

**Report for:** Full Council 14 March 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:** Ben Hunt, Head of Chief Executive's Office

**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. The Council's current designated Section 151 Officer, Jon Warlow, will leave the Council on 31 March 2024. Following a recruitment process the Council has appointed a new Director of Finance, Taryn Eves, who will start on 27 May 2024. Full Council took a decision to designate Taryn Eves as the new Section 151 Officer at Extraordinary Full Council meeting on 12 February 2024, taking effect from 27 May 2024.
- 1.2 This report seeks approval to designate Josephine Lyseight as Section 151 Officer in the intervening period, from 01 April 2024 to 26 May 2024. This is to enable the Council to fulfil this statutory responsibility.

## **2. Cabinet Member Introduction**

N/A

## **3. Recommendations**

- 3.1 It is recommended that Full Council:
- 3.2 Designate the statutory role of Section 151 Officer to Josephine Lyseight for the period of 01 April to 26 May 2024.

## **4. Reasons for decision**

This is a statutory requirement upon the Council.

## **5. Alternative options considered**

5.1 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 For the period between the Council's current designated Section 151 Officer, Jon Warlow, leaving and the newly appointed Section 151 Officer, Taryn Eves, starting, the Council is asked to designate the statutory role of Section 151 officer to Josephine Lyseight. This will be for the period 01 April 2024 to 26 May 2024. Josephine is the council's Assistant Director for Finance and Deputy Section 151 Officer, and will take on additional responsibilities as Section 151 Officer during this period.

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**

7.1 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**

There are no equalities implications arising from this decision

**9. Use of Appendices**

9.1 None

**10. Local Government (Access to Information) Act 1985**

10.1 None