

SECTION 6 OFFICER APPOINTMENTS

- (1) The Chief Executive is appointed Registration Officer for any constituency or part of a constituency co-terminus with or contained in the Wigan Metropolitan Borough.
- (2) The Chief Executive is appointed Returning Officer for the elections of Councillors for the Wigan Metropolitan Borough and of Councillors for parishes within the Metropolitan Borough.
- (3) The Chief Executive is appointed Head of the Paid Service
- (4) The Assistant Director – Legal, Governance and Elections is appointed Monitoring Officer
- (5) The Director – Finance and Legal 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.
- (6) The Director - Place is appointed as the Officer having responsibility for the storage and charge of cemetery records pursuant to Article 12 of the Local Authorities' Cemeteries Order 1977 and the Assistant Director – Legal, Governance and Elections is appointed as the Officer having responsibility for the signature of grants under Paragraph 1 of Part II of Schedule 2 of that Order and the granting of permission for the various matters referred to in Paragraph 1 of Part I of that Schedule.
- (7) The Officers specified in the following Table are appointed the Proper Officer for the purpose of the respective functions therein specified in relation to them:-

Reference	Subject Matter	Proper Officer
Local Government Act 1972		
"S.83"	Witness and receipt of declaration of acceptance of office.	Chief Executive
"S.84"	Receipt of declaration of resignation of office.	Chief Executive
"S.88(2)"	Convening of meeting of Council to fill casual vacancy in office of Chairman.	Chief Executive
"S.89(1)(b)"	Receipt of notice of casual vacancy from two local government electors.	Chief Executive
"S.96(1)"	Receipt of notices of pecuniary interest.	Chief Executive
"S.96(2)"	Keeping record of disclosures of pecuniary interest made under Section 94 and of notices under Section 96 (1).	Chief Executive
"S.100(b)"	Exclusion of reports etc. from inspection	Chief Executive
"S.100(c)"	Written Summary where Minutes would disclose exempt information.	Chief Executive
"S.100(d)"	Compilation of list of background papers.	For each report, the Officer named in it as its author or, if more than one, the first named
"S.100(f)"	Exclusion from production to members of documents disclosing exempt information.	Chief Executive
"S.115(2)"	Receipt of due money from Officers.	Director – Finance and Legal
"S.146(1)(a) and (b)"	Declarations and certificates with regard to securities.	Chief Executive
"S.191"	Functions with respect to ordnance survey.	Assistant Director – Legal, Governance and Elections
"S.204(3)"	Receipt of application for licence under Schedule 2 Licensing Act 1964.	Chief Executive
"S.210"	Charity functions of holders of Officers with existing authorities transferred to holders of equivalent office with new authorities if there is no such office, to proper Officers.	Chief Executive

"S.225(1)"	Deposit of documents.	Chief Executive
"S.229(5)"	Certification of photographic copies of documents.	Chief Executive or Assistant Director – Legal, Governance and Elections or Director – Finance and Legal
"S.234(1)"	Authentication of documents.	Chief Executive or Assistant Director – Legal, Governance and Elections or Director – Finance and Legal
"S.234(2)"	(a) Statutory notices under the Public Health Acts 1936 and 1961, the Public Health (Recurring Nuisances) Act 1969, the Clean Air Acts 1956 and 1968, the Control of Pollution Act 1974, the Housing Acts 1957 to 1988 and the Local Government and Housing Act 1989 (other than for Council Houses), the Local Government (Miscellaneous Provisions) Act 1976 (except as specified in the next paragraph), the Prevention of Damage by Pests Act 1948, the Food Act 1984 and the Environmental Protection Act 1990 (as it relates to statutory nuisances).	Director - Environment
	(b) Notices under the Building Regulations and the Building Act 1984 and under the Local Government (Miscellaneous Provisions) Act 1976 with regard to dangerous trees and excavations.	Director - Place
	(c) Notices in respect of Council dwellings relating to the right to buy or proceedings for the termination of a secure tenancy.	Director - Place
	(d) Any other matter.	Assistant Director – Legal, Governance and Elections
"S.238"	Certification of byelaws	Assistant Director – Legal, Governance and Elections
"S.248"	Keeping the roll of freemen.	Chief Executive
Schedule 12 Para. 4 (2)(b)	Signature of agenda to council meeting	Chief Executive
Schedule 12	Receipt of notices regarding address	Chief Executive

