

# Review of Scheme of Delegation to Officers and of Standing Orders

## Report of the Clerk

For further information about this report please contact Sharon Lloyd,  
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### 1 Purpose of Report

The purpose of this report is for Members to receive and agree the amendments to the Scheme of Delegation to Officers and Standing Orders, which stand adjourned from the Annual Meeting of the Fire Authority.

### 2 Recommendations

The Fire Authority is requested to receive and agree the amendments to the Fire Authority's Scheme of Delegation to Officers and to its Standing Orders (set out at paragraphs 3, 4, 5 and 6 of this report), which stand adjourned from the Annual Meeting of the Fire Authority, held on 9 July 2014.

### 3 Scheme of Delegation to Officers

The Scheme of Delegation to Officers has been reviewed and the following change is proposed.

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The **Deputy Chief Fire Officer**, Assistant Chief Fire Officer\*, Head of Finance or Deputy Monitoring Officer may exercise these delegated powers in the absence or inability to act of the Chief Fire Officer, Treasurer or Monitoring Officer respectively.

\* In the first instance such powers would be delegated to the **Deputy Assistant Chief Fire Officer (Service Delivery)** and then, in his / her absence or inability to act, to the Assistant Chief Fire Officer (**Corporate Services**).

This reflects the latest Brigade Manager structure.

2.1.1 To make a formal response on behalf of the Authority to any White Paper, Green Paper, Government Consultation Paper or draft European Union Directive without reference first to the Authority when the timescale does not allow, after consultation with the Chair and Vice-Chair of the Authority and Chairs of the ~~three~~ **four** main committees – Strategy and Resources, Audit and Performance Management, **Standards and** Human Resources (if relevant).

This reflects the merger of the two committees.

#### 4 **Standing Orders for the Regulation of Proceedings and Business**

Standing Orders for the Regulation of Proceedings and Business have been reviewed and the following changes are proposed.

##### **Standing Order No 14 Public Participation at Meetings**

###### **Questions, Statements and Petitions**

1 Provision shall be made on the public part of the Agenda of each ordinary and, at the Chair's absolute discretion, special meetings of the Authority, of the Strategy and Resources Committee, of the Audit and Performance Management Committee, **and** of the **Standards and** Human Resources Committee, ~~and of the Standards Committee~~ for members of the public ('a person') to participate in accordance with the rules below.

This reflects the merger of the two committees.

#### 5 **Standing Orders relating to Contracts**

Standing Orders relating to Contracts have been reviewed and the following changes are proposed.

##### **A Application**

**C1** The Authority requires that all contracts for 'supplies' or 'services' over ~~£156,000 or the European Union Public Sector Contract Threshold, if lower,~~ have a tender exercise in accordance with EU legislation, ~~even if this amount is below the limit set by the EU.~~

##### **F When tenders are required**

**F3** Where the consideration payable may be reasonably expected to exceed ~~£156,000 or the European Union Public Sector Contract Threshold, if lower,~~ for 'supplies', or 'services', or ~~£3,900,000 for 'works',~~ (**as appropriate to the contract type**), the contractors must be chosen using the EU Tendering Procedure.

The above changes would avoid any issues arising from the discrepancy in the review date for Standing Orders and any variances made in the EU Tender thresholds.



## **P5 Cancellation of Contract**

- (ii) If the contractor or any person engaged by him shall have committed any offence under the ~~Prevention of Corruption Acts 1889 to 1916~~ **Bribery Act 2010** or shall have given any fee or reward, the receipt of which is an offence under Section 117(2) of the Local Government Act 1972.

This reflects legislative changes.

## **6 Financial Regulations Standing Orders**

The Financial Regulations Standing Orders have been reviewed and the following changes are proposed.

### **Status of Financial Regulations**

Where responsibilities have been delegated or devolved to other responsible officers, references to 'Brigade Managers' (i.e. the Chief Fire Officer, **Deputy Chief Fire Officer** and Assistant Chief Fire Officers or other statutory title in the regulations should be read as referring to them.

This reflects the latest Brigade Manager structure.

### **Supporting Procedures**

The Authority shall be provided with, and scrutinise, its current financial year and future five **year** revenue and capital estimates ('the Budget') on the minimum of an annual basis.

## **7 Financial Implications**

There are no financial implications arising from this report.

## **8 Legal Comment**

The proposed changes are lawful and the Fire Authority has the power to act as set out in this report.

## **9 Initial Impact Assessment**

An Initial Impact Assessment was carried out on the report, which brought these changes before the Fire Authority in July 2014. As these changes stand unaltered since then, an Initial Impact Assessment has not been carried out for this report.

## **10 Appendices**

There are no appendices attached to this report.

## 11 Background Papers

### Shropshire and Wrekin Fire and Rescue Authority:

- Scheme of Delegation to Officers
- Standing Orders for the Regulation of Proceedings and Business
- Standing Orders relating to Contracts
- Financial Regulations Standing Orders

The above documents can be accessed on the Fire Service website via the following link:

<http://www.shropshirefire.gov.uk/managing-service/fire-and-rescue-authority/members-handbook>