

REPORT TO	Cabinet Council
DATE	2 nd September 2010 2 nd September 2010
SUBJECT	Proper Officer and Monitoring Officer Functions
WARDS AFFECTED	All
REPORT OF	Chief Executive
CONTACT OFFICER	Assistant Chief Executive (Contact: Andrea Grant Ext 2030)
EXEMPT/ CONFIDENTIAL	No

PURPOSE/SUMMARY:

To propose that the Assistant Director (Strategic Development & Management), Leisure Services shall be appointed as Proper Officer in relation to the registration of Births, Marriages and Deaths with effect from 3rd September, 2010.

To Propose that the Acting Head of Corporate Legal Services shall assume the role of Monitoring Officer for the Council with effect from 3rd September 2010 whilst the Head of Corporate Legal Services is on maternity leave.

REASON WHY DECISION REQUIRED:

The Council must have an officer responsible for all functions in relation to the registration of Births, Marriages and Deaths.

The Council must have a Monitoring Officer pursuant to s.5 of the Local Government and Housing Act 1989.

RECOMMENDATION(S):

That the Cabinet recommend to the Council that:

(1) the Assistant Director (Strategic Development & Management), Leisure Services be appointed as the Proper Officer for the registration of Births, Marriages and Deaths under the provisions of the Local Government Act 1972 and Registration Services Act 1953 and the regulations made thereunder;

(2) the Acting Head of Corporate Legal Services be appointed as the Monitoring Officer pursuant to s.5 of the Local Government and Housing Act 1989 with effect from 3rd September 2010 until such time as the Head of Corporate Legal Services

returns to work following a period of maternity leave.

KEY DECISION: No

FORWARD PLAN: Not appropriate

IMPLEMENTATION DATE: Following consideration by Full Council

ALTERNATIVE OPTIONS:

That other appropriate persons be designated.

IMPLICATIONS:

Budget/Policy Framework: No additional financial implications.

Financial: There are no direct financial implications associated with the appointment of the Monitoring Officer or the Proper Officer for Births, Marriages and Deaths, as it is assumed this responsibility is within their current grade.

<u>CAPITAL EXPENDITURE</u>	2006/ 2007 £	2007/ 2008 £	2008/ 2009 £	2009/ 2010 £
Gross Increase in Capital Expenditure				
Funded by:				
Sefton Capital Resources				
Specific Capital Resources				
<u>REVENUE IMPLICATIONS</u>				
Gross Increase in Revenue Expenditure				
Funded by:				
Sefton funded Resources				
Funded from External Resources				
Does the External Funding have an expiry date? Y/N	When?			
How will the service be funded post expiry?				

Legal: The Council must have a Proper Officer for Births, Marriages and Deaths and must have a Monitoring Officer.

Risk Assessment:

Asset Management: Not applicable

CONSULTATION UNDERTAKEN / VIEWS

Chief Executive, Director of Corporate Services, Head of Corporate Legal Services, Assistant Chief Executive and Leisure and Tourism Director.

CORPORATE OBJECTIVE MONITORING:

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community		√	
2	Creating Safe Communities		√	
3	Jobs and Prosperity		√	
4	Improving Health and Well-Being		√	
5	Environmental Sustainability		√	
6	Creating Inclusive Communities		√	
7	Improving the Quality of Council Services and Strengthening local Democracy	√		
8	Children and Young People		√	

LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT

None

BACKGROUND:**1.0**

- 1.1 The Assistant Director (Democratic Services) is currently the Proper Officer for the registration of Births, Marriages and Deaths under the provisions of S112 of the Local Government Act 1972 and the Registration Services Act 1953 and appropriate regulations. It is proposed that the Assistant Director (Strategic Development and Management), Leisure Services be appointed the Proper Officer following the transfer of the related services to the Leisure Services Department.
- 1.2 The Head of Corporate Legal Services is currently the Monitoring Officer under the provisions of s.5 of the Local Government and Housing Act 1989 and she is due to commence a period of maternity leave with effect from 3rd September 2010. For the duration of the maternity leave the Principal Solicitor (Children and Social Care Team) will take the position of Acting Head of Corporate Legal Services and it is proposed that he undertake the role of the Monitoring Officer whilst he holds the post of Acting Head of Corporate Legal

Services. The Assistant Director (Democratic Services) will remain as the Deputy Monitoring Officer for the Council.