



MINUTES OF THE MEETING OF THE GOVERNANCE AND CONSTITUTION COMMITTEE held on Wednesday, 16 November 2022 at Lecture Theatre - Training Centre, Sadler Road, Winsford, Cheshire CW7 2FQ at 10.00 am

PRESENT: Councillors Rob Polhill, Rachel Bailey, David Brown, Brian Gallagher, Nick Mannion, Rob Moreton, Nathan Pardoe and independent (non-elected) member Derek Barnett

1 PROCEDURAL MATTERS

A Recording of Meeting

Members were reminded that the meeting would be audio-recorded.

B Apologies for Absence

Apologies for absence were received from Councillor James Nicholas. Councillor Rob Moreton attended as his substitute.

C Declarations of Members' Interests

The Chair stated that all Members has a pecuniary interest in Item 6. However, a dispensation was in place to allow Members to take part in the debate and vote. No other interests were declared.

D Minutes of the Governance and Constitution Committee

RESOLVED:

That the minutes of the Governance and Constitution Committee held on Tuesday 12th July 2022 be confirmed as a correct record.

2 REVIEW INTO THE WAY THAT SEATS ON CHESHIRE FIRE AUTHORITY ARE ALLOCATED TO THE CONSTITUENT AUTHORITIES

The Director of Governance introduced the report which allowed Members to determine whether any further work should be carried out in relation to the way that seats on the Fire Authority are allocated to the constituent authorities. He explained how the review was requested by Warrington Borough Council and was carried out by an external Monitoring Officer in order to provide a level of independence.

Members were reminded that the Fire Authority had decided that the existing arrangements should remain, with the review being given further consideration once the White Paper concerned with Fire Reform had been published. Members were also reminded that the White Paper consultation had closed in July 2022. At the time of reporting it was not clear when the Government's position on Fire Reform

would be confirmed.

Members believed that the existing seat allocation process was fit for purpose and did not require any further work to be carried out at this point. Therefore, the seat allocation for 2023-24 would be determined in the usual way.

RESOLVED: That

[1] no further work in relation to the way that seats on the Fire Authority are allocated to the constituent authorities was necessary.

3 REVIEW OF FINANCIAL REGULATIONS

The Director of Governance introduced the report which presented an updated set of the Authority's Financial Regulations. He explained that the External Auditor's Annual Report 2020-21 recommended changes to the Financial Regulations to more closely align them with those of Cheshire Constabulary. The Fire Authority had given officers authority to make the changes. Some additional minor updates had also been made by officers. The changes were before the Committee for information; they would be reported to the upcoming Fire Authority meeting.

RESOLVED: That

[1] the changes to the Authority's Financial Regulations be noted.

4 APPOINTMENT OF INDEPENDENT AUDIT COMMITTEE MEMBER

The Director of Governance introduced the report which enabled Members to decide upon the appointment of the Independent Audit Committee Member. He explained that two applicants were invited to interview and two members on the Audit Committee along with the Monitoring Officer and Treasurer, conducted the interviews.

Members noted that both candidates were high quality and supported the recommendations within the report. Members also thanked officers for their assistance during the recruitment process.

RECOMMENDED: That

[1] Mrs Suzanne Horrill be appointed to the role of Independent Audit Committee Member for Cheshire Fire Authority for a period of three years (until November 2025); and

[2] Mr Mark Day be approved to become an Independent Audit Committee Member should the role become vacant, or an additional role be created.

5 FURTHER TERM FOR INDEPENDENT PERSON (HANDLING OF COMPLAINTS ABOUT MEMBER CONDUCT)

The Director of Governance introduced the report which enabled Members to decide

whether to recommend a further term for the existing Independent Person appointed to handle complaints about Member conduct. There had been no complaints against Members for Mr Donald Clark to investigate since his appointment. Members were content to recommend Mr Clark's appointment for a further term.

RECOMMENDED: That

- [1] Mr Donald Clark be appointed as Independent Person for a further three-year term (ending in February 2026).**

6 MEMBERS' ALLOWANCES SCHEME UPLIFT 2022-23 AND MEMBERS' ALLOWANCES SCHEME 2023-24

The Director of Governance introduced the report which enabled Members to make recommendations to the Fire Authority on: how the Members' Allowances Scheme for 2022-23 should be uplifted; an amendment to the Members' Allowances Scheme to add the allowances associated with the role of the Independent Audit Committee Member; and approval of the Members' Allowances Scheme for 2023-24.

He explained that the uplift agreed by the NJC for 2022-23 was unusual as a set figure was payable to all staff, rather than a percentage uplift. As the Members' Allowance Scheme only envisaged a percentage uplift it was necessary for the Fire authority to decide how to calculate/apply any uplift for 2022-23.

Members determined that a 5% uplift for 2022-23 should be recommended to the Fire Authority. Members confirmed that the allowance for the Independent Audit Committee Members should be added to the Scheme. Finally, Members agreed to recommend to the Fire Authority that the Members' Allowances Scheme for 2023-24 should be based on the scheme for 2022-23 once the uplift had been applied.

RECOMMENDED: That

- [1] an uplift of 5% be applied to the Members' Allowances Scheme for 2022-23;**
- [2] the allowance payable to the Independent Audit Committee Member be added to the Members' Allowances Scheme; and**
- [3] the Members' Allowances Scheme for 1st April 2023 to 31st March 2024 be based on the 2022-23 Scheme once the uplift has been applied.**