

Meeting:	Council	Date:	17 October 2013
Subject:	Designation of Monitoring Officer		
Report Of:	Chief Executive		
Wards Affected:	All		
Key Decision:	No	Budget/Policy Framework:	No
Contact Officer:	Sue Mullins, Head of Legal and Policy Development		
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Appendices:	None.		

1.0 Purpose of Report

To formally designate a Monitoring Officer to meet the requirements of the Local Government and Housing Act 1989 and to carry out the statutory role and responsibilities of Monitoring Officer under that Act.

2.0 Recommendations

- 2.1 Council is asked to **RESOLVE** that Sue Mullins be designated as Monitoring Officer under Section 5 of the Local Government and Housing Act 1989 with effect from 1 October 2013.

3.0 Background and Key Issues

- 3.1 On 24 March 2011, Council resolved that the Group Manager for Legal and Democratic Services be appointed Monitoring Officer for the City Council as from 26 April 2011.
- 3.2 Following the decision of Organisational Development Committee on 15 July 2013 regarding realignment of the management resource, the post of Group Manager for Legal and Democratic Services was deleted and a new post of Head of Legal and Policy Development was created. The new post was designed to include Monitoring Officer responsibilities.
- 3.3 The postholder for the Group Manager for Legal and Democratic Services position, Sue Mullins, was ringfenced to Head of Legal and Policy Development post. On 30 September 2013, a Member Panel interviewed and appointed Sue Mullins to the position of Head of Legal and Policy Development. However, the decision to designate Sue Mullins as the Council's Monitoring Officer needs to be made by Council.
- 3.4 It should be noted that the Monitoring Officer's duties have continued to be performed by the Group Manager for Legal and Democratic Services, pending appointment to the Head of Legal and Policy Development post and designation of the postholder as the Monitoring Officer by Council.

4.0 Alternative Options Considered

4.1 There are no alternative options relevant to this matter.

5.0 Reasons for Recommendations

5.1 The Council is under a statutory duty to designate one of its officers to perform the statutory duties of the Monitoring Officer.

6.0 Future Work and Conclusions

6.1 None.

7.0 Financial Implications

7.1 There are no financial implications arising from this report.

(Financial Services have not been consulted in the preparation this report.)

8.0 Legal Implications

8.1 Section 5 of the Local Government and Housing Act 1989 imposes a statutory duty on the Council to designate one of its officers, to be known as the Monitoring Officer, to carry out the statutory duties of Monitoring Officer under that Act. The designation must be made by full Council.

(Legal Services have been consulted in the preparation this report.)

9.0 Risk & Opportunity Management Implications

9.1 If the Council fails to designate one of its officers as the Monitoring Officer, the Council would be in breach of Section 5 Local Government and Housing Act 1989.

10.0 People Impact Assessment (PIA):

10.1 The PIA Screening Stage was completed and did not identify any potential or actual negative impact, therefore a full PIA was not required.

11.0 Other Corporate Implications

Community Safety

11.1 There are no community safety implications.

Sustainability

11.2 There are no sustainability implications.

Staffing & Trade Union

11.3 There are no staffing implications.

Background Documents: None.