



MINUTES OF THE ANNUAL GENERAL MEETING OF THE CHESHIRE FIRE AUTHORITY held on Wednesday 13 June, 2012 at Fire Service Headquarters, Winsford at 10.30 a.m.

PRESENT: Councillors M Biggin, D Brickhill, P Carey, D Flude, P Harris, E Johnson, L Jones, J Joyce, J Kerr-Brown, J Leather, B Livesley, G Merry, H Mundry, S Nelson, R Polhill, B Rudd, T Sherlock, M Simon, A Tate, C Thorley, D Topping, J Weatherill and N Wright.

PART 1 – MATTERS CONSIDERED IN PUBLIC

1 PROCEDURAL MATTERS

A APOLOGIES FOR ABSENCE

None

B ELECTION OF CHAIR

In accordance with Standing Order no 3.20 Members were invited to elect a Chair of the Authority to serve until the Annual Meeting in June 2013.

The Head of Legal and Democratic Services asked for nominations from Members for the position of Chair. Councillors D Topping and J Joyce were nominated. Before a secret ballot was conducted the nominated Members made short statements.

Councillor J Joyce was duly elected Chair of the Fire Authority with 12 votes, giving him more than half of the votes cast.

RESOLVED:

That Councillor J Joyce be elected as Chair of Cheshire Fire Authority until the Annual Meeting in June 2013.

At this point Councillor Topping congratulated Councillor Joyce on his appointment as Chair and thanked both Members and Officers of the Fire Authority for their support during his term of office.

On taking the Chair Councillor Joyce thanked Councillor Topping for his leadership during the past 3 years. He also welcomed the four new Members on to the Authority for 2012/13 and thanked the out-going Members; Councillors Campbell, Crowe, Musgrave and Redhead for their service to the Authority.

C ELECTION OF DEPUTY CHAIR

In accordance with Standing Order no 3.21 the Chair invited Members to elect a Deputy Chair of the Authority to serve until the Annual Meeting in June 2013.

Councillors D Topping and S Nelson were nominated. A secret ballot was conducted and Councillor S Nelson was duly elected Deputy Chair with 12 votes, giving him more than half of the votes cast.

RESOLVED:

That Councillor S Nelson be elected as Deputy Chair of Cheshire Fire Authority until the Annual Meeting in June 2013.

D APPOINTMENT OF LEAD MEMBERS

At the Fire Authority meeting held on 14 December 2012 Members agreed to introduce the role of Lead Member to represent those constituent authorities that were not represented by an appointment to the role of Chair or Deputy Chair. Cheshire East and Cheshire West and Chester Members respectively were invited to appoint Lead Members to represent them for 2012/13.

Councillors E Johnson and T Sherlock were nominated to represent Cheshire West and Chester Borough Council. Members from Cheshire West and Chester voted on this nomination and Councillor Johnson was appointed. Councillor D Topping was nominated to represent Cheshire East Borough Council and was appointed.

RESOLVED:

That the following appointments of Lead Members be noted:

Cheshire East : Councillor D Topping

Cheshire West and Chester: Councillor E Johnson

E APPOINTMENT OF GROUP SPOKESPERSONS

In accordance with Standing Order No 3.24, a political group not represented by one of the office-holders (Chair or Deputy Chair), was entitled to appoint a spokesperson to represent that political group for 2012/13.

RESOLVED:

That the following appointments of Group Spokespersons be noted:

Conservative: Councillor David Topping

Democratic: Councillor Mike Biggin

F CHAIR'S ANNOUNCEMENTS

A copy of the Chair's Announcements was available for Members at the meeting and the following comments were made:

Sprinkler Demonstration

A Member informed the Authority that a question had been submitted to a Cheshire East Council meeting asking Cheshire East Council to follow the lead set by the Welsh Assembly by requiring all new developers to consider fitting new properties with sprinkler systems and have its Leader write to Cheshire MPs to secure their support. Members also commented that there had been little publicity following the sprinkler demonstration within the Cheshire East area and requested that further publicity take place.

