



# APPOINTMENT COMMITTEE AGENDA

Monday 7<sup>th</sup> February 2022 at 6:00pm

Council Chamber, Causeway House, Braintree, CM7 9HB

[www.braintree.gov.uk](http://www.braintree.gov.uk)

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Members of the Appointment Committee are requested to attend this meeting to transact the business set out in the Agenda.

**Membership:-**

Councillor James Abbott

Councillor John McKee

Councillor Graham Butland

Councillor Mrs Gabrielle Spray

Councillor Tom Cunningham

Councillor Mick Radley

Members unable to attend the meeting are requested to forward their apologies for absence to the Governance and Members Team on 01376 552525 or email [governance@braintree.gov.uk](mailto:governance@braintree.gov.uk) by 9am on 7<sup>th</sup> February 2022

Andy Wright  
Chief Executive

## **INFORMATION FOR MEMBERS – DECLARATIONS OF MEMBERS’ INTERESTS**

### **Declaration of Disclosable Pecuniary Interests (DPI), Other Pecuniary Interests (OPI) or Non-Pecuniary Interests (NPI).**

Any Member with a DPI, OPI or NPI must declare the nature of their interest in accordance with the Code of Conduct. Members must not participate in any discussion of the matter in which they have declared a DPI or OPI or participate in any vote, or further vote, taken on the matter at the meeting. In addition, the Member must withdraw from the Chamber where the meeting considering the business is being held unless the Member has received a dispensation from the Monitoring Officer.

### **Public Question Time – Registration and Speaking:**

The Agenda allows for a period of up to 30 minutes for Public Question Time.

Members of the public wishing to speak are requested to register by contacting the Governance and Members Team on 01376 552525 or email [governance@braintree.gov.uk](mailto:governance@braintree.gov.uk) by midday on the second working day before the day of the Committee meeting. For example, if the Committee meeting is due to be held on a Tuesday, the registration deadline is midday on Friday, (Where there is a bank holiday you will need to register by midday the previous Thursday).

All registered speakers will have 3 minutes each to make a statement.

The Council reserves the right to decline any requests to register for Public Question Time if they are received after the registration deadline.

The Chairman of the Committee has discretion to extend the time allocated for Public Question Time and to amend the order in which questions/statements are presented to the Committee.

### **Members of the public will be invited to participate in the Public Question Time remotely, and once registered will be provided with the relevant link, and joining instructions for the meeting.**

All registered speakers are requested to provide the text of their questions/statements to the Governance and Members Team. In the event that a registered speaker is unable to connect to the virtual meeting or in the event of any technical issues, their question/statement will be read by an officer. Questions/Statement are requested to be received by no later than 9am on the day of the meeting by emailing them to [governance@braintree.gov.uk](mailto:governance@braintree.gov.uk)

Questions/statements received by the Council will be published on the Council’s website. The Council reserves the right to remove any defamatory comment in the submitted questions/statements.

### **Public Attendance at the meeting:**

The Council has reviewed its arrangements for this meeting in light of the continuing pandemic and has considered that to protect the safety of the public, Members and Officers of the Council this non-decision making meeting is to be held virtually. There will be no public attendance at Causeway House. The public can watch this meeting via the Council's YouTube channel.

**Documents:** Agendas, Reports, Minutes and Public Question Time questions and statements can be accessed via [www.braintree.gov.uk](http://www.braintree.gov.uk)

**Data Processing:** During the meeting the Council will be collecting performance data of participants' connectivity to the meeting. This will be used for reviewing the functionality of Ms Teams/Zoom and YouTube as the Council's platform for virtual meetings and for monitoring compliance with the legal framework for Council meetings. Anonymised performance data may be shared with third parties.

For further information on how the Council processes data, please see the Council's Privacy Policy. [https://www.braintree.gov.uk/info/200136/access\\_to\\_information/376/privacy\\_policy](https://www.braintree.gov.uk/info/200136/access_to_information/376/privacy_policy)

We welcome comments to make our services as efficient and effective as possible. If you have any suggestions regarding the meeting you have attended, you can send these to [governance@braintree.gov.uk](mailto:governance@braintree.gov.uk)

## **PUBLIC SESSION**

### **1 Apologies for Absence**

### **2 Declarations of Interest**

To declare the existence and nature of any Disclosable Pecuniary Interest, other Pecuniary Interest or Non-Pecuniary Interest relating to items on the agenda having regard to the Code of Conduct for Members and having taken appropriate advice where necessary before the meeting.

