

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

**CORPORATE LEADERSHIP TEAM'S
REPORT TO**

COUNCIL

22 November 2023

Report Title: Appointment of 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 the Monitoring Officer	
<u>Recommendation</u>	
That, in accordance with s5 of the Local Government & Housing Act 1989, Council confirm the appointment of Anthony Harold as the Council's 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 Interim Monitoring Officer Barbara Beardwell had been acting in role since the departure of the previous permanent role holder and has agreed to continue undertaking this duty until a permanent appointment has been made.
- 2.2 Anthony Harold has been interviewed and deemed competent and started in the role of Service Director on – Legal & Governance on 16th October, pending this formal approval as Monitoring Officer. He is currently Deputy Monitoring Officer as designated by Barbara Beardwell.

3. **Recommendation**

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

4. **Reasons**

- 4.1 To comply with statutory duties.

5. **Options Considered**

- 5.1 A number of candidates for the role were assessed and Anthony Harold was selected at a final stage cross party member panel.

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 Role is included in budgetary provision

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