

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter: Appointment of Monitoring and Section 151 Officers
Meeting/Date: Council – 30th July 2014
Executive Portfolio: Executive Leader - Councillor J D Ablewhite
Report by: Managing Director
Wards affected: All

Executive Summary:

Local Authorities have a duty under the Local Government and Housing Act 1989 to designate one of their Officers as the Monitoring Officer.

Under Section 151 of the Local Government Act, every local authority is required to make arrangements for the proper administration of their financial affairs and shall ensure that one of their Officers has responsibility for the administration of those affairs.

The Assistant Director, Finance & Resources retired in March and the Head of Legal & Democratic Services leaves the Council's service on 31st July 2014.

This report seeks the Council's approval of interim arrangements for the Monitoring Officer post and the appointment of a new Monitoring Officer with effect from 1st September 2014. The Council also is asked to make permanent the temporary appointment by the Managing Director of the Head of Resources as Section 151 Officer.

Recommendations:

- (a) that Julie Slatter, the newly appointed Corporate Director (Services) be designated the District Council's Monitoring Officer with effect from 1st September 2014;**
- (b) that the interim appointment by the Managing Director of the Head of Resources as the Council's Section 151 Officer with effect from 1st April be confirmed and made permanent also with effect from 1st September 2014; and**
- (c) that the Democratic Services Manager be appointed Monitoring Officer for a temporary period commencing 1st August 2014 until such time as the new Corporate Director takes office which it is anticipated will be 1st September 2014.**

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1. WHAT IS THIS REPORT ABOUT/PURPOSE?

- 1.1 The Monitoring Officer is a statutory appointment under Section 5 of the Local Government and Housing Act 1989. The appointment of the Monitoring Officer must be approved by the Council and the Officer to be appointed to this position must not be the Chief Finance Officer (Section 151 Officer) or the Head of Paid Service.
- 1.2 Similarly, under the Local Government Act 1972, there is a statutory requirement placed on the authority to designate a Section 151 Officer/Chief Finance Officer.
- 1.3 Article 12 of the Council's Constitution describes the functions of both the Monitoring Officer and Chief Finance Officer.
- 1.4 The Council previously had designated the posts of Assistant Director, Finance & Resources and Head of Legal & Democratic Services as the Chief Finance Officer and Monitoring Officer respectively.

2. WHY IS THIS REPORT NECESSARY/BACKGROUND

- 2.1 The senior management structure of the Council has recently been subject to major change. Under the reorganisation of functions the posts of Assistant Director, Finance & Resources and Head of Legal & Democratic Services have been made redundant. Appointments have been made to new posts within the structure and it is currently proposed that the new posts of Head of Resources and Corporate Director (Services) shall be designated Section 151 Officer and Monitoring Officer respectively.
- 2.2 The Managing Director has offered the posts on a temporary (acting) basis to the Head of Resources, in the case of S151 Officer, from 1st April and to the Democratic Services Manager, in the case of the Monitoring Officer from 1st August. The appointment of Monitoring Officer will be for one month or until the arrival of the new Corporate Director (Services) which is expected to be on or close to 1st September. For consistency, it is proposed that the position of Section 151 Officer be assigned permanently to the Head of Resources also with effect from 1st September.
- 2.3 There are no other resource, legal or other implications associated with this proposal.

3. REASONS FOR THE RECOMMENDED DECISIONS

- 3.1 The Council is required by law to appoint three Statutory Officers namely the Head of Paid Service, the Section 151 Officer and the Monitoring Officer. This report recommends interim arrangements to cover the period until new appointees are able to assume the roles.

BACKGROUND PAPER

The District Council's Constitution

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