

STROUD DISTRICT COUNCIL
COUNCIL

**AGENDA
ITEM NO**

20 FEBRUARY 2020

8

Report Title	EXTENSION TO THE DESIGNATION OF MONITORING OFFICER			
Purpose of Report	To extend the designation of the current Monitoring Officer			
Decision(s)	Council RESOLVES to: Extend the designation of Patrick Arran as Monitoring Officer pending a permanent appointment being made to the Monitoring Officer Post.			
Consultation and Feedback	None			
Report Author	Andrew Cummings, Strategic Director of Resources Tel: 01453 754115 Email: andrew.cummings@stroud.gov.uk			
Options	The Council may choose to designate a different officer as Monitoring Officer but it is a legal requirement to have an officer designated			
Background Papers	None			
Appendices	None			
Implications (further details at the end of the report)	Financial	Legal	Equality	Environmental
	Yes	Yes	No	No

1. INTRODUCTION / BACKGROUND

- 1.1** Under Section 5 of the Local Government and Housing Act 1989 (as amended) the Council has a duty to designate one of its officers as Monitoring Officer.
- 1.2** The Monitoring Officer has a number of statutory duties and responsibilities which include ensuring that the Council act lawfully and to avoid any maladministration. This includes advising on the lawfulness of decision making, applying and maintaining the Council's Constitution and arrangements for effective governance. The Monitoring Officer is also responsible for promoting high standards of conduct and ethical behaviour
- 1.3** At the Council meeting on 17 October 2019, Patrick Arran was designated as Monitoring Officer until 31 March 2020.

2. MAIN POINTS

- 2.1 The designation of Patrick Arran expires on 31st March 2020. At this point the legal service is expected to be transferred to the One Legal service, hosted by Tewkesbury Borough Council, but One Legal will not be providing the Monitoring Officer function to Stroud.
- 2.2 The Council is currently consulting with staff on plans for a Corporate Policy and Governance Team. This team will have as its head a Strategic Head of Policy and Governance who will act as the Council's monitoring officer. Patrick Arran has indicated a willingness to remain as Monitoring Officer until a permanent appointment is made.

3 IMPLICATIONS

3.1 Financial Implications

There are no significant implications within this category. The designation of a monitoring officer does not create an additional financial cost. The budget for a Policy and Governance Team is included in the Medium Term Financial Plan.

Andrew Cummings, Strategic Director of Resources
Tel: 01453 754115 Email: andrew.cummings@stroud.gov.uk

3.2 Legal Implications

There is a legal requirement for the Council to designate an officer as Monitoring Officer (who cannot be the Chief Finance Officer or Head of Paid Service). All further legal implications are set out in the report.

Andrew Cummings, Strategic Director of Resources (in consultation with One Legal)
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3.3 Equality Implications

An EIA is not required because there are not any specific changes to service delivery proposed within this decision

3.4 Environmental Implications

There are no significant implications within this category