

Appointment of Solicitor and Monitoring Officer

Report by Chief Executive

Summary: This report seeks confirmation of the Authority's appointment of the Solicitor and Monitoring Officer for the Broads Authority.

Recommendation: Appointment of Victoria McNeil, Practice Director nplaw, as Solicitor and Monitoring Officer for the Broads Authority, and Stephen Bell as Deputy Monitoring Officer.

1 Introduction

- 1.1 The Authority must appoint a Monitoring Officer under Section 5 of the Local Government and Housing Act 1989. The Monitoring Officer is a statutory post which must be confirmed by the Authority.
- 1.2 The role of Monitoring Officer was filled by Victoria McNeill, of nplaw from March 2010 until 2 February 2015 when Mr Piero Ionta was appointed to the post of Solicitor and Monitoring Officer. Mr Ionta left the employment of the Authority on 4 January 2016. The Chief Executive, after consultation with the Chair of the Authority, has reappointed Ms McNeill as the Authority's Solicitor and Monitoring Officer and this action needs to be confirmed by the Authority. It is also proposed that Mr Stephen Bell, who has been a regular advisor to the Planning Committee be appointed as Deputy Monitoring Officer.

2 Recruitment to the Post of Solicitor and Monitoring Officer

- 2.1 The role of the Monitoring Officer is an important one and the duties include:
 - Reporting to the Authority in any case where the Monitoring Officer is of the opinion that any proposal or decision of the Authority has or is likely to give rise to any illegality or maladministration.
 - To be responsible for matters relating to the conduct of members and officers, including investigations into allegations about the conduct of Members.
- 2.2 For a small organisation there are some benefits for this to be an external appointment, particularly when dealing with matters concerning the conduct of members.
- 2.3 The Management Team has reviewed the performance of an internal Solicitor and Monitoring Officer post and concluded that it brings considerable benefits. A recruitment process has therefore been instituted to fill the vacancy.

However, there is recognition that the remuneration the Authority can offer is not competitive and that the last advert attracted a very small field of applicants. This may mean that, if the recruitment process is unsuccessful, returning to a contracted out service such as that provided by nplaw is the only practical option. In that case the normal procedure would be to seek competitive quotations for the service from suitably qualified practices. In the meantime it is proposed to continue with the arrangements with nplaw.

- 2.4 The timetable is to advertise the post in mid-January and interview applicants in early February. At that point it will become clear whether an internal appointment is feasible.

3 Conclusion

- 3.1 The Authority is requested to confirm the appointment of Victoria McNeil as the Monitoring Officer to the Broads Authority, Stephen Bell as the Deputy Monitoring Officer and to note the process for recruiting to the vacant post of Solicitor and Monitoring Officer.

Background papers:	None
Author:	John Packman
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Broads Plan Objectives:	None
Appendices:	None