

NEW FOREST NATIONAL PARK AUTHORITY

AUTHORITY MEETING – 28 MAY 2009

APPOINTMENT OF MONITORING OFFICER

Report by: Lindsay Cornish, Chief Executive

Summary:

To obtain approval from the Authority for the appointment of Barbara Beardwell, Deputy Head of Legal Services for Hampshire County Council, to replace Kevin Gardner as Monitoring Officer for the Authority, following his recent change in responsibilities at Hampshire County Council.

Recommendation:

That Ms Barbara Beardwell, Deputy Head of Legal Services for Hampshire County Council, be appointed as Monitoring Officer in accordance with Section 5 of the Local Government and Housing Act 1989, with effect from the end of today's meeting, under the terms of the agreement for provision of legal services by Hampshire County Council.

Resources:

Included within the 2009/10 budget for the provision of legal services.

Papers:

NFNPA 296/09:	Cover report
NFNPA 77/06:	Appointment of Monitoring Officer

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1 Background

- 1.1 The National Park Authority must, under Section 5 of the Local Government and Housing Act 1989, appoint a Monitoring Officer.
- 1.2 Legal services to the Authority have been provided by Hampshire County Council's Legal Practice under a Service Level Agreement since the Authority became operational in April 2006. In accordance with this agreement the Authority resolved on 25 April 2006, to appoint Kevin Gardner, Head of Legal Practice, Hampshire County Council as the Authority's Monitoring Officer.

2 Appointment of a new Monitoring Officer

- 2.1 Due to internal structural changes at the County Council, following a fundamental review of corporate and central services, Kevin Gardner has recently taken over the responsibilities of Head of Legal Services to the County Council. This responsibility includes acting as principal legal adviser to Hampshire Police Authority and Hampshire Fire and Rescue Authority. As a result, Kevin has had to review existing commitments, and it is proposed that the responsibilities of Monitoring Officer to the Authority be transferred to the Deputy Head of Legal Services at the County Council, Barbara Beardwell.
- 2.2 Barbara accompanied Kevin to the recent meeting of the Standards Committee, and had the opportunity to meet some members there.
- 2.3 It will not be necessary for the Authority to approve the appointment of a Deputy Monitoring Officer, because the relevant legislation provides for this to be done by the Monitoring Officer. However, subject to the recommendation being agreed, it is proposed to appoint Liz Ellam, Principal Solicitor with Hampshire County Council, as Deputy Monitoring Officer.
- 2.4 Grateful thanks are due to Kevin Gardner for the guidance he has provided to the Authority in the last three years.

3. Renewal of Agreement for Legal Services

- 3.1 The existing SLA is due to expire at the end of June 2009. However, both the Authority's Resources and Performance Committee, and the County Council's Executive Member for Policy and Resources, have indicated their support for this arrangement being renewed, subject to further discussion on some matters of detail. A further report on the new arrangements will be brought to Resources and Performance Committee and the full Authority in June, for approval.

Recommendation:

That Ms Barbara Beardwell, Deputy Head of Legal Services for Hampshire County Council, be appointed as Monitoring Officer in accordance with Section 5 of the Local Government and Housing Act 1989, with effect from the end of today's meeting, under the terms of the agreement for provision of legal services by Hampshire County Council.