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| Committee(s): Ordinary Council | Date: 7 December 2022 |
| Subject: Designation of Statutory Roles – Monitoring Officer and Section 151 Officer | Wards Affected: All |
| Report of: Jonathan Stephenson, Chief Executive | Public |
| Report Author: Name: Emily Yule, Strategic Director (Deputy Chief Executive) Telephone: 07543 500908 E-mail: Emily.Yule@brentwood.rochford.gov.uk | For Decision |

Summary

The Council has recently undergone a restructure of the Leadership Team at Tiers 2 and 3 and is looking to recruit to the permanent roles of Director of People and Governance, Director of Resources and Director of Housing.

Under legislation, the Council must designate to the statutory roles of Monitoring Officer and Section 151 Officer and this report sets out proposed designations.

Members are asked to:

- R1. Designate Andrew Hunkin as the Monitoring Officer for the Council.**
- R2. Designate Tim Willis as the Section 151 Officer for the Council.**
- R3 Authorise the Monitoring Officer to make any necessary subsequent changes to the Council’s Constitution.**

Main Report

1. Introduction and Background

The Council is looking to recruit to the permanent roles of Director of People and Governance, Director of Resources and Director of Housing.

Andrew Hunkin has been appointed as Director of People and Governance and Tim Willis as Director of Resources – both on an interim basis.

At the Ordinary Council meeting on 27 July 2022, the appointment of Steve Summers as Interim Monitoring Officer was confirmed with effect from 1 August 2022.

The current Section 151 Officer role was designated to Jacqueline Van Mellaerts (Corporate Director of Finance & Resources) who left the organisation at the end of November.

2. Issue, Options and Analysis of Options

It is recommended that Andrew Hunkin is designated as the Monitoring Officer for the Council.

It is recommended that Tim Willis is designated as the Section 151 Officer for the Council.

Under the unified leadership team with Rochford District Council, both statutory roles will each be a shared position between the two councils.

3. Reasons for Recommendation

The Council is required by Section 5 of the Local Government and Housing Act 1989 to designate one of its officers as its Monitoring Officer, to discharge statutory responsibilities relating to the Council's Constitution and arrangements for effective governance.

The Council is required by Section 151 of the Local Government Act 1972 to make arrangements for the proper administration of its financial affairs and to designate one of its officers to have responsibility for the administration of those affairs.

Both designations must be approved by full Council.

4. Consultation

Group Leaders have been consulted on behalf of all Members.

5. References to Corporate Plan

Delivering an efficient and effective council requires suitably qualified statutory officers.

6. Implications

Financial Implications

Name & Title: Jacqueline Van Mellaerts, Director of Corporate Resources

Tel & Email: 01277 312500

jacqueline.vanmellaerts@brentwood.gov.uk

The appointments of these officers will be forecasted within the Council's budget monitoring system for 2022/23, and will be funded from budgeted vacancies within the Council's Corporate Leadership Team structure.

Legal Implications

Name & Title: Steve Summers, Strategic Director and Interim Monitoring Officer

Tel & Email: 01277 312500

steve.summers@brentwood.rochford.gov.uk

The recommendations within this report are lawful and within the Council's powers and duties. The Council has statutory obligations within an existing legal framework for the appointment of Council officers to a number of specified posts. The recommendations will support the Council in securing compliance with those statutory duties and the effective management of the Council's functions.

The Council has statutory duties under Section 5 of the Local Government and Housing Act 1989, to appoint an officer as Monitoring Officer.

The Council has statutory duties under Section 151 of the Local Government Act 1972 to appoint an officer as Section 151 Officer.

The appointment of these statutory roles may only be made by full Council.

Other Implications

None.

7. Background Papers

None.

8. Appendices to this report

None.