

DESIGNATION OF CHIEF FINANCE OFFICER (S151 OFFICER)

Joint Report of the Chief Executive & Director of Environment and the Chief Legal Officer

Author: Kathryn Pettitt, Chief Legal Officer (Tel: 01992 555527)

1. Purpose of report

- 1.1 To seek County Council approval to the designation of Owen Mapley, Director of Resources, as Chief Finance Officer (s151 Officer) for the Council.
- 1.2 To inform Council of the allocation by the Leader of the Council of certain Executive functions to the Director of Resources.

2. Summary and Background

- 2.1 Section 151 of the Local Government Act 1972 requires every local authority to make arrangements for the proper administration of their financial affairs and to secure that one of their officers (the Chief Finance Officer) has responsibility for the administration of those affairs.
- 2.2 Upon the Deputy Chief Executive (who was the Council's Chief Finance Officer) leaving the County Council's employment in late summer 2015 Claire Cook, Assistant Director, Finance was designated as Chief Finance Officer (s151 Officer) for the Council as from 1 September 2015.
- 2.3 At its meeting on 11 November 2015 Employment Committee decided that Owen Mapley be appointed as Director of Resources. The recruitment for the post of Director of Resources proposed that the post and postholder would be designated as the Chief Finance Officer (s151 Officer) for the Council.
- 2.4 Section 7.4 of the Constitution provides that the Leader of the Council allocates responsibility for discharging executive functions. Section 12.2 to the Constitution provides that the Chief Legal Officer may make changes to the Constitution which are necessary in order to comply with the law or reflect changes in the responsibility for Executive functions decided upon by the Leader which shall be notified to the Council at its next meeting.

2.5 The Leader of the Council has allocated to the Director of Resources the functions of the Executive as set out in the Annex to this report. The Chief Legal Officer has made amendments to the Constitution to reflect this allocation of executive functions and in accordance with section 12.2 of the Constitution by way of this report she is informing Council of these amendments.

3. Recommendations

3.1 That Council designate with immediate effect Owen Mapley, Director of Resources, as Chief Finance Officer for the Council with responsibility for the proper administration of the Council's financial affairs in accordance with s151 Local Government Act 1972 (in place of Claire Cook, Assistant Director Finance).

3.2 That the following Council functions are delegated to the Director of Resources:

'To exercise the proper administration of the Council's financial affairs under Section 151 of the Local Government Act 1972 and Section 114 of the Local Government Finance Act 1988.

Functions in relation to pensions as specified in Schedule 1 H of the Regulations.'

3.3 That Council notes the allocation of the Executive responsibilities to the Director of Resources and the amendments that have been made to the Constitution to reflect this allocation as referred to in paragraph 2.5 above.

3.4 That the Council authorises the Chief Legal Officer to make any amendments necessary to ensure that the decision(s) mentioned in 3.1, 3.2 and 3.3 are reflected consistently throughout the Constitution.

4. Financial Implications

None arising from this report.

Background Information

Report to and Minutes, County Council, July 2015

Annex

- (a) To manage the Council's banking arrangements.
- (b) To manage from day to day the:-
 - (i) County Fund and all subsidiary and associated accounts.
 - (ii) Borrowing and Lending Portfolio.
- (c) To implement national and local pay awards and increase payments under the Pension Increase Acts.
- (d) To make leasing arrangements.
- (e) To manage the Council's Insurance arrangements.
- (f) To manage all HR activities including job evaluation, judgement on market forces and employee benefits; and the provision of information technology.
- (g) To authorise acquisition, re-use, appropriation and disposal of land and buildings.

EXCEPT FOR any transaction the value of which is expected to exceed £1M.
- (h) To act as client for all land and buildings.
- (i) The functions of the Executive in relation to Health and Safety.
- (j) To manage the Council's procurement activities
- (k) To manage Hertfordshire Business Services
- (l) To consent to the establishment of local authority and schools companies;
- (m) To agree to the Council becoming a member of a company;
- (n) To appoint directors to companies of which the Council is a member;
- (o) To exercise the rights and responsibilities of the Council as 'supervising authority' for schools companies or appoint another officer of the council to do so; and

- (p) To exercise the rights of the Council as a member of a company or appoint another officer of the Council to do so.

Prior to exercising any of the delegations mentioned in paragraphs (l) to (p) above the Director of Resources must consult the Executive Member for Performance and Resources, and where the proposed company relates to a particular service or function, consultation must also take place with the relevant Chief Officer and Executive Member.