council or Executive meeting agendas any information to be dealt with in a meeting room which the public are likely to be excluded.	s100B(2) Local Government Act 1972	Chief Executive
12	The Officer to supply to any newspaper copies of documents supplied to Members of committees, sub-committees, Council or Executive meetings in connection with an item for consideration.	s100B(7)(c) Local Government Act 1972	Chief Executive

	<b>Function</b>	<b>Statutory provision</b>	<b>Function exercised by</b>
13	The Officer to supply to any newspaper copies of documents supplied to Members of committees, sub-committees, Council or Executive meetings in connection with an item for consideration.	s100C(2) Local Government Act 1972	Chief Executive
14	The Officer to prepare a list of background papers for reports considered by committees, sub-committees, Council or the Executive.	s100D(1)(a) Local Government Act 1972	Chief Executive
15	The Officer to determine which documents constitute background papers and ability to charge for the provision of such documents	s100D(5) and s100H Local Government Act 1972	Chief Executive
16	The Officer to decide which documents are not, by virtue of containing exempt information, required to be open to inspection.	s100F(2) Local Government Act 1972	Chief Executive

	<b>Function</b>	<b>Statutory provision</b>	<b>Function exercised by</b>
17	To maintain a register of the names and addresses of Councillors and membership of committees, lists of delegations and the like.	s100G Local Government Act 1972	Chief Executive
18	The Officer to whom money properly due from officers shall be paid.	s115 Local Government Act 1972	Group Director, Finance & Corporate Resources
19	The Officer to make statutory declarations and issue any certificate with regard to securities held by local authority companies.	s146 Local Government Act 1972	Group Director, Finance & Corporate Resources
20	The Officer to be responsible for the proper administration of the Authority's financial affairs (and to issue a report to Members if there is or is likely to be unlawful expenditure or an unbalanced budget).	s151 Local Government Act 1972	Group Director, Finance & Corporate Resources

	<b>Function</b>	<b>Statutory provision</b>	<b>Function exercised by</b>
21	Authorising Officers to attend court and appear on behalf of the Council under Local Government Act 1972 and the County Courts Act 1984.	s223 Local Government Act 1972 s60 County Courts Act 1980	Director, Legal, Democratic & Electoral Services
22	The Officer to receive and retain statutory documents on behalf of the Authority	s225(1) Local Government Act 1972	Director, Legal, Democratic & Electoral Services
23	The Officer to certify photographic copies of documents.	s229(5) Local Government Act 1972	Director, Legal, Democratic & Electoral Services
24	The Officer to receive documents required to be served on the Authority.	s233 Local Government Act 1972	Director, Legal, Democratic & Electoral Services
25	The Officer to authenticate documents on behalf of the Authority.	s234(1) & (2) Local Government Act 1972	Director, Legal, Democratic & Electoral Services
26	The Officer to certify printed copies of bylaws.	s238 Local Government Act 1972	Director, Legal, Democratic & Electoral

	<b>Function</b>	<b>Statutory provision</b>	<b>Function exercised by</b>
			Services
27	The Officer responsible for the keeping of the roll of freeman.	S248 Local Government Act 1972	Chief Executive
28	The Officer responsible for the receipt of notices regarding the address to which summons to meetings is to be sent.	Paragraphs 4(2)(b) and 4(3), Schedule 12 Local Government Act 1972	Chief Executive
29	Officer responsible for the certification of true copies of resolutions.	Paragraph 25(7), Schedule 14 Local Government Act 1972	Chief Executive
30	The Officer to act as Local Registrar as defined in Section 3 of the Land Charges Act 1975.	s19 Local Land Charges Act 1975	Group Director, Climate, Homes & Economy
31	The Officer to certify copies of any resolution, order, report or minutes of proceedings of the Authority as evidence in any legal proceedings.	s41 Local Government (Miscellaneous Provisions) Act 1976	Chief Executive

	<b>Function</b>	<b>Statutory provision</b>	<b>Function exercised by</b>
32	Notices requiring details of interest in land.	s16 Representation of the People Act 1983	Any Chief Officer
33	The Registration Officer for the purpose of the registration of electors.	s8 Representation of the People Act 1983	Chief Executive
34	The Returning Officer at an election of London Borough Councillors.	s35 Representation of the People Act 1983	Chief Executive
35	Acting Returning Officer at an election of a Member of Parliament.	s28 Representation of the People Act 1983	Chief Executive
36	The appointment of a suitably qualified person as the Council's Medical Advisor on Environmental Health and Proper Officer for notifiable diseases.	Public Health (Control of Diseases) Act 1984 and The Milk and Dairies (General) Regulations 1969	Group Director, Climate, Homes and Economy
37	Notification to the Council's auditor of any meeting to be held under Section 15 of the 1988 Act (meeting to consider any report of the Chief Finance Office under	S116 Local Government Finance Act 1988	Group Director, Finance and Corporate Resources