### **3 Public Question Time**

Only Registered Public Speakers will be invited to speak under this item. Registered Speakers will have 3 minutes to make their statement. Participation and responses will be given in accordance with the Council Procedure Rule 12.11 . Please see page 2 of the Agenda for how to Register for Public Question Time.

### **4 Appointment of Chief Financial Officer (S151 Officer)**

## Agenda Item: 4

<b>Report Title:</b> Appointment of Chief Financial Officer (S151 Officer)	
<b>Report to:</b> Appointments Committee	
<b>Date:</b> 7 <sup>th</sup> February 2022	<b>For:</b> Decision
<b>Key Decision:</b> No	<b>Decision Planner Ref No:</b>
<b>Report Presented by:</b> Councillor John McKee, Cabinet Member for Finance and Corporate Transformation	
<b>Enquiries to:</b> Andy Wright, Chief Executive	

### 1. Purpose of the Report

- 1.1 To appraise the Appointments Committee (the Committee) of the requirement to appoint a Chief Financial Officer and to agree to make a recommendation to Council on 21<sup>st</sup> February 2022 for the appointment to the role.

### 2. Recommendations

- 2.1 The Committee agrees to make a recommendation to Council that Philip Myers, Head of Financial Services is appointed as Braintree District Council's (the Council) Chief Financial Officer (S151) with effect from the 22<sup>nd</sup> February 2022.

### 3. Summary of Issues

- 3.1 The current Chief Financial Officer (S151 Officer) Chris Fleetham, Corporate Director is retiring, and his last working day will be on 24<sup>th</sup> February 2022.
- 3.2 The Local Government Act 1972 requires every Local Authority to appoint a suitably qualified responsible officer for the proper administration of its financial affairs. This role is commonly referred to as the S151 Officer who as outlined in the Council's Constitution is responsible for:
- (a) After consulting with the Head of Paid Service and the Monitoring Officer, the S151 Officer will report to the full Council or to the Cabinet in relation to an executive function and the Council's external Auditor if, they consider that any proposal, decision or course of action will involve incurring unlawful expenditure, or is unlawful and is likely to cause a loss or deficiency or if the Council is about to enter an item of account unlawfully.
  - (b) The administration of the financial affairs of the Council, and ensure maintenance of an efficient and effective internal audit function.
  - (c) To contribute to the corporate management of the Council through the provision of professional financial advice.

- (d) To provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and Budget and Policy Framework to all Councillors and will support and advise Councillors and Officers in their respective roles.
  - (e) Provide financial information to the media, members of the public and the community.
- 3.3 Section 113 of the Local Government Finance Act 1988 requires that the officer appointed as the Chief Finance Officer (S151 Officer) must be a member of a specified accountancy body.
- 3.4 Philip Myers was appointed as the Council's Head of Finance on 1<sup>st</sup> September 2021 and has worked for the Council for 40 years. He has been a qualified Accountant since 1991 and has the relevant expertise and experience to carry out the role. Since his appointment as Head of Finance, he has been shadowing the current Chief Financial Officer (S151 Officer) in the execution of those statutory duties falling to the role.
- 4. Options**
- 4.1 The Council must have a Chief Financial Officer (S151 Officer) in place, and therefore it is recommended that Philip Myers is appointed to that role accordingly.
- 5. Financial Implications**
- 5.1 The appointments of statutory officers attract an allowance of £2,000, and this will be met from existing budgets.
- 6. Legal Implications**
- 6.1 These are set out in section 3 of the report. The only restriction on the appointment of the Chief financial Officer (S151 officer) is that they must not also hold the statutory role of the Monitoring Officer.
- 7. Other Implications**
- 7.1 None identified
- 8. Equality and Diversity Implications**
- 8.1 None identified
- 9. Background Papers**
- 9.1 Local Government Act 1972
- 9.2 Local Government Finance Act 1988
- 9.3 Braintree District Council's Constitution