

Officer Delegation Scheme (Council (non-executive) functions)

Chief Executive

1. The Chief Executive is the Head of Paid Service for the Council.
2. The Chief Executive is the Electoral Registration Officer for the Council, and the Returning Officer for local elections.

The Chief Executive¹ is authorised to discharge the following Council (non-executive) functions:

Functions relating to Elections:

(a)	To assign officers in relation to requisitions of the registration officer	Section 52(4) of the Representation of the People Act 1983
(b)	To provide assistance at European Parliamentary elections	Section 6(7) and (8) of the European Parliamentary Elections Act 2002
(c)	To divide constituency into polling districts	Section 18A to 18E of and Schedule A1 to the Representation of the People Act 1983
(d)	To divide electoral divisions into polling districts at local government elections	Section 31 of the Representation of the People Act 1983
(e)	Powers in respect of holding of elections	Section 39(4) of the Representation of the People Act 1983
(f)	To pay expenses properly incurred by electoral registration officer	Section 54 of the Representation of the People Act 1983
(g)	To fill vacancies in the event of insufficient nominations	Section 21 of the Representation of the People Act 1985
(h)	To declare vacancy in office in certain cases	Section 86 of the Local Government Act 1972
(i)	To give public notice of a casual vacancy	Section 87 of the Local Government Act 1972
(j)	To submit proposals to the Secretary of State for an order under section 10 (pilot schemes for local elections in England and Wales) of the Representation of the People Act 2000	Section 10 of the Representation of the People Act 2000
(k)	<u>Functions relating to community governance²:</u> i <u>Duties relating to community governance reviews</u>	<u>Section 79 of the Local Government and Public Involvement in Health Act 2007</u>

¹ The fact that a function has been delegated to the Chief Executive does not require the Chief Executive to give the matter his/her personal attention and the Chief Executive may arrange for such delegation to be exercised by an officer of suitable experience and seniority. However the Chief Executive remains responsible for any decision taken pursuant to such arrangements.

² **Functions relating to making of recommendations under section 87 – 92 of the Local Government and Public Involvement in Health Act 2007 (Item 5 Paragraph EB of Schedule 1 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000/2853) are reserved to the relevant committee that is responsible for making recommendations to full council.**

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	ii <u>Functions relating to community governance petitions</u>	<u>Sections 80, 83 to 85 of the Local Government and Public Involvement in Health Act 2007</u>
	iii <u>Functions relating to terms of reference of review</u>	<u>Sections 81(4) to (6) of the Local Government and Public Involvement in Health Act 2007</u>
	iv <u>Power to undertake a community governance review</u>	<u>Section 82 of the Local Government and Public Involvement in Health Act 2007</u>
	v <u>Duties when undertaking review</u>	<u>Section 93 to 95 of the Local Government and Public Involvement in Health Act 2007</u>
	vi <u>Duty to publicise outcome of review</u>	<u>Section 96 of the Local Government and Public Involvement in Health Act 2007</u>
	vii <u>Duty to send two copies of order to Secretary of State and Electoral Commission</u>	<u>Section 98(1) of the Local Government and Public Involvement in Health Act 2007</u>
(l)	<u>Functions relating to consultation and notification processes in relation to changing the name of an electoral area³</u>	<u>S59(1) of the Local Government and Public Involvement in Health Act 2007</u>
(m)	<u>To dissolve small parish councils</u>	<u>Section 10 of the Local Government Act 1972</u>
(n)	<u>To make orders for grouping parishes, dissolving groups and separating parishes from groups</u>	<u>Section 11 of the Local Government Act 1972</u>
(o)	<u>To make temporary appointments to parish councils</u>	<u>Section 91 of the Local Government Act 1972</u>

Functions relating to changing governance arrangements

(a)	<u>To consult prior to drawing up proposals⁴</u>	<u>S33E Local Government Act 2000</u>
(b)	<u>To make arrangements to hold a referendum⁵</u>	<u>S33K(2) Local Government Act 2000</u>
(c)	<u>To publish a notice if proposals are not approved in referendum</u>	<u>S33K(6) Local Government Act 2000</u>
(d)	<u>To implement new governance arrangements</u>	<u>S33G and S33H Local Government Act 2000</u>
(e)	<u>To comply with any direction from the Secretary of State</u>	<u>S33I Local Government Act 2000</u>

³ [The function of passing a resolution to change the name of an electoral area under s59\(1\) of the Local Government and Public Involvement in Health Act 2007 is reserved to full Council](#)

⁴ [Subject to consultation with party Leaders about the consultation plan](#)

⁵ [Where the Council has decided to hold a referendum](#)