Para. 4(3)	to which agenda for meeting is to be sent	
Schedule 14 Para. 25(7)	Certification of resolutions under Para. 25.	Chief Executive or Assistant Director – Legal, Governance and Elections or Director – Finance and Legal
Schedule 16 Para. 28	Receipt on deposit of lists of buildings of special architectural or historical interest (Section 54 (4) of the Town and Country Planning Act 1971 refers).	Director - Place
Schedule 29 Para. 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.	Chief Executive
Local Elections (Principal Areas) Rules 1973		
Rule 47	Receipt from Returning Officer of the names of persons elected to the Council.	Chief Executive
Rule 49	Receipt from Returning Officer of election documents.	Chief Executive
Rule 51	Retention of election documents and making them available for public inspection	Chief Executive
Local Government Act 1974		
"S.30(5)"	Publication of reports of Local Commissioner.	Chief Executive
Local Government (Miscellaneous Provisions) Act 1976		
"S.41"	Certification of copies of resolutions, Minutes and other documents.	Chief Executive or Assistant Director – Legal, Governance and Elections or Director – Finance and Legal
Greater Manchester Act 1981		
"S.60(5)(a)"	Receipt of objections to proposals to designate places for touting, hawking, photographing etc.	Assistant Director – Legal, Governance and Elections
"S.153(1)"	Deposit of plan of Haigh Hall Estate.	Assistant Director – Legal, Governance and Elections

Public Health (Control of Diseases) Act 1984		
"Ss.11, 18, 21, 22, 24, 29, 31, 32, 36, 40, 42, 43, 48 and any Regulations made under the Act"	Various purposes with regard to infectious disease.	See below *
Milk and Dairies (General) Regulations 1959 (as amended)		
	Various purposes with regard to infectious disease.	See below *
"S.47"	National Assistance Act 1948 and National Assistance (Amendment) Act 1951.	
	Various purposes with regard to infectious disease.	See below *
	* Consultant in Public Health and Consultant in Public Health (Medicine) Ashton Leigh and Wigan Primary Care Trust, or the following postholders in the Greater Manchester Health Promotion Unit being the Head of Unit, Consultants in Communicable Disease Control and Nurse Consultants in Health Protection, Communicable Disease and Infection Control.	
Cremation Regulations 1939		
Regulation 10	Medical Referees and Deputy Medical Referees for cremation certification	See below**
	** The Director - Public Health or Consultant in Public Health Medicine or other medically qualified nominee of the Ashton, Leigh and Wigan Primary Care Trust	
Building Act 1984		
	(a) Various purposes with regard to drainage, water supply, sanitary accommodation.	Director - Environment
	(b) Purposes relating to building control other than those comprised in (a) above.	Director - Place
Local Government Finance Act 1992		
"Schedule 4"	Attachment of earnings orders.	Director – Finance and Legal

Local Government and Housing Act 1989		
"S.2"	Receipt of list of Politically Restricted Posts.	Chief Executive
"Ss. 15, 16, 17"	" Receipt of notices relating to Political Groups.	Chief Executive
"S.19"	Receipt of general notice of members' pecuniary interests.	Chief Executive
Environmental Protection Act 1990		
"S.149"	Discharging the functions in the section for dealing with stray dogs.	Director - Environment
Housing Act 2004		
"S.4"	Official complaints about the condition of any residential premises	Director - Environment
Local Government Act 2000		
"S.21ZA"	Designated Scrutiny Officer	Democratic Services Scrutiny Officer

- (8) 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:-
- (i) any enactment passed before or during the 1971/72 session of Parliament other than the Local Government Act 1972 or in any instrument made before the 26th October, 1972 which reference is to be construed as a reference to the proper Officer of the Council;
 - (ii) any reference in any 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.

1. Reference	2. Proper Officer
Town Clerk or Clerk of the Council	Chief Executive
Treasurer	Director Finance and Legal
Surveyor	Director - Place
Public Health Inspector	Director - Environment
Medical Officer of Health	Director - Public Health, Consultant in Public Health; or Consultant in Communicable Disease Control, of the relevant Primary Care Trust, whose services are placed at the disposal of the Council for this purpose.

- (9) Every appointment hereby made in relation to a provision which is replaced or re-enacted shall be effective as an appointment of the same Officer in relation to the corresponding new provision.
- (10) 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.
- (11) In the event of any of the Officers mentioned in the foregoing paragraphs being for any reason unable to act or of any of their posts being vacant, the Officers specified in column 2 of the following Table opposite the designation of that Officer in column 1 are appointed to act in his/her stead, whether as Proper Officer or otherwise:-

Officer	Substitute Officer
(i) Chief Executive	The appropriate Director
(ii) Director – Finance and Legal	The appropriate Assistant Director
(iii) Assistant Director – Legal, Governance and Elections	Strategic Manager - Chief Legal Officer
(iv) Any Director	The Head of Service of the relevant service In respect of function formerly conferred on the Surveyor in pre-1974 legislation The Head of Service of the relevant service In respect of the function of authenticating under Section 234 of the Local Government Act 1972 notices under the legislation mentioned in subparagraph (b) opposite that Section in the Table in Paragraph (7) above or in respect of other functions under the Building Act 1984, The Head of Service of the relevant service