

# Public Document Pack



To: All Members of the Authority



**R. Groves**  
**Monitoring Officer**

The Protocol and Procedure for visitors attending meetings of Merseyside Fire and Rescue Authority can be found by clicking [here](#) or on the Authority's website: <http://www.merseyfire.gov.uk> - About Us > Fire Authority.

Tel: 0151 296 4000  
Extn: 4113 Shauna Healey

Your ref:

Our ref SH/RG

Date: 1 June 2022

Dear Sir/Madam,

You are invited to attend a meeting of the **AUTHORITY** to be held at **1.00 pm** on **THURSDAY, 9TH JUNE, 2022** in the Liverpool Suite - Fire Service Headquarters at Merseyside Fire and Rescue Service Headquarters, Bridle Road, Bootle.

This meeting is open to the public, if you wish to attend please contact Democratic Services.

Please note that this meeting is webcast and can be found at the following link:

<https://youtu.be/S4bP6MgOUtc>

Yours faithfully,

PP – S.Healey

Monitoring Officer

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# **MERSEYSIDE FIRE AND RESCUE AUTHORITY**

## **AUTHORITY**

**9 JUNE 2022**

## **AGENDA**

PCC Emily Spurrell PCC  
Cllr Hugh Malone  
Cllr Harry Gorman  
Cllr Gillian Wood  
Cllr Anna Rothery  
Cllr Lynn Hinnigan  
Cllr Sharon Connor  
Cllr Edna Finneran  
Cllr Linda Maloney  
Cllr Lynne Thompson  
Cllr Janet Grace  
Cllr Brian Kenny (Vice-Chair)  
Cllr Les Byrom (Chair)  
Cllr Lesley Rennie  
Cllr James Roberts (Vice-Chair)  
Cllr Paul Tweed  
Cllr Dave Hanratty  
Cllr Andrew Makinson  
Cllr Tracy Dickinson  
Mr Anthony Boyle

1a) **Appointment of Chair**

1b) **Appointment of Vice-Chair**

1c) **Preliminary Matters**

The Authority is requested to consider the identification of:

- i) declarations of interest by individual Members in relation to any item of business on the Agenda
- ii) any additional items of business which the Chair has determined should be considered as matters of urgency; and
- iii) items of business which may require the exclusion of the press and public during consideration thereof because of the possibility of the disclosure of exempt information.

2. **Minutes of the Previous Meeting** (Pages 7 - 22)

To consider the minutes of the previous meeting of the Authority, held on 24<sup>th</sup> February 2022.

**3. Membership of the Authority 22/23** (Pages 23 - 26)

To consider report CFO/021/22 which details the membership of the Authority.

**4. Structure of the Authority** (Pages 27 - 32)

To consider report CFO/022/022 which provides Members with details of the Structure of the Authority.

**5. Meeting Dates for 22/23 and 23/24** (Pages 33 - 40)

To consider report CFO/024/022 which outlines the proposed meeting dates for 22/23 and 23/24.

**6. Questions on Discharge of Functions** (Pages 41 - 42)

To consider report CFO/025/022 which seeks to appoint Members to be responsible for answering questions on discharge of functions.

**7. Appointment of Membership to Outside Bodies** (Pages 43 - 46)

To consider report CFO/033/022 which details appointments to outside bodies.

**8. Approved Conference and Outside Meetings** (Pages 47 - 48)

To consider report CFO/026/022 which related to approved conferences and outside meetings.

**9. Meetings with National Politicians at Party Political Conferences**  
(Pages 49 - 50)

To consider report CFO/034/022 relating to meetings with national politicians at Party Political Conferences.

**10. Members Allowance Payments 2021/22** (Pages 51 - 56)

To consider Report CFO/027/022 which relates to Member allowance payments for 2021/22.

**11. Scheme of Members Allowance 22/23** (Pages 57 - 72)

To consider Report CFO/028/022 which details the scheme of Members allowance for 2022/23.

12. **MFRA Constitution** (Pages 73 - 272)  
To consider report CFO/023/022 which relates to the Constitution.
13. **Construction of a New Multi-Pump Superstation, Training and Development Academy /National Resilience Centre of Excellence at Long Lane Aintree** (Pages 273 - 342)  
To consider report CFO/031/022 which relates to the construction of a new training and development academy at Long Lane/Aintree.
14. **Award of Contract to procure a new fleet of van for use by National Resilience** (Pages 343 - 346)  
To consider Report CFO/030/022 which seeks to award a contract to procure a new fleet of vans for use by National Resilience.
15. **Purchase of a 45m Bronto Combined Platform Ladder (CPL)** (Pages 347 - 352)  
To consider report CFO/032/022 which relates to the purchase of a 45m Bronto Combined Platform Ladder.
16. **Multi - Function Device Contract Renewal 2022** (Pages 353 - 370)  
To consider report CFO/029/022 relating to multi-functional device contract renewal.

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## **MERSEYSIDE FIRE AND RESCUE AUTHORITY**

**24 FEBRUARY 2022**

### **MINUTES**

**Present:** **Cllr Leslie T. Byrom CBE (Chair)** Councillors Hugh Malone, Sharon Connor, Elizabeth Hayden, Linnie Hinnigan, Gillian Wood, , Edna Finneran, Lynne Thompson, Janet Grace, Brian Kenny, Lesley Rennie, James Roberts, Paul Tweed, Andrew Makinson, Lisa Preston and Patrick Hurley and the PCC Emily Spurrell

**Apologies of absence were received from:** Councillors Kathy Hodson and Linda Maloney

#### **1. Preliminary Matters**

The Authority considered the identification of any declarations of interest, matters of urgency or items that would require the exclusion of the press and public due to the disclosure of exempt information.

**RESOLVED** that:

- a) no declarations of interest were made by individual Members in relation to any item of business on the Agenda;
- b) no additional items of business were determined by the Chair to be considered as matters of urgency; and
- c) no items of business required the exclusion of the press and public during consideration thereof because of the possibility of the disclosure of exempt information.

#### **2. Minutes of the Previous Meeting**

**RESOLVED** that the minutes of the previous meeting held on 11<sup>th</sup> November 2021 were agreed as an accurate record.

#### **3. Asset Management Plans**

Members considered a report of the Chief Fire Officer (CFO) setting out how the Authority planned to align its physical asset base with its corporate goals and objectives over the next 5 years (2022/23-2026/27).

The CFO highlighted the significance of the Estate Asset Management Plan and the Transport Plan in terms of the environmental impact of Merseyside Fire and Rescue Authority (MFRA) both now and in the future. It was explained that a strategic policy document on the Authority's environmental ambitions would be submitted to a future meeting of the Committee.

With regards to the vehicle fleet, it was explained that some areas would be easier to convert than others, with the auxiliary fleet as a good example of a simpler area when compared to fire appliances.

The Chair cited that the Liverpool City Region Combined Authority had a target of 2040 for zero carbon and Liverpool City Council were aiming for 2030. It was suggested that the Authority review decarbonisation of its buildings and fleet to identify opportunities to make it more eco-friendly. The Chair requested that the Authority adopt the year 2040 as a target for zero carbon with 2030 as a 'stretch' target if achievable.

Members queried the use of Seed Data Mobilisation in the ICT Plan, noting that it was prohibited and obsolete but still in use on operation vehicles and by fire control. Ed Franklin, Head of Technology, clarified that the Seed app was no longer in use and that during the last few years mobilisation software in the cabs of fire appliances had been upgraded to use Airbus and an application called SE Response.

With regards to legacy support for systems using Windows XP, Ed Franklin explained that over the last 18 months MFRA had implemented CFMIS successfully which led to the cessation of historical payments for soft logic. The CFO added that the CFMIS project had been a significant piece of work that helped to knit together the aims of the service and present information in a centralised location that was more user-friendly than previous iterations.

Emily Spurrell, the Police and Crime Commissioner, asked for reassurance that the MFRA were sharing best practice with its partners such as Merseyside Police and the North West Ambulance Service. Part of that approach included identifying where the services could achieve efficiencies by combining assets. The CFO confirmed that MFRA were very focused on identifying collaboration opportunities to make efficiencies and to maximise the benefit to the public.

**RESOLVED** that the revised Asset Management Plans provided as appendices to this report be approved.

**4. Merseyside Fire and Rescue Authority Budget and Financial Plan 2022/23 – 2026/2027**

Members considered a report of the Director of Finance and Procurement, which provided the Members with the medium term capital and revenue financial plan to allocate resources in line with the Authority's strategic aims.

The Chair thanked the Finance department for preparing the budget proposal and for the significant amount of work undertaken as highlighted in the recent inspection, which noted the outstanding nature of the Authority's financial controls.

Members queried the ratio of financing cost to the net revenue stream as it was proposed that this would rise to 10% in 2026/27. Ian Cummins explained that historically 10% of the budget had been allotted to service debt but in recent years this had reduced to 5% as the level of debt had declined due to the



additional debt payments that had been made. In terms of the sustainability of the committing of 10% of the budget to service debt, then based on the proposed MTFP the servicing of 10% debt would be affordable and sustainable. However, ultimately, the Authority is dependent upon Government funding support and the outcome of future Government settlements may require a review of all of the current budget commitments.

Members were advised that the inflation provision in 2026/27 was a result of the plan being structured as a five-year rolling, medium term financial plan. It was explained that this provision was expected to cover the pay award and inflation increase in 2026/27.

The Police and Crime Commissioner (PCC) commented on how the government were funding public services including the Fire Service and the Police and cited the lack of a three-year settlement as detrimental and responsible for pushing the burden onto the local taxpayer. It was proposed that a joint approach to lobbying from public services in Merseyside would help to illustrate the issue to central government.

Councillors asked for clarity on the £1.25million refurbishment of Bromborough Station, which was included in the capital programme noting that the Asset Management Plan suggested it may be replaced. The CFO explained that the IRMP 2021-24 considered a proposal to merge Heswall and Bromborough stations but the land for a new site had not been available. As a result, of the station remaining in use, it required an upgrade to meet the Authority's accessibility standards and to provide female facilities in line with the Authority's ambitions for equality. The service was also cognisant of the Wirral Local Plan, which sought to add 5000 properties to the area, further necessitating an upgrade of Bromborough station.

The Chair presented the Labour Budget Resolution noting that the Authority had a proven record of accomplishment in terms of maintaining financial affairs and making tough decisions to balance the budget. The reductions to grant support and revenue funding from central government made in previous years were stated and the efforts in recent years by management to move funding to the front line were commended.

Furthermore, the government's intention to address the ingrained challenges of regional equality through the Levelling Up agenda were welcomed especially for areas that were under-invested in. The Chair shared the PCC's concerns over shifting the cost of financing public services onto the council taxpayer.

The Chair explained that the proposal was to increase the precept by under 2% with most people (Band A) seeing an increase of £1.07. Reflecting on funding cuts, it was agreed that the Members would continue to lobby government to maintain and improve MFRA funding to prevent any loss of frontline services.

Vice-Chair Councillor Brian Kenny, seconded the budget proposal as presented by the Chair and commended that the investment that MFRA had made in the service over the last few years had ensured it remained the best service in the UK. Concerns were raised over the impact of previous reductions to the service

and Councillor Kenny supported the Chair's instruction to continue lobbying, especially for those deprived areas of Merseyside.

The Vice-Chair also commended on the morale and attitude of MFRA staff noting that on a recent Station Visit, a firefighter at Kirkdale Station had stated they had 'the best job in the world'. The Members agreed that the people at the Authority were its best asset and their dedication and hard work was noted.

Opposition Spokesperson, Councillor Leslie Rennie, lent her support to the proposal to continue lobbying government and commended the Authority on how it had managed the budget in difficult circumstances. Councillor Rennie supported the budget resolution, noting that it was the best deal for residents and had the best chance of helping areas of deprivation.

The Chair conducted a vote for the budget resolution with unanimous agreement by the 17 councillors present.

**RESOLVED** that:

- a) the 2022/23 service budget set out in the report be noted;
- b) the Director of Finance and Procurement's recommendation on maintaining the current level of general fund balance at £3.000m be endorsed, and reserved be maintained as outlined in paragraph 141 to 162 of this report;
- c) the current plan to increase the precept by just below 2% (1.96%) for 2022/23, raising the Band D Council Tax from £82.00 to £83.61 be approved and the strategy for future precept rises (the plan that assumes further increases of just under 2% in each year thereafter) be confirmed;
- d) the assumptions in developing a five-year financial plan outlined in the report be endorsed, and the 2022/23 budget estimate of £61.792m be approved;
- e) the 2022/23 – 2026/27 updated Medium Term Financial Plan (MTFP) outlined in the report and summarised in Appendix C be approved;
- f) the discretionary fees and charges uplift outlined in the report and summarised in Appendix E be approved;
- g) the capital strategy and investment strategy as summarised in Appendix B be approved;
- h) the Minimum Revenue Provision (MRP) strategy for 2022/23 as outlined in paragraphs 85 to 94 of this report be approved;
- i) the prudential indicators relating to the proposed capital programme, outlined in paragraphs 100 to 105 of the report be noted;

- j) the Treasury Management Strategy outlined in Section F be approved and the Treasury Management indicators be agreed as set out in the section for:-
- i) External Debt
  - ii) Operational Boundary for Debt
  - iii) Upper limits on fixed interest rate exposure
  - iv) Upper limits on variable rate exposure
  - v) Limits on the maturity structure of debt
  - vi) Limits on investments for more than 364 days; and
- k) the recommendations above provide an approved framework within which officers undertake day-to-day capital and treasury management activities be noted; and
- l) the budget resolution be approved as follows:

**Merseyside Fire and Rescue Authority Budget and Medium Term Financial Plan Resolution 2022/2023 – 2026/2027**

1. The Authority has a proven track record in managing its financial affairs well and making the tough choices to balance the budget. Over the 2010/2011 – 2019/2020 period Merseyside Fire and Rescue Authority (the Authority) suffered one of the largest cuts in Government funding of any Fire and Rescue Service in the country. The Authority had a 50% real terms reduction in the grant support it received from Government, and its total revenue budget reduced by nearly 40% or £13m. The Authority faced-up to the Government funding cuts and had no choice over that period but to approve an unavoidable reduction in the operational front line, with reductions in: -
  - The firefighter establishment, that reduced from 1,000 full time equivalents (FTE) to potentially 620 FTEs, 38% lower,
  - The number of fire stations reduced from 26 full time stations to 22 maintained by a variety of demand led duty cover systems,
  - The number of appliances available reduced from 42 wholetime fire appliances immediately available and 1 retained (43 appliances in total) to 26.
  
2. In 2019/2020 the Authority's new Chair and Vice Chairs together with a new Principal Officer team undertook a review of the Service with the aim to re-invest £1m back into Operational Response and Protection services by:-
  - an increase the firefighter numbers on Merseyside by an additional 22 posts, to 642 and,
  - an increase in retained (on call) contract holders

- increase fire engine/appliance availability from 26 to 29 (plus the specialist rescue appliance), and
  - the introduction of a new fire engineer post to work with partners ensuring the safety of residents in high-rise buildings.
3. This bold plan was in response to emergent and foreseeable risk from fire and other emergencies, particularly the services ability to respond to large and/or protracted incidents, as well as the need to enhance protection functions in the light of the Grenfell Tower fire, the Manchester terror attack and other major incidents. This major investment has now been consolidated within the approved budget.
  4. The Authority's IRMP for 2021 – 2024 sought to build on these foundations and included further enhancements to the operational and protection capabilities of the Service by:
    - increasing the number of fire engines the Service can deploy from 29 (plus the Special Rescue Appliance) to 31 (plus the Special Rescue Appliance) by expanding the Hybrid duty system,
    - introducing Specialist teams to deal with all foreseeable risk;
    - increasing investment in specialist appliances and other operational equipment.
    - proposed to build a new £35m Training and Development Academy and Hybrid Station with rescue capability.
  5. The investment the Authority has made in the Service since 2020/2021 has ensured Merseyside Fire and Rescue Service continues to be one of the best, if not the best fire and rescue services' in the country. In the latest HMICFRS inspection the Service scored an unprecedented three 'Outstanding' judgements across the eleven sub themes for its work preventing fires and other emergencies, its response to major and multi-agency incidents and for making the best use of its resources.
  6. The Authority remains concerned that the impact of the previous service reductions due to Government funding cuts have gone too far and they are steadfast in their ambition to build back into the Service. The permanent investment it has managed to put into the Service since 2020/21 only delivers some of the additional resources it believes are required. The Authority also calls upon the Government to make the temporary 2020/21 Protection Services grants, that allowed a short-term investment in these services, permanent.
  7. The 2022/2023 Government funding settlement is another one-year settlement, the Authority urge the Government to reinstate the multi-year approach for 2023/24 and beyond. Alongside the lateness of funding

notifications (a key example being the still to be announced FPS pension grant and possible Protection Services grants for 2022/2023), short-term funding is a major barrier to effective financial planning and fails to provide a permanent solution to the fundamental challenges facing the Authority.

