

Council – 9th September 2026

Report by: Chief Executive

Lead Cllr: Councillor S J Conboy
Executive Leader



Wards	Open / Exempt	Key Decision?
All	Open	No

Appointment of Interim Monitoring Officer

Executive Summary: *Local Authorities have a duty under Section 5 of the Local Government and Housing Act 1989 to designate one of their Officers as the Monitoring Officer. The Monitoring Officer is responsible for maintaining the Constitution and advising the Council on the lawfulness and fairness of decision making. Following consideration by the Senior Officers Committee on 12th August 2026, this report seeks Council approval to designate Lee Gardener as Interim Monitoring Officer with effect from 9th September 2026.*

Recommendations

- 1.1. That Lee Gardener be designated as the District Council's Interim Monitoring Officer with effect from 9th September 2026.

Key Corporate Plan Priorities

- 1 *Doing our core work well.*

Place Strategy Priorities

- 1 *Supporting effective governance arrangements that enable delivery of the Place Strategy.*

Report Author

Lisa Jablonska, Elections and Democratic Services Manager | Deputy Monitoring Officer
(lisa.jablonska@huntingdonshire.gov.uk)

1. PURPOSE OF THE REPORT

- 1.1** The Monitoring Officer is a statutory appointment under Section 5 of the Local Government and Housing Act 1989. The appointment must be approved by full Council and the Officer appointed must not be the Head of Paid Service or Chief Finance Officer. The purpose of this report is to seek Council approval to designate an Interim Monitoring Officer.
- 1.2** Article 12 of the Council's Constitution describes the functions of the Monitoring Officer.

2. BACKGROUND & CONTEXT

- 2.1** The post of Head of Democratic Services and Monitoring Officer has become vacant. The Council is therefore required to designate one of its Officers as Monitoring Officer.
- 2.2** The Monitoring Officer is responsible for maintaining the Council's Constitution, advising on the lawfulness and fairness of decision making, reporting matters which may be unlawful or constitute maladministration, and supporting the Council's arrangements for Member conduct.
- 2.3** The Monitoring Officer must not be the Chief Finance Officer (section 151 officer) or the Head of Paid Service. The designation must be approved by full Council following a recommendation from the Senior Officers Committee.
- 2.4** At its meeting on 12th August 2026, the Senior Officers Committee recommended that Lee Gardener be appointed as Interim Monitoring Officer.

3. ALTERNATIVE OPTIONS CONSIDERED & NOT RECOMMENDED

- 3.1** The option of not appointing a Monitoring Officer is not recommended as the Council is under a statutory obligation to designate a Monitoring Officer.

4. COMMENTS OF OVERVIEW & SCRUTINY

- 4.1** N/A

5. POST-DECISION IMPLEMENTATION

- 5.1** Subject to Council approval, Lee Gardener will be designated as Interim Monitoring Officer with effect from 9th September 2026.

6. IMPLICATIONS OF THE DECISION

6.1 Council Key Priorities and Performance

The appointment supports the Corporate Plan priority of Doing our Core Work Well by ensuring robust governance, constitutional oversight and lawful decision-making arrangements.

6.2 Financial Implications

6.2.1 There are no additional financial implications arising directly from the recommendation.

6.3 Policy Implications

6.3.1 The appointment supports the Council's Code of Corporate Governance and operation of the Constitution.

6.4 Legal & Constitutional Implications

6.4.1 Section 5 of the Local Government and Housing Act 1989 requires the Council to designate an officer as Monitoring Officer. The person designated must not be the Head of Paid Service or the Chief Finance Officer. Full Council is responsible for approving the designation, following the recommendation of the Senior Officers Committee. Article 12 of the Council's Constitution sets out the functions of the Monitoring Officer.

6.5 Community Impact

6.5.1 There are no direct community impacts arising from the recommendation.

6.6 Environment & Climate Change Implications

6.6.1 N/A

6.7 Equality & Diversity Implications

6.7.1 No direct equality or diversity implications have been identified.

6.8 Implications on Resources

6.8.1 The interim appointment will provide continuity in the discharge of the Council's statutory Monitoring Officer functions.

6.9 Health & Wellbeing Implications

6.9.1 N/A

6.10 Local Government Reorganisation (LGR) Implications

6.10.1 The appointment ensures continuity of statutory governance arrangements during the future local government reorganisation activity for the authority.

7. RISK MANAGEMENT

7.1 The principal risk is that, if the appointment is not approved, the Council may be without a designated Monitoring Officer and unable to demonstrate compliance with section 5 of the Local Government and Housing Act 1989. This could weaken oversight of lawfulness, constitutional compliance and member conduct arrangements.

8. **BACKGROUND PAPERS– LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

Document List	Custodian	File Location
Huntingdonshire District Council Constitution	Democratic Services	Constitution
Senior Officers Committee recommendation, 12th August 2026	Democratic Services	Democratic Services records