

Report of:	Leader of the Council
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Portfolio Leader:	Leader of the Council
Key Decision:	No
Report Track:	Council: 24/06/20

**ANNUAL COUNCIL
24 JUNE 2020
APPOINTMENT OF COUNCIL SOLICITOR AND MONITORING OFFICER**

1 Purpose of Report

- 1.1 To make permanent the appointment of the Council Solicitor and Monitoring Officer in accordance with section 5 of the Local Government and Housing Act 1989.

2 Recommendations

- 2.1 That Ian Curran, be confirmed on a permanent basis as the Council Solicitor and Monitoring Officer for Cannock Chase District Council.

3 Key Issues and Reasons for Recommendations

- 3.1 Section 5 of the Local Government and Housing Act 1989, requires the Council to designate one of its Officers to be known as the Monitoring Officer.

4 Relationship to Corporate Priorities

- 4.1 The appointment of a Monitoring Officer is a statutory requirement and is designated as one of the three Statutory Officer Appointments within the Council along with the Head of Paid Service and the s.151 Officer.

5 Report Detail

- 5.1 Section 5 of the Local Government and Housing Act 1989 requires the Council to designate one of its officers to be known as the Monitoring Officer.

- 5.2 Mr. Curran was appointed to act as the Interim Council Solicitor and Monitoring Officer by Council at its meeting held on 29 May 2019 following the retirement of the previous postholder and Council Solicitor, the former Head of Law and Administration for Stafford Borough Council under Shared Services arrangements. At the time of his interim appointment Ian Curran held the position of Interim Head of Law & Administration and Council Solicitor with Stafford Borough Council which became a permanent position in November 2019.
- 5.3 It is the duty of the Monitoring Officer to report any instances where it appears to them that a contravention of any enactment or rule of law, or maladministration has arisen, or will arise, due to any proposals, decisions or omissions by the Authority (or those persons or committees acting under its control).
- 5.4 It is the responsibility of the Council to provide the Monitoring Officer with such staff, accommodation and other resources as are, in the officer's opinion sufficient to allow the duties under paragraph 5.3 to be performed.
- 5.5 As Ian Curran is now the Head of Law & Administration and Council Solicitor for Stafford Borough Council it is now appropriate to confirm his appointment as Council Solicitor and Monitoring Officer for Cannock Chase District Council taking into account his satisfactory performance in the role to date. The permanent appointment of Ian Curran will ensure that the Council is served by the most senior legal advisor in his role of Monitoring Officer.

6 Implications

6.1 Financial

There are no direct financial implications arising from the report. Provision for the Monitoring Officer forms part of the approved budget.

6.2 Legal

As set out in the report.

6.3 Human Resources

As set out in the report.

6.4 Section 17 (Crime Prevention)

None.

6.5 Human Rights Act

None.

6.6 Data Protection

None.

6.7 Risk Management

The Monitoring Officer's role is crucial to ensuring legal risk is managed appropriately throughout the Council.

6.8 Equality & Diversity

None.

7 Appendices to the Report

None.