8. The 2022/2023 Government Funding settlement and increase in grants to cover the business freeze in 2022/2023 will see the Authority receive approximately a 4% increase on its 2021/2022 settlement and grants. The Government has also announced a one-year Services Grant of £1.388m, however £0.336m of this is to cover the increase in the employers NI rate from April 2022. The Authority welcomes the new Services Grant but is disappointed that the announcement is only for one-year. While a 4% increase in Government funding would normally be welcomed the Country is facing a period of significant inflationary pressure particularly around energy, fuel and future tax increases that are likely to mean a large part of the Settlement increase will have to be used to for inflationary pressures rather than for improving services.
9. The Authority welcomes the Government's intention to address the engrained challenges that underpin regional inequality and this is essential for the success of the "levelling-up" agenda. The most fundamental intervention is for the Government to reassess the quantum of funding available in the longer-term, and to ensure that key services are funded based on local levels of need and deprivation. Failure to do this will put the rights of the most vulnerable in society at risk. There is a direct correlation between levels of deprivation and fire deaths.
10. The Authority has always been opposed to the application of council tax referendum principles as they are bureaucratic, undemocratic and have no reference to underlying inflation or demand for local services. The Authority would prefer to see the referendum principles abolished, allowing individual authorities to set their own levels of council tax.
11. The Authority is concerned that inclusion of council tax in Core Spending Power means that the burden of paying for local services is being progressively passed on to local council taxpayers. This means that funding increasingly fails to be matched to local need. This is not "levelling-up" and is inherently unfair – as local authorities with a small council tax base only benefit financially in a very limited way.
12. The Authority understands that the Government is looking at reforms to the local government funding formula and to determine an up-to-date assessment of the needs of each local / fire authority. The outcome of the fair funding review will feed into the future Government funding assessment for the Authority. The Authority would ask that the Government provide sufficient permanent funding, based on a fair funding system that properly reflects local levels of need and deprivation.
13. In order to protect the investment the Authority has made and plans to make in the Service, the Authority proposes a council tax increase of just under 2%.

14. The effect of the budget on the council tax will be a ***Band D Council Tax of £83.61, which equates to an increase of £1.61 or 3p per week on the 2021/2022 figure.***
15. Most people in Merseyside will pay ***Band A Council Tax of £55.74, which equates to an increase of £1.07 or 2p per week on the 2021/2022 figure.***
16. The Authority recognises that the Fire and Rescue Service is required to resource on the basis of risk not demand. However, it also appreciates that Merseyside faces more demands than most other services due to the high levels of deprivation that its communities experience. We urge this Government to reflect on the impact the last 10+ years of cuts are having on the Fire and Rescue Service and properly review all risks facing the country in the light of emerging risks (for example, a heightened terrorist threat or responding to increased flooding events through climate change). We would hope that resources are allocated in a way that allow Merseyside to continue to respond effectively to local and national threats.
17. Future Government funding cuts may force the Authority to make further reductions in frontline services, therefore the Authority will continue to lobby the Government against the level of cuts in funding made since 2010/2011 and highlight the consequences that further cuts will have on the effective delivering of a vital emergency service.
18. The Authority has undertaken a process of lobbying more extensively than any other Authority in the Country and we believe this may have avoided further and deeper cuts and our views on future funding have been heard at the highest levels of Government. The Authority has said it will not allow these unsafe levels of cuts to just roll over us, but we will use every political device we can to improve funding so as to maintain the highest levels of public and staff safety here on Merseyside. Our position as a service delivery lead partner with the Home Office (HO), has put us as a super authority, we will develop this relationship as positively as possible.

### **The Financial Plan**

19. In order to balance the financial plan the Authority will adopt the following strategy
  - Prepare a five-year financial plan based on the final Local Government Finance Settlement figures announced on 7<sup>th</sup> February 2022, that;
    - i. deals with the financial challenge arising from the known Government funding support up to 2022/2023, and
    - ii. although the financial plan has projected Authority spend and Government funding up to 2026/2027, the 2022/2023 and

future years' estimates are based on assumptions that are unpredictable as future Government funding for the Fire and Rescue Service is subject to a number of Government reviews and the national economic performance. Therefore, the Authority has agreed to note any financial challenge in future years at this point and will deal with any financial issues in future budget rounds.

- To set council tax increases in line with its financial plan of just under 2% for 2022/2023 and just under 2% thereafter.
  - That assumes a 2022/2023 and future years annual pay award for all of its staff will be within the 2.5% limit set in the plan.
  - The Authority will continue if possible to identify additional efficiencies to re-invest in the front line.
  - The MTFP includes the proposal to build a new Training and Development Academy and fire station for £35m, and reflects the Service proposals included in the 2021 – 2024 IRMP.
  - The Authority will continue to focus its search for efficiencies on collaboration, management, support services costs and other technical reviews.
20. Authority Members' have been committed to reducing their own costs and following thirteen years of a freeze to allowances', this has delivered an annual saving of £24,000. Given the current and forecast inflationary pressures facing the Country the reality is the freeze in allowances must end. The inflation provision within the budget now includes funding for an inflation indexation for members' allowances from 2022/2023 based on the previous year's firefighter pay award, and for future years would follow the NJC grey book recommendation. Members will consider the scheme of allowances for 2022/2023 at the AGM meeting in July 2022.
21. Noting that there is risk in the Authority's current plan, in particular around the assumptions over future pay increases and Government funding.
22. The Authority recognises that the Chief Fire Officer needs to consider any recommendations on future national fire and rescue practices, Fire and Rescue National Framework guidelines, Fire Standards Board, and ongoing local challenges. It therefore recognises that the Chief Fire Officer will need to continue to manage operational crewing levels and appliance availability on a dynamic basis using a variety of response systems where necessary under his delegated powers as the financial plan proceeds to delivery.

## IRMP

23. The proposed 2022/2023 – 2026/2027 MTFP takes into account the proposals in the 2021 – 2024 Integrated Risk Management Plan (IRMP). The IRMP may need to consider at the relevant time the consequences of future Government funding settlements, if applicable.

### **Council Tax**

24. The Authority had already assumed a council tax increase at the maximum level allowed by the Government before a referendum was required. The Government has confirmed that the threshold for 2022/2023 is an increase of just under 2%.
25. Because of the cuts in its frontline services, arising from previous Government funding reductions, the Authority must protect and invest in MFRS in order to maintain the safety and protection of the Merseyside community. It has therefore had no choice but to stick with its plan and increase council tax to the maximum allowed before a referendum is required. In 2022/2023, the Authority has approved an increase of just below 2% to minimise the impact on the services to Merseyside in the future.
26. The impact of the budget on the council tax will be a Band D Council Tax of £83.61, an increase of 3p per week on the 2021/2022 figure.
27. Most people in Merseyside will pay Band A Council Tax of £55.74, an increase 2p per week on the 2021/2022 figure.

### **Interoperability with Blue Light Partners**

28. This Authority is fully committed to closer collaboration with our emergency service colleagues across the county. Many collaborative successes have been achieved so far including: -
- (i) The delivery of the Joint Command and Control Centre with Merseyside Police,
  - (ii) Sharing 7 sites with North West Ambulance Service (NWAS) including NWAS Hazardous Area Response Team working alongside the Search and Rescue Team,
  - (iii) The creation of a Joint Police and Fire Station in Knowsley,
  - (iv) Extensive joint planning and exercising,
  - (v) Support to Health partners throughout the period of the pandemic.
29. The Authority instructs the Chief Fire Officer to continue to build upon this success and in particular, to actively seek out opportunities of working with NWAS and Merseyside Police around sharing buildings, and other assets, demand management and corporate service functions.

### **Working with other Partners**



30. The Authority will continue to work in partnership with each District Council in order to explore opportunities in which will mutually benefit each Authority in dealing with these and future financial challenges.
31. The Authority will examine the impacts of the devolution agenda and how best we can understand and develop constructive dialogue with the Liverpool City Region Combined Authority.

### **Reserves**

32. The Authority has prudently planned to meet its financial challenges over the medium term. The plan the Authority proposes is based upon the key assumptions around changes to grant, pay, tax and pension costs.
33. The Authority recognises that there are substantial risks associated with these assumptions and that, particularly in light of the current economic climate; it is not unreasonable to expect a significant degree of financial uncertainty and risk which will vary across the life of the financial plan. The Authority will therefore set a medium term financial plan based upon these key assumptions recognising that it may need to vary that plan to cope with changes arising. To mitigate some of these risks specific reserves have been established such as Inflation (*pay award risk*) and Smoothing (*McCloud compensation payments / future Government funding levels*) reserves.
34. The Authority seeks to provide its firefighters and other staff with the right equipment, personal protective equipment (PPE), vehicles, and training facilities to enable them to fulfil their role safely and at the best standard possible. As the Government does not make any capital funding available, the Authority has a strategy of building up the Capital Reserve to fund a significant proportion of this investment to maintain borrowing at an affordable and sustainable level. The proposed Budget and Financial Plan include the option to build a new Training & Development Academy and fire station at a cost of £35m, of which £19.8m will be funded from the Capital Reserve.
35. The Authority established a £1.9m recruitment reserve to fund the recruitment of new firefighters in advance of the expected firefighter retirements, as it expects significant numbers of the current workforce to retire over the next five or so years. This will ensure the Chief Fire Officer has sufficient competent firefighters. The Authority believes that a wholetime (with retained) professionally trained workforce is the most resilient and effective way of delivering a Fire and Rescue Service to its communities and is fully committed to maintaining this approach.
36. The reinvestment in frontline provision made in 2019/20 – 2020/2021 has ensured the services response standard has been met throughout the period of the pandemic.

37. In light of the risks within the financial plan, the Authority therefore agrees to maintain the reserves as set out in Appendix B to this resolution and maintain a general revenue reserve of £3.0m.

### **Capital Programme**

38. The Authority approves the Capital Programme as set out in CFO/007/22 which includes a total investment of over £63.380m over 2022/2023 – 2026/2027 period. The programme for 2022/2023 shall be approved as £42.605m.
39. The Authority notes the prudential indicators that this programme produces and recognises that the proposed capital investment programme is prudent, sustainable and the borrowing affordable. This programme makes use of the freedoms available to the Authority under the prudential regime and proposes 'prudential' borrowing of £21.592m in 2022/2023 as part of a total borrowing of £37.667m across the life of the plan.
40. In the light of the capital programme and the prudential indicators, agree the Treasury Management Strategy and the indicators set out in that strategy for: -
- (i) External Debt
  - (ii) Operational Boundary for Debt
  - (iii) Upper limits on fixed interest rate exposure
  - (iv) Upper limits on variable rate exposure
  - (v) Limits on the maturity structure of debt
  - (vi) Limits on investments for more than 364 days

### **Basic calculations**

41. Following consideration of the report of the Director of Finance and Procurement (CFO/007/22) and having taken into account views expressed in consultations, and all other relevant matters, pursuant to the Local Government Finance Act 1992, as amended, (the "Act"), the Authority determines its budget requirement for the financial year 2022/2023 as follows.
42. Approves the capital expenditure programme for the financial year 2022/2023 for the total of £42.605m as set out in report CFO/007/22 and the five-year programme totalling investment of £62.380m, and in this respect notes the advice of the Director of Finance and Procurement that the programme is prudent, sustainable and the borrowing affordable.
43. The Authority resolves as follows:
- (a) It be noted that on 24th February 2022, the Authority calculated the Council Tax Base 2022/2023 for the whole Authority area as 379,000.76

[Item T in the formula in Section 42B of the Local Government Finance Act 1992, as amended (the “Act”)].

(b) That the following amounts be calculated for the year 2022/2023 in accordance with sections 40 to 47 of the Act:

The Authority calculates the aggregate of: (A)

- the expenditure which it estimates it will incur in the financial year 2022/2023 in performing its functions and will charge to the revenue account for the year in accordance with proper practices under S42A (2) (a) of the Act as £104.988m,
- the allowance as the Authority estimates will be appropriate for contingencies in relation to amounts to be charged or credited to the revenue account for the year 2022/2023 in accordance with proper practices under S42A (2) (b) of the Act as £0.000m,
- the financial reserves which the Authority estimates it will be appropriate to raise in the year for meeting its estimated future expenditure for 2022/2023 under S42A (2) (c) of the Act as £2.852m,
- the financial reserves as are sufficient to meet so much of the amount estimated by the Authority to be a revenue account deficit for any earlier financial year as has not been already provided for under S42A (2) (d) of the Act as £0.000m.

The Authority must also calculate the aggregate of: (B)

- the income which it estimates will accrue to it in the year 2022/2023 and which it will credit to a revenue account for the year in accordance with proper practices, other than income which it estimates will accrue to it in respect of any precept issued by it under S42A (3) (a) of the Act as £54.987m,
- The amount of the financial reserves which the Authority estimates that it will use in order to provide for the items mentioned in S42 (2) (a and b) under S42A (3) (a) of the Act as £21.165m.

If the aggregate calculated under A above exceeds that calculated under B above, the Authority must calculate the amount equal to the difference; and the amount so calculated is to be its council tax requirement for the year under S42A (4) (Item R in the formula in S42B of the Act).

The Authority calculates the basic amount of its council tax by dividing the aggregate amount of S42A (4) (item R) divided by the council tax base (item T) above. The council tax requirement for 2022/2023 is £31,688,253 and the council tax base is 379,000.76, which is equal to £83.61 precept for a Band D property. This calculation meets the requirements under S42B of the Act.

44. The Authority calculates the council tax sums pursuant to S47 of the Act as follows:

2022/23	Property Band		Increase	
£			£	%
£55.74	For properties in Band	A	1.07	1.96
£65.03	For properties in Band	B	1.25	1.96
£74.32	For properties in Band	C	1.43	1.96
<b>£83.61</b>	<b>For properties in Band</b>	<b>D</b>	<b>1.61</b>	<b>1.96</b>
£102.19	For properties in Band	E	1.97	1.97
£120.77	For properties in Band	F	2.33	1.97
£139.35	For properties in Band	G	2.68	1.96
£167.22	For properties in Band	H	3.22	1.96

45. The Authority calculates the precept amounts payable by each constituent district council pursuant to S48 of the Act as follows:-

PRECEPT		AUTHORITY
£		
9,068,422	Payable by	LIVERPOOL
7,957,363	Payable by	WIRRAL
4,455,577	Payable by	ST.HELENS
7,037,487	Payable by	SEFTON
3,169,404	Payable by	KNOWSLEY
31,688,253		

46. The Authority requests the Director of Finance and Procurement to arrange for precepts to be issued to the constituent district councils pursuant to S40 of the Act before 1<sup>st</sup> March 2022, such sums to be payable by 10 equal instalments on or before the following dates:

Thursday	21/04/2022
Monday	30/05/2022
Friday	08/07/2022
Monday	15/08/2022
Wednesday	21/09/2022
Thursday	27/10/2022
Monday	05/12/2022
Friday	13/01/2023
Monday	20/02/2023
Friday	17/03/2023

47. The Authority notes that the Director of Finance and Procurement has advised that the 2022/2023 budget is based upon robust estimates.

5. **Arrangements for Appointing External Auditors**

The Director of Finance and Procurement presented the report which set out the proposals for appointing the external auditor to the Authority for the period from 2023/24 to 2027/28.

The report outlined the various options for appointing an external auditor and noted a deadline of the 11th March 2022 to opt into the Public Sector Audit Arrangements Limited (PSAA) sector-led national scheme

**RESOLVED** that the invitation from Public Sector Audit Arrangements Limited (PSAA) to opt into the sector- led national scheme for the appointment of external auditors for 2023/24-2027/28 be accepted.

Close

Date of next meeting Thursday, 23 February 2023

Chair \_\_\_\_\_ Date \_\_\_\_\_

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<b>MERSEYSIDE FIRE AND RESCUE AUTHORITY</b>			
<b>MEETING OF THE:</b>	<b>AUTHORITY (ANNUAL GENERAL MEETING)</b>		
<b>DATE:</b>	<b>9<sup>TH</sup> JUNE 2022</b>	<b>REPORT NO:</b>	<b>CFO/021/022</b>
<b>PRESENTING OFFICER</b>	<b>MONITORING OFFICER</b>		
<b>RESPONSIBLE OFFICER:</b>	<b>RIA GROVES</b>	<b>REPORT AUTHOR:</b>	<b>SHAUNA HEALEY</b>
<b>OFFICERS CONSULTED:</b>	<b>STRATEGIC LEADERSHIP TEAM CHAIR OF THE AUTHORITY</b>		
<b>TITLE OF REPORT:</b>	<b>MEMBERSHIP OF THE AUTHORITY 22/23</b>		

<b>APPENDICES:</b>	<b>NONE</b>
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### **Purpose of Report**

1. To inform Members of the changes to the membership of the Authority for 2022/23.

### **Recommendation**

2. It is recommended that Members;
  - a) note the contents of this report;
  - b) note the membership of the Authority further to the appointments by the five district councils;
  - c) continue with the appointment of the Police and Crime Commissioner (PCC) for Merseyside to the Authority; and
  - d) instruct the Monitoring Officer to review the role of Independent Person and Co-opted Member in order to present a report that considers best practice from other authorities in the next 12 months.

