

**PART EXEMPT**

**HAVANT BOROUGH COUNCIL**

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**HUMAN RESOURCES COMMITTEE**

**DATE 27<sup>th</sup> Apr 22**

**Appointment of Interim Chief Legal Officer & Monitoring Officer**

**Report by Interim Head of Paid Service**

**FOR DECISION**

**Key Decision: No**

**Report No.: HBC/049/2022**

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**1.0 Purpose of Report**

This report sets out the interview process for the Interim Chief Legal Officer & Monitoring Officer and also contains a recommendation on appointment.

**2.0 Recommendation**

That:

- a) *In accordance with Section 5 of the Local Government and Housing Act 1989, Committee recommends to full Council that they appoint Mr Mark Watkins as Interim Chief Legal Officer & Monitoring Officer until such time as a permanent appointment has been made*

**3.0 Background**

- 3.1** Havant Borough Council on the 26th of January 2022 resolved *"To agree to withdraw from the Joint Management Team Agreement subject to a business case being reported to the next meeting of the Council exploring the risks, issues, benefits, and costs of the withdrawal..."*
- 3.2** At February Council, Members approved the outline business plan for the delivery of the preferred option as set out in the Options Appraisal and Business Case within which is contained the Havant Borough Council Business Plan. Section 2 of that Plan deals with Leadership Capacity and Organisation Design and states: *"A key aspect of the preferred option of a standalone*

*council is the desire to enhance leadership capacity to deliver corporate objectives. The Council has already appointed an Acting Chief Executive and.... more immediately, the Acting CEO will employ a temporary.... [sole] monitoring officer as swiftly as possible to fulfil the Council's statutory obligations."*

- 3.3** As a result of the decision referred to in paragraph 3.1 above, the monitoring officer role for Havant Borough Council has recently been vacated.
- 3.4** As part of the proposed structure of the new Senior Management Team for Havant Borough Council, the Acting Chief Executive as Head of Paid Service requires a Chief Legal Officer who will also undertake the statutory role of Monitoring Officer. Committee is asked to recommend to full Council that Mr Watkins be appointed as Interim Chief Legal Officer & Monitoring Officer on an interim basis for the period of time it takes to recruit permanently to this post.

#### **4.0 Subject of Report**

- 4.1** Order 89.1 of Officer Employment Standing Orders (Part Three, Section F) (the ESOs) provides that where the council proposes to appoint exclusively from amongst existing officers then this Committee shall *"make arrangements in connection with this appointment"*. This report sets out below what those arrangements should be.
- 4.2** The above arrangements will consist of the following:
1. Interview by this Committee
  2. Assessment
  3. Recommendation (as appropriate)
  4. Consultation with Cabinet Members
  5. Appointment by full Council

For the convenience of Committee a Job Description for this role is annexed at Appendix No 1. A curriculum vitae for Mr Watkins is annexed to this report at Appendix No 2.; HR Committee will undertake Stages 1, 2 & Stage 3; consultation (Stage 4) will be handled by the Head of OD.

- 4.3** Order 87.2 of the ESOs provides that where the Council is proposing to appoint a chief officer then the Committee shall include at least one Cabinet member.
- 4.4** Attached at Appendix No 1 to this report is the Job Description for monitoring officer.

**4.5** Attached at Appendix No 2 is the curriculum vitae for Mr Watkins

**5.0 Implications**

**5.1 Resources:** The interim post will be met within existing budgets

**5.2 Legal:** It is a statutory requirement contained within s5 of the Local Government and Housing Act 1989 to appoint a monitoring officer

**4.3 Consultation**

Discussed with the Leader & Deputy Leader

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**Appendix No 1** - Job Description

**[EXEMPT] Appendix No 2** - Curriculum Vitae