

## Eligibility

Some individuals are unable to apply. The Localism Act 2011 contains some restrictions and the Fire Authority has determined some additional restrictions. If you are caught by any of these restrictions you should not apply.

The Localism Act states that some people are not independent and therefore cannot act as Independent Persons:

Members, Co-opted Members and Officers of the Fire Authority

(Any of these individuals are unable to be Independent Persons until 5 years has elapsed after they have ceased to be a Member, Co-opted Member, or Officer of the Fire Authority)

Relatives <sup>1</sup> of a Member, Co-opted Member, or Officer of the Fire Authority

Close friends <sup>2</sup> of a Member, Co-opted Member, or Officer of the Fire Authority

## Notes

<sup>1</sup> The Localism Act 2011 defines a 'relative' as someone who is:-

- a) the other person's spouse or civil partner,
- b) living with the other person as husband and wife or as if they were civil partners,
- c) a grandparent of the other person,
- d) a lineal descendant of a grandparent of the other person,
- e) a parent, sibling or child of a person within paragraph a) or b),
- f) the spouse or civil partner of a person within paragraph c), d) or e), or
- g) living with a person with in paragraph c), d) or e) as husband and wife or as if they were civil partners.

<sup>2</sup> 'Close friend' is not defined in the legislation. However, the definition of 'close associated of yours' in the Members' Code of Conduct is a suitable reference point (page 20).

Cheshire Fire Authority has also determined that some people cannot be Independent Persons:

Members of: Cheshire East Borough Council; Cheshire West and Chester Borough Council; Halton Borough Council; or Warrington Borough Council.

Relatives or close friends of Members of these Councils (relying on the definitions referred to above).

Criminal convictions may be relevant to appointment decisions.