### **Introduction and Background**

3. The following changes to the Membership of the Authority have occurred:-
  - The appointment of Councillor Lisa Preston, from St Helens Council, ended as a result of the local elections.
  - The appointment of Councillors Patrick Hurley and Elizabeth Hayden from Liverpool City Council (LCC) ended as a result of a change to appointments made by LCC.

4. The constituent district councils have notified the Authority of the appointments to the Authority for the municipal year 2022/23 as follows:-

(a) Knowsley (2 Members):-

- Councillor Edna Finneran (Labour)
- Councillor Hugh Malone (Labour)

(b) Liverpool (6 Members):-

- Councillor James Roberts (Labour)
- Councillor Lynn Hinnigan (Labour)
- Councillor Dave Hanratty (Labour)
- Councillor Sharon Connor (Labour)
- Councillor Andrew Makinson (Liberal Democrat)
- Councillor Anna Rothery (Liverpool Community Independents Group)

(c) St. Helens (2 Members):-

- Councillor Linda Maloney (Labour)
- Councillor Tracy Dickinson (Labour)

(d) Sefton (4 Members):-

- Councillor Leslie Byrom (Labour)
- Councillor Janet Grace (Labour)
- Councillor Paul Tweed (Labour)
- Councillor Lynne Thompson (Liberal Democrat & Progressive Alliance Group)

(e) Wirral (4 Members):-

- Councillor TBC (Labour)
- Councillor TBC (Labour)
- Councillor TBC (Conservative)
- Councillor TBC (Green )

5. The political balance of the Authority is 72.21% Labour, 11.11% Liberal Democrat, 5.56% Conservative, 5.56% Green Party and 5.56 % for the Liverpool Community Independents Group. Political balance issues are considered in a separate report relating to the structure of the Authority, which is also presented for consideration at this meeting.

6. At the Annual General Meeting on the 10<sup>th</sup> May 2021, it was agreed that the PCC for Merseyside be appointed to the Committee with full voting rights. It is recommended that this appointment continues.



7. The Authority also has an Independent/Co-opted Member, Anthony Boyle who undertakes both roles for the Authority. The appointment has been in place since 2013 and it is proposed that a review of the merging of these positions be undertaken by the Monitoring Officer with consideration given to best practice across the Local Authorities.

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### **Equality and Diversity Implications**

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8. There are no equality and diversity implications directly associated with this report. Elected Members are nominated by their respective Councils to the Fire and Rescue Authority.

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### **Staff Implications**

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9. Democratic Services administer the meetings of the Authority and deal with Members' queries and travel and accommodation issues. Any changes to membership throughout the year will administered by Democratic Services.

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### **Legal Implications**

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10. The membership of the Authority is made up from those Members nominated by their respective council. The PCC has a right to request to be appointed to a committee for which the committee must consider.

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### **Financial Implications & Value for Money**

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11. There is a Members' Allowance Scheme which is the subject of another report on this Agenda. There are no additional costs relevant to the content of this report.

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### **Risk Management, Health & Safety, and Environmental Implications**

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12. There are no direct risk management, health and safety or environmental implications relevant to this report.

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**Contribution to Our Vision:** *To be the best Fire & Rescue Service in the UK.*

Our Purpose: *Here to serve, Here to protect, Here to keep you safe.*

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13. Elected Members are nominated to Merseyside Fire and Rescue Authority to represent the best interests of the communities of Merseyside.

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### **BACKGROUND PAPERS**

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**NONE**

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**GLOSSARY OF TERMS**

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<b>MFRA</b>	<b>Merseyside Fire and Rescue Authority</b>
<b>MFRS</b>	<b>Merseyside Fire and Rescue Service</b>
<b>PCC</b>	<b>Police and Crime Commissioner</b>

<b>MERSEYSIDE FIRE AND RESCUE AUTHORITY</b>			
<b>MEETING OF THE:</b>	<b>AUTHORITY (ANNUAL GENERAL MEETING)</b>		
<b>DATE:</b>	<b>9<sup>TH</sup> JUNE 2022</b>	<b>REPORT NO:</b>	<b>CFO/022/22</b>
<b>PRESENTING OFFICER</b>	<b>MONITORING OFFICER</b>		
<b>RESPONSIBLE OFFICER:</b>	<b>RIA GROVES</b>	<b>REPORT AUTHOR:</b>	<b>SHAUNA HEALEY</b>
<b>OFFICERS CONSULTED:</b>	<b>STRATEGIC LEADERSHIP TEAM CHAIR OF THE AUTHORITY</b>		
<b>TITLE OF REPORT:</b>	<b>STRUCTURE OF THE AUTHORITY</b>		
<b>APPENDICES:</b>	<b>None</b>		

### Purpose of Report

1. To
  - (a) inform Members of:
    - (i) the minimum legal structure of the Authority
    - (ii) the existing decision making structure of the Authority; and
    - (iii) optional variations to the existing structure
  - (b) request that the Authority determines an appropriate decision making structure for 2022/23; and
  - (c) request that arrangements are made for the appointment of Committees, the nomination of Chairs, the determination of the powers and duties of Committees, the appointment of Members to Committees; and Special Responsibility Roles.

### Recommendation

2. It is recommended that Members determine an appropriate decision making structure for 2022/23 by:
  - a) determining which committees it wishes to establish;
  - b) determining the number of voting Members to be appointed to each committee;
  - c) determining the number of seats on each committee to be allocated to each political group in accordance with the political balance regulations;
  - d) determining that alternate from the relevant political group can attend a committee in the absence of the substantive Member;

- e) confirming the Members who are to be appointed to committees and roles attracting a Special Responsibility Allowance, in accordance with the wishes of the relevant political group in respect of those seats allocated to that group;
- f) confirming the Members who are to be appointed to Lead Member roles;
- g) confirming that Members will inform Democratic Services prior to the start of any meeting if an alternate Member is attending on their behalf; and
- h) approve the proposed structure to reflect the recommended changes to the number of seats on Audit Committee and the Members Development Group as a result in the change to political balance.

## **Introduction and Background**

3. This report confirms that the political balance of the Authority as:

Labour	72.21%
Liberal Democrats	11.11%
Conservative	5.56%
Green	5.56%
Liverpool Community Independents Group	5.56%

4. Members are advised that as a result of the Local Elections on the 5<sup>th</sup> May 2022, this year the Opposition Party with the largest percentage is the Liberal Democrats and there is now an opposition Member from the Green Party and the Liverpool Community Independents Group appointed to the Authority as well as from the Conservative Party. This change in political balance has impacted the proportionality of each committee.
5. Based upon the balance of the Authority, Members are requested to consider and determine the appropriate decision making structure, appointment of committees, nominate Chairs and Members to those committees, appointment of roles that attract a Special Responsibility Allowance (SRA);
6. Minimum Legal Requirement

- 6.1 The minimum statutory requirements for a decision making structure are:

- (a) Authority Meetings – There is a statutory requirement to hold an Annual General Meeting (before the end of June in each year) and to meet to determine the precept each year (by the end of February in each year). The Authority is also required to consider other miscellaneous matters including statutory reports of the Chief Finance Officer, Director of Finance and Procurement or Monitoring Officer and public interest reports, should they arise.

(b) It is recognised as good practice to have an Audit Committee, or a Committee that deals with audit matters. In the Authority's case this also serves as the Standards Committee - which is a legal requirement.

## 7. Existing Structure

6.1 At present, as well as the Authority committee, the Authority has appointed:

6.1.1A Community Safety and Protection Committee, a Policy and Resources Committee and a Scrutiny Committee, each consisting of 9 Members; and an Audit Committee consisting of 6 voting Members (according to Political proportionality).

Members are to agree to the appointments to each committee in accordance with the structure detailed in Appendix B with the only restriction on appointment being the Chair and Vice Chair of the Authority, who should not attend meetings of the Scrutiny Committee,

The Audit Committee will deal with Members Standards issues; and is the Investigating and Disciplinary Committee for dealing with any complaints under the Disciplinary Procedure for Relevant Officers

The Community Safety and Protection Committee and the Policy and Resources Committee have delegated decision-making powers in the circumstances where there is no opportunity for the Authority to meet in full.

6.1.2 An Appeals Committee and an Appointments Committee.

6.1.3 A Joint Fire and Police Collaboration Committee, which is a none, decision-making Committee consisting of 5 Members – 4 Members representing Merseyside Fire & Rescue Authority, plus 1 Co-Opted Members representing Merseyside Police (Police & Crime Commissioner). Since the appointment of the Police and Crime Commissioner to the Authority in 2021, this Committee only meets when required and does not have a standard meeting cycle.

6.1.4 Each Committee has certain delegated powers, which are contained within its Terms of Reference.

6.2 The Authority has appointed Lead Members with responsibilities over certain activities and a Member Development and Engagement Group with approved Terms of Reference, consisting of Officers from Democratic Services and People & Organisations Development and Members from each political group.

## 8. Determination of a Structure for 2022/23

7.1 it is recommended that:

(a) the Authority committee structure continues to include a Policy and Resources Committee; a Community Safety and Protection Committee, a Scrutiny Committee, an Audit Committee, a Joint Fire and Police

Committee plus an Appeals Committee and Appointments Committee; and a Member Development and Engagement Group.

The Audit Committee will consist of 6 Members plus the Independent Person in a non-voting capacity. It will continue to deal with Members Standards issues and act as the Investigating and Disciplinary Committee in relation to and in accordance with the Disciplinary Procedures for Relevant Officers.

There are two Lead Members who chair the Scrutiny Committee on a rotational basis.

The Lead Members are appointed to be the responsible member for Operational Response, Preparedness, Prevention, Protection and People which aligns to the Authority's aims.

7.2 The proposed Terms of Reference and powers of each Committee are contained within the Constitution for 2022/23, which is the subject of another report on this agenda.

7.3 In making their decision on a structure, Members are also requested to take into account the following matters:

- (a) the requirement for each political group to complete a notice in writing to the Monitoring Officer, detailing their Membership and a Group leader where appropriate;
- (b) the requirement for political balance on any committees which are appointed; unless the Authority has resolved otherwise and no Member has voted against such resolution;
- (c) the requirement to appoint Members to committees in accordance with the wishes of the political group to whom the seat has been allocated. In this respect it will assist the Monitoring Officer if all such nominations can be determined at, or before the Annual Meeting;
- (d) the appointment of Chairs of Committees;
- (e) the appointment of Lead Members; and
- (f) the requirement for approval of the Powers and Duties of each appointed Committee.

## 9. Number of Seats & Political Balance/ Membership of Committees

8.1 The Authority is required to make appointments to its committees in a manner which, so far as practicable reflects the political balance of the Authority unless the Authority has resolved otherwise.

8.2 Following the local elections this year, the representation of each political group on the Authority will be as follows:

Labour	13 Members
Liberal Democrat	2 Members
Conservative	1 Member
Green	1 Member
Liverpool Community	1 Member
Independents Group	

8.3 In order to comply with political balance requirements, where practicable, it is therefore appropriate that the proportion of seats on committees allocated to political groups is in accordance with the proportionality below.

Labour	72.21%
Liberal Democrat	11.11%
Conservative	5.56%
Green	5.56%
Liverpool Community	5.56%
Independents Group	

8.4 Having decided which committees the Authority is to establish; and the number of voting Members to be appointed to each committee, it is then appropriate for each political group to submit nominations for membership of those committees in accordance with the allocation of seats to that political group.

8.5 Members are requested to consider their nominations in advance of the meeting, so that the information can be provided; and appointments confirmed at the Annual Meeting.

## 10. Chairs of Committees

9.1 Having determined which Members are to be appointed to the committees, it is appropriate for the Authority to consider proposals for the appointment of Chairs to committees.

9.2 Members are requested to consider this issue prior to the Annual Meeting, with a view to the Authority being in a position to appoint Chairs of committees at the Annual General Meeting.

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### **Equality and Diversity Implications**

11. There are no equality or diversity implications directly related to this report.

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### **Staff Implications**

12. There are no staff implications contained within this report.

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### **Legal Implications**

13. The Authority is required by law to set a minimum structure and a Standards Committee, which this report addresses.

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**Financial Implications & Value for Money**

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14. Costs associated with allowances relating to responsibilities such as Charing are detailed in another report on this agenda.

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**Risk Management, Health & Safety, and Environmental Implications**

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15. There are no direct risk management or health and safety implications contained within this report.

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**Contribution to Our Vision:** *To be the best Fire & Rescue Service in the UK.*

Our Purpose: *Here to serve, Here to protect, Here to keep you safe.*

---

16. Confirming a robust Authority structure ensures that the we are able to best serve communities and share knowledge of what we do.

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**BACKGROUND PAPERS**

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**NONE**

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**GLOSSARY OF TERMS**

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**MFRA** Merseyside Fire and Rescue Authority

**MFRS** Merseyside Fire and Rescue Service

**SRA** Special Responsibility Allowance.



<b>MERSEYSIDE FIRE AND RESCUE AUTHORITY</b>			
<b>MEETING OF THE:</b>	<b>AUTHORITY (ANNUAL GENERAL MEETING)</b>		
<b>DATE:</b>	<b>9<sup>TH</sup> JUNE 2022</b>	<b>REPORT NO:</b>	<b>CFO/024/022</b>
<b>PRESENTING OFFICER</b>	<b>MONITORING OFFICER</b>		
<b>RESPONSIBLE OFFICER:</b>	<b>RIA GROVES</b>	<b>REPORT AUTHOR:</b>	<b>SHAUNA HEALEY</b>
<b>OFFICERS CONSULTED:</b>	<b>SANDRA WAINWRIGHT IAN CUMMINS</b>		
<b>TITLE OF REPORT:</b>	<b>MEETING DATES FOR 22/23 AND 23/24</b>		
<b>APPENDICES:</b>	<b>APPENDIX A:</b>	<b>DRAFT APPROVED MEETING DATES 2022/23</b>	
	<b>APPENDIX B:</b>	<b>DRAFT MEETING DATES FOR 2023/24</b>	

### **Purpose of Report**

1. To provide Members with a list of draft dates for Authority Committee meetings and events for 2022/23 and 2023/24.

### **Recommendation**

2. It is recommended that Members;
  - a) consider the schedule of meeting dates and events for 2022/23 (attached at Appendix A and provisionally agreed at the Annual General Meeting on 10<sup>th</sup> June 2021) and confirm approval; and
  - b) consider and note the draft provisional dates for 2023/24 (attached at Appendix B).

### **Introduction and Background**

3. The Authority is requested to consider and ratify the Schedule of Dates for the Municipal Year 2022/23. These were provisionally agreed at the AGM on 10<sup>th</sup> June 2021.
4. Where Council meeting dates have been available, these have been taken into consideration, as well as religious holidays; and dates for Committees have been programmed sympathetically around those dates wherever possible.
5. The proposed dates have been devised to aid the flow of business for the year through the Committee process; to enable the Authority to meet its deadlines in terms of setting the budget, consulting on and delivering its IRMP and other strategic plans; and to provide the opportunity for regular and effective scrutiny.

6. Members are asked to note that the Scrutiny Meeting in May has been brought forward to April to avoid any clashes with Elections.
7. The proposed schedule of meeting dates does not include any meetings of Task & Finish Groups or Rapid Reviews, which may be called at the request of any meeting of the Authority or its Committees. Similarly, it does not include any scheduled dates for meetings of the Appointments, Appeals or Joint Fire and Police Collaboration Committees, which will be called as and when required.
8. The draft schedule includes proposed dates for the Authority's two Strategy Day and Scrutiny training planned for June 2022.
9. Should the Authority require additional Strategy Days during the year, these can be arranged in line with the business determined, as and when required.
10. "Learning Lunches" "Rapid Reviews" and other member development events have been programmed into the attached schedule of meeting dates.
11. The schedule of meeting dates, continues to include a series of station visits and MFRA staff engagement days.
12. The proposed meeting dates also include a break throughout August to accommodate the peak holiday period and a break during the Christmas period.
13. Set meeting dates may be changed and other meetings convened as and when required, in accordance with Standing Orders.

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#### **Equality and Diversity Implications**

14. There are no equality and diversity implications arising directly from this report.

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#### **Staff Implications**

15. Once approved by the Authority, the dates of meetings will be published on the Portal for the information of all staff and on the Authority's Website for public record.

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#### **Legal Implications**

16. Proposed meeting dates must be given in advance to Members in order to comply with the requirements of the Local Government Act 1972.

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#### **Financial Implications & Value for Money**

17. There are no financial implications arising directly from this report. Any expenses incurred further to Members attendance at the meetings on the dates agreed will be contained within existing budgets.

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**Risk Management, Health & Safety, and Environmental Implications**

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18. There are no risk management, health and safety or environmental implications arising directly from this report.

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**Contribution to Our Vision: *To be the best Fire & Rescue Service in the UK.***

Our Purpose: *Here to serve, Here to protect, Here to keep you safe.*

---

19. The dates for meetings are set to ensure that Members of the Authority have adequate time and opportunity to fully consider and scrutinise the information provided, to enable them to make informed decisions, and provide the best possible service to our communities.

