

F. Proper Officer Appointments

The Chief Executive is appointed Electoral Registration Officer for any constituency or part of a constituency coterminous with or contained in the Bolton Metropolitan Borough.

The Chief Executive is appointed Returning Officer for the elections of Councillors for the Bolton Metropolitan Borough.

The Chief Finance Officer is appointed as the officer having responsibility for the administration of the Council's financial affairs pursuant to Section 151 of the Local Government Act 1972.

The Director of Public Health is appointed the proper officer of the Council in relation to references to the National Health Service Act 2003 as amended by Section 30 Health and Social Care Act 2012 and the Public Health (Control of Diseases Act) 1984.

The Director of Place is appointed as the officer of the burial authority for the various matters referred to in The Local Authorities Cemeteries Order 1977.

The Director of Place is authorised to appoint an officer as the registrar for the various matters referred to in the Regulations as to Cremation 1930 (as amended) and to nominate a Medical Referee and Deputy Referees for the purposes of the Regulations

The Director of Place is appointed the proper officer of the Council in relation to the references to the proper officer in the Highways Act 1980 and the Building Act.

The Director of Place is appointed the proper officer of the Council in relation to the references to the proper officer in the Food Act 1984.

The Director of Place is appointed the proper officer of the Council in relation to references to the proper officer in the Licensing Act 2003.

The Borough Solicitor is the proper officer in relation to references to the proper officer in the Marriage Act 1994.

The Director of Adults, Communities and Integration is appointed the proper officer of the Council in relation to references to the proper officer in the Housing Act 1985, 1996, 2004.

The Assistant Director Communities and Housing is the designated Statutory and Proper Officer for the Council who will undertake the specific responsibilities for ensuring the duties stated within the Counter Terrorism and Security Act 2015 are upheld by the Council.

The officers specified in the Table hereunder are appointed the proper officer for the purpose of the respective functions therein specified in relation to them:-

<u>Reference</u>	<u>Subject Matter</u>	<u>Proper Officer</u>
<u>Local Government Act 1972</u>		
Section 83	Witness and receipt of declaration and acceptance of office	Chief Executive
Section 84	Receipt of written declaration of resignation of officer	Chief Executive
Section 88 (2)	Convening of meeting to Council to fill casual vacancy in office of Mayor	Chief Executive

Section 89(1)(b)	Receipt of notice of casual vacancy from two local government electors	Chief Executive
Section 96(1)	Receipt of general notices of members' pecuniary interests	Chief Executive
Section 96(2)	Keeping record of disclosures of members' pecuniary interests and general notices made under section 96(1)	Chief Executive
Section 100(B)(2)	Determination of which reports or parts thereof which are, in the opinion of the proper officer, unlikely to be considered in the presence of press and public.	Borough Solicitor
Section 100(B)(7)	Determination of which papers relating to any item on an agenda which should be supplied to the press.	Borough Solicitor
Section 100(C)(2)	Written summary where minutes would disclose exempt information	Borough Solicitor
Section 100(D)(1)	Compilation of list of background papers	For each report the officer in whose name the report is prepared, if more than one, the first named.
Section 100(F)(2)	Exclusion from production to members of documents disclosing exempt information	Borough Solicitor
Section 151	Arrangements for proper administration of financial affairs	Chief Finance Officer
Section 115(2)	Receipt of money due from officers	Chief Finance Officer
Section 146(1) (a) and (b)	Declarations and Certificates with regard to securities	Chief Finance Officer
Section 191	Functions with respect to applications under Section 1 of Ordinance Survey Act 1841 (ascertaining boundaries etc)	Borough Solicitor
Section 204(3)	Receipt of notices of application for licences under the Licensing Act 1964	Director of Place
Section 210(6)	The officer in whom any power with respect to a charity, which immediately before 1st April 1974 vested in the holder of an office connected with any then existing authority, shall vest in the absence of there being a corresponding office connected with the Council.	Borough Solicitor

