

EAST HERTS COUNCIL

COUNCIL- 23 OCTOBER 2019

REPORT BY THE CHIEF EXECUTIVE

REPORT TITLE: APPOINTMENT OF INTERIM MONITORING OFFICER

WARD(S) AFFECTED:

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**Purpose/Summary of Report**

- In accordance with s5 of the Local Government and Housing Act 1989, Alison Stuart to be confirmed as the Council's Interim Monitoring Officer until a permanent appointment is made.

<b><u>RECOMMENDATIONS FOR COUNCIL: That:</u></b>	
<b>(A)</b>	<b>Agree to the appointment of Alison Stuart as the Council's interim Monitoring Officer</b>

1.0 Background

1.1 Under s5 of the Local Government & Housing Act 1989 (as amended) the Council has a duty to appoint a Monitoring Officer.

2.0 Report

2.1 On 14 November 2019, Alison Stuart, the Council's Head of Legal and Democratic Services and Monitoring Officer will be leaving the employ of East Herts Council to take up a position as Head of Legal at the London Borough of Barking and Dagenham.

- 2.2 The Head of Legal and Democratic Services and Monitoring officer post is presently being advertised with interviews scheduled for the end of October.
- 2.2 Under the legislation, neither the Head of Paid Service nor the Chief Finance Officer can hold the position of Monitoring Officer. There is no statutory requirement for the position to be held by a legally qualified officer.
- 2.3 The Monitoring Officer has a number of statutory duties and responsibilities relating to the Council's Constitution and our arrangements for effective governance. These duties include maintaining the Constitution, ensuring that no decision or omission of the Council is likely to give rise to illegality or maladministration and promoting high standards of conduct. A full list of the Monitoring Officer's responsibilities and delegated powers is included within the Council's Constitution.
- 2.4 Agreement has been reached with the London Borough of Barking and Dagenham for Alison Stuart to continue to provide a Monitoring Officer role to East Herts Council. This arrangement is sought to provide consistency and resilience to the Council in the intervening period until a permanent appointment is made.
- 2.5 Chapter 10, paragraph 10.1 (g) of the Constitution provides that the appointment of the Monitoring Officer and Chief Financial Officer (s151 officer) are to be carried out by the Chief Executive and ratified by Council.
- 3.0 Implications/Consultations
- 3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

## Background Papers

None

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