

DECISION-MAKER: COUNCIL
SUBJECT: APPOINTMENT OF MONITORING OFFICER and
RECONFIRMATION OF RETURNING OFFICER and
ELECTORAL REGISTRATION OFFICER
DATE OF DECISION: 18 MARCH 2015
REPORT OF: CHIEF EXECUTIVE

CONTACT DETAILS

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STATEMENT OF CONFIDENTIALITY

None

BRIEF SUMMARY

Following the recent senior management restructure undertaken by the Chief Executive under delegated powers Council is required to appoint a Monitoring Officer under the Local Government and Housing Act 1989. In light of the changes it is also necessary to reconfirm the Returning Officer arrangements

RECOMMENDATIONS:

- (i) That the Head of Legal and Democratic Services be appointed Monitoring Officer with effect from 18th March 2015.
- (ii) That the Director, Place be appointed as the Returning Officer for local elections and Electoral Registration Officer and the Acting Returning Officer for UK Parliamentary Elections and European Elections.

REASONS FOR REPORT RECOMMENDATIONS

1. The role of Monitoring Officer is a statutory chief officer position. Following the recent senior management restructure undertaken by the Chief Executive under delegated powers Council is required to appoint a Monitoring Officer under the Local Government and Housing Act 1989.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

2. The statutory role of Monitoring Officer is required to be held by an appropriate officer of the Council. It cannot be held by the Head of Paid Service, Chief Financial Officer or Scrutiny Officer. As the role is primarily responsible for the lawfulness and governance arrangements of the Council it fits squarely with the post of the Head of Legal and Democratic Services. Continuity in the position of Returning Officer as this is held personally by Mark Heath, Director, Place is also required. Accordingly no other options have been considered.

DETAIL (Including consultation carried out)

3. Following the resignation of the Director, Place the Chief Executive has taken the opportunity to restructure the senior management team. Accordingly, the Director of Corporate Services who holds the Monitoring Officer role currently, is now the new Director, Place. As such that substantive post does not carry any explicit corporate governance responsibilities. The Chief Executive therefore recommends that the role more appropriately sits with the Head of Legal and Democratic Services (HLDS), who is the current Deputy Monitoring

Officer, and who carries the day to day responsibility for corporate governance. The HLDS is an experienced solicitor with over 20 years post admission experience and held the Monitoring Officer position at his previous authority.

4. As referred to above Mark Heath, Director, Place is recommended to continue as the Acting Returning Officer for UK Parliamentary Elections, Returning Officer for Local elections and Electoral Registration Officer.
5. As a result of these changes the role of Scrutiny Officer will be held by the Democratic Services Manager.

RESOURCE IMPLICATIONS

Capital/Revenue

6. None.

Property/Other

7. None.

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

8. Section 5 Local Government and Housing Act 1989 (as amended), Sections 8 and 35 Representation of the People Act 1983 and Local Government, Economic Development and Construction Act 2009.

Other Legal Implications:

9. None.

POLICY FRAMEWORK IMPLICATIONS

10. None.

KEY DECISION? No

WARDS/COMMUNITIES AFFECTED: None

SUPPORTING DOCUMENTATION

Appendices

1. None.

Documents In Members' Rooms

1. None.

Equality Impact Assessment

Do the implications/subject of the report require an Equality Impact Assessment (EIA) to be carried out. No

Other Background Documents

Equality Impact Assessment and Other Background documents available for inspection at:

- | Title of Background Paper(s) | Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable) |
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| 1. None | |