

Report for: Extraordinary Full Council 12 February 2024

Title: Designation of the Council's Section 151 Officer under the Local Government Act 1972

Report authorised by : Fiona Alderman, Assistant Director for Legal and Governance

Lead Officer: Ayshe Simsek – Democratic Services and Scrutiny Manager

Ward(s) affected: N/A

**Report for Key/
Non Key Decision:** Non key decision

1. Describe the issue under consideration

1.1 Section 151 of the Local Government Act 1972 requires the Council to designate one of its officers with responsibility for the proper administration of its financial affairs. This report seeks approval to designate the newly appointed Director of Finance with the statutory section 151 Officer responsibilities to enable the appointed Director of Finance officer to fulfil this statutory responsibility.

2. Cabinet Member Introduction
N/A

3. Recommendations

It is recommended that full Council:

3.1 Designate the statutory role of Section 151 Officer to the post of Director of Finance and to Taryn Eves which is to take effect from the 27th of May 2024.

4. Reasons for decision

This is a statutory requirement upon the Council.

5. Alternative options considered

There is no alternative option, this is a statutory requirement.

6. Background information

- 6.1 Section 151 of the Local Government Act 1972 requires the Council to designate one of its officers with responsibility for the proper administration of its financial affairs.
- 6.2 The Full Council is responsible for the designation of the statutory powers of the Section 151 Officer.
- 6.3 Following agreement of the Appointments Panel to appoint Taryn Eves to the Director of Finance post, the Council is also asked to designate the statutory role of Section 151 Officer to Taryn Eves to take effect from the 27th of May 2024.
- 6.4 Section 151 of the Local Government Act 1972 requires the Council to ensure that one officer has the responsibility for the Council's financial affairs.
- 6.5 Article 11.01c – of the Constitution advises that the Council has to appoint officers to fulfil the statutory roles identified in Part 3, Section E, Section 3.
- 6.4 Section 151 Local Government Act 1972 states that the Council is required to 'make arrangements for the proper administration of their financial affairs and shall secure that one of their officers has responsibility for the administration of those affairs'. Section 113 of the Local Government Finance Act 1988 requires the person to be a member of a specified accounting body, namely a professionally qualified accountant.
- 6.6 In accordance with section 114 Local Government Finance Act 1988, when the statutory section 151 officer is unable to act due to absence or illness, they are able to nominate someone to act on their behalf. This person should also be a professionally qualified accountant.

7. Contribution to strategic outcomes

This is a key statutory officer post that will support the delivery of strategic outcomes.

8. Statutory Officers comments (Chief Finance Officer (including procurement), Assistant Director of Corporate Governance, Equalities)

Finance

There are no financial implications arising from this decision.

8.2 Legal

The legal and constitutional implications are set out in the body of the report.

8.3 Equalities

N/A

9. Use of Appendices

None

10. Local Government (Access to Information) Act 1985

None