

Cherwell District Council

Council

24 February 2020

Appointment of Section 151 Officer

Report of Chief Executive

This report is public

Purpose of report

To appoint Lorna Baxter as the Cherwell District Council section S151 officer with effect from 25 February 2020.

1.0 Recommendations

The meeting is recommended:

- 1.1 To appoint Lorna Baxter as the Council's S151 Officer with effect from 25 February 2020.

2.0 Introduction

- 2.1 The Local Government and Housing Act 1989 requires the Council to appoint a S151 Officer to be responsible for specified statutory functions.
- 2.2 As the current Interim Executive Director of Finance is leaving her position on 24 February 2020 it is legally necessary for the Council to appoint a replacement before she leaves.

3.0 Report Details

S151 Officer

- 3.1 The Local Government Act 1972 requires every local authority to appoint a suitably qualified officer responsible for the proper administration of its financial affairs. This role is commonly referred to as the S151 officer. The term S151 Officer has been used as a short hand expression to refer to the role and duties of the 'Responsible Financial Officer' as defined by CIPFA (the function of the most senior finance officer employed by an organisation).

- 3.2 Section 113 of the Local Government Finance Act 1988 requires that the officer appointed as the Chief Finance Officer (CFO) [or Director of Finance] be a member of a specified accountancy body.
- 3.3 The role of a CFO/Director of Finance lies at the heart of any effective and well governed organisation. The over-riding duty of this officer is to fulfil the statutory responsibilities attached to the position in a manner that enhances the overall reputation of the Council. There are responsibilities which solely rest with a CFO. The duties include the closing of accounts, finalising budget preparations, audit opinion and sound financial management.
- 3.4 The current S151 Officer, Adele Taylor, Interim Executive Director of Finance, is leaving her position with Cherwell District Council on 24 February 2020.
- 3.5 Accordingly it is necessary for another officer to be designated as S151 Officer. The council entered into a Section 113 agreement on 1 October 2018 with Oxfordshire County Council which enables the officers of one council to be placed at the disposal of the other. Oxfordshire County Council has an experienced Director of Finance and S151 Officer who is suitably qualified for the role as a practicing accountant.
- 3.6 Through discussions with the Leader of the County Council, senior members at the county council would be happy for Lorna Baxter to carry out this role and the line management of the finance functions for Cherwell District Council. Lorna Baxter has also been involved in discussions and would be happy to take up the role.
- 3.7 It is the recommendation of the Chief Executive, fully supported by the current S151 Officer that Lorna Baxter, Director of Finance at Oxfordshire County Council, should be appointed to this role with effect from 25 February 2020,
- 3.8 Subject to her appointment Lorna Baxter will be requested to appoint at least one Deputy section 151 officer to act in her absence or where there might be a conflict of interest between the two councils.

4.0 Conclusion and Reasons for Recommendations

- 4.1 In accordance with statutory requirements it is recommended that Lorna Baxter be appointed as the Council's S151 Officer.

5.0 Consultation

- 5.1 The Leaders of Oxfordshire County Council and Cherwell District Council, plus the relevant portfolio holder / Lead Member have been consulted and endorse the appointment
- 5.2 The proposed appointee has also been consulted and support the proposals.

6.0 Alternative Options and Reasons for Rejection

- 6.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: To appoint an alternative S151 officer. This is rejected because Lorna Baxter has the necessary skills and experience to fulfil the roles.

Option 2: Not to appoint a S151 Officer. This is rejected as the Council is legally required to appoint.

7.0 Implications

Financial and Resource Implications

- 7.1 There are no financial implications arising directly from this report. The role of S151 Officer is included within the salary budget for the Interim Executive Director of Finance which will remain vacant after the current S151 Officer leaves the authority. This budget will be used to compensate the county council for the services of Lorna Baxter.

Comments checked by:

Adele Taylor, Interim Executive Director Finance, 0300 003 0103

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Legal Implications

- 7.2 These are set out in the body of the report. It is necessary for full council to approve the appointment of a S151 Officer.

Comments checked by:

Nick Graham, Director of Law and Governance

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8.0 Decision Information

Wards Affected

All.

Links to Corporate Plan and Policy Framework

Not applicable – this report is made pursuant to a statutory requirement.

Lead Councillor

Councillor Barry Wood, Leader of the Council.

Document Information

Appendix No	Title
N/A	N/A
Background Papers	
N/A	
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