The Head of Community Fire Protection informed Members that he had met with the relevant Portfolio Holder at Cheshire East to discuss sprinklers and how they might be pursued as part of the planning and building control processes. A summary of the meeting would be provided for Cheshire East Members.

Operational Assurance – Peer Review

The Chief Fire Officer explained that Cheshire Fire Authority would be receiving a Peer Review in July 2012, as part of the new performance and improvement framework established jointly by the Chief Fire Officer's Association (CFOA) and the Local Government Association (LGA).

The Review Team would be spending four days in Cheshire, from 17th to 20th July 2012 and would be spending time speaking to a range of frontline and support staff, as well as Members, partners and stakeholders. The timetable for interviews would be finalised by the end of the week and a number of Members would be invited to attend.

Forthcoming Events

A list of forthcoming events was provided for Members which included Princes Trust Presentation evenings, Station Open Days and Respect graduations.

G DECLARATION OF MEMBERS' INTERESTS

There were no declarations of Members interests.

H MINUTES OF THE FIRE AUTHORITY

RESOLVED:

That the Minutes of the meeting of the Cheshire Fire Authority held on 18 April 2012 be confirmed as a correct record.

I MINUTES OF THE STANDARDS COMMITTEE

RESOLVED:

That the Minutes of the meeting of the Standards Committee held on 16 May 2012 be received, for information.

J MINUTES OF THE BRIGADE MANAGERS PAY AND PERFORMANCE COMMITTEE

RESOLVED:

That the Minutes of the meeting of the Brigade Managers Pay and Performance Committee held on 25 May 2012 be received, for information.

K MEMBERSHIP OF THE FIRE AUTHORITY, COMMITTEES, SUB-COMMITTEES AND OTHER BODIES

The Head of Legal and Democratic Services introduced the report which covered the following items:

- a) Appointments to the Fire Authority;
- b) Political proportions on the Fire Authority;
- c) Political proportionality rules, where they apply and where they don't (and their affect upon the allocation of seats on committees etc.);
- d) Appointment of Members to available seats on committees etc.;
- e) Appointment of independent members;
- f) Appointments to other bodies;
- g) Appointment of Member Champions; and
- h) Endorsement of Member/officer buddy arrangements.

Members had received a copy of Appendix 2A which contained details of the approach to the allocation of seats at the beginning of the week. Following discussion involving the Group Leaders a further version of Appendix 2A with details of the proposed nominations to the various committees was supplied in group rooms before the meeting. Copies of Appendices 3 and 4 showing the proposed nominations for the appointments to outside bodies and member champion roles were also made available in group rooms.

The proposed appointments were agreed subject to minor changes presented at the meeting. The Chairs of Performance and Overview Committee and the Member Training and Development Group were settled following a vote.

Annexes 1, 2 and 3 attached to these minutes details the agreed list of appointments.

RESOLVED: That the:

[1] appointments to the Fire Authority and its functions as set out in Appendix 1 of the report be noted;

[2] political proportions on the Fire Authority be noted;

- [3] approach to the allocation of seats as detailed in Appendix 2A of the report be agreed;
- [4] appointments to Committees, Sub-Committees and Other Bodies be agreed (see attached Annex 1);
- [5] functions of Committees, Sub-Committees and Other Bodies as set out in Appendix 2B of the report be noted;
- [6] appointment of the independent members on the Standards Committee, Performance and Overview Committee, Member Training and Development Group and replacement committee to be responsible for standards in an advisory role be agreed (see attached Annex 1);
- [7] appointments to outside bodies be agreed (see attached Annex 2)
- [8] appointments of Member Champions be agreed (see attached Annex 3);
- [9] continuation of the Member/Officer buddying arrangements be agreed.

L TIMETABLE OF MEETINGS 2012-13

RESOLVED:

That the Timetable of Meetings for 2012-13, subject to the cancellation of the Standards Committee meeting scheduled for 27 June 2012, be noted.