Section 225(1)	Deposit of documents of any description pursuant to the Standing Orders of either House of Parliament or pursuant to any enactment or instrument	Borough Solicitor
Section 228(3)	Accounts of “any Proper Officer” to be open for inspection by any member of the Authority	Chief Finance Officer
Section 229(5)	Certification of photographic copies of documents	Borough Solicitor
Section 234(1)	Authentication of documents	Borough Solicitor
Section 238	Certification of Byelaws	Borough Solicitor
Section 248(2)	Keeping the Roll of Freemen	Borough Solicitor
Para 4(2)(b) Schedule 12	Signature of summons to Council Meeting	Chief Executive
Schedule 12	Receipt of notices regarding address to which summons to meeting is to be sent	Chief Executive
Schedule 14 Para 25(7)	Certification of resolutions under Paragraph 25 (being a resolution applying certain provisions of the Public Health Acts throughout the Council’s area)	Director of Place
Schedule 16 Para 28	Receipt on deposit of lists of buildings of special architectural or historical interest	Director of Place
Schedule 29 Part 41	Exercise of functions under Section 9(1) and (2), 13(2)(h) and 3(b) and 20(b) of the Registration Services Act 1953	Borough Solicitor
Section 30(5)	Publication of reports of Local Commissioner	Chief Executive
Section 41	Certification of copies of resolutions, Minutes and other documents	Borough Solicitor
Section 60(5)(a)	Receipt of objections to proposals to designated places for touting, hawking, photographing, etc	Borough Solicitor

Representation of the People Act 1983

Section 52(3)	The officer who may do acts authorised or required to be done by or with respect to the Registration Officer in the event of the registration officer’s incapacity to act or of a vacancy.	Borough Solicitor
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Section 67(7)	Appointment of Election Agent	Chief Executive
Section 82(4)	Declaration as to Election Expenses	Chief Executive
Section 128(4)	Presentation of petition questioning Local Election	Chief Executive
Section 145(6)	Conclusion of trial of Local Election Petition	Chief Executive
Section 146(3)	Special cases to be determined by the High Court	Chief Executive
Section 41 3 and 8 (2)	Election Expenses	Chief Executive
Schedule 2 Part II Para 46	Receipt from Returning Officer of election documents	Borough Solicitor
Schedule 2 Part II Para 46	Receipt from Returning Officer of election documents	Borough Solicitor
Schedule 2 Part II Para 47	Orders for production of documents	Borough Solicitor
Schedule 2 Part II Para 48	Retention of election documents and making them available for public inspection	Chief Executive

Local Democracy Economic Development and Construction Act 2009

Section 31	Designated Scrutiny Officer	Democratic Services Manager
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The officer of the Council named in the second column hereunder is appointed the proper officer of the Council in relation to references to the officer named in the first column in respect of: -

any enactment passed before or during the 1971/72 session of Parliament other than the Local Government Act 1972 in any instrument made before 26th October 1972 which reference is to be construed as a reference to the proper officer of the Council;

any reference in the local statutory provision which, by virtue of any Order made under the Local Government Act 1972, is to be construed as a reference to the proper officer of the Council.

Reference Column 1

Proper Officer Column 2

Town Clerk or Clerk to the Council
or Clerk to the Authority

Chief Executive

Borough Treasurer

Head of Strategic Finance and Accountancy

Medical Officer of Health

Consultant in Communicable Disease Control

Sanitary Inspector or Public Health Inspector

The Director of Adults, Communities and Integration

Surveyor

Chief Property Officer

Until the Council otherwise determine, the Chief Executive is appointed the proper officer for the purpose of all statutory provisions, whether existing or future, in respect of which no express proper officer appointment has for the time being been made.

Deputies In Respect Of Proper Officer Appointments

In any event of any of the offices mentioned in the foregoing paragraphs being for any reason unable to act or of any of their posts being vacant, the officer specified in column 2 of the Table hereunder is appointed to act in the absence of the proper officer indicated in column 1: -

Column 1 Officer

Column 2 Substitute Officer

Chief Executive

None

Borough Solicitor

Head of Legal Services

Director of Place

Assistant Director

Borough Treasurer

Head of Strategic Finance and Accountancy

Director of Place

Head of Service, Regulatory Services

Director of Adults, Communities and Integration

Assistant Director of Adults, Communities and Integration

Statutory Appointments

Local Government Finance Act 1988

Chief Financial Officer

Graeme Wilson
Interim Borough Treasurer

Deputy

Ms Lisa Butcher
Mrs. Janet Pollard

Head of Paid Service

Miss Sue Johnson
Chief Executive

Local Government and Housing Act 1989

Monitoring Officer	Mrs Helen Gorman Borough Solicitor
Deputy Monitoring Officer	Ms Ceri Owen

Health and Social Care Act 2012

Director of Public Health	Ms Lynn Donkin
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Freedom of Information Act 2000

Certified Person	Mrs Helen Gorman
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