

ERW JOINT COMMITTEE

30 MARCH 2021

Legal and Monitoring Officer Services from April to August 2021

Purpose: To consider the provision of Legal and Monitoring Officer service arrangements from April to August 2021.

RECOMMENDATIONS / KEY DECISIONS REQUIRED:

To appoint the Lead Authority responsible for Legal and Monitoring Officer services, from 1st April to 31st August 2021.

REASONS: Currently the Legal and statutory Monitoring Officer function is undertaken by Ceredigion. As from 1st April 2021, Ceredigion will no longer be a member of the ERW Consortium and therefore one of the remaining Local Authorities needs to provide these functions.

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**EXECUTIVE SUMMARY
ERW JOINT COMMITTEE
30 MARCH 2021**

Legal and Monitoring Officer Services from April to August 2021

In ERW's Joint Committee Legal Agreement, the roles of the Lead Authorities are noted. These include Human Resources, Financial & Section 151 Officer functions, Administration of Committees and Legal and Monitoring Officer Services.

It states clearly that the Joint Committee shall be responsible for appointing the Lead Authority for each of the functions.

To date, Ceredigion have been effectively providing ERW with the Legal and Monitoring Officer services. As Ceredigion will no longer be an ERW partner from the 1st of April 2021 they will no longer provide this function.

The Legal Agreement clarifies the respective functions. The Lead Authority responsible for Legal and Monitoring Officer services shall supervise the governance arrangements and operation of the Joint Committee, the Executive Board and the Consortium in accordance with the terms of the Legal Agreement, conduct legal proceedings under Clause 11 of it, and ensure compliance with relevant legislation and good practice.

The Joint Committee needs to secure interim arrangements for the period 1st April to 31st August 2021.

A permanent arrangement will need to be made from 1st September 2021 onwards in respect of any new organisation formed

DETAILED REPORT ATTACHED?

NO



IMPLICATIONS

Policy, Crime & Disorder and Equalities YES	Legal YES	Finance NO	Risk Management Issues YES	Staffing Implications NO
<p>Policy, Crime & Disorder and Equalities ERW needs to ensure it complies will all policies and related legislation and the Monitoring Officer is a key role in ensuring compliance.</p>				
<p>Legal Legal advice is required by the Joint Committee and officers on a regular basis to ensure compliance with legislation. The Legal Agreement requires the appointments to be made.</p>				
<p>Risk Management If these functions are not covered, it places the organisation at risk.</p>				

CONSULTATIONS

<p>Details of any consultations undertaken are to be included here</p> <p>NONE</p>
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<p>Section 100D Local Government Act, 1972 – Access to Information List of Background Papers used in the preparation of this report: THESE ARE DETAILED BELOW</p>		
Title of Document	File Ref No.	Locations that the papers are available for public inspection
Joint Committee Legal Agreement		Available from each partner Local Authority.

