

# CHESHIRE EAST

## Shadow Council

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**Date:** 13 May 2008  
**Report of:** Interim Monitoring Officer  
**Title** Appointment of Proper Officers

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### **1.0 Purpose of Report**

- 1.1 To appoint the designated officers as Proper Officers under legislative requirements.

### **2.0 Decision Required**

- 2.1 To approve the appointment of the appended designated officers to the office of Proper Officer under each of the stated legislative provisions.

### **3.0 Implications for Transitional Costs**

- 3.1 None.

### **4.0 Background and Options**

- 4.1 Various legislative provisions require local authorities to appoint Proper Officers to receive various notices etc. These are all administrative provisions and give the Proper Officer responsibility to keep proper records and receive notices. The Shadow Authority needs to appoint its Proper Officers for these various legislative requirements to ensure that the administration of the Authority can proceed. The list of required appointments is appended.

#### ***For further information:***

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#### ***Background Documents:***

*Documents are available for inspection at:*  
*Town Hall*  
*Macclesfield*  
*SK10 1DX*

## APPENDIX

### PROPER OFFICER PROVISIONS

<b>LOCAL GOVERNMENT ACT 1972</b>		
<b>SECTION</b>	<b>SUBJECT MATTER</b>	<b>PROPER OFFICER</b>
83	Declaration of acceptance of office by chairman, vice-chairman or councillor	Lead Officer of Joint Implementation Team
84	Receipt of resignation of office by person elected	Lead Officer of Joint Implementation Team
88(2)	Convening of meeting of Shadow Council to fill casual vacancy in office of chairman	Interim Monitoring Officer
89(1)(b)	Receipt of notice of casual vacancy of councillor from two local government electors	Lead Officer of Joint Implementation Team
96(1)	Receipt of notice of interests in contracts or proposed contracts	Interim Monitoring Officer
96(2)	Recording of disclosures of interests made under section 94 and of notices under section 96(1)	Interim Monitoring Officer
100B(7)(c)	Supply of documents to press	Interim Monitoring Officer
100C(2)	Written summary of exempt proceedings	Interim Monitoring Officer
100D(1)(a)	Compilation of list of and inspection of background papers	Each Member of Joint Implementation Team
100F(2)	Exclusion of document containing exempt information	Interim Monitoring Officer
151	Arrangements for proper administration of Shadow Council's financial affairs	Interim Chief Finance Officer

223(1)	Appearance of Council in legal proceedings	Interim Monitoring Officer
225	Deposit of documents	Interim Monitoring Officer
228(3)	Accounts to be open to inspection	Interim Chief Finance Officer
229(5)	Certification of photographic copies of documents	Interim Monitoring Officer
234(1) and (2)	Authentication of documents	Interim Monitoring Officer
Schedule 12 para 4(2)(b)	Signature of summons to council meeting	Interim Monitoring Officer
Schedule 12 para 4(3)	Receipt of notices regarding address to which summons to meeting is to be sent	Interim Monitoring Officer
Schedule 14 para 25(7)	Certification of resolutions under para 25	Interim Monitoring Officer

#### **LOCAL GOVERNMENT FINANCE ACT 1988**

114	Officer responsible as regards reports	Interim Chief Finance Officer
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#### **LOCAL GOVERNMENT AND HOUSING ACT 1989**

2(4)	Deposit of list of politically restricted posts	Lead Joint Implementation Team Officer for Human Resources
15-17	Receipt of various notices relating to political groups under relevant Regulations	Interim Monitoring Officer

	Local Authorities (Standing Order) England Regulations 2001	Lead Joint Implementation Team Officer for Human Resources
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