

## ESSENTIAL REFERENCE PAPER 'A'

### IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives <i>(delete as appropriate):</i>	Priority 1 – Improve the health and wellbeing of our communities  Priority 2 – Enhance the quality of people's lives  Priority 3 – Enable a flourishing local economy
Consultation:	The Leader and Deputy Leader have been consulted on this report
Legal:	Under s5 of the Local Government and Housing Act 1989 a local authority must appoint a Monitoring Officer. Section 113 (2) Local Government Act 1972, enables an authority to appoint /second an officer from another authority as an officer of the authority being appointed and thereby satisfy the requirement under s 5 Local Government and Housing Act 1989 that an authority appoint "one of its staff" to be Monitoring Officer. The General power of competence under the Localism Act 2011 allows a local authority to do anything that individuals may do unless there are restrictions applied by other statute. This power can be used by a local authority to provide back office functions to other bodies.
Financial:	The interim arrangement will conclude upon the start of the employment of the new post holder, at which time the approved salary budget for the Monitoring Officer will apply.
Human Resource:	None other than those contained within the report
Risk Management:	The Council is not permitted to act unlawfully by not having a Monitoring Officer in post.
Health and wellbeing –	N/A

issues and impacts:	
Equality, diversity and human rights considerations, and whether Equality Impact Assessment required:	An equal fair and transparent process will be undertaken in the recruitment of a permanent appointment
Environmental Sustainability	N/A