

Section 151 Officer Arrangements

Executive Portfolio Holder: Cllr Peter Seib, Finance and Legal Services
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Purpose of the Report

1. The purpose of this report is to seek approval to the extension of the Council's existing arrangements for a Section 151 Officer/Chief Finance.

Public Interest

2. There is a legal requirement on the Council to designate three "Statutory Officers". These are the Head of Paid Service (Chief Executive), the Monitoring Officer (Director Support Services) and the Section 151 Officer/ Chief Finance Officer. The Section 151 Officer is responsible for the proper administration of the Council's financial affairs and is required by law to be a suitably qualified individual holding a recognised professional accountancy qualification. The previously agreed 6 months' arrangement is about to expire so action needs to be taken now to address this.

Recommendations

3. That Council:
 - a) agrees that Paul Fitzgerald continue to be this Council's designated Section 151 Officer until such time as either this Council or Taunton Deane Borough Council & West Somerset District Council serves notice on the other to end this arrangement.
 - b) Agrees that the existing arrangements for and nomination of the Deputy Section 151 Officer and Deputy Chief Finance Officer who is authorised to act in the absence of the Section 151 Officer continue until further notice.

Background

4. Members will recall that at the Council meeting in April 2017 they agreed to share the S151 officer from Taunton Deane Borough Council & West Somerset District Council for a period of 6 months from 21st April 2017. That 6 month period is about to expire. It is felt that the arrangement has worked very well and the officer concerned has developed good working relationships with both officers and members. In addition no material or significant issues have arisen during this 6 month period which would suggest to either members or officers at either Council that some alternative provision needs to be made for the future. It is considered overall that the arrangement has been successful for all parties. On that basis it is recommended that Council agrees to extend the existing working arrangement until such time as either party decides to end it by serving not less than 3 months' notice on the other.
5. In accordance with the Local Government Act 1972, there is a statutory requirement on the authority to designate three statutory officers; Head of Paid Service (Chief Executive), Monitoring Officer and Section 151 Officer/ Chief Finance Officer, who is

required to be a suitably qualified individual, holding a recognised professional accountancy qualification.

6. Taunton Deane Borough Council & West Somerset District Council have already confirmed that they are happy to extend the arrangement on these terms. In essence Paul will continue the same working practices and continue to carry out the core Section 151 work which was outlined in the previous report.
7. The cost for the provision of this service will be as previously advised (although likely to subject to an annual review in future) and the cost can continue to be met from existing budgets. As previously the service being provided to the Council will be kept under review at 6 monthly intervals to ensure that the proper administration of the Council's financial affairs continues to be delivered under this arrangement. The notice provision is to provide a degree of flexibility should the needs of either party change in the future. As members were previously advised, other officers in the Finance Team have taken on additional responsibilities to ensure that a full "finance" service is being provided to the Council.
8. As mentioned elsewhere in this report the designation of a Section 151 and Chief Finance Officer is a statutory requirement. The continuation of this arrangement ensures the Council will be complying with legislation.

Council Plan Implications

None associated with this report

Equality and Diversity Implications

None associated with this report

Privacy Impact Assessment

None associated with this report

Background Papers

None associated with this report