

CHESHIRE EAST COUNCIL

Council

Date of Meeting:	18 July 2013
Report of:	Executive Director of Strategic Commissioning/ Acting Chief Executive
Subject/Title:	Designation of Monitoring Officer

1.0 Purpose of Report

- 1.1 To outline the process used for the recruitment of the Interim Head of Legal Services and Monitoring Officer and request that the Council agree that the appointee be designated as Monitoring Officer.

2.0 Decision Required

- 2.1 To agree that Ms Suki Binjal be designated as Monitoring Officer of Cheshire East Council.

3.0 Reasons for Recommendations

- 3.1 In accordance with the Constitution, Council must approve the designation of the Council's Monitoring Officer.

4.0 Wards Affected

- 4.1 Not applicable

5.0 Local Ward Members

- 5.1 Not applicable

6.0 Policy Implications

- 6.1 Not applicable

7.0 Financial Implications

- 7.1 The post of Head of Legal Services and Monitoring Officer is an established post within the Councils staffing structure.

8.0 Legal Implications

- 8.1 The designation of Monitoring Officer must be approved by Council.

The Monitoring Officer is appointed under Section 5 of the Local Government and Housing Act 1989, who is required to report to Council where it appears to him/her that the Authority has done or is about to do anything which would contravene the law or which would constitute maladministration.

9.0 Risk Assessment

- 9.1 It is a statutory duty to appoint a Monitoring Officer to undertake the role as set out in Section 5 of the Local Government and Housing Act 1989 and subsequent legislation.

10.0 Background and Options

- 10.1 The recruitment process for the Interim Head of Legal Services and Monitoring Officer was managed by the Interim Chief Executive and Interim Chief Operating Officer.
- 10.2 Following her appointment as Interim Head of Legal Services, Ms Suki Binjal's designation as Monitoring Officer requires the formal agreement of Council.

11.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

Name: Brian Reed
Designation: head of Governance and Democratic Services
Tel No: 01270 686670
Email: Brian.reed@cheshireeast.gov.uk