M LGA ANNUAL CONFERENCE – 26th -28th JUNE 2012

RESOLVED:

That it be noted that a representative from each of the three political groups would be attending the LGA Annual Conference 2012 to represent the Fire Authority.

N CONSTITUTION

The Head of Legal and Democratic Services asked Members to re-adopt the current constitution.

RESOLVED:

That the Fire Authority's Constitution be re-adopted.

O APPOINTMENT OF EXTERNAL AUDITORS

RESOLVED:

That the appointment of Grant Thornton as the Authority's External Auditors with effect from 1st November 2012 be noted.

2 NEW STANDARDS REGIME

The Head of Legal and Democratic Services introduced this report which was intended to secure agreement to the Fire Authority's new standards arrangements which were due to commence when the current regime ends. He updated Members on the latest position and explained that information had now been received from DCLG confirming: that the new arrangements would commence on 1st July 2012; and also providing more information on disclosable pecuniary interests. He informed Members that he would be writing to them separately regarding the register of interests (because of the overlap of the current and new regimes disclosure would be more complex than usual).

The Head of Legal and Democratic Services explained that the range of matters subject to the recommendations in the report had been considered by Standards Committee. Senior legal officers from the constituent authorities had also been working with the Head of Legal and Democratic Services with a view to agreeing areas of commonality such as the Members' Code of Conduct.

Members were told that the new arrangements would essentially be interim as once the full implications of the secondary legislation has been considered and fully understood some changes would be proposed and considered by Members.

Members discussed all the proposals in the report and agreed to the recommendations presented subject to one caveat. Concern was expressed about the proposed procedure for dealing with complaints about a breach of the Members' Code of Conduct (because there was no right to appeal). Members asked that Governance and Constitution Committee should consider this issue further.

RESOLVED: That the following matters take effect from 1st July 2012:

- [1] the requirement for a committee with responsibility for standards issues be agreed;**
- [2] the terms of reference (as detailed in Appendix 1 of the report) for that committee be agreed;**
- [3] the name of that committee as the 'Governance and Constitution Committee' be agreed:**

- [4] the requirement for and the role of independent members be agreed;
- [5] the new Members' Code of Conduct (as detailed in Appendix 2 of the report) be adopted;
- [6] the procedure for dealing with complaints about a breach of the Members' Code of Conduct (as detailed in Appendix 3 of the report) be adopted (subject to a requirement for a review by the Governance and Constitution Committee of paragraph 14 of the procedure relating to the lack of facility to appeal);
- [7] the name (Members' Code of Conduct Sub-Committee), terms of reference and membership of the sub-committee referred to in the procedure be agreed; and
- [8] the other information in the report be noted.

3 MEMBERS ALLOWANCES 2012/13

The Head of Legal and Democratic Services introduced the report which asked Members to agree the level of allowances for the current year. The report included details of the Members Allowance Scheme and current allowances as well as providing some contextual information to assist Members.

The current scheme was approved by the Fire Authority at its meeting on 10th February 2010 in line with the Independent Remuneration Panel's recommendations. The scheme provided for an annual inflationary increase to the allowances based on the prevailing Retail Price Index (excluding mortgage interest), known as RPI (x). This indicator had been used previously and had resulted in measured increases. However, at present if the scheme were followed, this indicator would lead to an increase of 3.5% for 2012-13.

The report explained that the economic situation remained difficult with considerable pressure on public sector budgets and reminded Members that public sector pay remained frozen for 2012/13. There was also information about the situation in constituent authorities and other Fire Authorities where Members had agreed to make no increases for 2012/13.

RESOLVED: That

the annual inflationary increase will not be applied to Members' Allowances for 2012/13.

4 MEMBER DEVELOPMENT PROGRAMME 2012-13 AND REVIEW OF MEMBER DEVELOPMENT 2010-12

The Head of Legal and Democratic Services presented the Member Development Programme for 2012-13 to Members for approval. The

Programme had previously been presented to the Member Training and Development Group at its meeting on 21 March 2012 and it had recommended that the programme be submitted to the Fire Authority for approval.