	<b>Function</b>	<b>Statutory provision</b>	<b>Function exercised by</b>
	Section 114).		
38	Provision of information to the Secretary of State in relation to the exercise of his powers under this Act as and when required.	s139A Local Government Finance Act 1988	Group Director, Finance and Corporate Resources
39	The Officer to hold on deposit the list of politically restricted posts and provide certificates as to whether a post is politically restricted.	s2 Local Government and Housing Act 1989	Chief Executive
40	The Officer responsible for the grant and supervision of exemptions from political restriction.	S3A Local Government and Housing Act 1989	Chief Executive
41	The Officer to be designated Head of the Paid Service	s4 Local Government and Housing Act 1989	Chief Executive
42	The Officer to be designated Monitoring Officer.	s5 Local Government and Housing Act 1989	Director, Legal, Democratic & Electoral Services

	<b>Function</b>	<b>Statutory provision</b>	<b>Function exercised by</b>
43	To certify Council records for the purposes of admitting the document in evidence in civil proceedings.	Civil Evidence Act 1985	Director, Legal, Democratic & Electoral Services
44	Certification of relevant powers to enter into contracts.	Local Government (Contracts) Act 1997	
45	To apply for the discharge or variation of a Child Safety Order.	s12 Crime and Disorder Act 1998	Group Director, Children and Education
46	To have regard to the effect of the exercise of any function on the need to prevent crime and disorder and offending by children and young persons.	S13 and 37 Crime and Disorder Act 1998	Chief Executive and all Group Directors
47	The Officer responsible for ensuring a proper record is made of Executive decisions and that the Authority's Executive Meetings and Key Decisions Notice is published in accordance with the Local Authorities (Executive Arrangements)	Local Government Act 2000	Chief Executive

	Function	Statutory provision	Function exercised by
	(Meetings and Access to Information) (England) Regulations 2012.		
48	To ensure that copies of the Constitution are available for inspection.	Local Government Act 2000	Director, Legal, Democratic & Electoral Services
49	To make payments of relevant allowances in accordance with the Council's <a href="#">Members allowances scheme</a>	Local Government Act 2000	Chief Executive
50	To defray expenses of any Members making official and courtesy visits, receptions and entertainment of distinguished persons visiting the Borough.	Local Government Act 2000	Chief Executive
51	The Officer designated as Scrutiny Officer	Section 9FB Local Government Act 2000.	Head of Overview and Scrutiny and Ward Forums
52	Power to authorise officers to enter premises and seize items where the	Criminal Justice and Police Act 2001	The Chief Executive, Group Directors

	<b>Function</b>	<b>Statutory provision</b>	<b>Function exercised by</b>
	Council has a power of seizure under this Act and to perform other related duties (return and security of seized items).		and Service Directors
53	Requirement to report to Council annually on the robustness of estimates and financial reserves	Local Government Act 2003	Group Director, Finance and Corporate Resources
54	Responsibility for establishing and maintaining a register of Councillors and co-opted members interests, and for ensuring that it is published on the Council's website.	Section 29 Localism Act 2011	Director, Legal, Democratic & Electoral Services
55	Responsible person for ensuring that the Council complies with statutory requirements relating to complaints made to the Council about its public health functions and, where necessary, action is taken in light of the outcome of such complaints.	Health and Social Care Act 2012	Chief Executive

	<b>Function</b>	<b>Statutory provision</b>	<b>Function exercised by</b>
56	The exercise by the authority of its functions under section 2B, 111 or 249 or Schedule 1 – health improvement duties to take steps to improve the health of the people in the area.	s73A(1)(a) Health and Social Care Act 2012	Director of Public Health
57	The exercise by the authority of its functions by virtue of section 6C(1) or (3) – The exercise of the Secretary of State’s public health protection or health improvement functions that they delegate to local authorities, either by arrangement or under regulations – these include services mandated by regulations.	s73A(1)(b) Health and Social Care Act 2012	Director of Public Health
58	Anything done by the authority in pursuance or arrangements under section 7A – Any public health activity undertaken by the local authority under arrangements with the Secretary of State.	s73A(1)(c) Health and Social Care Act 2012	Director of Public Health

	<b>Function</b>	<b>Statutory provision</b>	<b>Function exercised by</b>
59	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.	s73A(1)(d) Health and Social Care Act 2012	Director of Public Health
60	The functions of the authority under section 325 of the Criminal Justice Act 2003 – the local authority's role in coordinating with the police, the probation service and the prison service to assess the risks posed by violent and sex offenders.	s73A(1)(e) Health and Social Care Act 2012	Director of Public Health
61	Other public health functions that the Secretary of State may specify in regulations.	s73A(1)(f) Health and Social Care Act 2012	Director of Public Health
62	The Officer responsible for ensuring that the Council, in the exercise of its functions, have due regard to the need to prevent people vulnerable from being drawn into	Counter Terrorism and Security Act 2015	Chief Executive

	Function	Statutory provision	Function exercised by
	terrorism		

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