

## BARNSELEY METROPOLITAN BOROUGH COUNCIL

**REPORT OF:** EXECUTIVE DIRECTOR CORE SERVICES

**TITLE:** APPOINTMENT OF AN INTERIM MONITORING OFFICER IN ACCORDANCE WITH SECTION 5 OF THE LOCAL GOVERNMENT AND HOUSING ACT 1989

<b>REPORT TO:</b>	<b>Full Council</b>
<b>Date of Meeting</b>	<b>25 July 2024</b>
<b>Cabinet Member Portfolio</b>	<b>Core Services</b>
<b>Key Decision</b>	<b>No</b>
<b>Public or Private</b>	<b>Public</b>

### **Purpose of report**

To appoint to the position of Monitoring Officer following the departure of Kate Charlton.

### **Council Plan priority**

Enabling Barnsley

### **Recommendation**

In accordance with Section 5 of the Local Government and Housing Act 1989, Andrew Perriman be appointed the Council's Interim Monitoring Officer with immediately effect.

## **1. INTRODUCTION**

- 1.1 In accordance with Section 5 of the Local Government and Housing Act 1989(as amended) the Council is required by law to appoint a Monitoring Officer.
- 1.2 The Monitoring Officer has a number of statutory duties and responsibilities relating to the Council's Constitution and the arrangements for effective governance. 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.
- 1.3 Kate Charlton, the Council's Interim Monitoring Officer and Service Director – Law and Governance, ended her employment with the Council on 29 June 2024. Until a permanent appointment has been made to a successor to the

role, Andrew Perriman – Interim Service Director Law and Governance has been recommended to fulfil the role of Monitoring Officer on an interim basis.

## **2. PROPOSAL**

It is recommended that in accordance with Section 5 of the Local Government and Housing Act 1989, Andrew Perriman be appointed the Council's Interim Monitoring Officer with immediate effect.

## **3. IMPLICATIONS OF THE DECISION**

### **3.1 Financial and Risk**

There are no direct financial implications as a result of the recommendations of this report.

### **3.2 Legal**

The statutory requirement to appoint a Monitoring Officer in accordance with Section 5 of the Local Government and Housing Act 1989

### **3.3 Equality**

Not applicable.

### **3.4 Sustainability**

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Not applicable.

### **3.5 Employee**

Not applicable.

### **3.6 Communications**

Not applicable.

## **4. CONSULTATION**

Not applicable.

## **5. ALTERNATIVE OPTIONS CONSIDERED**

Not applicable.

## **6. REASONS FOR RECOMMENDATIONS**

6.1 The role of Monitoring Officer is statutory, therefore not to appoint would subject the Council to legal challenge.

**7. GLOSSARY**

None.

**8. LIST OF APPENDICES**

None.

**9. BACKGROUND PAPERS**

None.

**10. REPORT SIGN OFF**

<b>Financial consultation &amp; sign off</b>	C Tyrell 03/07/2024
<b>Legal consultation &amp; sign off</b>	S.Khalifa 02.07.2024

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**Post: Executive Director – Core Services**  
**Date: 2 July 2024**