

Extraordinary Council – 11.9.2013

4. URGENT BUSINESS - APPOINTMENT OF MONITORING OFFICER

Report of *Managing Director*

Author *Lee Taylor*

Telephone Number *01277 312740*

Email *lee.taylor@brentwood.gov.uk*

Wards Affected

1. Executive Summary

1.1 To appoint the Monitoring Officer for Brentwood Borough Council

2. Recommendation(s)

2.1 That David Lawson is appointed as the Council's Monitoring Officer in accordance with Section 5 of the Local Government & Housing Act 1989

2.2. That Fiona Taylor and Alison Stuart are appointed as the Council's Deputy Monitoring Officers.

3. Background

3.1 The Staff Appointment Committee met on Tuesday 27th August 2013 to discuss the interim arrangements for the Monitoring Officer post as no candidates for the post of Head of Legal and Support Services were presented to the Committee.

3.2 Eric Whitfield, the council's Monitoring Officer retired on Friday 30th August.

3.3 The Committee therefore considered the interim arrangements and agreed that Barking, Dagenham and Thurrock Legal Services would provide cover for the Monitoring Officer role.

4. Context

4.1 The Monitoring Officer Role:

Part One article 9.3 of the constitution sets out the duties of the Monitoring Officer, which are in brief:

a. Maintaining the constitution

- b. Ensuring lawfulness and fairness of decision making
- c. Proper officer for access to information
- d. Providing advice

4.2 Appointment Process:

Part 3.1 section 9 of the constitution allows for the Staff Appointments Committee to appoint the Monitoring Officer.

Under part 3.1 section 1(h) Ordinary Council must confirm the appointment.

5. Financial Implications – Comment from S151 Officer

5.1 There are no additional financial implications.

6. Implications and References to Corporate Plan

6.1 The Monitoring Officer is a statutory role which is a requirement for all councils to ensure that decisions and actions of the Council are lawful and in accordance with policy.

7. Background Papers

1. Brentwood Borough Council Constitution 15th May 2013