

TRAFFORD COUNCIL

Report to: Council
Date: 12 November 2014
Report for: For approval
Report of: Director of Legal and Democratic Services

Report Title

Designation of Statutory Scrutiny Officer and Deputy Monitoring Officer

Summary

To designate the Democratic and Performance Services Manager as the Council's Statutory Scrutiny Officer and note that the Head of Legal (Community) will act as the Deputy Monitoring Officer.

Recommendation(s)

That the Democratic and Performance Services Manager be designated as the Council's Statutory Scrutiny Officer.

That Council note that the Head of Legal (Community) will act as the Council's Deputy Monitoring Officer.

Contact person for access to background papers and further information:

Name: Jane Le Fevre
Extension: 4215

Background Papers:

None

1.0 Statutory Scrutiny Officer

1.1 The Local Democracy, Economic Development and Construction Act 2009 directs that a local authority in England must designate one of their officers to discharge the following functions

(a) to promote the role of the authority's Overview and Scrutiny Committee or Committees;

(b) to provide support to the authority's Overview and Scrutiny Committee or Committees and the members of that Committee or those Committees;

(c) to provide support and guidance to:

(i) members of the authority.

(ii) members of the executive of the authority, and

(iii) officers of the authority, in relation to functions of the authority's Overview and Scrutiny Committee or Committees.

1.2 The Act stipulates that a local authority may not designate any of the following under this section of the Act:

(a) the head of the authority's paid service designated under Section 4 of the Local Government and Housing Act, 1989;

(b) the authority's monitoring officer designated under Section 5 of that Act;

(c) the authority's chief finance officer, within the meaning of that section.

1.3 The role of Statutory Scrutiny Officer is often filled by the Head of Democratic Services/Democratic Services Manager as they provide the support for members on this function and so is felt to be an appropriate post to fulfil this role.

1.4 The Corporate Director for Transformation and Resources has been fulfilling this role for the Council. Given the Corporate Director has left the Council it is recommended that the Democratic and Performance Services Manager be designated to the role with immediate effect.

2.0 Deputy Monitoring Officer

2.1 The Director of Legal and Democratic Services automatically assumes the role of Monitoring Officer, as the Constitution of the Council specifies that the Proper Officer in respect of the Monitoring Officer role shall be the Director of Legal and Democratic Services. The Monitoring Officer may appoint somebody to act as the Deputy Monitoring Officer in their absence and following recent changes to the structure of the Legal Service has appointed the Head of Legal (Community) to fulfil that role.