

APPOINTMENT OF STATUTORY OFFICER

Executive Summary

Under S151 of the Local Government Act 1972, every local authority shall 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.

The Council's current Interim Director of Finance and S151 Officer, Brendan Arnold, will be leaving Woking Borough Council at the end of his contract term on 31 August 2023. Replacement management arrangements will therefore need to be put in place.

These matters include the appointment of an interim Director of Finance (S151 Officer) whilst the appointment of a permanent Director of Finance is taken forward.

The appointment of an interim Director of Finance (S151 Officer) will bring additional strategic finance capacity to the Council to lead the Medium Term Financial Strategy work and lead the Financial Recovery workstream in the Improvement and Recovery Plan that is on the agenda of this Council meeting.

Recommendations

The Council is requested to:

RESOLVE That Eugene Walker be appointed as Interim Director of Finance (S151 Officer) with effect from 1 September 2023.

The Council has the authority to determine the recommendation set out above.

Background Papers:	None.
Reporting Person:	Julie Fisher, Chief Executive Email: julie.fisher@woking.gov.uk, Extn: 3333
Contact Person:	Julie Fisher, Chief Executive Email: julie.fisher@woking.gov.uk, Extn: 3333
Portfolio Holder:	Councillor Ann-Marie Barker Email: cllrann-marie.barker@woking.gov.uk
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Appointment of Statutory Officer

1.0 Introduction

- 1.1 Section 151 of the Local Government Act 1972 requires that the Council appoints a Chief Finance Officer (Director of Finance). The Chief Finance Officer has a number of statutory duties and responsibilities relating to the proper administration of the Council's finances, assets and resources and be responsible for those arrangements including managing the relationship with the Council's Internal and External Audit functions, submission of Government returns.
- 1.2 The Council's current Interim Director of Finance (S151 Officer), Brendan Arnold, will be leaving Woking Borough Council at the end of his contract term on 31 August 2023. Replacement management arrangements will therefore need to be put in place.
- 1.3 These matters include the appointment of an interim Director of Finance (S151 Officer) whilst the appointment of a permanent Director of Finance is made.
- 1.4 The appointment of an interim Director of Finance (S151 Officer) will bring additional strategic finance capacity to the Council to lead the Medium Term Financial Strategy work and lead the Financial Recovery workstream in the Improvement and Recovery Plan that is on the agenda of this Council meeting.
- 1.5 It is recommended that Eugene Walker be appointed as Interim Director of Finance (S151 Officer) with effect from 1 September 2023.

2.0 Role of the Section 151 Officer

- 2.1 The rules governing the authority's financial administration are set out in the Council's Standing Orders, Contracts Procedure Rules and Financial Procedure Rules. These require, amongst other things, that the S151 Officer be responsible for many of the obligations under the rules, including, for example, arrangements for the banking and drawing of cheques in the Council's name, which must bear the name of the S151 Officer.
- 2.2 There are also other statutory requirements for the S151 Officer under:
 - 2.2.1 S113 of the Local Government Finance Act 1988 (the "1988 Act"), in that the S151 officer must be a member of one of a number of specified accountancy bodies.
 - 2.2.2 S114 of the 1988 Act in that the S151 Officer must make a public report in specified cases of actual or anticipated financial misconduct.
 - 2.2.3 S2(1) of the Local Government and Housing Act 1989, the effect of which is to make the S151 Officer a statutory chief officer and, therefore, a politically restricted post.
 - 2.2.4 S5 of the Local Government and Housing Act 1989 whereby the post of Monitoring Officer cannot also be held by the S151 Officer.

3.0 Conclusion

- 3.1 The reasons for the recommendation:
 - 3.1.1 To comply with the provisions of Section 5 of the Local Government and Housing Act 1989 in respect of the requirement to designate one of its Officers as the Section 151 Officer.
 - 3.1.2 To ensure that the Council is operating appropriately in accordance with statutory requirements and the necessary advice and guidance required through a Director of Finance (Section 151 Officer).

4.0 Corporate Strategy

4.1 Appointment to the statutory role shall ensure that the Council continues to deliver its priorities.

5.0 Implications

Finance and Risk

5.1 The interim arrangements will ensure the Council's financial recovery and savings programme will continue to receive due focus and attention.

Equalities and Human Resources

5.2 There are no specific implications which arise from this report.

Legal

5.3 Making the appointment recommended in this report will ensure that the Council complies with its legal obligations.

6.0 Engagement and Consultation

6.1 Not applicable to the content of the report

REPORT ENDS