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**BACKGROUND PAPERS**

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**NONE**

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**GLOSSARY OF TERMS**

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**MFRA** Merseyside Fire and Rescue Authority

**MFRS** Merseyside Fire and Rescue Service

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## Committee Meetings 2022/23

AGM	Thursday 9 <sup>th</sup> June 2022
Scrutiny Training	Thursday 16 <sup>th</sup> June 2022
Station Visit	Tuesday 5 <sup>th</sup> July 2022
Strategy Day	Thursday 14 <sup>th</sup> July 2022
Policy and Resources (preceded by a Learning Lunch)	Thursday 28 <sup>th</sup> July 2022
August Break	
Community Safety and Protection Committee (preceded by a Learning Lunch)	Thursday 1 <sup>st</sup> September 2022
Scrutiny Committee	Thursday 8 <sup>th</sup> September 2022
MFRA Staff Engagement Day (TDA and SHQ)	Thursday 15 <sup>th</sup> September 2022
Audit Committee	Tuesday 27 <sup>th</sup> September 2022
Station Visit	Thursday 6 <sup>th</sup> October 2022
Authority (followed by Member Development Group)	Thursday 13 <sup>th</sup> October 2022
Station Visit	Thursday 10 <sup>th</sup> November 2022
Policy and Resources (preceded by a Learning Lunch)	Thursday 15 <sup>th</sup> December 2022
Christmas Break	
Station Visit	Tuesday 10 <sup>th</sup> January 2023
Scrutiny Committee	Thursday 12 <sup>th</sup> January 2023
Budget Strategy Day	Thursday 19 <sup>th</sup> January 2023
Community Safety and Protection Committee (preceded by a Learning Lunch)	Tuesday 31 <sup>st</sup> January 2023
Audit Committee	Thursday 9 <sup>th</sup> February 2023
Station Visit	Tuesday 14 <sup>th</sup> February 2023
Budget Authority (followed by Member Development Group)	Thursday 23 <sup>rd</sup> February 2023
Scrutiny Committee	Thursday 2 <sup>nd</sup> March 2023
MFRA Staff Engagement Day (TDA and SHQ)	Thursday 9 <sup>th</sup> March 2023
Policy and Resources (preceded by a Learning Lunch)	Thursday 23 <sup>rd</sup> March 2023
Community Safety and Protection Committee (preceded by a Learning Lunch)	Thursday 6 <sup>th</sup> April 2023
Scrutiny Committee	Tuesday 25 <sup>th</sup> April 2023
Authority	Thursday 18 <sup>th</sup> May 2023
Audit Committee	Thursday 1 <sup>st</sup> June 2023
AGM	Thursday 8 <sup>th</sup> June 2023

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## Committee Meetings 2023/24

AGM	Thursday 8 <sup>th</sup> June 2023
Station Visit	Tuesday 4 <sup>th</sup> July 2023
Strategy Day	Thursday 13 <sup>th</sup> July 2023
Policy and Resources (preceded by a Learning Lunch)	Thursday 27 <sup>th</sup> July 2023
August Break	
Scrutiny Committee	Tuesday 5 <sup>th</sup> September 2023
Community Safety and Protection Committee (preceded by a Learning Lunch)	Thursday 7 <sup>th</sup> September 2023
MFRA Staff Engagement Day (TDA and SHQ)	Thursday 21 <sup>st</sup> September 2023
Audit Committee	Tuesday 28 <sup>th</sup> September 2023
Station Visit	Thursday 5 <sup>th</sup> October 2023
Authority (followed by Member Development Group)	Thursday 12 <sup>th</sup> October 2023
Station Visit	Thursday 9 <sup>th</sup> November 2023
Policy and Resources (preceded by a Learning Lunch)	Thursday 14 <sup>th</sup> December 2023
Christmas Break	
Station Visit	Tuesday 9 <sup>th</sup> January 2024
Scrutiny Committee	Thursday 11 <sup>th</sup> January 2024
Budget Strategy Day	Thursday 18 <sup>th</sup> January 2024
Community Safety and Protection Committee (preceded by a Learning Lunch)	Tuesday 30 <sup>th</sup> January 2024
Audit Committee	Thursday 8 <sup>th</sup> February 2024
Station Visit	Tuesday 13 <sup>th</sup> February 2024
Budget Authority (followed by Member Development Group)	Thursday 22 <sup>nd</sup> February 2024
Scrutiny Committee	Thursday 7 <sup>th</sup> March 2024
MFRA Staff Engagement Day (TDA and SHQ)	Thursday 12 <sup>th</sup> March 2024
Policy and Resources (preceded by a Learning Lunch)	Thursday 21 <sup>st</sup> March 2024
Community Safety and Protection Committee (preceded by a Learning Lunch)	Thursday 4 <sup>th</sup> April 2024
Scrutiny Committee	Thursday 28 <sup>th</sup> April 2024
Authority	Thursday 16 <sup>th</sup> May 2024
Audit Committee	Thursday 4 <sup>th</sup> June 2024
AGM	Thursday 13 <sup>th</sup> June 2024

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<b>MERSEYSIDE FIRE AND RESCUE AUTHORITY</b>			
<b>MEETING OF THE:</b>	<b>AUTHORITY (ANNUAL GENERAL MEETING)</b>		
<b>DATE:</b>	9 <sup>TH</sup> JUNE 2022	<b>REPORT NO:</b>	CFO/025/022
<b>PRESENTING OFFICER</b>	<b>MONITORING OFFICER</b>		
<b>RESPONSIBLE OFFICER:</b>	RIA GROVES	<b>REPORT AUTHOR:</b>	SHAUNA HEALEY
<b>OFFICERS CONSULTED:</b>	<b>STRATEGIC LEADERSHIP TEAM</b>		
<b>TITLE OF REPORT:</b>	<b>QUESTIONS ON DISCHARGE OF FUNCTIONS</b>		

<b>APPENDICES:</b>	<b>NONE</b>
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### Purpose of Report

1. To request that the Authority nominate a Member from each of the five constituent District Councils as the Members responsible for answering questions in their Council on the discharge of the functions of the Authority.

### Recommendation

2. It is recommended that the Authority nominates five Members (one from each constituent District Council) as the Member responsible for answering questions within their Council on the discharge of the functions of Authority

### Introduction and Background

3. There is a requirement under Section 41 of the Local Government Act 1985 for the Authority to nominate Members of the Authority from each constituent District Council to answer questions within their Council on the discharge of the functions of the Authority.
4. It is at the discretion of the Authority who it appoints in each case for this purpose and there is no requirement that the nominee should be from the main political group on the Authority.
5. The Members nominated in 2021/22 under Section 41 were:-
 

Knowsley	-	Councillor Edna Finneran
Liverpool	-	Councillor James Roberts
Sefton	-	Councillor Les Byrom
St. Helens	-	Councillor Lisa Preston
Wirral	-	Councillor Brian Kenny

6. Members are asked to make nominations for 2022/23.

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### **Equality and Diversity Implications**

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7. There are no direct equality and diversity implications from this report. However, it is considered that having one Member from each District Council appointed to answer questions on the discharge of functions, ensures accurate and consistent information is passed on to each District across Merseyside.

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### **Staff Implications**

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8. There are no staff implications in relation to this report, as the report relates to Members of the Authority.

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### **Legal Implications**

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9. By appointing Authority Members from each District Council to answer questions on the discharge of functions, the Authority will be meeting their requirement under Section 41 of the Local Government Act 1985.

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### **Financial Implications & Value for Money**

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

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### **Risk Management, Health & Safety, and Environmental Implications**

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11. There are no risks, health and safety or environmental implications arising from this report.

**Contribution to Our Vision:** *To be the best Fire & Rescue Service in the UK.*

Our Purpose: *Here to serve, Here to protect, Here to keep you safe.*

12. Having Authority Members appointed to answer questions in their Council ensures that accurate, relevant information is fed back to the community to confirm what the Authority does in support of achieving the Authority's vision.

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### **BACKGROUND PAPERS**

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**NONE**

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### **GLOSSARY OF TERMS**

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**MFRA** Merseyside Fire and Rescue Authority

**MFRS** Merseyside Fire and Rescue Service

<b>MERSEYSIDE FIRE AND RESCUE AUTHORITY</b>			
<b>MEETING OF THE:</b>	<b>AUTHORITY (ANNUAL GENERAL REPORT)</b>		
<b>DATE:</b>	<b>9<sup>TH</sup> JUNE 2022</b>	<b>REPORT NO:</b>	<b>CFO/033/22</b>
<b>PRESENTING OFFICER</b>	<b>MONITORING OFFICER</b>		
<b>RESPONSIBLE OFFICER:</b>	<b>RIA GROVES</b>	<b>REPORT AUTHOR:</b>	<b>SHAUNA HEALEY</b>
<b>OFFICERS CONSULTED:</b>	<b>STRATEGIC LEADERSHIP TEAM CHAIR OF THE AUTHORITY</b>		
<b>TITLE OF REPORT:</b>	<b>APPOINTMENT OF MEMBERSHIP TO OUTSIDE BODIES</b>		

## Purpose of Report

1. To inform the Authority of the outside organisations to which it is currently affiliated; and to request where appropriate, confirmation of continuing the affiliation for 2022/23 and the appointment of representatives to those organisations.

## Recommendation

2. It is recommended that Members;
  - a) note current affiliations to outside bodies;
  - b) approve the continued affiliation with each of the organisations specified in this report; and
  - c) approve as appropriate, appointments of Members to each of the outside organisations as the Authority's representatives.

## Introduction and Background

### 3. (A) Local Government Association

At the 2021 Annual General Meeting Councillors Byrom, Kenny and Roberts were appointed as the representatives on the Fire Services Commission.

All Fire and Rescue Authorities in full or corporate membership of the Local Government Association have the right to representation and voting on the Fire Services Commission in accordance with the LGA Governance Framework. Additional members from fire and rescue authorities appointed as necessary by the political groups to ensure political balance on The Fire Services Commission.

Members agreed at the Authority meeting on the 20<sup>th</sup> May 2021 that Members subscription and membership to the LGA will continue until Members determine otherwise. The current subscription cost for 2022/23 is £11684.18

**Members are asked to confirm who the representatives appointed to the Fire Services Commission for 2022/23 will be; and whether the Authority agrees to meet any costs related to Members attendance at associated meetings.**

(B) North West Employers Organisation

The Authority is a member of the North West Local Authorities Employers Organisation. For 2021/22 the cost of this membership was £2,736.78 and Councillor James Roberts was appointed by the Authority to the North West Employers Organisation.

For 2022/23, the cost of affiliation remains at £2,736.78.

**Nomination for the position of appointed representative for 2022/23 is now requested.**

(C) North West Fire and Rescue Advisory Forum

The North West Fire and Rescue Advisory Forum was established in April 2014 following the disbanding of the North West Partnership Board. This Forum elected to have a Membership of Chairs, Vice-Chairs, Opposition Spokespersons and Chief Fire Officers.

The Members currently representing the Authority are Councillor Byrom and Councillor Rennie.

**Members are requested to confirm appointment to this Forum for 2022/23.**

(D) Association of Metropolitan Fire & Rescue Authorities

The Authority appointed Councillor Byrom to the Association of Metropolitan Fire & Rescue Authorities in 2021/22.

**Members are requested to confirm appointment to this Association for 2022/23.**

(E) Liverpool City Region Liverpool Enterprise Platform now known as the Growth Platform

Merseyside Fire and Rescue Authority has membership of this Organisation which is attended by a Senior Officer of the Authority. Area Manager Gary Oakford was appointed to the Growth Platform for 2021/22. If Members were to approve the continued membership to this organisation it is recommended the Senior Officer for the Authority be the Area Manager of Prevention and Members will be provided quarterly updates on the Authority's engagement with the group.

The cost of this membership for 2022/23 is £4,700.

**Members are asked to confirm membership to this organisation for 2022/23.**

(F) Merseyside Community Safety Partnership / Safer Merseyside Partnership

For 2021/22, Cllr Edna Finneran was appointed as MFRA's representative on the Safer Merseyside Partnership.

**Members are therefore asked to confirm the appointment to this partnership for 2022/23**

#### **Equality and Diversity Implications**

4. Appointments and participation in the above organisations will assist the Authority in developing diversity further.

#### **Staff Implications**

5. The proposal would include a senior officer attending the growth platform if approved to represent the Authority.

#### **Legal Implications**

6. The Authority is required to appoint Members to any appropriate and approved outside organisations at its Annual General Meeting.

#### **Financial Implications & Value for Money**

7. The cost of membership of the above organisations can be met from existing budgets.

#### **Risk Management, Health & Safety, and Environmental Implications**

8. Members of the Authority are appointed to outside organisations to learn from them, lend support to them; and encourage development for the Authority and the organisation, to help create as safe an environment as possible

**Contribution to Our Vision: *To be the best Fire & Rescue Service in the UK.***

**Our Purpose: *Here to serve, Here to protect, Here to keep you safe.***

9. The appointment of Members to outside organisations helps to develop the Authority's knowledge to ensure they continually learn and develop and continue to play an active key role in the development and safety of the community it serves.

#### **BACKGROUND PAPERS**

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**NONE**

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**GLOSSARY OF TERMS**

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**MFRA**            **M**erseyside **F**ire and **R**escue **A**uthority

**MFRS**            **M**erseyside **F**ire and **R**escue **S**ervice

<b>MERSEYSIDE FIRE AND RESCUE AUTHORITY</b>			
<b>MEETING OF THE:</b>	<b>AUTHORITY (ANNUAL GENERAL MEETING)</b>		
<b>DATE:</b>	9 <sup>TH</sup> JUNE 2022	<b>REPORT NO:</b>	CFO/026/022
<b>PRESENTING OFFICER</b>	<b>MONITORING OFFICER</b>		
<b>RESPONSIBLE OFFICER:</b>	RIA GROVES	<b>REPORT AUTHOR:</b>	SHAUNA HEALEY
<b>OFFICERS CONSULTED:</b>	<b>STRATEGIC LEADERSHIP TEAM CHAIR OF THE AUTHORITY</b>		
<b>TITLE OF REPORT:</b>	<b>APPROVED CONFERENCE AND OUTSIDE MEETINGS</b>		
<b>APPENDICES:</b>	<b>NONE</b>		

### **Purpose of Report**

1. To request that Members consider the attendance at conferences and outside meetings by representatives of Merseyside Fire & Rescue Authority and confirm their approval for such attendance as determined by the Chair of the Authority.

### **Recommendation**

2. It is recommended that Members approve the attendance at conferences and outside meetings by representatives of Merseyside Fire & Rescue Authority are to be determined by the Chair of the Authority.

### **Introduction and Background**

3. Members' presence at conferences and outside meetings is vital to their role and development as Authority Members. It ensures that the Authority is included in; and informed by local and national issues, to enable Members to make the best decisions for the public of Merseyside.
4. In previous years it was agreed that attendance at conferences and outside meetings by representatives of the Authority be approved by the Chair of the Authority. Representation will be determined by the Monitoring Officer in consultation with the Chair, Vice-chair and Opposition Members.
5. Where a conference or meeting is directly linked to a specific Member role, the appropriate Member may be requested to attend to represent the Authority.
6. Members are therefore asked to confirm that they remain content with this arrangement for 2022/23.

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**Equality and Diversity Implications**

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7. There are no direct equality and diversity issues arising directly from this report.

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**Staff Implications**

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8. There are no direct staff implications arising directly from this report. However, Officers are required to accompany Members at events relating to their areas of expertise.

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**Legal Implications**

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9. There are no legal implications arising directly from this report.

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**Financial Implications & Value for Money**

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10. A sum of £1900 has been allocated in the Democratic Representation Budget for the payment of Conference Fees for Members. It is anticipated that costs will be contained within the existing budgets.

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**Risk Management, Health & Safety, and Environmental Implications**

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11. Members use the most efficient method of travel when attending conferences and outside meetings.

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**Contribution to Our Vision:** *To be the best Fire & Rescue Service in the UK.*

Our Purpose: *Here to serve, Here to protect, Here to keep you safe.*

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12. Members attendance at conferences and outside meetings enables the Authority to be represented appropriately, providing an opportunity to put forward suggestions, share experience and gain further knowledge. This ensures that the Authority is best placed to make the most appropriate decisions; and provide the best service possible to the communities of Merseyside.

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**BACKGROUND PAPERS**

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**NONE**

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**GLOSSARY OF TERMS**

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**MFRA** Merseyside Fire and Rescue Authority

**MFRS** Merseyside Fire and Rescue Service



<b>MERSEYSIDE FIRE AND RESCUE SERVICE</b>			
<b>MEETING OF THE:</b>	<b>AUTHORITY (ANNUAL GENERAL MEETING)</b>		
<b>DATE:</b>	<b>9<sup>TH</sup> JUNE 2022</b>	<b>REPORT NO:</b>	<b>CFO/031/022</b>
<b>PRESENTING OFFICER</b>	<b>MONITORING OFFICER</b>		
<b>RESPONSIBLE OFFICER:</b>	<b>RIA GROVES</b>	<b>REPORT AUTHOR:</b>	<b>SHAUNA HEALEY</b>
<b>OFFICERS CONSULTED:</b>	<b>STRATEGIC LEADERSHIP TEAM</b>		
<b>TITLE OF REPORT:</b>	<b>MEETINGS WITH NATIONAL POLITICIANS AT PARTY POLITICAL CONFERENCES</b>		

<b>APPENDICES:</b>	<b>NONE</b>
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### Purpose of Report

1. To consider the attendance of Members at meetings held at the location of party political conferences, in order to make Authority related representations in line with the Members Scheme of Allowances.

