

COUNCIL  
12 MAY 2020

Report of the Chief Executive

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## **APPOINTMENT OF MONITORING OFFICER**

### **PURPOSE OF REPORT**

To confirm the appointment of James McLaughlin as Monitoring Officer for the District Council.

### **RECOMMENDATION**

That James McLaughlin is appointed the District Council's Monitoring Officer with effect from 10 August 2020.

### **WARDS AFFECTED**

Not applicable

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## **1. INTRODUCTION**

- 1.1 Under Section 5 of the Local Government Housing Act 1989 the Council is required to designate one of its officers as the Monitoring Officer for the Council. The Monitoring Officer may not be either the Council's Chief Finance Officer or the Chief Executive.
- 1.2 The Monitoring Officer's functions include:
  - Oversight and reporting of the operation of the Council's Constitutional arrangements and the decision making processes
  - Reporting on unlawfulness and maladministration
  - Investigating allegations of breaches of the Code of Conduct and seeking rulings from the Council's Independent Person and arranging meetings of the Member Conduct Panel
  - Maintenance of the Register of Disclosable Interests
- 1.3 Sandra Lamb is currently the Monitoring Officer for Derbyshire Dales District and is due to commence flexible retirement on 1 June 2020, for a short period, to enable her successor to take up the position permanently.
- 1.4 Following interview for the position of Director of Corporate and Customer Services, which includes the Monitoring Officer's responsibilities, James McLaughlin has been appointed as Ms Lamb's successor to take up the position on 10 August 2020. Council is now required to confirm the appointment as Monitoring Officer.

## **2. RISK ASSESSMENT**

### **2.1 Legal**

The Council is under a statutory obligation to appoint a Monitoring Officer under the Local Government and Housing Act 1989 and under s.113 of the Local Government

Act 1972, a local authority may put their officers at the disposal of another local authority for the purposes of exercising their functions.

## 2.2 Financial

There are no financial risks arising from this report.

## 3. **OTHER CONSIDERATIONS**

In preparing this report, the relevance of the following factors has also been considered: prevention of crime and disorder, equalities, environmental, climate change, health, human rights, personnel and property.

## 4. **CONTACT INFORMATION**

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## 5. **BACKGROUND PAPERS**

### 5.1 None