

15th APRIL 2003**ACTING PROPER OFFICER AND ACTING MONITORING OFFICER**

SUMMARY: Members are invited to appoint a "Proper Officer" and designate a "Monitoring Officer" for the Cairngorms National Park Authority.

1. Background

- 1.1** The Cairngorms National Park Designation, Transitional and Consequential Provisions (Scotland) Order 2003 provides until such time as the Authority appoints a Proper Officer for the purposes of Part IIIA of the 1973 Act or for the purposes of Schedule 7 to that Act, the Proper Officer of the Highland Council shall act as the Proper Officer of the Authority.
- 1.2**
- 1.3**
- 1.4** The role of the Proper Officer is primarily to ensure compliance with the legislative arrangements regarding the calling of meetings, access to information and the conduct of meetings through Standing Orders, etc.

The role of the "Monitoring Officer" is to be responsible for the activities or omissions of committees, sub-committees and persons who hold any office or employment under the Authority (i.e. its elected members or officers). The Monitoring Officer is obliged to make a report to the Authority in the event of any impropriety or maladministration occurring. The Designation Order requires the Authority to appoint a Monitoring Officer or an interim Monitoring Officer until the date of designation of an Officer.

In the circumstances, it is appropriate to recommend that the Interim Chief Executive be appointed as Interim Proper Officer and Interim Monitoring Officer.

RECOMMENDATION: Members are invited to agree that the interim Chief Executive be appointed [a] as the Authority's Interim Proper Officer for the purposes of Part IIIA of the Local Government (Scotland) Act 1973 and [b] as its Interim Monitoring Officer as required by section 5[1] of the Local Government and Housing Act 1989 until the Authority has determined the designation of these positions within its approved management structure and has made the appropriate appointments to such positions.

Signature:

Designation: Chief Executive, Highland Council

Date: 2nd April 2003