### Recommendation

2. It recommended that Members;
  - a) approve appropriate representatives of the political groups of the Authority to attend meetings with Ministers, Opposition Spokespersons and other relevant national politicians, to be held at the location of their own party political conferences, to discuss issues relating to the business of the Authority: and
  - b) approve appropriate travel and subsistence expenses for such meetings, but no payment of conference fees be made:
  - c) report back to the Authority regarding issues raised and responses; and progress on information received.

### Introduction and Background

3. The Authority has in previous years, approved the attendance of representatives of its party political groups at meetings held at the venue of their respective autumn party conference. The purpose of such attendance has been to meet with national politicians whenever possible during conference week, to act as advocates for the work of the Service; and to discuss issues of importance to the Authority from a national perspective.
4. Members are requested to consider if they wish to approve the recommendation in this report, to enable the attendance of Authority Members at meetings convened at party conferences, to make representations on behalf of the Authority at a significant political level.

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**Equality and Diversity Implications**

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5. There are no Equality and Diversity implications contained within this report.

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**Staff Implications**

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6. There are no staff implications contained within this report.

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**Legal Implications**

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7. It is important that the right representation is agreed by Members so that the relevant allowances can be paid pursuant to the Local Authorities (Members Allowances) England Regulations 2003.

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**Financial Implications & Value for Money**

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8. There will be some costs in relation to Members attendance at events, which will depend on particular circumstances of attendance and regularity of such events. However, these costs can be contained within the existing Democratic Representation budget and the benefits of such representation can be significant.

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**Risk Management, Health & Safety, and Environmental Implications**

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9. Members are required to use the most efficient method of travel to such events.

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**Contribution to Our Vision: *To be the best Fire & Rescue Service in the UK.***

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Our Purpose: *Here to serve, Here to protect, Here to keep you safe.*

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10. Representation with National politicians at party political conferences is imperative to ensure the views of the Authority, Service and Community are expressed and considered at key political level.

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**BACKGROUND PAPERS**

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**NONE**

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**GLOSSARY OF TERMS**

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**SERVICE      MERSEYSIDE FIRE AND RESCUE SERVICE**

**AUTHORITY    MERSEYSIDE FIRE AND RESCUE AUTHORITY**

<b>MERSEYSIDE FIRE AND RESCUE AUTHORITY</b>			
<b>MEETING OF THE:</b>	<b>AUTHORITY (ANNUAL GENERAL MEETING)</b>		
<b>DATE:</b>	<b>9<sup>TH</sup> JUNE 2022</b>	<b>REPORT NO:</b>	<b>CFO/027/22</b>
<b>PRESENTING OFFICER</b>	<b>MONITORING OFFICER</b>		
<b>RESPONSIBLE OFFICER:</b>	<b>RIA GROVES</b>	<b>REPORT AUTHOR:</b>	<b>SHAUNA HEALEY</b>
<b>OFFICERS CONSULTED:</b>	<b>STRATEGIC LEADERSHIP TEAM CHAIR OF THE AUTHORITY</b>		
<b>TITLE OF REPORT:</b>	<b>MEMBERS ALLOWANCE PAYMENTS 2021/22</b>		

<b>APPENDICES:</b>	<b>APPENDIX 1:                   BREAKDOWN OF MEMBERS ALLOWANCE PAYMENTS FOR FINANCIAL YEAR 2021/22</b>
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### Purpose of Report

1. To advise the Authority of the payments made to Members in the form of allowances during the financial year 2021/22.

### Recommendation

2. It is recommended that Members note the information contained within the report and at Appendix 1.

### Introduction and Background

3. Regulation 15 of the Local Authorities (Members Allowances) (England) Regulations 2003, requires that the total sums paid to each Member for Basic, Special Responsibility, Travel, Subsistence and Co-optees Allowance be published. Appendix A (attached) shows the total amount of allowances paid to each Member during the financial year 2021/22, including on costs. It also provides a breakdown of those total allowance payments into allowance type.
4. Appendix A includes clarification notes where individual Members have left or joined the Authority, or changed roles during the course of the last Financial Year.
5. For clarity, the Authority appointed an Independent Person who, with effect from 1<sup>st</sup> October 2013, who has carried out the duties of a Co-opted Member in relation to Independent Scrutiny. Invoices are submitted by the Independent Person for any works conducted in relation to their role, which are then checked by the Democratic Services Manager prior to approval being given for payment. Appendix A also includes payments for duties conducted by the Independent Person in performing these roles, which were paid at a daily rate of £50 during 2021-22.

6. In addition to the total amount of allowances paid to each individual Member (including all on costs - tax and national insurance deductions etc.), Appendix A also details the amount of Basic and Special Responsibility Allowance (SRA) payments, made to Members appointed to special roles within the Authority. The payments reported are for the Financial Year 2021/22, which spans two Municipal Years – 2020/21 and 2021/22; and some Members may have left or joined the Authority, or changed roles, at various stages throughout the period reported.
7. Members appointed to specialist roles only receive an SRA payment for one role (usually the role with the largest responsibility), regardless of the number of specialist roles they are appointed to, in line with the Members Scheme of Allowances.
8. Also included within Appendix A are reimbursements for mileage, overnight accommodation, travel and subsistence allowances, which have been claimed by individual Members through the Authority's Scheme of Allowances. It is important to note that these are reimbursements for time and expenses incurred by Members; and are not payments in relation to travel and event bookings made directly by the Authority.
9. A separate column has been included within Appendix A to show any additional costs per Member, which have been incurred directly by the Authority. This includes travel and accommodation booked and paid directly by the Authority.
10. It is important to note that the additional payments made through the Scheme of Members Allowances; and costs incurred directly by the Authority, are normally higher for those Members in receipt of Special Responsibility Allowances, particularly the Chair of the Authority, compared to those of other Members, due to the amount of events they attend on behalf of the Authority; and associated travelling costs.
11. It is important to note that there has been a significant reduction in the amount of additional payments made through the Scheme of Allowances, as a direct result of the Covid-19 Pandemic, with some meetings and events taking place remotely, resulting in reduced travel, accommodation, subsistence and conference costs.

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### **Equality and Diversity Implications**

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12. There are no direct equality or diversity implications arising out of this report.

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### **Staff Implications**

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13. Members allowance claims are checked against attendance at events and are approved by the Democratic Services Manager for payment.

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**Legal Implications**

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14. Members have an approved Members Allowance Scheme and are therefore entitled to payment of allowances and reimbursement of expenses as set out within that scheme.
15. The publishing of payments to Members ensures the Authority remains compliant with its legal duties.

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**Financial Implications & Value for Money**

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16. The rates of allowances are determined by the Authority and are reviewed periodically.
17. The total cost of Members Payments for the last municipal period and such costs were contained within the budget.

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**Risk Management, Health & Safety, and Environmental Implications**

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18. Members of the Authority are required to use the most efficient method of transport when travelling on Authority business.

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**Contribution to Our Vision: *To be the best Fire & Rescue Service in the UK.***

Our Purpose: *Here to serve, Here to protect, Here to keep you safe.*

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19. Members of the Authority are provided with basic allowances to cover the costs of time, travel, subsistence and responsibility. This provides Members with the opportunity and ability to attend events to represent the Authority, which contributes to effective decision making for the benefit of the community.

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**BACKGROUND PAPERS**

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**NONE**

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**GLOSSARY OF TERMS**

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**MFRA**            Merseyside Fire and Rescue Authority

**MFRS**            Merseyside Fire and Rescue Service

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MERSEYSIDE FIRE & RESCUE AUTHORITY MEMBERS ALLOWANCE PAYMENTS 2021/22 (FINANCIAL YEAR)

Approximate Breakdown of Allowance Payments by Role (Including On-Costs)											Total Allowance Payments Per Member (including on-costs)	Additional Payments Through Scheme of Allowances					Additional Costs (Incurred directly by MFRA) £	TOTAL COST PER MEMBER £
Name	Basic £	Chair £	Vice-Chair £	Lead Member £	Committee Chair £	Total £	Members NI	Members App Levy	Co-Opee £ (Invoiced)	Independent £ (Invoiced)	Total Allowances £	Mileage - £ (through Scheme of Allowances)	Travel £ (through Scheme of Allowances)	Accommodation £ (through Scheme of Allowances)	Subsistence £ (through Scheme of Allowances)	Total Expenses £ (Paid Through Scheme of Allowances)		
BARRINGTON	1,546.75					1,546.75		7.73			1,554.48					0.00		1,554.48
BRAME	1,546.75					1,546.75		7.73			1,554.48					0.00		1,554.48
BYROM	8,070.00	16,140.00				24,210.00	2,200.89	123.98			26,534.87	398.84	427.21		180.00	1,006.05	-45.33	27,495.59
COLEMAN	1,546.75					1,546.75		7.73			1,554.48					0.00		1,554.48
CONNOR	6,523.25					6,523.25	56.06	32.60			6,611.91					0.00		6,611.91
FINNERAN	8,070.00					8,070.00		40.32			8,110.32					0.00		8,110.32
GRACE	8,070.00			2,018.04		10,088.04	171.72	50.40			10,310.16					0.00		10,310.16
HAYDEN	6,523.25					6,523.25	56.06	32.60			6,611.91					0.00		6,611.91
HINNIGAN	6,523.25					6,523.25	56.06	32.60			6,611.91					0.00		6,611.91
HODSDON	6,523.25					6,523.25	56.06	32.60			6,611.91					0.00		6,611.91
HURLEY	1,345.00					1,345.00		6.72			1,351.72					0.00		1,351.72
KENNY	8,070.00		12,105.00			20,175.00	1,602.01	102.30			21,879.31	271.07	20.50			291.57		22,170.88
KNIGHT	1,546.75					1,546.75		7.73			1,554.48					0.00		1,554.48
MAKINSON	10,401.95					10,401.95	232.83	51.97			10,686.75					0.00		10,686.75
MALONE	6,523.25					6,523.25	56.06	32.60			6,611.91					0.00		6,611.91
MALONEY	8,070.00				4,035.00	12,105.00	462.59	60.94			12,628.53	91.26				91.26		12,719.79
O'KEEFFE	802.66					802.66		4.01			806.67					0.00		806.67
PRESTON	8,070.00					8,070.00	5.70	41.18			8,116.88	170.36				170.36		8,287.24
RENNIE	7,756.09					7,756.09	28.62	38.76			7,823.47					0.00		7,823.47
ROBERTS J	8,070.00		12,105.00			20,175.00	1,563.72	100.92			21,839.64					0.00		21,839.64
SPURRELL	802.66					802.66		4.01			806.67					0.00		806.67
STAPLETON	802.66					802.66		4.01			806.67					0.00		806.67
THOMAS	3,833.25					3,833.25	-120.65	19.15			3,731.75					0.00		3,731.75
THOMPSON	8,070.00					8,070.00		40.32			8,110.32					0.00		8,110.32
TWEED	8,070.00			2,018.04		10,088.04	171.72	50.40			10,310.16		32.70			32.70		10,342.86
WOOD	6,523.25					6,523.25	56.06	32.60			6,611.91					0.00		6,611.91
Boyle						0.00				250.00	250.00					0.00		250.00
<b>OTHER COSTS</b> (not attributable to any Member)						0.00					0.00					0.00	11,111.69	11,111.69
<b>TOTAL</b>	143,700.77	16,140.00	24,210.00	4,036.08	4,035.00	192,121.85	6,655.51	965.91	0.00	250.00	199,993.27	931.53	480.41	0.00	180.00	1,591.94	11,066.36	212,651.57





<b>MERSEYSIDE FIRE AND RESCUE AUTHORITY</b>			
<b>MEETING OF THE:</b>	<b>AUTHORITY (ANNUAL GENERAL MEETING)</b>		
<b>DATE:</b>	<b>9<sup>TH</sup> JUNE 2022</b>	<b>REPORT NO:</b>	<b>CFO/028/022</b>
<b>PRESENTING OFFICER</b>	<b>MONITORING OFFICER</b>		
<b>RESPONSIBLE OFFICER:</b>	<b>RIA GROVES</b>	<b>REPORT AUTHOR:</b>	<b>SHAUNA HEALEY</b>
<b>OFFICERS CONSULTED:</b>	<b>STRATEGIC LEADERSHIP TEAM CHAIR OF THE AUTHORITY</b>		
<b>TITLE OF REPORT:</b>	<b>SCHEME OF MEMBERS ALLOWANCE 22/23</b>		

<b>APPENDICES:</b>	<b>APPENDIX A:</b>	<b>DRAFT MERSEYSIDE FIRE AND RESCUE AUTHORITY SCHEME OF MEMBERS' ALLOWANCES</b>
	<b>APPENDIX B:</b>	<b>MEMBERS ALLOWANCE PAY RATES 2022/23</b>

### Purpose of Report

1. To request that the Authority reviews the current Scheme of Members' Allowances and makes recommendations on any changes it wishes to make.

### Recommendation

2. It is recommended that Members;
  - a) approve continuation with its current Members' Allowance Scheme, or;
  - b) identify any variations to the Scheme they may wish to implement, in line with the structure of the Authority (which is being considered as a separate report on this agenda) and the approved budget;
  - c) note that any inflationary increase to the Authority's Scheme of Members' Allowances is normally aligned to the previous year's Firefighters' pay;
  - d) approve a pay increase to the Scheme of Members allowances in line with the Firefighters Pay Award for 2022/23 which would apply to 2023/24 allowances; and
  - e) approve the roles of Co-opted Member and Independent Member to be combined and:

- i. to be appointed to both the Audit Committee and Scrutiny Committee, as a non-voting member (subject to approval of Structure).
- ii. to continue to consider any complaints against Members, alleged to have breached the Members' Code of Conduct and Relevant Officers under the Relevant Officers Disciplinary Procedure on the Independent Panel as the "Independent Person"
- iii. to be paid for conducting such roles following submission and verification of invoices, at a daily attendance rate of £50 (as and when required) as is the current case.

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### **Introduction and Background**

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3. The Authority's draft Scheme of Members' Allowances for 2022/23 is attached at Appendix A.
4. In 2009 the Authority agreed an amendment to the Scheme of Allowances to include the addition of a Special Responsibility Allowance (SRA) of 50% of the basic allowance, for Members appointed as Deputy Group Leaders, should their group wish to appoint a Member to that position, on the proviso that such allowance would not be payable where an SRA is also payable for performing the role of Vice Chair of the Authority.
5. The Authority also agreed that Members entitled to SRA's for the role of "Chair" or additional responsibilities such as Lead Member, would only be entitled to receive one SRA payment.
6. In addition, it was also agreed at the AGM 11<sup>th</sup> June 2015 that the SRA payment for Opposition Spokesperson, only be paid to one Opposition Member.
7. A slight amendment was made to the Scheme of Allowances for 2018/19, in relation to Schedule 1 – "2 levels of "Chair Allowance" were created. For Committees comprising of 7 or more Members, the Chair's Allowance will be paid at a higher rate and for Committees of 6 Members or less, the Chair's Allowance will be paid at the lower rate (the same rate as the previous "Sub-Committee Chair" Allowance) as detailed in appendix A.
8. Since October 2013, Mr Anthony Boyle has been undertaking the roles of Independent Person and Co-opted Member under the title of "Independent Person" as per the Localism Act 2011 which requires that an independent Person be appointed to consider any complaints made against Elected Members. More detail on this proposal is contained in a separate report.
9. The full breakdown of the proposed scheme of allowances is contained in the appendices of this report.

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**Equality and Diversity Implications**

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10. All Members are entitled to the same basic allowance and SRA's are paid to Members for performing approved special responsibilities by reference to proportions of basic allowance.

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**Staff Implications**

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11. This report relates to Members allowances and as such there are no staff implications to consider.

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**Legal Implications**

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12. The Local Government Act 1972 and the Members Allowances (England) Regulations 2003, provide that a Scheme of Allowances is required and reviewed every year.

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**Financial Implications & Value for Money**

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13. The costs for the scheme of members allowances can be met within existing budgets.

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**Risk Management, Health & Safety, and Environmental Implications**

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14. There are no risk management, health and Safety or environmental implications arising directly from this report.

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**Contribution to Our Vision:** *To be the best Fire & Rescue Service in the UK.*

Our Purpose: *Here to serve, Here to protect, Here to keep you safe.*

---

15. Payment of allowances at reasonable rates will ensure that Members are able to effectively perform their functions, in leading and settling the mission, policies and objectives for the Authority to achieve.

