

Appointment of Clerk and Monitoring Officer and Deputy Clerk and Monitoring Officer

Report of the Chief Fire Officer

For further information about this report please contact Alan Taylor, Chief Fire Officer, on 01743 260201 or Sharon Lloyd, Corporate Services Manager, on 01743 260210.

1 Purpose of Report

Sue Kembrey, the Fire Authority's Clerk and Monitoring Officer has recently taken up a new appointment and it is, therefore, necessary to put in place interim arrangements until such time as her position is filled at Borough of Telford & Wrekin. This report recommends the appointment of Roger Woliter (the current Deputy Monitoring Officer) as Clerk and Monitoring Officer to the Fire Authority and the appointment of Matthew Cumberbatch, Group Solicitor (Standards and Regulatory) at Borough of Telford & Wrekin, as Deputy Clerk and Monitoring Officer.

2 Recommendations

Members are asked to appoint:

- a) Roger Woliter as Clerk and Monitoring Officer; and
- b) Matthew Cumberbatch as Deputy Clerk and Monitoring Officer

to the Fire Authority, until such time as a further report is brought to Members in this respect.

3 Background

The statutory role of the Monitoring Officer was introduced under the Local Government and Housing Act 1989 to ensure that local authorities operate within the law and within any codes of practice, and that maladministration or injustice does not occur.

In 1997 the Home Office suggested that combined fire authorities should give careful consideration to the appointment of a Clerk to the Authority and that this could be combined with the role of the Monitoring Officer. The Clerk is responsible for calling all meetings of the Authority and ensuring that proper arrangements for meetings are in place.

The Local Government Act 2000 substantially enhanced the role of the Monitoring Officer, giving it key responsibilities in supporting Standards Committees. The duties of the Monitoring Officer are performed personally or, where the Monitoring Officer is unable to act personally as a result of absence or illness, by such member of staff, who has been nominated as Deputy.

4 The Current Position

Sue Kembrey was appointed as Clerk and Monitoring Officer to the Fire Authority on 1 October 1999. On 25 July 2002 the Fire Authority appointed Roger Woliter as its Deputy Monitoring Officer to provide cover in the absence of the Monitoring Officer. Sue Kembrey has recently taken up an appointment elsewhere and it is, therefore, necessary to appoint a replacement.

5 Recommendations

Members are recommended to appoint Roger Woliter (the current Deputy Monitoring Officer) as Clerk and Monitoring Officer to the Fire Authority and Matthew Cumberbatch as Deputy Clerk and Monitoring Officer. Officers will review this arrangement, when Sue Kembrey's position has been filled at Borough of Telford & Wrekin, and will bring a report to the Authority at that time.

Matthew Cumberbatch is Group Solicitor (Standards and Regulatory) in Legal and Democratic Services at Borough of Telford & Wrekin. He currently works with the Fire Authority's Standards Committee, providing legal advice on all standards-related issues, in which the Committee is involved.

6 Financial Implications

There are no financial implications arising from this report. The Fire Authority has service level agreements in place with Borough of Telford & Wrekin for the provision of clerking and monitoring officer services, which will not be affected by the recommendations.

7 Legal Comment

Under the Local Government and Housing Act 1989 the Fire Authority is required to designate an officer as its Monitoring Officer.

8 Equality Impact Assessment

An Initial Equality Impact Assessment has been completed for this report.

9 Appendices

There are no appendices attached to this report.

10 Background Papers

Shropshire and Wrekin Fire Authority

15 September 1999, Report 7 - Appointment of Clerk and Monitoring Officer, and Minutes

Standards Committee 1 July 2002, Report 5 – Appointment of Deputy Monitoring Officer, and Minutes

25 July 2002 Item 10b – Standards Committee Minutes 1 July 2002, and Minutes

Her Majesty's Government

The Local Government and Housing Act 1989

The Local Government Act 2000

Implications of all of the following have been considered and, where they are significant (i.e. marked with an asterisk), the implications are detailed within the report itself.

Balanced Score Card		Integrated Risk Management Planning	
Business Continuity Planning	*	Legal	*
Capacity		Member Involvement	
Civil Contingencies Act		National Framework	
Comprehensive Performance Assessment		Operational Assurance	
Efficiency Savings		Retained	
Environmental		Risk and Insurance	
Financial	*	Staff	
Fire Control/Fire Link		Strategic Planning	
Information Communications and Technology		West Midlands Regional Management Board	
Freedom of Information / Data Protection / Environmental Information		Equality Impact Assessment	*