

WIRRAL COUNCIL

STRONG LEADER REPORT

SUBJECT:	APPOINTMENT OF THE COUNCIL'S SECTION 151 OFFICER
WARD/S AFFECTED:	ALL
REPORT OF:	CHIEF EXECUTIVE
RESPONSIBLE PORTFOLIO HOLDER:	LEADER OF THE COUNCIL
KEY DECISION?	NO

1. EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to recommend to Council the appointment of Jim Molloy, Interim Senior Manager, as the Council's statutory Section 151 Officer, with effect from 27 July 2013 until the appointment of a permanent Director of Resources.

2. BACKGROUND AND KEY ISSUES

- 2.1 On 15 October 2012, Council appointed Peter Timmins as Interim Director of Finance and Section 151 Officer.
- 2.2 Peter Timmins last day of employment with the Council will be 26 July 2013. The Council is therefore required under the Local Government Act 1972 to appoint a Section 151 Officer.
- 2.3 The Section 151 Officer responsibility is part of the job description for the Director of Resources. The recruitment process is underway for this role, with an appointment expected to be made on 2 August 2013.
- 2.4 Jim Molloy, is currently Interim Senior Manager within the Resources Section of the Finance Department of the Council and has the necessary qualifications and experience to undertake the role and responsibilities of the Section 151 Officer.

3. ROLE OF SECTION 151 OFFICER

- 3.1. Section 151 of the Local Government Act 1972 requires every local authority to make arrangements for the proper administration of their financial affairs and requires one officer to be nominated to take responsibility for the administration of those affairs.
- 3.2. The Section 151 Officer must be a qualified accountant belonging to one of the recognised chartered accountancy bodies. The Section 151 Officer has a number of statutory duties, including the duty to report any unlawful financial activity involving the authority (past, present or proposed) or failure to set or keep to a balanced budget. The Section 151 Officer also has a number of statutory powers in order to allow this role to be carried out, such as the right to insist that the local authority makes sufficient financial provision for the cost of internal audit.

4. RELEVANT RISKS

- 4.1 The Council will be at risk if it does not appoint a Section 151 Officer.

5. OTHER OPTIONS CONSIDERED

- 5.1 The proposed appointment set out in this report is considered to be the most appropriate option for the Council, given the legal requirement for the Council to have a Section 151 Officer.
- 5.2 The Section 151 Officer responsibility is part of the job description for the Director of Resources. The recruitment process is underway for this role, with an appointment expected to be made on 2 August 2013.

6. CONSULTATION

- 6.1 Not applicable.

7. IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

- 7.1 None

8. RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

- 8.1 There are no additional resource, IT, asset, staffing or financial implications.

9. LEGAL IMPLICATIONS

- 9.1 The Council has a legal requirement to appoint an officer to take responsibility for the administration of its financial affairs pursuant to Section 151 of the Local Government Act 1972.

10. EQUALITIES IMPLICATIONS

- 10.1 There are no equality implications.

11. CARBON REDUCTION IMPLICATIONS

- 11.1 Not applicable for this report.

12. PLANNING AND COMMUNITY SAFETY IMPLICATIONS

- 12.1 Not applicable for this report.

13. RECOMMENDATION

- 13.1 That Council be recommended to agree the appointment Jim Molloy as the Council's statutory Section 151 Officer with effect from 27 July 2013 until the appointment of a permanent Director of Resources.

14. REASON/S FOR RECOMMENDATION/S

- 14.1 The Council has a legal requirement to have a Section 151 Officer. Peter Timmins, Interim Director of Finance and Section 151 Officer is leaving the Council on 26 July 2013. If approved, Jim Molloy, Interim Senior Manager, will be appointed as Section 151 Officer until the appointment of a permanent Director of Resources.

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APPENDICES

There are no appendices to the report.

REFERENCE MATERIAL

None

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Council	15 October 2012
Cabinet	18 September 2012