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**BACKGROUND PAPERS**

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**NONE**

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**GLOSSARY OF TERMS**

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<b>MFRA</b>	<b>Merseyside Fire and Rescue Authority</b>
<b>MFRS</b>	<b>Merseyside Fire and Rescue Service</b>
<b>SRA</b>	<b>Special Responsibility Allowance</b>

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## **Scheme of Members Allowances**

1. This Scheme is made on the 9<sup>th</sup> day of June 2022, in accordance with the Local Authorities (Members Allowances) England Regulations 2003 for the payment of Members Allowances.
2. This Scheme amends the previous Scheme made by the Authority with effect from the 1<sup>st</sup> day of April 2005, as subsequently amended on 1<sup>st</sup> November 2008, 15<sup>th</sup> June 2009, 11<sup>th</sup> June 2013, 26<sup>th</sup> June 2014, 11<sup>th</sup> June 2015, 14<sup>th</sup> June 2016, 13<sup>th</sup> June 2017, 14<sup>th</sup> June 2018, 13<sup>th</sup> June 2019, 11<sup>th</sup> June 2020 and 10<sup>th</sup> June 2021. This Scheme shall continue until subsequently varied or revoked by the Authority.
3. Basic Allowance
  - 3.1 The Authority shall pay a Basic Allowance to each Member of the Authority who is a Councillor for each year.
  - 3.2 Subject to paragraphs 3.3, 7, 8, and 12 the Basic Allowance payable in respect of each year commencing on 1st April, shall be £8,191.05.
  - 3.3 Where a Member's term of office begins or ends at any time other than at the beginning or end of a year, their entitlement shall be to a proportion of the Basic Allowance that represents the number of days within that year, to which they are appointed as a Member of the Authority.
4. Special Responsibility Allowance
  - 4.1 Subject to paragraphs 4.2, 7, 8, and 12 the Authority shall pay to a Member of the Authority who is a Councillor and who has the Special Responsibility specified in column one of Schedule 1 to this scheme, a Special Responsibility Allowance in respect of each year, the sum specified in the corresponding part of column 2 of Schedule 1.
  - 4.2 Should a Member be appointed to, or removed from a role carrying a Special Responsibility Allowance, at any point other than at the beginning or end of the year, their entitlement shall be to a proportion of the Special Responsibility Allowance, that represents the number of days within the year, to which they are appointed in that role.

5. Travelling and Subsistence Allowance

- 5.1 Subject to paragraphs 8, 9, and 12 the Authority shall pay to each Member of the Authority who is a Councillor, an allowance in respect of travelling and subsistence undertaken in connection with, or relating to the duties specified in paragraph 5.2, in respect of matters specified in column 1 of the second Schedule at the rates specified in the corresponding part of column 2 of the second Schedule.
- 5.2 The duties referred to in paragraph 5.1 (for which a travelling and subsistence allowance is payable) are:-
- (a) The attendance at a meeting of, the Authority, any sub – committee of the Authority, any other body to which the Authority makes appointments or nominations, or any committee or sub-committee of any such a body;
  - (b) The attendance at any other meeting, the holding of which is authorised by the Authority, or a committee or sub-committee of the Authority, or a joint committee of the Authority and one or more Local Authority within the meaning of section 270 (1) of the Local Government Act 1972, or a sub-committee of such a joint committee provided that:-
    - (i) Where the Authority is divided into two or more political groups, it is a meeting to which members of at least two such groups have been invited, or
    - (ii) if the Authority is not so divided, it is a meeting to which at least two members of the Authority have been invited.
  - (c) The attendance at a meeting of any association of authorities of which the Authority is a member.
  - (d) The attendance at any conference or meeting approved by the Authority (or the Monitoring Officer, acting under delegated powers on behalf of the Authority).whether inside or outside of the United Kingdom, for the purpose of discussing any matter which relates to the interests or the functions of the Authority, or to any function of Local Authorities in which the Authority has any interest.
  - (e) The attendance at seminars and presentations arranged by the Chief Fire Officer, the Monitoring Officer, or the Authority, which relate to the interests or the functions of the Authority, or to any function of local authorities in which the Authority has an interest.
  - (f) Making official and courtesy visits, whether inside or outside the United Kingdom, on behalf of the Authority, as approved by the Authority, or a Committee of the Authority (or the Monitoring Officer acting under delegated powers on behalf of the Authority.)

6. Independent Persons Allowance

The Authority shall pay an Independent Person Allowance, in respect of attendance at conferences and meetings, to any individual who is not a Member of the Authority, but who is appointed as a co-opted member of a Committee (or Sub-Committee) of the Authority.

Subject to paragraphs 6.3, 7, 8, 9, and 12, the Independent Person's Allowance, payable in respect of each year commencing on 1<sup>st</sup> April 2017, shall be to a sum of £50 for each day of attendance at meetings or events.

7. Suspension of Allowances

Where a Member of the Authority or of a Committee of the Authority (as the case may be) is suspended from their responsibilities or duties as a Member of the Authority in accordance with part III of the Local Government Act 2000 or regulations made under that part, then the Authority may withhold:-

- (a) the part of the Basic Allowance payable to that Member in respect of the period for which they are suspended or partially suspended; and/or
- (b) the part of the Special Responsibility Allowance payable to that Member in respect of the responsibilities or duties from which they are suspended or partially suspended; and/or
- (c) any Travelling and Subsistence Allowance payable to the Member in respect of the responsibilities or duties from which they are suspended or partially suspended; and/or
- (d) any Independent Person's Allowance payable to that Member in respect of the responsibilities or duties from which they are suspended or partially suspended.

8. Repayment of Allowances

Where payment of any allowance has already been made in respect of any period during which the Member concerned is:-

- (a) suspended or partially suspended from their responsibilities or duties as a Member of the Authority in accordance with Part III of the Local Government Act 2000 or regulations made under that part; or
- (b) Ceases to be a Member of the Authority; or
- (c) is in any other way not entitled to receive the allowance in respect of that period.

The Authority may require that such part of the allowance as relates to any such period, be repaid to the Authority.

9. No Duplication of Payment

Where a Member of the Authority is also a Member of another authority, that Member may not receive allowances from more than one authority in respect of the same duty.

10. Elections to Forgo Allowances

A person may, by notice in writing given to the Monitoring Officer, elect to forgo their entitlement, or any part of their entitlement to allowances.

11. Claims and Payments

11.1 Claims for Travelling and Subsistence Allowances, and Independent Person's Allowances must be made by the person to whom they are payable within 6 months of the date from which entitlement to such allowances arises.

11.2 The Authority has the right to refuse payment where the allowance is not claimed within the period specified in paragraph 11.1.

12. Annual Adjustment of Allowances

The allowances specified in paragraphs 3 (Basic Allowance), 4 (Special Responsibility Allowance), 5 (Travelling and Subsistence Allowance) and 6 (Independent Person's Allowance), shall be increased annually with effect from the 1<sup>st</sup> day of April in each year, by the same proportion as the increase in salary of firefighting staff in the Service in the year prior to 1<sup>st</sup> April of the year for which an allowance under this scheme is payable, unless The Authority resolves otherwise.



13. Date from which Amendments to the Scheme are to apply

Where an amendment is to be made to this scheme by the Authority, which affects an allowance payable for the year in which the amendment is made, entitlement to such allowance as amended, shall apply with effect from the date of approval of the amendment by the Authority.

## Schedule 1 – Special Responsibility Allowances

<u>Column 1</u> (Special Responsibility)	<u>Column 2</u> (Amount of Special Responsibility Allowance)
Chair	£16,382.10
Vice Chair (incl. Chair Of Committee)	£12,286.58
Opposition Spokesperson	£2,048.27
Committee Chair for Committees of 7 Members or more (excl. Authority Chair/ Vices & Leaders/Opposition Spokesperson)	£6,143.80
Committee Chair for Committees of 6 Members or less	£4,095.53
Additional Responsibility (for Opposition Spokesperson)	£2,048.27

Only one additional Responsibility Allowance payable regardless of how many additional responsibility roles held.

## Schedule 2 – Travelling & Subsistence Allowances

### 1. Travel Allowance

<u>Column 1</u> (type of travel)	<u>Column 2</u> (rates of allowance)
Travel by public transport	A sum equal to the costs of the ordinary fare, or in the case of travel by rail the cost of first class travel
Travel by motor cycle	22.94 per mile
Travel by motor vehicle	57.25p per mile
Travel by taxi	A sum equal to the actual fare and any reasonable gratuity paid.
Travel by air	A sum equal to the cost of the ordinary fare, or where travelling on a flight scheduled to take at least 5 hours a sum equal to the cost of club class

### 2. Subsistence Allowance

<u>Column 1</u> (absence period)	<u>Column 2</u> (rates of allowance)
-------------------------------------	---

#### 2.1 Where the Authority does not pay for overnight accommodation direct and:

Absence overnight in UK from usual place of residence (other than in London)	£150.22
Absence overnight from usual place of residence in London (i.e. the city of London, Boroughs of London, Greenwich and Fulham, Islington, Kensington and Chelsea, Lambeth, Lewisham, Southwall, Tower Hamlets, Wandsworth and Westminster)	£182.70
Absence overnight outside the U.K.	£182.70

2.2 Subject to paragraph 2.3. where the Authority pays for overnight accommodation direct and there is absence from the usual place of residence, a subsistence allowance of £56.82 in London and £44.77 elsewhere, is payable. Where the absence does not involve an absence overnight:-

(a) Breakfast Allowance

Absence of more than 4 hours                      £9.15  
Before 11a.m.

(b) Lunch Allowance

Absence of more than 4 hours,                      £13.75  
Including the period of 12noon and 2pm

(c) Tea Allowance

Absence of more than 4 hours                      £5.72  
Including 3pm to 6pm

Or;

(d) Evening Meal Allowance

Absence of more than 4 hours                      £17.17  
ending after 7pm

2.3 Where meal(s) are provided free of charge to the Member their entitlement to an allowance will not apply in respect of the meal period for which such meal or meals are provided without charge to the Member.

## Member Allowances 2022/23

Original Source: CFO/028/22  
Increased in line with Firefighters Pay Award of previous July  
Increase applied = 1.5%

<b>Basic Allowance</b>	<b>Annual</b>	<b>New Monthly</b>
Members	£ 8,191.05	£ 682.59

	<b>Daily Attendance Rate</b>
Co-Optee / Independent Person	£50.75 payable via Invoice

<b>Special Responsibility Allowance</b> (payable to certain Members in addition to Basic)	<b>Annual</b>	<b>New Monthly</b>
Chair	£16,382.10	£ 1,365.18
Vice Chair (incl. Chair of Committee)	£12,286.58	£ 1,023.88
Opposition Spokespersons	£ 2,048.27	£ 170.69
Committee Chair for Committees of 7 Members or more (excl. Authority Chair/ Vices & Leaders)	£ 6,143.80	£ 341.29
Committee Chair for Committees of 6 Members or less	£ 4,095.53	£ 341.29
Additional Responsibility (unless in receipt of any other special responsibility)	£ 2,048.27	£ 170.69

## Members Travel & Subsistence Allowances 2020/21

<b>Travel</b>	<b>New Allowance</b>
Motor Cycle (pence per mile)	22.94
Motor Vehicle (pence per mile)	57.25

<b>Overnight Subsistence</b>	
Overnight Stay – London & Approved Conferences	£182.70
Overnight stay outside London	£150.22

***If accommodation is paid directly by the Authority the allowance is reduced to:***

London & Approved Conferences	£57.67
Outside London	£45.44

<b>Day Subsistence</b>	
Breakfast	£ 9.15
Lunch	£13.75
Tea	£ 5.72
Evening Meal	£17.17
Full day subsistence	£40.08

***Where any meal is provided free of charge, the corresponding allowance will not be payable***

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## Member Allowances Pay Rate 2022/23

- ◆ Original source : CFO/117/05
- ◆ Revised 'Scheme of Members Allowances' 01/11/08
- ◆ Increased each 1st April in line with Firefighters Pay Award of previous July
- ◆ Increase applied 01/04/10 = 1.25%
- ◆ Pay Increase in line with Firefighters Pay Award July 2012 Rejected by Authority 11th June 2013
- ◆ Pay Increase in line with Firefighters Pay Award July 2013 Rejected by Authority 26th June 2014
- ◆ Pay Increase in line with Firefighters Pay Award July 2014 Rejected by Authority 11th June 2015
- ◆ Confirmed intention to reject any Pay Increase in line with Firefighters Pay Award 2015 at AGM 11th June 2015
- ◆ Confirmed intention to reject any Pay Increase in line with Firefighters Pay Award 2016 at AGM 14th June 2016
- ◆ Confirmed intention to reject any Pay Increase in line with Firefighters Pay Award 2017 at AGM 13th June 2017
- ◆ Confirmed intention to reject any Pay Increase in line with Firefighters Pay Award 2018 at AGM 14th June 2018
- ◆ Confirmed intention to reject any Pay Increase in line with Firefighters Pay Award 2019 at AGM 13th June 2019
- ◆ Confirmed intention to reject any Pay Increase in line with Firefighters Pay Award 2019 at AGM 10th June 2020
- ◆ Confirmed intention to reject any Pay Increase in line with Firefighters Pay Award 2019 at AGM 11th June 2021

<b>Basic Allowance</b>	<b>Annual</b>	<b>New Monthly</b>
Members	£8,070	672.50

### **Special Responsibility Allowance**

**Annual New Monthly**

Payable to certain Members in addition to Basic.

£

Chair	£16,140	1345.00
Vice Chair ( <i>including Chair of Committee</i> )	£12,105	1008.75
Opposition Spokesperson	£2,018	168.17
Committee Chair for Committees of 7 Members or more ( <i>Excluding Authority Chair/Vices &amp; Leaders</i> )	£6,053	336.25
Committee Chair for Committees of 6 Members or less	£4,035	336.25
Additional Responsibility ( <i>unless in receipt of any other special responsibility</i> )	£2,018	168.17

### Members Travel & Subsistence Allowances 2019/20

#### **Travel**

#### **New Allowance**

Motor Cycle	p. per mile	22.6
Motor Vehicle	p. per mile	56.4

#### **Overnight Subsistence:**

£

Overnight stay London & approved conferences	180.00
Overnight stay outside London	148.00

**If accommodation is paid directly by the Authority the allowance is reduced to:**

£

London & approved conferences	56.82
Outside London	44.77

#### **Day Subsistence:**

£

Breakfast	9.01
Lunch	13.55
Tea	5.64
Evening Meal	16.92
Full day subsistence	39.49

### Independent Person Expenses 2019/20

£

Daily Attendance Rate

50.00

*Where any meal is provided free of charge, the corresponding allowance will not be payable.*

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<b>MERSEYSIDE FIRE AND RESCUE AUTHORITY</b>			
<b>MEETING OF THE:</b>	<b>AUTHORITY (ANNUAL GENERAL MEETING)</b>		
<b>DATE:</b>	<b>9<sup>TH</sup> JUNE 2022</b>	<b>REPORT NO:</b>	<b>CFO/023/022</b>
<b>PRESENTING OFFICER</b>	<b>MONITORING OFFICER</b>		
<b>RESPONSIBLE OFFICER:</b>	<b>RIA GROVES</b>	<b>REPORT AUTHOR:</b>	<b>SHAUNA HEALEY</b>
<b>OFFICERS CONSULTED:</b>	<b>STRATEGIC LEADERSHIP TEAM IAN CUMMINS HYWYN PRITCHARD</b>		
<b>TITLE OF REPORT:</b>	<b>MFRA CONSTITUTION 2022/23</b>		
<b>APPENDICES:</b>	<b>APPENDIX A: MFRA CONSTITUTION</b>		

### **Purpose of Report**

1. To request that Members approve the draft amended Constitution for Merseyside Fire and Rescue Authority (the Authority) for 2022/23.

### **Recommendation**

2. It is recommended that Members;
  - a) approve the draft amended Constitution for 2022/23;
  - b) instruct the Acting Monitoring Officer to the Authority to keep the Constitution under review; and
  - c) in the event of any relevant changes in legislation to bring a further report the Authority in these circumstances.

### **Introduction and Background**

3. Members are aware that the Authority is required to have Standing Orders in place in relation to committee procedures, contracts and financial regulations under the Local Government Acts 1972, 1985, 1989 and 2000 as well as the Localism Act 2011.
4. Members will also be aware that guidance and Codes of Practice in relation to the Local Government Act 2000 require this document to be contained within one overall Constitution so that this can be easily accessed by the general public.
5. The Authority's Constitution contains a Summary and Information section, an Introduction, Terms of Reference for all the Authority's committees, Rapid Reviews, Procedural Standing Orders, Contract Standing Orders and

Financial Regulations. Local and National Protocols and Codes relevant to Members are also included.

6. The draft now presented for approval by Members proposes the following amendments.

#### Part 1 and Part 2

7. Parts 1 and 2 of the Constitution relate to introductory issues and only minimal changes have been made to these Parts namely typographical.