The report also contained a review of the Service's Member Development activities over the last two years which included a summary of the delivery of the Member Development Programme and the implementation of the Member Development Strategy 2010-12.

Councillor Livesley thanked all Members and officers for their support and participation in Member Development during his time as Chair of the Member Training and Development Group.

Councillor Flude highlighted the achievement of the Charter (Level 1) and thanked Councillor Livesley and Democratic Services for their work in helping the Authority to achieve this award.

RESOLVED: That

- [1] the 2012/13 Member Development Programme (attached as appendix 1 of the report) be approved; and**
- [2] the review of Member Development activities for 2010-12 (attached as appendix 2 of the report) be noted.**

PART 2 – BUSINESS TO BE DISCUSSED IN PRIVATE

NONE

ANNEX 1

COMMITTEE MEMBERSHIP FOR 2012-13

There are 23 elected Members of Cheshire Fire Authority drawn from the four unitary authorities of Cheshire East (8), Cheshire West and Chester (7), Halton (3) and Warrington (5).

**FIRE AUTHORITY – 23 Members – Appointed as Con: Lab: Lib: Ind (9:12:1:1)
(Now Con: Lab: Dem (9:12:2))**

Chair: Councillor John Joyce
Deputy Chair: Councillor Stef Nelson
Lead Members: Cheshire East – Councillor David Topping
Cheshire West and Chester – Councillor Eleanor Johnson
Group Spokesperson(s): Conservative – Councillor David Topping
Democratic – Councillor Mike Biggin

Representing Cheshire East Council (5:2:0:1)

Conservative	Labour	Liberal Democrat	Independent
B Livesley G Merry M J Simon D Topping J Wetherill	D Flude C Thorley		D Brickhill

Representing Cheshire West and Chester Council (4:3:0)

Conservative	Labour	Liberal Democrat
E Johnson L Jones J Leather N Wright	B Rudd T Sherlock A Tate	

Representing Halton Borough Council (0:3:0)

Conservative	Labour	Liberal Democrat
	R K Polhill S J Nelson P Harris	

Representing Warrington Borough Council (0:4:1)

Conservative	Labour	Liberal Democrat
	J Joyce H Mundry J Kerr Brown P Carey	M Biggin

BODIES COVERED BY POLITICAL PROPORTIONALITY RULES

POLICY COMMITTEE – 10 Members

Chair: Councillor John Joyce

Deputy Chair: Councillor S Nelson

CONSERVATIVE	LABOUR	DEMOCRATIC
L Jones	J Joyce	D Brickhill
J Leather	J Kerr-Brown	
G Merry	S Nelson	
D Topping	B Rudd	
	C Thorley	

PERFORMANCE AND OVERVIEW COMMITTEE – 7 Members and 1 Independent Member

NB: Members must not be Members of Policy Committee

Chair: Councillor Alex Tate

CONSERVATIVE	LABOUR	DEMOCRATIC
M Simon	P Carey	
J Weatherill	D Flude	
N Wright	P Harris	
	A Tate	
1 INDEPENDENT MEMBER		
B Ravenscroft		

BRIGADE MANAGER'S PAY AND PERFORMANCE COMMITTEE – 7 Members

Chair: Councillor John Joyce

CONSERVATIVE	LABOUR	DEMOCRATIC
B Livesley	J Joyce	
G Merry	S Nelson	
D Topping	B Rudd	
	C Thorley	

JOINT CONSULTATIVE COMMITTEE (DISPUTE) – 4 Members

NB: Members must not be Members of Policy Committee

Chair: Councillor Rob Polhill

CONSERVATIVE	LABOUR	DEMOCRATIC
E Johnson	R Polhill	M Biggin
	T Sherlock	

GOVERNANCE AND CONSTITUTION COMMITTEE – 6 Members + 3 Independents

Chair: Councillor H Mundry

CONSERVATIVE	LABOUR	DEMOCRATIC
J Leather	H Mundry	M Biggin
B Livesley	R Polhill	
	T Sherlock	
3 INDEPENDENT MEMBERS		
R Garner	M McBride	B Ravenscroft

