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ORDINARY COUNCIL - TUESDAY, 24TH MARCH, 2015

The appended report was considered under Urgent Business at the meeting.

Agenda No Item

15. **Urgent Business - Appointment of Chief Finance Officer (Section 151 Officer)**
(Pages 3 - 6)

An item of business may only be considered where the Mayor or Chair is of the opinion that, by reason of special circumstances, which shall be specified in the Minutes, the item should be considered as a matter of urgency.

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24 March 2015

Ordinary Council

Appointment of Chief Finance Officer (Section 151 Officer)

Report of: *Graham Farrant, Chief Executive*

Wards Affected: *All Wards*

This report is: *Public*

1. Executive Summary

- 1.1 The Council is required under Section 151 of the Local Government Act 1972 to make arrangements for the proper administration of its financial affairs and must secure that one of its officers has responsibility for the administration of those affairs.
- 1.2 Following the resignation of the Director of Strategy and Corporate Services ('the Section 151 Officer') on 4 March 2015, and the impending return at the end of March to the London Borough of Barking and Dagenham of Chris Leslie (whom the Section 151 Officer had appointed to act in her absence), there arises a need for the Council to formally appoint a person as its Chief Finance Officer/ Section 151 Officer.
- 1.3 Part VIII of the Local Government Finance Act 1988 describes the qualifications required for appointment and the functions and duties of the role.
- 1.4 The role of Finance Director (Section 151 Officer) was advertised and suitable candidates were interviewed by a Panel of Members in accordance with Part 4.7 'Staff Employment Procedure Rules' of the Council's Constitution. Members will be advised of the name of the successful candidate if an appointment is recommended by the Panel.

2. Recommendation(s)

- 2.1 That the Council appoints (name to be advised) as its Chief Finance Officer (Section 151 Officer) on and with effect from 24 March 2015.**

3. Introduction and Background

- 3.1 The Council appointed Ms Jo-Anne Ireland as Section 151 Officer on 16 May 2012. Deputies were appointed by the Section 151 Officer as required.
- 3.2 Following the resignation of Jo-Anne Ireland as Acting Chief Executive and Section 151 Officer on 4 March 2015, the Council is again required to secure that one of its officers has responsibility for the administration of its financial affairs.
- 3.3 The role of Finance Director (Section 151 Officer) was advertised with a closing date of Friday 6 March and the process is continuing whereby suitable candidates are being shortlisted for consideration by a Panel of Members in accordance with Part 4.7 'Staff Employment Procedure Rules' of the Council's Constitution.
- 3.4 The Section 151 Officer may appoint such deputies as necessary for the conduct of the duties provided by the Acts.

4. Issue, Options and Analysis of Options

- 4.1 The Council must appoint a suitably qualified Section 151 Officer. This will be for a limited period of time until the Council makes a further appointment.

5. Reasons for Recommendation

- 5.1 The Council is required by Section 151 of the Local Government Act 1972 to make arrangements for the proper administration of its financial affairs and must secure that one of its officers has responsibility for the administration of those affairs.

6. Consultation

- 6.1 Group Leaders and the Independent Member have been consulted on behalf of all Members.

7. References to Corporate Plan

- 7.1 *A Modern Council* requires suitably qualified Statutory Chief Officers.

8. Implications

Financial Implications

Name & Title: Chris Leslie, Financial Services Manager / Section 151 Officer

Tel & Email 01277 312542 / christopher.leslie@brentwood.gov.uk

8.1 None directly arising from this report.

Legal Implications

Name & Title: Chris Potter, Monitoring Officer and Head of Support Services

Tel & Email 01277 312860/Christopher.potter@brentwood.gov.uk

8.2 The Council needs to appoint a person to act personally in the role as Section 151 Officer/Chief Finance Officer. This person must be an officer of the Council, but does not necessarily have to be directly employed by the Council. If the person is not an employee, then the individual must contract personally with the Council and not indirectly through a company.

8.3 The appointment may be achieved through a secondment agreement under Section 113 of the Local Government Act 1972 whereby one Council places an officer with this Council.

8.4 Section 113 of the Local Government and Finance Act 1988 sets out the qualifications required for this appointment.

8.5 The statutory requirement under Section 151 of the Local Government Act 1972 overrides the provisions of Part 4.7 of the Council's Constitution which are based on mandatory standing orders based on a statutory instrument.

Other Implications (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

8.6 None.

9. **Background Papers** (include their location and identify whether any are exempt or protected by copyright)

9.1 Confirmation of Appointment of Section 151 Officer, Council 16 May 2012.

10. Appendices to this report

None.

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