#### Part 3

8. Part 3 relates to the roles of Chairs and Members' rights and duties, the functions of each Committee; the Scheme of Delegation and terms of Reference for the proposed Committee structure with no proposed changes other than the increase in membership of the Audit Committee and to align the Member Development Group further to the change in political proportionality

#### Part 4

9. Part 4 consists of Procedure Rules – relating to Procedural Standing Orders, Contract Standing Orders and Financial Regulations.
  - i) No substantial changes have been made to the Financial Procedure Rules;
  - ii) The Procedural Standing Orders have been reviewed and some minor changes have been made to provide greater clarification as to conducting urgent business; and
  - iii) The Contract Standing Orders have been amended to reflect how to access the electronic portal.

#### Part 5

10. Part 5 consists of Codes and Protocols, which includes the Members Code of Conduct and the Members' Allowance Scheme.
11. The Officer and Member Relations Protocol has been reviewed. Members and Officers are encouraged to read this document carefully.
12. There are separate papers on the Agenda for this AGM dealing with the Members Allowance Scheme.
13. In order to save printing costs electronic copies are provided to Members of the draft document.

14. Should the draft changes be approved they will be incorporated into the Constitution and copies of amended pages will be provided to each Member for incorporation into the bound copy of the Constitution which has already been provided to Members. The revised document will also be published on the Authority's website and the internal Portal.

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### **Equality and Diversity Implications**

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15. The terms of reference for the committees contain duties for Members to consider the Authority's public equality duties as part of their decision-making.

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### **Staff Implications**

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16. There are no direct staffing implications contained within this report.

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### **Legal Implications**

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17. The Constitution and its constituent parts are required by Local Government legislation.

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### **Financial Implications & Value for Money**

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18. The Authority through its committees must consider the financial implications of decisions and the Constitution reflects this.

---

### **Risk Management, Health & Safety, and Environmental Implications**

---

19. The terms of reference for every Committee contain duties for Members to consider the Authority's health, Safety and Environmental duties as part of their decision-making.

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**Contribution to Our Vision:** *To be the best Fire & Rescue Service in the UK.*

Our Purpose: *Here to serve, Here to protect, Here to keep you safe.*

---

20. The Constitution provides a transparent mechanism to ensure that the communities of Merseyside can have full confidence in the decision-making processes of this Authority.

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### **BACKGROUND PAPERS**

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**NONE**

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### **GLOSSARY OF TERMS**

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**MFRA** Merseyside Fire and Rescue Authority

**MFRS**

**Merseyside Fire and Rescue Service**

**2022-2023**

**MERSEYSIDE FIRE AND RESCUE  
AUTHORITY**

**CONSTITUTION**

**Merseyside Fire & Rescue Authority  
Bridle Road, Bootle, Merseyside, L30 4YD  
0151 296 4000  
[www.merseyfire.gov.uk](http://www.merseyfire.gov.uk)**

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## PART 1 – SUMMARY AND EXPLANATION

Merseyside Fire and Rescue Authority has agreed a Constitution which sets out how the Authority operates, how decisions are made and the procedures which are followed to ensure that these are efficient, transparent and accountable to local citizens. Some of these processes are required by the law, while others are matters for the Authority to agree.

This Constitution details how the Authority conducts its business and includes detailed procedures and codes of practice.

### What is in the Constitution?

The Constitution sets out the primary purpose of the Authority, explaining how the key parts of the Authority operate, including the rights of citizens.

### How the Fire & Rescue Authority Operates

The Authority is made up of eighteen (18) Members, who must be elected to one (1) of the five (5) constituent district councils within Merseyside (Knowsley, Liverpool, Sefton, St Helens and Wirral), plus there is a further non-voting Independent Member who has been co-opted onto the Authority for standards and scrutiny purposes. Members of the Authority have a responsibility to the whole community of Merseyside and are directly accountable to the people of Merseyside for the running of the Fire & Rescue Service. Members also work closely with Officers in developing policies, plans and strategies to give direction to the Service and to ensure that Services are delivered in line with the Authority's objectives.

Members have agreed to follow an approved Code of Conduct designed to ensure high standards in the way they carry out their duties. The Audit Committee, assisted by the Appeals Committee where necessary, monitors standards and deals with any complaints. The Audit Committee additionally deals with any issues in respect of disciplinary procedures and any allegations thereof for Relevant Officers.

All Members meet and make decisions together as the Fire and Rescue Authority. Meetings of the Authority are normally open to the public. Members decide the Authority's overall policies and set the budget each year. At the Annual Meeting they establish and make appointments to the various committees, as well as appointing the Chair and Vice Chair of the Authority and its committees.

### How Decisions Are Made

The Authority has ultimate responsibility for decision making but has delegated many decisions to committees as part of their terms of reference (Articles 8 to 19) and officers as described in the Authority's Scheme of Delegated Powers.

### The Authority's Staff

The Authority has people working for it (described as "Officers") to give advice, to implement decisions and to manage and deliver Services. Some Officers are appointed by law, such as

the Chief Fire Officer, the Director of Finance and Procurement who is the Chief Financial Officer, and the Monitoring Officer. The Monitoring Officer has a specific legal duty to ensure that the Authority acts within the law. A Member Officer Relations Protocol has been approved to govern the relationships between Officers and Members of the Authority.

## Citizens' Rights

Citizens have a number of rights in their dealings with the Authority. Some of these are legal rights, whereas other rights depend upon the Authority's own processes. Citizens' rights include the following:

- The right to attend meetings of the Authority and its committees except where, for example, personal or confidential matters are being discussed.
- To inspect agendas and reports, except those which contain, for example, personal or confidential matters.
- To obtain a copy of the Constitution.

To see reports and background papers (save for exempt or confidential items) and to see records of decisions made by the Authority and its committees

- To complain to the Authority under the Authority's own complaints processes. To complain to the Ombudsman if they think the Authority has not followed its procedures properly, however, they should only do this after using the Authority's own complaints process.
- To complain to the Audit Committee via the Monitoring Officer to the Authority if they have evidence which they think shows that a Member has not followed the Authority's Code of Conduct.
- To inspect the Authority's accounts and to make their views known to the external auditor.

## Citizens' Responsibilities

The Authority welcomes the participation of citizens.

Citizens are expected to conduct themselves in a reasonable manner and must not be violent, abusive or threatening to Members or Officers or damage Authority owned property. Citizens should behave with due respect for the rights and opinions of others and have respect for the procedural decisions made by the Chair of any meeting.

## PART 2 – INTRODUCTION

### Article 1 – Purpose of the Constitution

#### 1.1 **Discharge of Functions**

The Authority will exercise its functions, powers, duties and responsibilities in accordance with this Constitution, within the law, fairly, equitably, openly and transparently and, in the best interests of the community of Merseyside as a whole with a view to achieving its mission to make Merseyside a safer, stronger community and to ensure safe, effective firefighters.

#### 1.2 **Purpose of the Constitution**

The purpose of this Constitution is to set out how the Authority works and how it makes decisions. This helps:

- a. Members to carry out their role as efficient and effective decisions makers.
- b. Ensure that the decision making processes are clearly identifiable to citizens.
- c. Provide citizens with information about their rights and right to be involved in the process of decision making.
- d. Provide a means for improving the democratic accountability of the Authority in the delivery of Services to the community.

#### 1.3 **Monitoring**

The Authority and Monitoring Officer will monitor and review the content of this Constitution and the way it works every year and make any changes that are considered appropriate.

### Article 2 – Membership of the Authority

#### 2.1 **Composition and Eligibility**

The Authority comprises eighteen (18) Members, who are elected councillors to one (1) of the five (5) constituent District Councils comprised within Merseyside. The constituent Councils appoint/elect Members to the Authority in accordance with the provisions of the Local Government Act 1985.

The Councillor appointments are made (subject to compliance with the political balance requirements of the Local Government and Housing Act 1989) in the following numbers:



Liverpool	6 Members
Wirral	4 Members
Sefton	4 Members
St Helens	2 Members
Knowsley	2 Members

- 2.2 Members may be removed from the Authority by their appointing Council, subject to their Council complying with the statutory requirements of the Local Government Act 1985 as to the periods of notice they must give.
- 2.3 If Members do not attend meetings of the Committees they are appointed to and for any Authority meetings for more than 6 months, without adequate reason, they may be suspended by law.

## Article 3 – Officers

### 3.1 Management Structure

- a. General – The Authority may appoint such staff (Officers) as it considers necessary to carry out its functions.
- b. Principal Officers – The Authority has designated as Principal Officers:
  - Chief Fire Officer (Statutory Officer)
  - Deputy Chief Fire Officer (Non Statutory Officer)
  - Assistant Chief Fire Officer (Non Statutory Officer)
- c. In addition the Solicitor to the Authority and Monitoring Officer is a Statutory Officer under Section 5 of the Local Government and Housing Act 1989 and the Director of Finance and Procurement is a Statutory Officer under Section 151 of the Local Government Act 1972, “the s.151 Officer” (also known as the Chief Finance Officer).

### 3.2 Functions of the Chief Fire Officer (CFO)

The Chief Fire Officer is the Head of Paid Service in law under s. 4 of the Local Government and Housing Act 1989 and is responsible for:

- a. Ensuring that the staffing needs of the organisation are adequate to perform the Authority’s statutory functions.
- b. Ensuring that the discharge of the Authority’s functions is efficiently and effectively co-ordinated.
- c. Arranging for and ensuring the proper appointment and management of the Authority’s staff.
- d. Arranging for and ensuring the effective organisation of the Authority’s staff in an appropriate structure with relevant departments.

### 3.3 Functions of the Monitoring Officer

The Monitoring Officer is required by s. 5 of the Local Government and Housing Act 1989 and is responsible for:

- a. *Maintaining the Constitution.* The Monitoring Officer will maintain an up-to-date version of the Constitution and will ensure that it is available for inspection by Members, staff and the public.
- b. *Ensuring lawfulness and fairness of decision making.* After consulting with the Director of Finance and Procurement, the Monitoring Officer will report to the Authority in relation to any proposal, decision or omission which, in his/her view would give rise to unlawfulness or if any decision or omission has given rise to maladministration. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.
- c. *Responding to complaints from the Local Government Ombudsman.*
- d. *Supporting the Audit Committee in its Standards functions.* The Monitoring Officer will contribute to the promotion and maintenance of high standards of conduct through provision of support to the Audit Committee.
- e. *Conducting Investigations.* The Monitoring Officer will conduct or arrange for investigations into matters referred by the Audit Committee and report or arrange for reports to be made in respect of them to this Committee or the Appeals Committee as appropriate. The Monitoring Officer will also undertake, with others, investigations in accordance with the Authority's Whistleblowing (Confidential Reporting) Policy.
- f. *Proper Officer for access to information.* The Monitoring Officer will ensure that the requirements of the Local Government Act 1972, as amended, will be met in relation to the publication of relevant committee reports, background papers and decisions and that they will be made publicly available (subject to any restrictions on disclosure) as soon as possible.
- g. *Providing Advice.* The Monitoring Officer will provide advice on the scope of the powers of the Authority and its Committees to take decisions and in connection with matters involving maladministration and probity.
- h. *Restriction of Appointment.* The Monitoring Officer cannot be the statutory s.151 Officer (also referred to as the Chief Finance Officer). The Director of Finance and Procurement fulfils this role for the Authority

### 3.4 **Functions of the Director of Finance and Procurement**

The Director of Finance and Procurement as the s.151 Officer (also referred to as the Chief Finance Officer) for the Authority is required by Section 6 of the Local Government and Housing Act 1989 and Section 151 of the Local Government Act 1972 and is responsible for:

- a. *Ensuring lawfulness and financial prudence of financial decision making.* After consulting with the Monitoring Officer, the Director of Finance and Procurement will report to the Authority and to the Authority's external auditor, if he/she considers that any proposal decision or course of action will involve incurring unlawful expenditure or is unlawful and likely to cause a loss or deficiency, or if the Authority is about to enter an item of account unlawfully. He/she will also make a report to the Authority if it appears that

the expenditure of the Authority (including expenditure it proposes to incur) in a financial year is likely to exceed the resources (including sums borrowed) available to meet that expenditure.

- b. *Administration of financial affairs.* The Director of Finance and Procurement has responsibility for the administration of the financial affairs of the Authority.
- c. *Contribution to corporate management.* The Director of Finance and Procurement is required to contribute to the corporate management of the Authority, in particular, through the provision of professional financial advice.
- d. *Providing advice.* The Director of Finance and Procurement will provide advice on the scope and powers of the Authority to take decisions about the financial impropriety, profit and budget and policy framework issues to the Authority and its Committees, Members and Officers and will support and advise Members and Officers in their respective roles.

### 3.5 **Duty to Provide Sufficient Resources to Monitoring Officer and the Director of Finance and Procurement**

The Authority will provide the Monitoring Office and the Director of Finance and Procurement with such Officers, accommodation and other resources as are in the opinion of those Officers required in their respective roles as required by law.

### 3.6 **Conduct**

Officers will comply with the Employee Code of Conduct.

### 3.7 **Employment**

The recruitment, selection and dismissal of Officers will comply with the Officer employment rules set out in this Constitution.

## Article 4 – Decision Making

### 4.1 **Responsibility for Decision Making**

Responsibility for decision making by the Authority, its Committees, any Sub-Committees and Officers is in accordance with this Constitution which comprises the record of responsibility for decision making.

### 4.2 **Principles of Decision Making**

All decisions of the Authority will be made in accordance with the following principles:

- a. Be within the lawful powers of the Authority.
- b. Due consultation where appropriate (including the taking of relevant professional advice from Officers).
- c. Respect for human rights.

- d. Presumption in favour of openness.
- e. Clarify of aims and desired outcomes.
- f. Within the letter and spirit of the Constitution.

#### **4.3 Types of Decisions**

Decisions relating to the functions listed in Article 3.2 to 3.4 will be made by the Authority and not delegated.

#### **4.4 Decision Making by the Authority and its Committees and Sub-Committees**

The Authority, Committee and Sub-Committee meetings will comply with the Authority's procedural standing orders when considering any matter.

#### **4.5 Decisions Made by the Authority Acting in Quasi-judicial Capacity**

The Authority and its Committees and Sub-Committees, Members or Officers when acting in a quasi-judicial manner or determining/considering (other than for the purposes of giving advice) the civil rights and obligations of any person, will follow a proper procedure which accords with the requirements of natural justice and the right to a fair trial contained in Article 6 of the European Convention on Human Rights.

#### **4.6 Decision Making by Officers**

Officers have full authority for operational and managerial decision making and for any necessary action within their authorised remit in accordance with the terms of the Scheme of Delegation.

### Article 5 – Finance, Contracts and Legal Matters

#### **5.1 Financial Management**

The management of the Authority's financial affairs will be conducted in accordance with the Financial Regulations.

#### **5.2 Contracts**

Contracts made by the Authority will comply with the Authority's Contract Standing Orders.

#### **5.3 Legal Proceedings**

The Monitoring Officer, in her/his capacity as Solicitor to the Authority, is authorised to institute, defend or participate in any legal proceedings in any case where such action is necessary to give effect to decisions of the Authority or in any case where the Monitoring Officer considers that such action is necessary to protect the Authority's interests. The delegated powers invested in the Monitoring Officer are provided in the Scheme Delegation.

#### **5.4 Authentication of Documents**

Where any document is necessary to any legal procedure or proceedings on behalf of the Authority, it will be signed by the Monitoring Officer in her/his capacity as Solicitor to the Authority or by some person duly authorised by the Authority or the Monitoring Officer unless any enactment otherwise authorises or requires. The procedural rules/standing orders of the Authority in relation to contracts that are set out in Contract Standing Orders, make further provision in relation to formal processes involving the award of contracts.

#### **5.5 Common Seal of the Authority**

The common seal of the Authority will be kept in a safe place in the custody of the Monitoring Officer. A decision of the Authority, a committee or sub-committee or any authorised Officer, will be sufficient authority for sealing any document necessary to give effect to such a decision. The common seal will be affixed to such documents as are, in the opinion of the Monitoring Officer, appropriate for sealing. The Monitoring Officer, or some other person authorised by her/him shall witness the affixing of the common seal.

### **Article 6 – Review and Revision of the Constitution**

#### **6.1 Duty to Monitor and Review the Constitution**

- a. The Monitoring Officer will monitor and review the operation of the Constitution to ensure that the aims and principles of the Constitution are given full effect.
- b. A key role for the Monitoring Officer is to be aware of the strengths and weaknesses of the Constitution adopted by the Authority and to make recommendations for ways in which it could be amended in order to better achieve its purposes. In performing this duty, the Monitoring Officer may:
  - I. attend and observe meetings of different parts of the Member and Officer structure;
  - II. examine the audit trail relating to decision making;
  - III. record and analyse issues raised with her/him by Members, Officers, the public and other relevant stakeholders; and
  - IV. compare practices in the Authority with those in other comparable Authorities or national examples of best practice.

#### **6.2 Changes to the Constitution**

- a. Approval

Changes to the Constitution will only be approved by the Authority after consideration of proposals submitted by the Monitoring Officer.

## Article 7 – Suspension, Interpretation and Publication of the Constitution

### 7.1 **Suspension of the Constitution**

#### a. Limit to Suspension

The articles of this Constitution may not be suspended other than to the extent permitted within these rules and the law.

