

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 note the amendments to the Scheme of Delegation to Officers and Standing Orders, which were agreed at, and stand adjourned from, the Annual Meeting of the Fire Authority.

2 Recommendations

The Fire Authority is requested to receive and note 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 10 July 2013.

3 Scheme of Delegation to Officers

The Fire Authority reviewed its Scheme of Delegation to Officers and agreed the following changes.

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This scheme grants delegated powers to the Chief Fire Officer, Authority Solicitor (**Monitoring Officer**) and Treasurer ("the Chief Officers") under section 101 of the Local Government Act 1972 and any other enabling powers.

The 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.

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

It is prudent to include these delegations within the Scheme to provide absolute clarity even though separate documentation exists, providing such delegated powers to the Head of Finance and Deputy Monitoring Officer. It was also deemed opportune to include delegation of the Chief Fire Officer's powers to the Assistant Chief Fire Officers to cover the current situation where the Service is without a Deputy Chief Fire Officer.

Under 3.2 at Delegations to the Authority Solicitor include the following

c) prosecute under the Authority's enforcement powers including under the Regulatory Reform (Fire Safety) Order 2005

4 Standing Orders for the Regulation of Proceedings and Business

The Fire Authority reviewed its Standing Orders for the Regulation of Proceedings and Business and agreed the following changes.

Where there are still references to 'prejudicial' interests, these will be substituted with 'disclosable pecuniary' interests.

Standing Order No 1

5 (a) Notice of the time and place of the intended meeting shall be published at:
The Shirehall, Shrewsbury;
The Civic Offices, **Darby House**, Telford; and
Brigade Headquarters, Shrewsbury.

Standing Order No 7

Appointment of Committees and Sub-Committees

~~3~~ Any committees or sub-committees appointed by the Authority shall as the first item of business at its first meeting consider the appointment of a Chair and Vice-Chair.

4 ***Any committees or sub-committees appointed by the Authority shall consider the election of a Chair and appointment of a Vice-Chair as the last item of business on the agenda of the annual meeting of the Authority.***

Suggested by Members, this is a pragmatic way of dealing with this business, rather than awaiting the next meeting of a committee, which could be some months after the annual meeting of the Authority.

- 5 When appointing committees (~~other than the Standards Committee~~) the Authority shall determine the overall number of seats on each committee and allocate numbers of seats to political groups and ~~to Independent Members~~ in accordance with the Local Government and Housing Act 1989 and regulations made under that Act.

This was inadvertently missed, when the last review was conducted.

5 Standing Orders relating to Contracts

The Fire Authority reviewed its Standing Orders relating to Contracts and agreed the following changes.

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

6 Financial Regulations Standing Orders

The Fire Authority reviewed its Financial Regulations Standing Orders and agreed the following changes.

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 (~~Corporate, Performance and Operations~~) and ~~Assistant Chief Fire Officer (Human Resources)~~ or other statutory title in the regulations should be read as referring to them.

This change reflects the latest restructuring in respect of Brigade Managers.

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 changes to the Scheme of Delegation to Officers and to Standing Orders 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 that brought these changes before the Fire Authority in July 2013. 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