



NORTHAMPTON
BOROUGH COUNCIL

Council

Date 7 March 2005

Item No.

Report of Chief Executive

Directorate:

Author/Contact Officer:

Mairi McLean
Chief Executive

**APPOINTMENT OF MONITORING
OFFICER**

Recommendation

That Council appoint Francis Fernandes, Chief Solicitor as the Council's Monitoring Officer, during the period of transitional authority.

Background

Section 5 of the Local Government & Housing Act 1989 places a statutory duty upon the Council to appoint a Monitoring Officer to conduct the functions and duties contained within Section 5 of the 1989 Act (and other relevant legislation). The Monitoring Officer role is an important one and in brief the role carries with it the responsibility of ensuring that the Council acts lawfully and that appropriate ethical standards are maintained. There are also various other specific duties that the Monitoring Officer is responsible for.

Members will be aware that following the review of current structures within the Council the Borough Solicitor's post has been deleted. The Borough Solicitor was the Council's Monitoring Officer and as such discharged the statutory responsibilities of the Post. His departure necessitates the immediate and urgent appointment of a replacement Monitoring Officer.

The Council's new Chief Solicitor, is currently the most senior lawyer within the Council and as such is being recommended for appointment as the Council's Monitoring Officer. Once the Council has passed the transitional phase and structures have finally been agreed, a view will then be taken as to who exactly will occupy the role and a further report will be brought to Council as appropriate.

Consultation

Legal Services

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