

Report to:	COUNCIL
Relevant Officer:	Neil Jack, Chief Executive
Relevant Cabinet Member:	Councillor Lynn Williams, Leader of the Council
Date of Meeting:	13 March 2024

MONITORING OFFICER

1.0 Purpose of the report:

- 1.1 To consider the recommendation of the Chief Officers' Employment Committee from its meeting on 4 March 2024 to Council regarding the appointment of a Monitoring Officer pending the retirement of Mark Towers, the current Monitoring Officer, later this calendar year.

2.0 Recommendation(s):

- 2.1 To appoint Lorraine Hurst as the Council's Monitoring Officer from 01 April 2024 with a review by Council prior to the end of the calendar year.
- 2.2 That the duties and responsibilities assigned in the Constitution to the Director of Governance and Partnerships be assigned to the Monitoring Officer and those assigned to the Head of Democratic Governance be assigned to the Deputy Monitoring Officer, both with effect from 01 April 2024.

3.0 Reasons for recommendation(s):

- 3.1 The Chief Executive has considered the options for replacement of the Monitoring Officer pending the retirement of Mark Towers. Lorraine Hurst is the current Deputy Monitoring Officer and has been in that role since 2012. It is considered that as a transition to Mark leaving the Council then he has offered to step down as Monitoring Officer from 01 April 2024, to allow Lorraine to take on the role at an earlier juncture whilst Mark is still at the Council. Lorraine would then appoint Mark as a Deputy Monitoring Officer.
- 3.2 Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No
- 3.3 Is the recommendation in accordance with the Council's approved budget? Yes

4.0 Other alternative options to be considered:

4.1 Other alternative options to be considered:

To continue with Mark Towers as the Monitoring Officer and then make an appointment from his leaving date.

To appoint another officer from within the Council as Monitoring Officer.

To appoint an externally recruited Monitoring Officer.

5.0 Council Priority:

5.1 The relevant Council priorities are “The economy: Maximising growth and opportunity across Blackpool” and “Communities: Creating stronger communities and increasing resilience”.

6.0 Background Information

6.1 The existing Monitoring Officer and Director of Governance and Partnerships, Mark Towers will be retiring from the Council on 01 November 2024. Under Section 5 of the Local Government and Housing Act 1989 (as amended), the Council has a duty to designate the role of Monitoring Officer to an officer of the authority.

6.2 The Monitoring Officer has several statutory duties and responsibilities relating to the Council’s Constitution and arrangements for effective governance of the Council. These duties include maintaining the Constitution, ensuring that no decision or omission of the Council is likely to give rise to illegality or maladministration and promoting high standards of conduct.

6.3 The Chief Executive submitted a report to the Chief Officers Employment Committee on Monday 4th March regarding changes to the senior officer leadership structure as a result of this pending retirement. One change would see Lorraine Hurst the current Head of Democratic Governance be retitled Assistant Chief Executive (Governance) and report direct to the Chief Executive. The Chief Officer’s Employment Committee also agreed with the Chief Executive’s recommendation to appoint her as Monitoring Officer and have recommended Council accordingly.

6.4 The Committee is recommending that Lorraine Hurst be appointed Monitoring Officer from 01 April 2024 to allow Mark to then be appointed Deputy Monitoring Officer to support her in the role until he retires. Lorraine has significant governance experience and has been Deputy Monitoring Officer for the last 12 years.

6.5 There are in the Constitution a number of duties assigned to the Director of Governance and Partnerships and to the Head of Democratic Governance, including specifically those mentioned in Part 3 - Responsibility for functions. It is recommended that these be changed so that those assigned to the Director of Governance and Partnerships be assigned to the Monitoring Officer and those assigned to the Head of Democratic Governance be assigned to the Deputy Monitoring Officer.

6.6 Does the information submitted include any exempt information? No

7.0 List of Appendices:

7.1 None.

8.0 Financial considerations:

8.1 The retirement of the Director of Governance and Partnerships and the subsequent mini restructure will result in the same number of people, however the changes will contribute to the budget saving set out in the 2024/ 2025 revenue budget for the review of senior management.

9.0 Legal considerations:

9.1 Section 5 of the Local Government and Housing Act 1989 requires the Council to designate one of its officers as the Monitoring Officer. The Monitoring Officer cannot be the Council's Chief Finance Officer or the Chief Executive/Head of Paid Service.

10.0 Risk management considerations:

10.1 The Council has to have a Monitoring Officer to fulfil the statutory duties set out in the report. Lorraine is an experienced Deputy Monitoring Officer and the proposed transition will allow a smooth handover process.

11.0 Equalities considerations and the impact of this decision for our children and young people:

11.1 The recommended appointment is based on knowledge and experience and Lorraine's many years as a Deputy meaning that she would meet the requirements of the role, having acted as Monitoring Officer before in Mark's absence.

12.0 Sustainability, climate change and environmental considerations :

12.1 None directly from this report.

13.0 Internal / external consultation undertaken:

13.1 Consultation has taken place with the people listed in this report, the Leader of the Council, the Leader of the Principal Opposition Group and the members of the Chief Officers Employment Committee.

14.0 Background papers:

14.1 None.