

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

**EXECUTIVE MANAGEMENT TEAM'S
REPORT TO**

COUNCIL

26 July 2023

Report Title: Appointment of Interim Monitoring Officer

Submitted by: Chief Executive

Portfolios: All

Ward(s) affected: All

<u>Purpose of the Report</u>	<u>Key Decision</u> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
To seek formal confirmation to the appointment of an Interim Monitoring Officer, until such time as a permanent appointment to the post can be made.	
<u>Recommendation</u>	
That, in accordance with s5 of the Local Government & Housing Act 1989, Council be asked to confirm the appointment of Barbara Beardwell as the Council's Interim Monitoring Officer.	
<u>Reasons</u>	
To comply with the requirement of the Local Government & Housing Act 1989 that all local authorities appoint a Monitoring Officer.	

1. Background

- 1.1 Under section 5 of the Local Government and Housing Act 1989; the Council has a statutory duty to appoint a Monitoring Officer.
- 1.2 The Monitoring Officer has a number of statutory duties and responsibilities relating to the Council's Constitution and the Council's arrangements for effective governance. These include:
 - a. to report on matters they believe are, or are likely to be, illegal or amount to maladministration;

- b. to be responsible for matters relating to the conduct of Councillors and officers; and
- c. to ensure the Council's Constitution is up to date and fit for purpose.

2. **Issues**

- 2.1 The Council is currently without a permanent Monitoring Officer following the departure of the previous incumbent. Arrangements are in hand to recruit to the post on a permanent basis however to ensure a full and proper search and appointment is undertaken; the process is likely to take a number of months.
- 2.2 Barbara Beardwell has been interviewed and deemed competent; and has started providing support from 26th July 2023, pending this formal approval.

3. **Recommendation**

- 3.1 That in order to comply with our statutory duty, the Council approve the interim appointment of Barbara Beardwell as Monitoring Officer.

4. **Reasons**

- 4.1 To comply with statutory duties.

5. **Options Considered**

- 5.1 An option considered was to source a shared arrangement with one of our neighbouring authorities, however a satisfactory arrangement was not reached.

6. **Legal and Statutory Implications**

- 6.1 Under section 5 of the Local Government and Housing Act 1989; the Council has a statutory duty to appoint a Monitoring Officer

7. **Equality Impact Assessment**

- 7.1 n/a

8. **Financial and Resource Implications**

8.1 Budgetary provision has been made for this interim appointment

9. Major Risks & Mitigation

6.1 The Council needs to ensure that it has its three statutory officers in place to comply with legal requirements and to demonstrate good governance.

10. UN Sustainable Development Goals (UNSDG)

10.1 There is no direct impact on UNSDGs resulting from this appointment

11. Key Decision Information

11.1 N.a

12. Earlier Cabinet/Committee Resolutions

12.1 n/a

13. List of Appendices

13.1 none

14. Background Papers

14.1 n/a