

CHESHIRE FIRE AUTHORITY

MEETING OF: GOVERNANCE AND CONSTITUTION COMMITTEE
DATE: 4TH JULY 2018
REPORT OF: DIRECTOR OF GOVERNANCE AND COMMISSIONING
AUTHOR: ANDREW LEADBETTER

SUBJECT: DISPENSATIONS

Purpose of the Report

1. To ask Members to extend the benefit of the existing dispensations to new Members of the Fire Authority to allow them to take part in debates and votes upon the setting of the Council Tax precept and approval of the Members' Allowance Scheme (and any changes and/or additions to it).

Recommended: That:

- [1] the dispensations granted to Fire Authority Members on 5th October 2016 be extended to benefit Councillors Barker, Dooley and Hayes thereby allowing them to take part in the debates and votes on the setting of the Council Tax precept, and approval of the Members' Allowance scheme (and any changes and/or additions to it).

Background

2. Dispensations were granted by the Governance and Constitution Committee on 5th October 2016 to all Members of the Fire Authority. The dispensations relate to the setting of the Council Tax precept and the approval of the Members' Allowance Scheme and are effective until October 2020.

Information

3. In considering whether to grant dispensations Members are required to consider the provisions in Section 33 of the Localism Act 2011 (the Act). A copy of the section is attached as Appendix 1 to this report.
4. Section 33(1) states that there must be a written request from a Member to the proper officer (taken to be the Monitoring Officer). At the time of despatch of the agenda the following Members had requested that the dispensations be extended so that they can benefit from them:

Councillors Barker and Hayes.
5. Section 33(2) states that a dispensation can only be granted by an Authority if, after having had regard to all relevant circumstances, it is satisfied that one of the reasons described is applicable. Members

previously accepted that they were satisfied that at least one of the reasons listed applies to the setting of the Council Tax precept and the Members' Allowance Scheme when granting the dispensations. An extract from an earlier report is attached as Appendix 2 to this report to enable Members to understand the relevant matters.

Financial Implications

6. There are no financial implications arising from this report.

Legal Implications

7. The legal implications are covered in the body of the report.

Equality and Diversity and Environmental Implications

8. There are no equality and diversity or environmental implications arising from this report.

BACKGROUND PAPERS: NONE