

<b>COUNCIL</b>	<b>AGENDA ITEM No. 13(c)</b>
<b>19 JULY 2017</b>	<b>PUBLIC REPORT</b>

Report of:	Gillian Beasley, Chief Executive	
Cabinet Member(s) responsible:	Leader of the Council and Cabinet Member of the Cambridgeshire and Peterborough Combined Authority	
Contact Officer(s):	Pippa Turvey, Constitutional and Democratic Services Manager	Tel. 452 460

## **APPOINTMENT OF THE INTERIM MONITORING OFFICER**

<b>R E C O M M E N D A T I O N S</b>	
<b>FROM:</b> <i>Chief Executive</i>	<b>Deadline date:</b> <i>July 2017</i>
It is recommended that Council appoint Mr Stephen Gerrard (Interim Director for Law and Governance) as the Interim Monitoring Officer for Peterborough City Council.	

### **1. PURPOSE AND REASON FOR REPORT**

- 1.1 The purpose of this report is for Council to appoint to the statutory Chief Officer role of Monitoring Officer for Peterborough City Council.

### **2. BACKGROUND AND KEY ISSUES**

- 2.1 Part 3, Delegations Section 1 - Functions Reserved to the Council, paragraph 1.3.8 of the Council's Constitution states that it is the Council's responsibility to appoint 'proper officers', including the Monitoring Officer. The role of Monitoring Officer is a statutory Chief Officer of the Council.
- 2.2 The role of Monitoring Officer currently falls under the remit of the post of Director of Governance. Kim Sawyer, the Director of Governance post holder, has been seconded to the Cambridgeshire and Peterborough Combined Authority as Combined Authority Monitoring Officer, to support the Authority in its infancy. As a result a new appointment to the post of Peterborough City Council Monitoring Officer is required immediately.
- 2.3 Stephen Gerrard is in post as the Interim Director for Law and Governance, while the Director of Governance is seconded to the Combined Authority. As such, it is appropriate for this post holder to take on the role of Interim Monitoring Officer.

#### **Regulations**

- 2.4 Under 2.3.1 Part I, section 5 of the Local Government and Housing Act 1989, it is stated:

“(i) It shall be the duty of every relevant authority –

- (a) to designate one of their officers (to be known as “the monitoring officer”) as the officer responsible for performing the duties imposed by this section; and
- (b) to provide that officer with such staff, accommodation and other resources as are, in his opinion, sufficient to allow those duties to be performed; and the officer so designated

may be the head of the authority's paid service but shall not be their chief finance officer."

2.5 This was later amended in the Local Government Act 2000 Schedule 5 (24) as:

"3) 1a) The officer designated under subsection (1) above by a relevant authority to which this subsection applies may not be the head of that authority's paid service;

1b) Subsection (1a) above applies to the following relevant authorities in England and Wales –

- (a) a county council;
- (b) a county borough council;
- (c) a district council;
- (d) a London borough council;
- (e) a Greater London Authority; and
- (f) the Common Council of the City of London in its capacity as a local authority, police authority or post health authority."

### **3. IMPLICATIONS**

#### **Financial Implications**

3.1 The costs of the position are contained within existing budgets.

#### **Legal Implications**

3.2 The role of Monitoring Officer is statutory requirement.

#### **Equalities Implications**

3.3 There are no equalities implications arising from this report.

### **4. BACKGROUND DOCUMENTS**

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

4.1 Peterborough City Council Constitution

Local Government and Housing Act 1989

Local Government Act 2000

### **5. APPENDICES**

5.1 None.