

Council

Section 151 Officer Arrangements

8 December 2010

Report of Chief Executive

PURPOSE OF REPORT

The purpose of this report is to recommend changes from 1 March 2011 to the Council's current arrangements for a Section 151 Officer and Chief Finance Officer.

This report is public

Recommendations

Council is recommended:

- (1) That Karen Curtin be appointed as the Council's Section 151 and Chief Finance Officer with effect from 1st March 2011 or the day after the meeting of full Council at which the 2011/12 budget is agreed if this is later than 1st March.
- (2) That it be noted that Karen Curtin intends to nominate the Corporate System Accountant, Karen Muir, as Deputy Section 151 and Deputy Chief Finance Officer authorised to act in her absence from 1st March 2011.
- (3) That the Head of Legal and Democratic Services be delegated to make any necessary changes to the constitution to reflect this.
- (4) That the members of South Northamptonshire Council be thanked for releasing Martin Henry to support this Council and that Martin Henry be thanked for the very good service he has provided to the Council as Section 151 Officer during his secondment so far.

Executive Summary

Introduction

- 1.1 In accordance with 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 CCAB recognised professional accountancy qualification.
- 1.2 Martin Henry, Head of Finance at South Northamptonshire Council, is currently this Council's Section 151 officer and is seconded to us one day a week to undertake this role. He was appointed on 1 April 2010 following the departure of our former Strategic Director, Customer Service and Resources, and Section 151 Officer. At that point Karen Curtin, our Head of Finance, was studying for but had not gained the required CCAB qualification. Even though we expected Karen Curtin to complete her final exams in June we appointed Martin Henry until just after the February meeting of full Council, recognising that the normal lead time between passing final exams and being accredited is several months and that it is in the Council's interest to have a single Section 151 Officer in any one budget cycle for reasons of continuity and in order to be able to hold one person clearly accountable for delivery of the Section 151 duties.
- 1.3 Karen Curtin, as expected, completed and passed her final exams in June 2010. She will therefore be qualified to take on the duties of the Section 151 Officer at the end of Martin Henry's secondment on 1st March. Karen Curtin has been the deputy 151 Officer since July 2008.
- 1.4 Although we expect full Council to agree the 2011/12 budget and Council Tax on 21st February 2011, we have made provisional arrangements to hold this meeting on the later-than-usual date of 9th March. We have done this in light of continuing uncertainty about our actual government grant for next year and the possible need for more time to develop a 2011/12 budget for recommendation to full Council. It is also possible that Oxfordshire County Council and/or Thames Valley Police may need more time to set their Council Tax and precept levels for the same reason and, in this case, Cherwell District Council could not agree the 2011/12 Council Tax beforehand. We have already agreed with South Northamptonshire that in this event Martin Henry will remain our Section 151 Officer until the day after the 2011/12 Council Tax is agreed by Council if this is later than 1st March.

Proposals

- 1.5 Now that Karen Curtin, Head of Finance, has completed the required accountancy qualification to be Section 151 Officer, she should be

appointed into this role as planned on 1 March 2011.

Conclusion

- 1.6 The Council should put in place the plan for Karen Curtin, Head of Finance, to be the Council's 151 Officer from 1st March 2011 as originally agreed at the 22 February 2010 meeting of full Council.

Key Issues for Consideration/Reasons for Decision and Options

- 3.1 The designation of a Section 151 and Chief Finance Officer is a statutory requirement.

The following options have been identified. The approach in the recommendations is believed to be the best way forward

Option One

Continue with the South Northamptonshire secondment arrangements until one or other of the two Heads of Finance is recruited to the shared Head of Finance post in the new shared senior management team. This option has been rejected on the grounds that: the secondment has always been planned to end by 1st March at which point the Head of Finance and Section 151 roles would be brought together in the normal way which is cheaper and more efficient than keeping them separate; recruitment to the shared Heads of Service (assuming both Councils agree to go ahead) will now not happen until August/September 2011 which means that the financial and efficiency benefits of this proposal will be secured for at least six months.

Implications

Financial:

The cost of the South Northamptonshire secondment is the equivalent of £16,833 per annum. The 151 allowance which will be paid to Karen Curtin will be £5,150 per annum which equates to £7,187 with on costs – an annual efficiency of £9,646.

Comments checked by Eric Meadows, Service Accountant, 01295 221552.

Legal: The Council is required to have a designated section 151 Officer under the Local Government Act 1972 who must be "suitably qualified". The proposed arrangements ensure the Council is complying with legislation.

Comments checked by Liz Howlett, Head of Legal and Democratic Services and Council Monitoring Officer, 01295 221686.

Risk Management: The designation of a Section 151 and Chief Finance Officer is a statutory requirement.

Comments checked by Eric Meadows, Service Accountant, 01295 221552.

Wards Affected

All

Document Information

Appendix No	Title
None	
Background Papers	
None	
Report Author	Mary Harpley, Chief Executive
Contact Information	01295 221573 mary.harpley@Cherwell-dc.gov.uk