



Full Council

Monday, 12 May 2025

Subject: Recommendation from the Chief Officer Employment Committee - Appointment of S151 Officer

Report by:

Chief Executive

Contact Officer:

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Chief Executive
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Purpose / Summary:

That Council accept the RECOMMENDATION of the Chief Officer Employment Committee to appoint Mr Peter Davy to the Council's Statutory Role of the Section 151 Officer.

The Chief Officer Employment Committee considered this matter at their meeting on 31st March 2025.

RECOMMENDATION(S):

1. That Council accept the RECOMMENDATION from the Chief Officer Employment Committee and formally appoint Peter Davy as S151 Officer from 13 May 2025

IMPLICATIONS

Legal:

The Chief Executive, as the Head of the Paid Service, has a duty under section 4 of the Local Government and Housing Act 1989 to determine the staffing arrangements necessary to deliver the Council's functions.

As an appointment has been made by Chief Officers Employment Committee to the Director of Finance and Assets post and given that this role carries the statutory responsibilities of S151 Officer, in accordance with the Local Government Act 1972, the appointment requires the approval of Council following a recommendation from the Chief Officers Employment Committee.

It is a statutory requirement for local authorities to have a Section S151 Officer in place, in order to ensure that their necessary roles and functions are delivered effectively.

Financial : FIN/16/26/SL

There is full budget provision for this post within the Medium Term Financial Plan.

Staffing : The Director of Finance and Assets (S151) job description, the constitution and statutory functions, reflects the requirements and obligations of this statutory role.

Equality and Diversity including Human Rights :

None from this report

Data Protection Implications : None from this report

Climate Related Risks and Opportunities: None from this report

Section 17 Crime and Disorder Considerations: None from this report

Health Implications: None from this report

Title and Location of any Background Papers used in the preparation of this report :

West Lindsey District Council Constitution

Local Government and Housing Act 1989

Local Government Act 1972

Local Authorities (Standing Orders) (England) Regulations 2001

[Agenda for Chief Officer Employment Committee on Monday, 31st March, 2025, 6.00 pm | West Lindsey District Council](#)

Risk Assessment :

It is a statutory requirement to appoint a Chief Finance Officer (S151) to ensure the proper administration of the Council's financial affairs

Call in and Urgency:

Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

Yes

☐

No

x

Key Decision:

A matter which affects two or more wards, or has significant financial implications

Yes

x

No

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1 Introduction

- 1.1 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 Section 151 officer. The term S151 Officer has been used as a short form expression to refer to the role and duties of the 'Responsible Financial Officer' as defined by The Chartered Institute of Public Finance and Accountancy (CIPFA) (the function of the most senior finance officer employed by an organisation).
- 1.2 Section 113 the Local Government Finance Act 1988 requires that the officer appointed as the Chief Finance Officer (CFO) must be a member of a specified accountancy body.
- 1.3 The role of a CFO lies at the heart of any effective and well governed organisation. The over-riding duty of this officer is to fulfil the statutory responsibilities.

2. Regulations and provisions

- 2.1 Under Section 151 of the Local Government Act 1972, it is stated:

"..., every local authority shall make arrangements for the proper administration of their financial affairs and shall secure that one of their officers has responsibility for the administration of those affairs."
- 2.2 The West Lindsey District Council Constitution, Part IV Responsibility for Functions, requires the Council to designate the Head of Paid Service, Monitoring Officer, Chief Finance Officer (Section 151 Officer) and Electoral Registration Officer / Returning Officer.
- 2.3 Section 113 of the Local Government Finance Act 1988 provides that the officer appointed as the Chief Finance Officer (CFO) must be a member of a specified accountancy body to the position in a manner that enhances the overall reputation of the Council. The CFO has a statutory duty under Section 151 of the Local Government Act 1972 to ensure that there are proper arrangements in place to administer the Council's financial affairs.
- 2.4 Section 114 of the Local Government Finance Act 1988 requires the S151 Officer to report to the full Council, the District Executive and the External Auditor if the authority or one of its officers:
 - has made, or is about to make, a decision which involves incurring unlawful expenditure
 - has taken, or is about to take, an unlawful action which has resulted or would result in a loss or deficiency to the authority
 - is about to make an unlawful entry in the authority's accounts.

3. Appointment

- 3.1 The recruitment process has been managed by Penna Recruitment Agency.
- 3.2 The search process produced three candidates who were selected for the long list; however, one subsequently withdrew from the process and two were therefore taken forward for initial, technical interview.
- 3.3 The technical interviews were undertaken by Penna on 13 March 2025, which recommended one candidate be put forward for formal interviews. These took place on 31 March 2025, which included a management team panel, a presentation and a committee panel.
- 3.4 Peter Davy was appointed to the position of Director of Finance and Assets. The Chief Officer Employment Committee agreed to proceed with recommending his appointment to the Section 151 duties to Full Council. Mr Davy has been acting as the Council's interim S151 since 19th February 2025.
- 3.5 Peter Davy will take on the role as Director of Finance and Assets on 13th May and has ten years' of working in senior finance management roles, including his previous role with West Lindsey District Council as the Financial Services Manager.
- 3.6 Peter is a qualified accountant and a fellow of The Chartered Institute of Public Finance and Accountancy (CIPFA).

4. Recommendation

- 4.1 It is recommended that the Council accept the RECOMMENDATION from the Chief Officer Employment Committee and formally appoint Peter Davy as S151 Officer from 13 May 2025