

## **Meeting of the Council – 1<sup>st</sup> December, 2008**

### **Report of the Appointments Committee**

#### **Designation of the Head of Paid Service and of the Monitoring Officer**

##### **Purpose of the Report**

1. To request the Council to formally designate officers as the Head of the Paid Service and the Monitoring Officer following the recent appointments of the Interim Chief Executive and the Interim Director of Law and Property.

##### **Background**

2. At its meeting on 27<sup>th</sup> October, 2008, the Appointments Committee appointed John Polychronakis to the post of Interim Chief Executive with effect from 3<sup>rd</sup> November, 2008. Subsequently, at its meeting on 6<sup>th</sup> November, 2008, the Appointments Committee appointed Philip Tart to fill the post of Interim Director of Law and Property.
3. Article 12 of the Council's Constitution sets out the functions and areas of responsibility of Chief Officers. This makes provision for the Chief Executive to undertake the statutory role as the Head of Paid Service and the Director of Law and Property to undertake the statutory duties of the Monitoring Officer. The Head of the Paid Service cannot also be the Monitoring Officer.
4. Article 4.02 of the Constitution provides that it is a function reserved to the full Council to designate officers as the Head of Paid Service and as the Monitoring Officer. Accordingly, the Council now needs to consider these formal designations in respect of the Interim appointments made.

##### **Finance**

5. There are no direct financial implications arising from this report.

##### **Law**

6. Under Sections 4 and 5 of the Local Government and Housing Act 1989, the Council has a legal duty to designate officers as the Head of the Paid Service and as the Monitoring Officer. The requirement to designate these posts is also included in the Council's Constitution adopted in accordance with the provisions of Part II of the Local Government Act 2000.

## **Equality Impact**

7. The designation of the officers in this report has no direct implications for the Council's policies on equality and diversity and there are no direct implications for children and young people.

## **Recommendations**

8. That John Polychronakis, Interim Chief Executive, be designated as the Head of the Paid Service, pursuant to Section 4 of the Local Government and Housing Act 1989, and that the Interim Chief Executive be authorised to undertake all the necessary powers and duties of the post of Chief Executive in accordance with statutory requirements and the Council's Constitution.
9. That Philip Tart, Interim Director of Law and Property, be designated as the Monitoring Officer, pursuant to Section 5 of the Local Government and Housing Act 1989, and that the Interim Director of Law and Property be authorised to undertake all the necessary powers and duties of the post of Director of Law and Property in accordance with statutory requirements and the Council's Constitution.

*David Caunt*

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**Chairman of the Appointments Committee**