

PROPER OFFICERS

For the purposes of the Local Government Act 1972 (the 1972 Act), the Local Government Act 2000 (as amended) and other relevant Acts appointments of Proper Officers have been made as set out below.

| <u>SECTION OF THE 1972 ACT</u> | <u>PROPER OFFICER'S FUNCTION</u> | <u>SPECIFIED OFFICER</u> |
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| 13(3) | Parish Trustee. | Section 151 Officer |
| 83(1) to (4) | Witness and receipt of declarations of acceptance of office. | Chief Executive, Assistant Director (Legal and Governance) and Governance Services Manager |
| 84 | Receipt of declaration of resignation of office. | Chief Executive, Assistant Director (Legal and Governance) and Governance Services Manager |
| 88(2) | Convening of meeting of Council to fill casual vacancy in the office of Mayor. | Chief Executive, Assistant Director (Legal and Governance) and Governance Services Manager |
| 89(1)(b) | Receipt of notice of casual vacancy from 2 local government electors. | Chief Executive, Assistant Director (Legal and Governance) and Governance Services Manager |
| 100A to 100C (As inserted by Local Government (Access to information) Act, 1985) | Preparing a fair and coherent record of meetings. | Assistant Director (Legal and Governance) and Governance Services Manager |
| | For all other purposes required by the Act. | The Director in whose name a Council, Cabinet or Committee report is prepared (in the case of joint reports the first named Chief Officer) in all other cases the Governance Services Manager |
| 100G (As interested by Local Government (Access to Information Act, 1985) | Prepare and maintain: (a) Register of Councillors (b) Delegation of Powers to Officers (c) Summary of public information rights. | Assistant Director (Legal and Governance) and Governance Services Manager |
| 115(2) | Receipt of money due from Officers. | Section 151 Officer |
| 146(1)(a) and (b) | Declarations and certificates with regard to securities. | Section 151 Officer |

| <u>Section of the 1972 Act</u> | <u>Proper Officer's Function</u> | <u>Specified Officer</u> |
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| 151 | Chief Finance Officer responsible under this section. Deputy responsible Chief Finance Officer under this section. | Executive Director (Finance and Transformation) Assistant Director (Finance) |
| 191 | Functions with respect to ordnance survey. | Assistant Director (Planning) |
| 204(3) | Receipt of Applications for licences under Schedule 2, Licensing Act 1964. | Executive Director (Resident Services and Climate Change) |
| 210(6) and (7) | Charity functions of holders of offices with existing authorities transferred to holders of equivalent office with new authorities or, if there is no such office, to Proper Officers. | Chief Executive and Directors |
| 212(1) and (2) | Proper Officer for Local Land Charges | Assistant Director (Legal and Governance) and Legal Services Manager |
| 225(1) | Deposit of documents. | Governance Services Manager |
| 228(3) | Accounts of any "Proper Officer" to be open to inspection by any Member of the authority. | Section 151 Officer |
| 229(5) | Certification of photographic copies of documents. | Chief Executive and Assistant Director (Legal and Governance) |
| 234(1) and (2) | Authentication of documents (Notices, order or other documents under any enactments). | Assistant Director (Legal and Governance) and Legal Services Manager |
| 236(9) | To send copies of byelaws for Parish records. | Assistant Director (Legal and Governance) and Governance Services Manager |
| Schedule 6 Para 1 | Appointment of deputy to registration officer (Section 8 of the Representation of the People Act 1983). | Chief Executive |
| Schedule 12 Para 4(2)(b) | Signature of summonses to council meetings. | Governance Services Manager |

| <u>Section of the 1972 Act</u> | <u>Proper Officer's Function</u> | <u>Specified Officer</u> |
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| Para 4(3) | Receipt of notices regarding address to which summons to meetings is to be sent. | Governance Services Manager |
| Schedule 14 Para 13 | For the purposes of sections 152(1), 157, 158(1) and 163(1) of the Public Health Act 1936, the references to the Medical Officer of Health are to be construed as references either to the Proper Officer or to a registered medical practitioner. | Executive Director (Resident Services and Climate Change) |
| Para 25(7) | Certification of resolutions under paragraph 25 of Schedule 14 Local Government Act 1972. | Governance Services Manager |
| Schedule 16 Para 28 | Receipt on deposit of lists of protected buildings (Town and Country Planning Act 1990as amended). | Assistant Director (Planning) |
| Acts relating to the Public Health and Protection functions of the Council | Duties under the Acts, and Regulations, Orders and Statutory Instruments made under such Acts, except those relating to the control of the spread of infectious disease and including those matters specifically mentioned in the responsibility for functions. | Executive Director (Resident Services and Climate Change) |
| Acts relating to the control of the spread of infectious disease | Duties under the Acts, and Regulations, Orders and Statutory Instruments made under such Acts, relating to the control of the spread of infectious disease and including those matters specifically mentioned in the responsibility for functions. | Any physician working as a consultant in public health medicine/communicable disease control and employed UK Health Security Agency and Office for Health Improvement and Disparities (including those covering on- call functions from outside of Hertfordshire), the Director of Public Health and any consultant in public health nominated by him, and the council's Executive Director (Resident Services and Climate Change) |
| Local Government Finance Acts | All precept and rating administration and recovery. | Section 151 Officer |
| Local Government Act 1972 (Section 223) | To prosecute or defend in connection with recovery of general rate or to appear before a Magistrates Court. | Section 151 Officer and Assistant Director (Legal and Governance) |

| <u>Section of the 1972 Act</u> | <u>Proper Officer's Function</u> | <u>Specified Officer</u> |
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| Rating (Disabled Persons) Act 1978 (Paragraph 9, Schedule 1) | To invoke in appropriate cases. | Section 151 Officer |
| Health and Safety at Work Etc. Act 1974 as amended | To ensure the implementation of an effective policy for Health, Safety and Welfare which is understood at all levels of personnel. | Senior Leadership Team and Executive Director (Resident Services & Climate Change) |
| Data Protection Act 2018 and General Data Protection Regulations 2018 | To ensure the data protection requirements are met. | Data Protection Officer |
| Local Government and Housing Act 1989 (Sections 4 and 5) | (a) Head of Paid Service (b) Monitoring Officer (c) Deputy Monitoring Officers | Chief Executive, Assistant Director (Legal and Governance), Legal Services Manager, and Governance Services Manager |
| Local Government Finance Act 1992 | Council Tax administration, registration, demands and recovery. | Section 151 Officer |
| Representation of the People Act 1983 (as amended) Section 81, 82, 83 and Schedule 4 | Delivery to and witness of Candidates' expenses Storage, inspection and disposal of election documents. | Chief Executive, Electoral Registration Officer |
| Localism Act 2011 Section 28 | Keeping a register of interests relating to Members and voting co-opted Members of the Council and Parish/Town Councils. | Monitoring Officer and Governance Services Manager |
| Local Government and Housing Act 1989 Section 2(4) | Received a list of Politically Restricted Posts. | Assistant Director (Legal and Governance) and Human Resources Manager |
| The Openness of Local Government Regulations 2014 | Determining if a record of a relevant decision or the background papers informing that decision contain confidential or exempt information and should therefore not be published on the council's internet site. | Directors and Assistant Directors |

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| Section 9MC of the Local Government Act 2000 | Publicity for verification numbers to determine validity of petitions and generally, under the relevant regulations. | Chief Executive |
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