



<b>Report To:</b>	Council
<b>Date:</b>	5 March 2025
<b>Subject:</b>	Designation of Section 151 Officer
<b>Purpose:</b>	To designate a Section 151 Officer
<b>Portfolio Holder:</b>	Councillor Craig Leyland, Leader of the Council
<b>Report Of:</b>	James Gilbert, Assistant Director - Corporate
<b>Report Author:</b>	James Gilbert, Assistant Director - Corporate
<b>Ward(s) Affected:</b>	N/a
<b>Exempt Report:</b>	No

#### Summary

The Council has an obligation to designate a suitably qualified Section 151 Officer.

The Council's existing Section 151 Officer, Christine Marshall, leaves the Council in March.

The report brings to Council the designation of an interim Section 151 Officer to ensure the statutory functions associated with the role are fulfilled.

As at present, the role would be undertaken on a shared basis across the South & East Lincolnshire Councils Partnership.

#### Recommendations

That Brendan Arnold, the Council's incoming Director of Finance, is designated as the Council's Section 151 Officer with effect from 31 March, 2025.

#### Reasons for Recommendations

- To ensure the Council complies with its statutory obligation of having a Section 151 Officer designated.
- The role of the Section 151 Officer is an important element in the Council's structure and processes.

## Other Options Considered

- None

### 1. Report

- 1.1. The Council has a statutory obligation to designate three statutory officers: Head of Paid Service and Monitoring Officer (under sections 4 and 5 of the Local Government and Housing Act 1989 respectively) and Section 151 Officer/Chief Finance Officer (under s151 of the Local Government Act 1972). The latter is required to be a suitably qualified individual.
- 1.2. The Section 151 Officer, along with the Head of Paid Service and the Monitoring Officer combine to form the Council's Statutory Officer functions. These roles are key to ensuring accountability, lawfulness, fairness, probity and general good governance that support the council in achieving its aims.
- 1.3. With the current Section 151 Officer leaving the role in March, Council needs to re-designate the Section 151 Officer role.
- 1.4. The Section 151 Officer is contracted to South Holland District Council but shared across the three Partnership Councils via Section 113 of the Local Government Act 1972.

### 2. Report

- 2.1. The search for an interim Director of Finance and Section 151 Officer has been carried out in conjunction with external Executive search agencies, CIPFA-Penna and Gatenby Sanderson.
- 2.2. The Council's Chief Executive reviewed the CV's that were received from the agencies and recommended two interim candidates to meet with the Partnership's Joint Chief Officer Employment Panel.
- 2.3. The Joint Panel, which involves Members from all three Councils, met on 24 January, 2025.
- 2.4. The feedback from the Joint Panel was shared with the South Holland District Council's Chief Officer Employment Panel which met on 27 January, 2025. The Panel supported the appointment of Brendan Arnold as the Director of Finance.
- 2.5. Council now needs to confirm the designation of the Section 151 Officer role to Brendan.
- 2.6. Brendan has significant experience in Local Government and has been CIPFA qualified since 1992. In 2017, Brendan was elected as a Fellow of CIPFA in recognition of his experience.

### 3. Conclusion

- 3.1. Appointing a Section 151 Officer is a statutory requirement placed upon the Council. It is important for a variety of reasons as outlined in this report.
- 3.2. Brendan is experienced, suitably qualified, and his appointment has been supported by both the Joint Chief Officer Employment Panel and the South Holland District Council Chief Officer Employment Panel. Council is asked to approve this report to ensure a Section 151 Officer is designated upon the departure of the current Section 151 Officer.

### Implications

#### South and East Lincolnshire Councils Partnership

This role will continue to be shared across the Partnership.

**Corporate Priorities**

The role supports the delivery of all Council services/priorities.

**Staffing**

None

**Workforce Capacity Implications**

None

**Constitutional and Legal Implications**

The appointment of a Section 151 Officer is a statutory requirement under Section 151 of the Local Government Act 1972. Section 113 of the Local Government Finance Act 1988 requires that the officer appointed as Section 151 Officer shall be a member of one of the following bodies:

- a) the Institute of Chartered Accountants in England and Wales,
- b) the Institute of Chartered Accountants of Scotland,
- c) the Chartered Association of Certified Accountants,
- d) the Chartered Institute of Public Finance and Accountancy,
- e) the Institute of Chartered Accountants in Ireland,
- f) the Chartered Institute of Management Accountants, and
- g) any other body of accountants established in the United Kingdom and for the time being approved by the Secretary of State for the purposes of this section.

**Data Protection**

None

**Financial**

N/a – no cost from the approval of this report.

**Risk Management**

Not designating would present a legal risk to the Council.

**Stakeholder / Consultation / Timescales**

Consultation took place via the Chief Officer Employment Panels.

**Reputation**

Not designating would present a reputational risk to the Council.

**Contracts**

The employee will be on an interim contract for services.

**Crime and Disorder**

None

**Equality and Diversity / Human Rights / Safeguarding**

None

**Health and Wellbeing**

None

**Climate Change and Environmental Implications**

None

**Acronyms**

None

**Appendices**

None

**Background Papers**

None

**Chronological History of this Report**

'A report on this item has not been previously considered by a Council body.

**Report Approval**

Report author:	James Gilbert, Assistant Director - Corporate
Signed off by:	Rob Barlow, Chief Executive
Approved for publication:	Leader of the Council