

**NEWCASTLE-UNDER-LYME BOROUGH COUNCIL**

**EXECUTIVE MANAGEMENT TEAM'S  
REPORT TO COUNCIL**

**16 December 2020**

**Report Title:** DESIGNATION OF A SECTION 151 OFFICER

**Submitted by:** CHIEF EXECUTIVE

**Portfolios:** CORPORATE AND SERVICE IMPROVEMENT, PEOPLE & PARTNERSHIPS

**Ward(s) affected:** ALL

**Purpose of the Report**

To designate an Officer as the Borough Council's Section 151 Officer.

**Recommendation**

**That, in accordance with Section 151 of the Local Government Act 1972, Council designates Sarah Wilkes as the Council's Section 151 Officer.**

**Reasons**

To comply with the requirement of Section 151 of the Local Government Act 1972, which requires all local authorities to designate one of their officers to be responsible for the proper administration of its financial affairs.

1. **Background**

- 1.1 Under section 151 of the Local Government Act 1972, the Council has a statutory duty to designate, by resolution of full council, one of its officers as the Council's Section 151 Officer.
- 1.2 The Section 151 Officer has a number of statutory duties and responsibilities relating to the proper administration of its financial affairs. These include:
  - to report to all members if there is, or is likely to be, unlawful expenditure or an unbalanced budget.
  - to advise whether particular decisions are likely to contravene the budget or policy framework set by Council
  - to maintain an adequate and effective systems of internal financial controls
  - to report on the robustness of budget estimates and the adequacy of financial reserves
  - ensure that the guidelines and ratios set down for the purposes of a Prudential Capital regime are adhered to
- 1.3 Given the nature of the role, there is a statutory requirement that the appointed officer be a member of a specified accountancy body.

## 2. **Issues**

- 2.1 Members will be aware that the role of S151 Officer is currently held on an interim basis.
- 2.2 Following nation-wide recruitment campaigns and competitive selection processes, undertaken on a cross-party basis through Employment Committee and its Appointments Sub-Committee, Sarah Wilkes has been recommended to Council as the most suitable candidate to take up the role of S151 officer on a permanent basis.
- 2.3 The assessment process was thorough and intensive and sought to establish which candidate had not only the technical capability and leadership skills but incorporated these with a forward thinking outlook which would contribute to the success of a challenging future agenda. The process included technical interview, psychometric testing, interview with internal stakeholders including Trade Union colleagues and finally a Member panel.
- 2.4 Mrs Wilkes has worked in the business and finance sector for the last 25 years. After working in the private sector for 7 years she moved into the public sector working in a number of roles within the Internal Audit and Finance departments. She started working at Newcastle-under-Lyme Borough Council as a Principal Accountant in 2007 and in 2010 was appointed as the Finance Manager. She took up the role of Head of Finance in 2019 on an acting up basis following the retirement of the previous Head of Finance being appointed to that role on a permanent basis in November 2020.

## 3. **Proposal**

- 3.1 That, in accordance with Section 151 of the Local Government Act 1972, Council designates Sarah Wilkes as the Council's Section 151 Officer.

## 4. **Reasons for Proposed Solution**

- 4.1 Mrs Wilkes' suitability to be designated as Section 151 Officer was specifically tested during the recruitment process. She was considered by stakeholders and the cross party member recruitment panel to be the preferred candidate and eminently appointable to that role.

## 5. **Options Considered**

- 5.1 The alternative option would be to designate a different Officer as Section 151 Officer however, Mrs Wilkes' suitability was specifically tested during the recruitment process. She was considered by stakeholders and the cross party member recruitment panel to be the preferred candidate and eminently appointable to the role.
- 5.3 In light of this consideration, designating someone other than Mrs Wilkes as S151 Officer would be incongruous and would not represent the best use of available resource.

## 6. **Legal and Statutory Implications**

- 6.1 There are no additional legal implications other than those set out in the report.

## 7. **Equality Impact Assessment**

- 7.1 No implications.

8. **Financial and Resource Implications**

8.1 The appointment represents a saving over the current provision of that role through interim appoint arrangements.

9. **Major Risks**

9.1 Not having a suitable officer designated to the role would be contrary to the statutory requirements. Having appropriate expertise and sufficient capacity in that role is essential for the good governance of the Council and its affairs.

10. **Sustainability and Climate Change Implications**

10.1 No implications

11. **Key Decision Information**

11.1 N/A

12. **Earlier Cabinet/Committee Resolutions**

12.2 Employment Committee/Appointment Panel

13. **List of Appendices**

13.1 N/A

14. **Background Papers**

14.1 N/A