BODIES NOT COVERED BY POLITICAL PROPORTIONALITY RULES
MEMBER TRAINING AND DEVELOPMENT GROUP – 4 Members + 1 Independent

Independent

Chair: Councillor D Flude

CONSERVATIVE	LABOUR	DEMOCRATIC
L Jones	D Flude	
B Livesley	P Harris	
1 INDEPENDENT MEMBER		
R Garner		

RISK MANAGEMENT BOARD – 2 Members

CONSERVATIVE	LABOUR	DEMOCRATIC
J Weatherill	C Thorley	

PHOENIX BOXING CLUB BOARD – 2 Members (from Warrington Members)

Members	Substitute Members
P Carey	Biggin
J Joyce	

BODIES WHERE NO APPOINTMENTS ARE REQUIRED

CLOSURE OF ACCOUNTS COMMITTEE

The Policy Committee sits as the Closure of Accounts Committee and meets once a year to close the Authority's accounts.

STAFFING SUB-COMMITTEE – 4 Members

The Staffing Sub-Committee consists of four Members drawn from the Brigade Managers Pay and Performance Committee and, wherever possible the sub-committee must be convened in political proportion.

BUSINESS CONTINUITY COMMITTEE

The membership of the Business Continuity Committee comprises the Chair, Deputy Chair Group Spokesperson(s) and Lead Member(s). The Committee meets on an ad-hoc basis, as required.

ANNEX 2
OTHER BODIES

REGIONAL APPOINTMENTS – NORTH WEST

(A) NORTH WEST FIRE AND RESCUE STRATEGIC PARTNERSHIP BOARD

NB: 3 representatives only - Chair, Deputy Chair and Leader of Main Opposition

Members
Chair of Fire Authority – Councillor J Joyce
Deputy Chair of the Fire Authority – Councillor S Nelson
Leader of Main Opposition – Councillor D Topping

(B) NORTH WEST FIRE CONTROL LTD

NB: 2 representatives only - Chair + 1

Members
Chair of the Fire Authority – Councillor J Joyce
Councillor D Topping

REGIONAL APPOINTMENTS – OTHER

(C) LOCAL GOVERNMENT ASSOCIATION (LGA) - FIRE COMMISSION

Member
Chair of Fire Authority – Councillor J Joyce

(D) LGA RURAL AND URBAN COMMISSIONS

Rural Commission

Member
Councillor M Simon

Urban Commission

Member
Councillor C Thorley

(E) SAFER CHESHIRE EAST PARTNERSHIP

Member
Councillor M Simon

(F) SUB-REGIONAL PUBLIC LEADERSHIP BOARD

Member
Chair of the Fire Authority – Councillor J Joyce

(G) WEST CHESHIRE TOGETHER LSP

Member
Councillor E Johnson

ANNEX 3

MEMBER CHAMPIONS

KEY MEMBER REPRESENTATION ON OTHER GROUPS – Non political – aligned to skills and interests

Equality and Diversity	Councillor S Nelson
Sits on Equality Task Group	
Environment	Councillor T Sherlock
Sits on Environment Project Board	
Health and Safety	Councillor D Topping
Sits on Health and Safety Committee	
Information and ICT	Councillor J Leather
Sits on ICT Steering Group	

ADDITIONAL MEMBER CHAMPIONS – Non political - aligned to skills and interests

Procurement	Councillor T Sherlock
Finance	Councillor P Carey Councillor G Merry
Older People	Councillor D Flude
Young People	Councillor H Mundry
Performance Management	Councillor A Tate
Commercial/Business Risk Reduction	Councillor J Kerr-Brown
Industrial Relations (JCC Chair)	Councillor R Polhill
Road Safety	Councillor B Livesley