

Meeting COUNCIL
Portfolio Area ALL
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APPOINTMENT OF MONITORING OFFICER

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1. PURPOSE

- 1.1 To appoint a Monitoring Officer in accordance with s5 Local Government and Housing Act 1989.

2. RECOMMENDATIONS

- 2.1 That Victoria Wilders be appointed as the Council’s Monitoring office with effect from 1 January 2025.

3. BACKGROUND

- 3.1 Under s5 Local Government and Housing Act 1989 the Council must designate one of its officers as its Monitoring Officer.
- 3.2 The Monitoring Officer has a number of key roles which include:
- Responsible for producing a report where they are of the opinion that any proposal, decision or omission of the Council, its committees or sub-committees or anyone employed by the Council is, or is likely to be, illegal;
 - Obligated to report findings of maladministration to members and
 - Responsible for maintaining the register of Members’ interests and for administering the arrangements for considering complaints of breaches of the Members’ Code of Conduct
- 3.3 In December 2022, the Council appointed Simon Pugh, Assistant Chief Legal Officer at Hertfordshire County Council, as Monitoring Officer. Simon Pugh is retiring and his employment will end in January 2025. Victoria Wilders has been appointed as part of the Hertfordshire County Council/Stevenage shared

service as Assistant Chief Legal Officer with lead responsibility for Stevenage Borough Council.

- 3.4 The County Council has agreed to second Victoria Wilders to Stevenage Borough Council under s113 Local Government Act 1972 to fulfil the role of Borough Solicitor. Under s113 (2) she will remain employed by the County Council, but for the purposes of any enactment relating to the discharge of local authorities' functions is to be treated as an officer of Stevenage Borough Council. She is therefore eligible for appointment by Stevenage Borough Council as its Monitoring Officer.
- 3.5 Victoria Wilders will be the Lead Lawyer for the Shared Legal Service and will be responsible for the day-to-day operation of the service.

4. REASONS FOR RECOMMENDED COURSE OF ACTION AND OTHER OPTIONS

- 4.1 Victoria Wilders has a strong local government law background spanning over 16 years and her experience was tested by a competitive recruitment process. She is currently the Legal Services Manager and Deputy Monitoring Officer at East Hertfordshire District Council, a position she has held since 2016. Mrs Wilders provides advice, support and guidance on a wide range of issues and corporate plan projects, has extensive member engagement experience and partnership working; notable work to date includes providing legal support in respect of the Harlow and Gilston Garden Town project, a cross boundary initiative to deliver growth and regeneration for new and existing communities.
- 4.2 There will be a handover period between the appointment of Victoria Wilders and the departure of the current Monitoring Officer, ending on 31 January 2025. During this period, the current Monitoring Officer will act as Deputy MO.

5. IMPLICATIONS

5.1 Financial Implications

The cost of the Monitoring Officer is paid by Stevenage Borough Council to Hertfordshire County Council in accordance with the Partnership Agreement relating to the Shared Legal Service

5.2 Legal Implications

The legal implications are set out in the body of the report.

APPENDICES

None