

Bath & North East Somerset Council		
MEETING:	COUNCIL	
MEETING DATE:	10 May 2018	
TITLE:	Designation of Chief Financial Officer (Section 151)	
WARD:	ALL	
AN OPEN PUBLIC ITEM		
List of attachments to this report: None		

1 THE ISSUE

- 1.1 This report seeks confirmation of the designation of the Director of Finance (Donna Parham) as the Council's Section 151 Officer (Chief Financial Officer) with effect from 11 May 2018.

2 RECOMMENDATION

- 2.1 That the Council Designate the Director of Finance as the Council's Chief Financial Officer, in accordance with section 151 of the Local Government Act 1972, with effect from 11 May 2018.
- 2.2 Agree the related delegations changes arising from the removal of the Strategic Director – Resources post with effect from 11 May 2018.

3 RESOURCES IMPLICATIONS

- 3.1 There are no direct financial implications arising from this report.

4 STATUTORY CONSIDERATION AND BASIS OF PROPOSAL

- 4.1 This is a statutory requirement relating to the sound governance of the Council.
- 4.2 Under Section 151 of the Local Government Act 1972 the Council is required to designate a suitably qualified member of staff as its Chief Financial Officer (also known as the section 151 officer), who will be responsible for ensuring the proper administration of the Council's financial affairs. This is one of the three statutory officer posts which every local authority is required to appoint under the 1972 Act and the Local Government & Housing Act 1989 (the others being the Head of Paid Service and Monitoring Officer). The designation of the Section 151 Officer is a non-executive function and is provided for in the Council constitution.

5 THE REPORT

- 5.1 The Strategic Director - Resources currently holds this designation. As a consequence of the senior management restructure of the Council, the postholder is taking voluntary redundancy with effect from 18 May 2018. Donna Parham (previously Acting Director of Business Support) has been appointed to the

Director of Finance role on a fixed-term basis to 31 March 2019 to ensure continuity of leadership and management of the budgetary processes and finance teams during the current financial year, whilst the post is appointed to on a substantive basis.

5.2 It is proposed that Donna Parham, Director of Finance be designated as the Council's statutory section 151 officer under the Local Government Act 1972 to cover this period.

5.3 Under section 114 of the Local Government Finance Act 1988, the designated Chief Financial Officer is required to nominate a deputy (s) to act in the event that they are unable to perform their duties. Donna Parham has indicated that the present arrangements for deputyship are suitable and sufficient and will continue.

5.4 In view of the fact that the Strategic Director – Resources role is being removed, it is proposed that any other delegations to this role are transferred to the relevant Director or s.151 officer as appropriate. In particular the Cabinet on 2 December 2015 agreed a wide range of delegations to this role in relation to ADL (the local property and development company). It is therefore proposed that the delegations relating to the approval of Council investment in the Company within approved budgetary provisions, set out in that report, be transferred to the s.151 officer. The delegations in relation to finalise the service provision arrangements between the Council and the Company for all required support services, including officer support, be transferred to the Chief Executive..

6 RISK MANAGEMENT

6.1 A risk assessment related to the issue and recommendations has not been undertaken. The Council has a statutory responsibility to 'make arrangements for the proper administration of their financial affairs and shall secure that one of the officers has responsibility for the administration of those affairs' [Local Government Act 1972].

6.2 Subsequent legislation has broadened the range of responsibilities.

7 CONSULTATION

7.1 None – this is a statutory requirement. The postholders referred to are aware of the preparation of this report and support its recommendations.

8 ISSUES TO BE CONSIDERED IN REACHING A DECISION

8.1 Under section 113 of the Local Government Finance Act 1988, the post holder must hold one of six recognised accountancy bodies. It is confirmed that Donna Parham meets this requirement.

9 ADVICE SOUGHT

9.1 The Council's Monitoring Officer has had an opportunity to input to this report and has cleared it for publication.

Contact Person	<i>Ashley Ayre, Chief Executive – telephone 01225 477400</i>
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Background papers	<ol style="list-style-type: none"> 1. <i>Local Government Finance Act 1972</i> 2. <i>Local Government Finance Act 1988</i> 3. <i>Account and Audit Regulations</i> 4. <i>Local Government Act 2003</i> 5. <i>Further information about the role of the Chief Financial Officer can be found in the Councillors Guide to Local Government Finance.</i>
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