

Open Report on behalf of Richard Wills, Monitoring Officer

Report to:	County Council
Date:	20 May 2016
Subject:	Monitoring Officer's Annual Report 2015-16

Summary:

The Monitoring Officer has to report a number of matters to councillors as part of his statutory duties and as a result of his responsibilities within the Council's Constitution. This has been done in a brief Annual Report to the Council. The Council is invited to receive the report. Mr Wills will be pleased to discuss any part of the report with councillors individually.

Recommendation(s):

1. The Council receives the report.

1. Background

The law requires the County Council to designate one of its senior officers as the Monitoring Officer. Richard Wills, the Executive Director for Environment & Economy, was appointed by the Council in February 2014 and commenced his duties on 1 April 2014.

Under the law and Constitution of this Council, the Monitoring Officer's duties include:

- Maintaining the Council's Constitution;
- Ensuring the Council operate within the law;
- Reporting to relevant people findings of maladministration by the Local Government Ombudsman;
- Promoting and maintaining high standards of conduct within the Council;
- Ensuring that councillors maintain a register of their interests; and that officers declare interests;
- Ensuring that decisions are properly recorded and accessible to the public;
- To act as the Senior Responsible Person in relation to the operation of the Regulation of Investigatory Powers Act (2000);
- To act as the Responsible Person for the Council's Confidential Reporting Code.

2. Conclusion

The Monitoring Officer has prepared an annual report that gathers into one place all the issues that he has to report to councillors. This provides a means to enable councillors to satisfy themselves that the Council is complying with the law and have sight of any issues that should be brought to their attention.

In 2015-16, there were no occasions where the Monitoring Officer had to write a report warning the Council that it might infringe the law. There was only one breach of the Councillor's Code of Conduct, which required a formal Hearing Panel to be constituted. There were 9 final or draft findings of maladministration by the Local Government Ombudsman. The council was subject to one Judicial Review Judgment regarding the Council's decision on its Library Service but the Court dismissed the claim.

Officers in Trading Standards authorised 11 operations under the Regulation of Investigatory Powers Act.

The Annual Report, attached as Appendix A, contains other detailed information.

3. Legal Comments:

The Report informs the Council of activities falling within the remit of the Monitoring Officer in the Year 2015/16

4. Resource Comments:

There are no financial implications arising as a result of the acceptance of the recommendation in this report.

5. Consultation

a) Has Local Member Been Consulted?

n/a

b) Has Executive Councillor Been Consulted?

n/a

c) Scrutiny Comments

n/a

d) Policy Proofing Actions Required

n/a

6. Appendices

These are listed below and attached at the back of the report	
Appendix A	Monitoring Officer's Annual Report 2015-16

7. Background Papers

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Richard Wills, who can be contacted on 01522 553001 or richard.wills@lincolnshire.gov.uk.

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