

## **East Herts Council Report**

### **Council**

**Date of meeting:** 13 May 2026

**Report by:** Helen Standen, Chief Executive

**Report title:** Appointment of Interim Monitoring Officer

**Ward(s) affected:** (All Wards);

**Summary** – In accordance with Section 5 of the Local Government and Housing Act 1989, Jonathan Geall, Director for Communities to be confirmed as the Council’s Interim Monitoring Office, for an initial period of six months, following the departure of James Ellis, Director for Legal, Policy and Governance and Monitoring Officer.

### **RECOMMENDATIONS FOR COUNCIL:**

- a) To ratify the appointment of Jonathan Geall, Director of Communities as the Council’s interim Monitoring Officer, for an initial period of six months.**

#### **1.0 Proposal(s)**

- 1.1 Under Section 5 of the Local Government & Housing Act 1989 (as amended) the Council has a duty to appoint a Monitoring Officer.

#### **2.0 Background**

- 2.1 Following the departure of the Director for Legal, Policy and Governance and Monitoring Officer from the employment of East Herts Council to take up the position of Director of Legal and Democratic Services and Monitoring Officer at Ealing Council, consideration has been given to the team structure, taking account

of impending Local Government Reorganisation.

- 2.2 The role of Monitoring Officer (Constitution, council matters and advice) will be undertaken by Jonathan Geall, Director for Communities to provide continuity. 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 Section 11, paragraph 11.1(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.
- 2.5 All other Monitoring Officer matters (including legal advice) will be undertaken by the legal team at Hertfordshire County Council, giving an opportunity over the next two years for knowledge and experience to be gained by existing officers.
- 2.6 The Democratic Services and Elections teams will continue to report to Stephanie Tarrant, Assistant Director of Democracy, Elections and Information Governance, who will report directly into the Chief Executive. The Legal Team will report to Jessica Verdicchio, current Corporate Legal Services Manager at Broxbourne Borough Council, as part of a newly formed shared service across Broxbourne Borough and East Herts Council, reporting into East Herts Chief Executive on East Herts matters.

2.7 A review of the new working arrangements will be undertaken in 6 months and reported to Council on 9 December 2026.

### **3.0 Reason**

3.1 To ensure that the Council complies with statutory requirements.

### **4.0 Options**

4.1 Option 1 - to appoint an Interim Monitoring Officer and is the recommended option, as it ensures statutory compliance and continuity while Local Government Reorganisation considerations continue.

4.2 Option 2 - recruit to a permanent role; this was discounted due to organisational uncertainty.

4.3 Option 3 - to take no action; this is not lawful as the Council must appoint a Monitoring Officer.

### **5.0 Implications/Consultations**

#### **Community Safety**

None arising directly from this report.

#### **Data Protection**

None arising directly from this report.

#### **Equalities**

None arising directly from this report.

#### **Environmental Sustainability**

None arising directly from this report.

## **Financial**

The interim arrangement will begin upon the cessation of the employment of the previous post holder, at which time the approved salary budget for the Monitoring Officer will apply.

## **Health and Safety**

None arising directly from this report.

## **Human Resources**

None arising directly from this report.

## **Human Rights**

None arising directly from this report.

## **Legal**

Under Section 5 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 Section 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.

## **Specific Wards**

No

## **6.0 Background papers, appendices and other relevant material**

6.1 None

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