



MINUTES OF THE GOVERNANCE AND CONSTITUTION COMMITTEE held on 8 February 2013 at Fire Service HQ at 10:00 am.

PRESENT: Councillors H Mundry (Chair), M Biggin, B Livesley, R Polhill and T Sherlock

Independent Members: Mr R Garner, Mr M McBride and Mr W Ravenscroft

PART 1 – MATTERS CONSIDERED IN PUBLIC

1 PROCEDURAL MATTERS

A APOLOGIES FOR ABSENCE

Apologies were received from Councillor J Leather.

B DECLARATION OF MEMBERS' INTERESTS

There were no declarations of Members' interests

C MINUTES OF THE GOVERNANCE AND CONSTITUTION COMMITTEE

RESOLVED: That

the minutes of the meeting of the Governance and Constitution Committee held on 26 September 2012 be confirmed as a correct record.

ITEMS REQUIRING DISCUSSION / DECISION

2 DISPENSATIONS

The Head of Legal and Democratic Services introduced this report which provided Members with further explanation about the treatment of dispensations in the new standards regime. He advised that this report sought to allow Members with Statutory Disclosable Pecuniary Interests dispensation to allow them to take part in debates and vote upon the setting of the Council Tax precept and approval of the Members' Allowance Scheme, (and any changes and/or additions to it) at the Fire Authority meeting on 13th February 2013 and for as long as the dispensation applied.

He drew Members attention to section 33 of the Localism Act 2011 to be considered by the Committee when granting dispensations to Members of the Authority. He further explained that sub section (2) detailed reasons why a dispensation could be granted.

He informed Members that failure to disclose some interests could lead to a Member being subject to criminal sanctions and Members that own property within the area of the Fire Authority appeared to have a Statutory Disclosable Pecuniary Interest. He advised that taking this into consideration it seemed sensible to secure specific dispensations for Fire Authority Members as he believed that the majority would need to make such a disclosure at the meeting of the Fire Authority on the 13th February 2013 when the Council Tax precept would be set. In addition, as all Members were in receipt of an allowance it could be argued that they would have a Statutory Disclosable Pecuniary Interest in the item related to the Members Allowance Scheme.

He advised Members that this Committee had the authority to grant dispensations to Fire Authority Members and to specify the period for which they would have effect, which could not exceed four years.

Members queried whether Members should declare interest in leased properties in addition to owned property and the Head of Legal and Democratic Services confirmed that they should.

Members unanimously agreed the motion to grant the dispensations to Fire Authority Members to be effective for four years.

RESOLVED: That

- [1] all Members of Cheshire Fire Authority be granted dispensation to allow them to take part in the debate and vote on the setting of the Council Tax precept, and approval of the Members' Allowance Scheme (and any changes and/or additions to it), such dispensations to be effective for four years.**