



Civic Offices  
St Nicholas Way  
Sutton  
Surrey  
SM1 1EA

Friday, 19 September 2025

To: **All Councillors of the London Borough of Sutton**

Dear Councillor,

You are hereby summoned to attend an Extraordinary Meeting of the **COUNCIL** of the **LONDON BOROUGH OF SUTTON** to be held in the **CIVIC OFFICES - ST NICHOLAS WAY, SUTTON, SM1 1EA** on Monday, 29th September, 2025 at 7.00 pm for the transaction of the business stated on the agenda below.

Yours sincerely

Chief Executive

**Note:** This meeting will be recorded and made available on the Council's website.

The Council allows and welcomes any recording, photographing or filming of the proceedings of a council meeting or use of social media by any member of the public, media or councillor, subject to it focusing on, and not disrupting, the meeting. Mobile devices can interfere with the wireless microphones and induction loop, and if that is the case the Chair may require that such devices are turned off. In order to facilitate the recording of meetings, members of the public or media are encouraged to contact [committeeservices@sutton.gov.uk](mailto:committeeservices@sutton.gov.uk) in advance.

Enquiries to: Alexa Coates, Head of Committee and Management Support Tel: 020 8770 4990 | Email: [committee.services@sutton.gov.uk](mailto:committee.services@sutton.gov.uk)

Copies of reports are available in large print on request

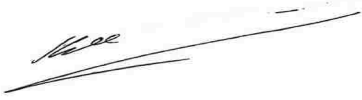
## **AGENDA**

- 1. MAYOR'S ANNOUNCEMENTS**
- 2. DECLARATIONS OF INTEREST**

Councillors to declare any personal or prejudicial interests that they have on matters to be discussed at this evening's Council meeting.

- 3. DESIGNATION OF A MONITORING OFFICER (Pages 1 - 4)**

**Designation of a Monitoring Officer**

<b>Report Title</b>	Designation of a Monitoring Officer		
<b>Committee</b>	Council		
<b>Meeting Date</b>	29 September 2025		
<b>Chair</b>	Councillor Louise Phelan, Mayor of the London Borough of Sutton		
<b>Report From</b>	Helen Bailey, Chief Executive		
<b>Report Author(s)</b>	Richard Simpson, Strategic Director of Resources		
<b>Wards Affected</b>	Council Business		
<b>Ambitious for Sutton priorities</b>	Action on climate change An inclusive place for everyone Quality and affordable housing Strong and fair economic growth Campaign for quality local services An efficient and well run Council		
<b>Open/Exempt</b>	Open		
<b>Signed</b>		<b>Date</b>	17 September 2025

**1 Summary**

- 1.1 Delivery of Sutton Council's ambitions for the borough requires sound decision-making. Councillors and officers should be confident that decisions are being taken with clear legal advice and, when matters are being taken through a committee/Council decision, that councillors have access to the information and advice they will need to take such decisions.
- 1.2 Reporting into the Strategic Director of Resources and advising officers and councillors, the post of Monitoring Officer is key in delivery of both the council's most significant programmes - such as the London Cancer Hub - and all other decisions the council's committees and officers take. The Monitoring Officer also oversees the council's Code of Conduct and seeks to foster good relations between councillors, officers, and partners.
- 1.3 Following a meeting of the Senior Officer Appointments Committee, this report proposes the designation of a permanent Monitoring Officer from 3 November 2025 and outlines the interim arrangements in place.

## **2 Recommendations**

- 2.1 To designate Siraj Choudhury as Monitoring Officer from 3 November 2025 onwards as per the recommendation of the Senior Officer Appointment Committee.
- 2.2 To note Alexa Coates Deputy Monitoring Officer, has been acting as interim Monitoring Officer since August and will continue to do so until 3 November 2025.

## **3 Background and Key Information**

- 3.1 The council is required under Section 5 of the Local Government and Housing Act 1989 to designate an officer to act as Monitoring Officer.
- 3.2 The functions of the Monitoring Officer are set out in Article 11 of the Constitution and include:
- oversight and reporting of the operation of the council's constitutional arrangements and decision-making practices
  - contributing to the promotion and maintenance of high standards of conduct
  - investigating allegations of breaches of the Code of Conduct
  - maintaining a register of interests
- 3.3 Following an external search and selection process a Senior Officer Appointment Committee met on 21 July 2025 and appointed Siraj Choudhury as Director of Law and Governance. Siraj will be starting with the Council on 3 November, the designation of the role of Monitoring Officer is a decision for Council and so Council is asked to note the interim arrangements in place since August that will continue until November.
- 3.4 Alexa Coates has fulfilled the role of Deputy Monitoring Officer for a number of years and has acted as Monitoring Officer in similar circumstances. As an experienced Deputy Monitoring Officer she is considered the most suitably qualified in the Council to fulfil the role in the interim.

## **4 Benefits to Sutton and its Residents**

- 4.1 The Monitoring Officer is a crucial role in the Council. They work closely with the other statutory roles of the Council, Head of Paid Service and Section 151 Officer to ensure effective decision-making, legal compliance, and ethical conduct within a local authority. The role of the Monitoring Officer has specific responsibility for maintaining the council's constitution, overseeing the conduct of councillors and officers, and reporting on potential illegal or maladministrative actions. They also play a crucial role in investigating complaints of misconduct and advising on legal matters.

## **5 Implications**

**Designation of a Monitoring Officer**

- 5.1 By designating the recommended individuals as interim Monitoring Officer and Monitoring Officer, the council will fulfil its legal obligation of having an officer continually designated

Equalities Implications

- 5.2 There are no material equalities implications resulting from the recommendation(s) of this report.

Climate Implications

- 5.3 There are no material climate implications resulting from the recommendations of this report.

**6 Finance and Legal Commentary**Finance Comment

- 6.1 The Monitoring Officer role is fulfilled by the Director of Law and Governance, there is an allocated budget for this role.

Legal Comment

- 6.2 The council is required by section 5 of the Local Government and Housing Act 1989 to designate an officer of the council as Monitoring Officer. The Monitoring Officer may not be the Head of Paid Service or the Section 151 Officer. In Sutton Council, these roles are held by:

- Chief Executive: Head of Paid Service
- Strategic Director of Resources: Section 151 Officer

- 6.3 There are a range of statutory duties attached to the role requiring the Monitoring Officer to report to the Council should it appear that the authority, or any part of it, has acted or is likely to act illegally or in such a manner as to constitute maladministration or service failure, where the Local Government Ombudsman has conducted an investigation in relation to the matter. The duty to report on actual or potential illegality includes investigating a failure to comply with the Constitution, so would cover actions such as wrongful delegation, failure to comply with standing orders or conduct of meetings.
- 6.4 The recommendations in this report ensure the Council is compliant with its legal obligation as regards the appointment of a Monitoring Officer.

## 7 Appendices and Background Documents

### 7.1 Appendices

Appendix Letter	Appendix Title
N/A	N/A

### 7.2 Background Documents

Date of Expiry	Background Document
N/A	N/A

## 8 Consultations

Consultees	Yes/No	Officer	Date of Comments
Finance	Yes	Richard Simpson	21/08/25
Legal	Yes	Tracy Swan Head of Law, Property, Planning & Employment, SLLP	08/09/2025
Commercial and Procurement	No	N/A	N/A
Equalities Impact Assessment (EQIA)	No	N/A	N/A
Climate Impact Assessment (CIA)	No	N/A	N/A