

AGENDA ITEM

REPORT TO COUNCIL

DATE 23 JULY 2025

**REPORT OF SENIOR
MANAGEMENT TEAM**

COUNCIL DECISION

APPOINTMENT OF ACTING SECTION 151 OFFICER (CHIEF FINANCIAL OFFICER)

SUMMARY

To seek Council's endorsement and confirmation of the interim arrangements for the statutory role of Section 151 Officer, following the recent retirement of the previous postholder. The decision is necessary to ensure compliance with legislation.

RECOMMENDATIONS

It is recommended that Council resolves to:

1. Note the retirement of Garry Cummings, Deputy Chief Executive and Director of Finance, Transformation & Performance and express appreciation for his service.
2. Endorse and confirm the appointment of Clare Harper, Assistant Director of Finance and Deputy Section 151 Officer, as Acting Section 151 Officer, effective from the date of Mr. Cummings' retirement.
3. Agree that, for the purposes of the Council's Constitution and associated schemes of delegation:
 - a. The Acting Section 151 Officer shall be granted the standing and authority equivalent to that of a Director in respect of all decision-making responsibilities;
 - b. The Acting Section 151 Officer shall be deemed to hold a Chief Officer position for the duration of the interim arrangement;
 - c. The Acting Section 151 Officer shall have delegated authority to appoint a Deputy Section 151 Officer, in accordance with statutory requirements and the Council's internal governance framework.
4. Note that the interim role will be styled Chief Financial Officer for the purposes of internal reporting, organisational communication and external engagement.
5. Note that the Council's Appointments Panel will consider and bring forward a recommendation to Full Council in due course regarding the permanent appointment to the Section 151 Officer role.

BACKGROUND

1. Under s151 of the Local Government Act 1972, 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. The appointment of a Section 151 Officer is a statutory requirement and a non-executive function reserved to Full Council, as set out in the Local Authorities (Functions and Responsibilities) (England) Regulations 2000.
3. Following the retirement of Garry Cummings, Clare Harper, previously appointed as Deputy Section 151 Officer has continued to discharge the statutory responsibilities of the role in accordance within the established internal delegations. While this continuity fits with the expectations of the Deputy role, it is considered appropriate for Full Council to formally endorse the interim arrangement.
4. To reflect the significance of the role and ensure consistency with the Council's management structure, the interim post will be styled Chief Financial Officer. The Acting Section 151 Officer will also hold delegated authority to appoint a Deputy Section 151 Officer, in line with statutory provisions and internal governance arrangements.
5. The Council's Appointments Panel will be requested to consider options for the permanent appointment and bring forward a recommendation to Full Council.

FINANCIAL IMPLICATIONS

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6. There are no additional financial implications arising from this report. The interim arrangements are being delivered within existing staffing budgets.

LEGAL AND GOVERNANCE IMPLICATIONS

7. The Council is under a statutory duty to appoint an appropriately qualified officer to be responsible for the proper administration of its financial affairs, as required by Section 151 of the Local Government Act 1972. This appointment is a non-executive function and must be approved by Full Council.
8. Clare Harper is a qualified accountant and is the current Deputy Section 151 Officer, providing her with the necessary experience and qualifications to undertake the role on an interim basis.
9. For the purposes of the Council's Constitution, including the scheme of delegation and decision-making protocols, the Acting Section 151 Officer will be accorded the same standing and authority as a Director / Chief Officer.

RISK ASSESSMENT

10. Failure to maintain a valid appointment to the Section 151 Officer role would place the Council in breach of statutory obligations and could undermine the integrity of its financial governance framework. The proposed acting arrangements ensure continuity and compliance with the statutory requirements.

COMMUNITY IMPACT IMPLICATIONS and CORPORATE PARENTING IMPLICATIONS

11. None, this report relates solely to an internal statutory appointment and does not give rise to any direct implications in respect of equality, diversity, environmental sustainability or corporate parenting issues

BACKGROUND PAPERS

- Stockton-on-Tees Borough Council Constitution
- Local Government Act 1972
- Local Authorities (Functions and Responsibilities) (England) Regulations 2000

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