#### b. Rules Capable of Suspension

The following rules may be suspended in accordance with this Article 7:

- I. Authority procedure/standing order rules
- II. Access to information
- III. Budget and policy framework procedure rules
- IV. Officer employment procedure rules
- V. Financial regulations
- VI. Contract Standing Orders

### 7.2 **Interpretation**

- a. Except as otherwise provided and subject to (b) below, the decision of the Monitoring Officer on the interpretation of the Constitution shall be final.
- b. In relation to proceedings of the Authority, the ruling of the Chair of the Authority as to the construction or application of this Constitution shall be final at any meeting of the Authority.

### 7.3 **Publication**

- a. The Monitoring Officer will arrange to provide a copy of this Constitution to each Member of the Authority as soon as practicable after that Member has signed the Code of Conduct declaration, following appointment to the Authority.
- b. The Monitoring Officer will arrange for the Constitution to be available for inspection at Fire and Rescue Service Headquarters and at other appropriate locations and by publication on the Authority's official website.

## PART 3 – RESPONSIBILITY FOR FUNCTIONS

### Article 8 – Roles and Functions of Members

#### 8.1 All Members are expected to:

- a. Act corporately for the good governance of the Authority, balancing the needs of the whole community of Merseyside with their role as a local representative.
- b. To represent actively, promote and support the work of the Authority in the provision of Fire and Rescue Services within the whole area and community of Merseyside with a view to the Authority achieving its mission, aims and objectives.
- c. On a regular basis, to attend meetings of the Authority and any Committees, Sub-Committees, working parties or external bodies to which the Member has been appointed and fully participate in policy formulation and decision making including the development of strategic policies, determination of the budget and approving the Integrated Risk Management Plan in accordance with principles of good public governance. This includes a requirement to act at all times in accordance with:
  - I. Statutory and the legal requirements
  - II. The Code of Conduct for Members
  - III. Standing Orders for Members
  - IV. The Member/Officer Protocol
- d. Attend at Member training events/learning lunches regularly and support the Authority's Member Development Strategy.
- e. Represent the Authority throughout the area of Merseyside.
- f. If appointed by the Authority to an external body; represent the interests of the Authority on that body.
- g. To be actively aware of all issues inside and outside of the Authority, relevant to the provision of Fire and Rescue Services in order to fulfil a community leadership and representative function, working as necessary in partnership with other local organisations in order to effectively promote the safety and well-being of the whole community of Merseyside.

The Authority is a legal entity and has responsibilities and duties under a wide area of legislation. When making decisions the Authority must take these duties into account.

## Article 9 – Roles and Responsibilities of Designated Office Holders

### 9.1 **Chair of the Authority**

The role and responsibilities of the Chair of the Authority are:

- a. To provide overall political leadership to the Authority.
- b. To chair meetings of the Authority and to ensure its overall effectiveness.
- c. To have a working knowledge of the Authority's Procedural Standing Orders, relevant policies and strategies and to ensure that he/she is sufficiently and effectively brief by Officers on matters coming before the Authority's committees/sub-committees.
- d. To provide effective leadership in the development of the Authority's policy, strategy and budget proposals.
- e. To lead on the implementation of effective service delivery and the Authority's approved policies and strategies.
- f. To act as the Authority's principal Member spokesperson at local, regional and national level.
- g. To seek to ensure that good working relationships are established with external public and private sector bodies and networks relevant to the efficient discharge of the Authority's functions.
- h. To lead in the development of good working relationships between the leaders of political groups represented on the Authority.
- i. To promote good working relationships between Members and Officers of the Authority so that Authority business is conducted in the most efficient and effective way possible.

### 9.2 **Vice Chair of the Authority**

The role and responsibilities of the Vice Chair of the Authority are:

- a. To support the Chair of the Authority in discharging the roles and responsibilities associated with the office of Chair.
- b. To deputise for the Chair in his/her absence.

### 9.3 **Party Group Leaders/Spokespersons**

The role and responsibilities of the Group Leaders or Spokespersons of the Authority are:

- a. To ensure their party contributes effectively, positively and constructively to the Authority's activities.
- b. To act as the principal political spokesperson for the political group.



- c. To provide leadership to their party group.

#### 9.4 **Chairs of Committees and Sub-Committees**

The roles and responsibilities of all Committees/Sub-Committees are:

- a. To chair the Committee/Sub-Committee and ensure its overall effectiveness.
- b. To have a working knowledge of the Authority's Procedural Standing Orders and to ensure that he/she is sufficiently and effectively briefed by Officers on matters coming before the Committee/Sub-Committee.
- c. To co-ordinate and manage the work of the Committee/Sub-Committee.
- d. To support the role of the Chair of the Authority in the development of policy, strategy and budget proposals.

#### 9.5 **Rights and Duties of Members**

Members have rights of access to documents, information, land and buildings of the Authority that are necessary for them to properly carry out their duties in relation to their membership of a Committee or Sub-Committee.

A Member of the Authority may, only for the purposes of his/her duty as a Member, inspect any document which has been considered by a Committee, or a Sub-Committee or by the Authority and shall, on request to the Monitoring Officer, be given a copy of a document if practicable. If a Member requests a report to a Committee of which they are not a Member this will be provided on a "need to know" basis only after consultation between the Monitoring Officer and the Chair.

This is providing that a Member does not knowingly ask to see a document relating to a matter in which he/she is professionally interested or in which he/she has directly or indirectly any prejudicial interest within the meaning of the Local Government Act 2000 or the Localism Act 2011 and/or related Regulations or the Code of Conduct. At any time the Monitoring Officer can refuse a request to see any document which is, or in the event of legal proceedings, would be protected by privilege arising from the relationship of solicitor and client.

All Reports made or minutes kept by any Committee or Sub-Committee shall be open for the inspection of any Member of the Authority during office hours. All reports and minutes, unless exempt from publication, are also available on <http://www.merseyfire.gov.uk>.

Subject to any statutory provision in that behalf, no Member of the Authority shall, without the consent of the Authority, be entitled to inspect any document in the custody of any Officer of the Authority if, in the opinion of that Officer and the Monitoring Officer, the document is of a confidential nature.

**9.6 Inspection of Lands, Premises etc.**

Unless specifically authorised to do so by the Authority or a Committee, or Sub-Committee, a Member of the Authority shall not issue any order respecting any works which are being carried out by or on behalf of the Authority or claim by virtue of his/her membership of the Authority any right to inspect or enter upon any lands or premises of the Authority or which the Authority has the power or duty to inspect or enter.

Members will not make public information, which is confidential or exempt, without the consent of the Authority on the advice of the Monitoring Officer or communicate information given in confidence to anyone other than a Member or Officer of the Authority entitled to know it.

**9.7 Appointment of Relatives of Members**

A candidate for any appointment to the Service or Authority who knows that he/she is related to any Member of the Authority shall, when making application, disclose that relationship to the Chief Fire Officer and Monitoring Officer. A candidate who fails to disclose such relationship shall be disqualified from the appointment and if appointed shall be liable to dismissal without notice. Every Member of the Authority shall disclose to the Monitoring Officer every relationship known to him/her to exist between himself/herself and any person whom he/she knows is a candidate for an appointment under the Authority. The Monitoring Officer shall report to the Authority any such disclosure made to him/her.

**9.8 Failure to Attend Meetings**

Subject to the provision of Section 85 Local Government Act 1972, any Member failing to attend any meeting of the Authority or its Committees for a period of six months, ceases to be a Member of the Authority unless within that period that Member's absence is approved by the Authority.

The Monitoring Officer will monitor absences from meetings and unless approval for any absence is given by the Authority will report the failure to attend to the Authority in order that it may declare a vacancy and notify the relevant constituent council.

**9.9 Conduct**

Member will, at all relevant times, observe the Members Code of Conduct and the Member/Officer relations Protocol.

**9.10 Allowances**

Members will be entitled to receive allowances in accordance with the Members' Allowance Scheme.

## Article 10 – The Authority

### 10.1 **Legal Structure/Delegations**

The Authority has the legal responsibility for making decisions about matters concerning the functions, powers, duties and responsibilities of the Authority. The Authority has delegated a range of decision making powers about various matters to Committees and Officers as set out in this Constitution but has otherwise reserved powers to itself. The use of any delegated powers and decision making by Committees and Sub-Committees appointed by the Authority and described in this Constitution shall be subject to:

- a. Statutory or legal requirements.
- b. Standing orders and financial regulations of the Authority.
- c. Strategic and corporate policies adopted by the Authority and/or directions given by the Authority in relation to the exercise of delegated functions.

Delegated powers do not prevent a Committee or Sub-Committee referring matters to the Authority or prevent the Authority from exercising those powers itself unless a decision has already been made and acted upon in line with the approved terms of reference and delegated authority.

The exercise of certain delegated powers existing in the Authority's Scheme of Delegation or otherwise granted to Officers of the Authority must be recorded and published under the provisions of the Openness of Local Government Bodies Regulations 2014.

### 10.2 **Functions Reserved to the Authority**

Only the Authority will exercise the following functions:

- a. Variations to standing orders and financial regulations subject to the advice and recommendations of the Monitoring Officer.
- b. The revenue budget and capital plan, levying or issuing of a precept or borrowing on money, subject to the advice and recommendations of the Director of Finance and Procurement.
- c. Adopting a Member's Allowances scheme.
- d. Appointing the Chair and Vice Chair of the Authority and the Chairs of the Committees and any Sub-Committees of the Authority.
- e. Any other matters which by law must be reserved to the Authority itself.

### 10.3 **Terms of Reference of the Fire and Rescue Authority**

- a. Approve new policies or substantive changes in policy relating to the development and delivery of Services appropriate to this Authority.
- b. To have oversight of the preparation of the Authority's Strategic and Integrated Risk Management Plans, including due consideration of any

recommendations of the Audit Committee, the Scrutiny Committee or the Chief Fire Officer.

- c. Determine the Authority's Precept.
- d. Approve the Authority's Budget.
- e. Approve Delegated Powers to Officers.
- f. Refer any matter to the Scrutiny Committee or to establish a Task and Finish Group/Rapid Review where it is considered the matter requires further/in depth scrutiny.
- g. Have responsibility for the monitoring of the Authority's Risk Management Strategy.
- h. Co-ordinate as necessary the response of the Authority to any reports received from Auditors, or any Constituent District Council.
- i. Determine issues related to the liaison with and representation upon outside bodies and organisations.
- j. To consider all matters relating to Merseyside's interest in Europe.
- k. To consider and approve response to such statutory consultation documents as may have consequent implications for the Authority with respect to Governance arrangements, corporate risk management and business continuity.
- l. Maintain an overview of the effectiveness of the Constitution.
- m. Monitor effectiveness and outcomes relating to Authority policies on Whistle Blowing, anti-fraud and anti-corruption.
- n. Consider any matter which requires a decision by a designated committee or sub-committee, but cannot await the next meeting of that designated committee.

**10.4 Equality and Diversity Activity**

To receive and approve officer's reports relating to Equality and Diversity and relating to monitoring and progress against objectives and in making decisions to have full regard to the Authority's Public Equality Duties and its duties under Health and Safety and Environmental and other legislation.

**10.5 Authority Meetings**

There are three types of Authority meetings:

- I. The Annual Meeting.
- II. Ordinary meetings.
- III. Extraordinary meetings.

In addition, there are meetings of Committees and Sub-Committees. These meetings will be conducted in accordance with the Authority's standing orders/procedural rules.

#### 10.6 **Chairing the Authority**

- a. Electing the Chair and Vice Chair of the Authority. The Chair and Vice Chair of the Authority will be elected by the Members at the Annual Meeting.
- b. Roles and Responsibilities of the Chair and in his/her absence the Vice Chair of the Authority.

The Chair will preside over Authority meetings and ensure that they are conducted in accordance with the standing orders and procedural rules of the Authority as set out in Procedural Standing Orders of this Constitution. In addition, the Chair will discharge the roles and responsibilities set out in Article 2 of this Constitution.

#### 10.7 **Quorum**

There must be at least eight (8) voting Members present at any full Authority meeting.

### Article 11 – The Policy and Resources Committee

#### 11.1 **Terms of Reference**

- a. Under delegated powers, determine new policies or substantive changes in policy relating to the development and delivery of Services appropriate to this Committee.
- b. Oversee the Authority Communication and Consultation Strategy and receive related reports.
- c. Convene any Working Parties or Task Groups as may be appropriate to assist in fulfilling the duties of the Committee.
- d. Consider and if appropriate, determine under delegated powers any other matters, which may be referred to the Committee by the Authority, the Audit or Scrutiny Committee.
- e. Consider and determine under delegated powers any matter which requires a decision by the Authority which cannot await its next meeting.
- f. Consider all matters related to the management of the Authority's assets including buildings, land, ICT and other assets.
- g. Oversee the Authority's procurement strategy including potential for commissioning Services.
- h. Consider all matters related to the maintenance of the North West PFI Project.
- i. Contribute towards the overall savings target of the Authority, through the regular scrutiny of expenditure and other budget related issues.

- j. Exercise financial control over expenditure within the approved revenue budgets and capital programme of the Authority.
- k. Establish and direct procedures for the implementation, monitoring and amendment of the revenue budget and capital programme.
- l. Consider recommendations to incur expenditure on the capital account.
- m. Consider recommendations for supplementary estimates within available resources.
- n. Consider proposals to exercise virement between lines within the approved budget.
- o. Consider policies for the raising and investment of funds.
- p. Consider proposals for awards of contracts.
- q. Consider proposals involving the increasing or reduction of income including the writing off of monies owed to the Authority.
- r. In making decisions to have full regard to the Authority's public equality duties and its duties under Health and Safety and Environmental and other legislation.
- s. To refer any reports required by Members to Audit Committee where appropriate.

## 11.2 **Membership**

Nine (9) voting Members of the Authority according to political proportionality.

## 11.3 **Quorum**

Six (6) voting Members.

# Article 12 – The Community Safety and Protection Committee

## 12.1 **Terms of Reference**

- a. Under delegated powers, determine new policies or substantive changes in policy relating to the development and delivery of Services appropriate to this Committee.
- b. Consider all matters related to the delivery of Services to the diverse communities of Merseyside and the development, promotion and delivery of a co-ordinated strategy for developing and maintaining safer communities.

To include matters relating to:

Operational Preparedness, Operational Response and Community Risk Management

- c. Consider and determine where appropriate all matters related to the Civil Contingencies function of the Authority.
- d. Consider the opportunities for and delivery of shared Services and/or collaboration with other agencies.
- e. Consider all matters referred by the North West Fire and Rescue Forum.
- f. Consider all matters relating to involvement with and delivery of Services delivered jointly by the NW Fire and Rescue Services.
- g. Consider and where appropriate determine all matters relating to Fire Safety Legislation.
- h. To consider all matters relating to the development of the City Region/Mersey region agenda.
- i. Consider any matters relating to the provision of Services to the diverse communities of Merseyside.
- j. Convene any Rapid Reviews following referral to the Scrutiny Committee as may be appropriate to assist in fulfilling the duties of the Committee.
- k. Consider and if appropriate, determine under delegated powers any other matters, which may be referred to the Committee by the Authority, or the Audit Committee.
- l. Consider and determine under delegated powers any matter which requires a decision by the Authority which cannot await its next meeting.
- m. In making decisions to have full regard to the Authority's public equality duties and its duties under Health and Safety and Environmental and other legislation.
- n. To refer any reports required by Members to the Audit Committee where appropriate.

**12.2 Membership**

Nine (9) voting Members of the Authority according to political proportionality.

**12.3 Quorum**

Six (6) voting Members.

## Article 13 – The Scrutiny Committee

### 13.1 **Terms of Reference**

- a. To review and/or scrutinise the objectives of the Authority's Integrated Risk Management Plan (IRMP) and performance against these objectives.
- b. To carry out joint member/officer pre and post-implementation scrutiny of any major project, scheme, or key decision taken by the Authority or its standing committees.
- c. To make recommendations to the Policy and Resources Committee and/or the Community Safety and Protection Committee and/or Authority arising from the outcome of the scrutiny process and how any improvements can be made.
- d. To agree and action a scrutiny forward work programme throughout the year and from meeting to meeting that includes matters relating to the performance of the Authority against the IRMP or any such issues referred to by the full Fire Authority and report back.
- e. To participate in, determine and undertake a programme of Rapid Reviews with a view to effecting continuous improvements in the way Services are delivered, having regard to a combination of economy, efficiency and effectiveness.
- f. To appoint relevant member(s) and officers to individual efficiency reviews.
- g. To consider reports on the outcome of reviews and the relevant recommendations and to monitor their implementation on a regular basis.
- h. To convene Rapid Reviews to undertake detailed work involving relevant Scrutiny Members, key reference holders and relevant officers.
- i. To receive reports and information from officers, members, organisations and individuals as required by the Committee to further its work, and to interview members, officers, staff and comparable organisations as appropriate.
- j. Question and gather evidence from any person (with their consent).
- k. In making decisions to have full regard to the Authority's public equality duties under Health and Safety and Environmental and other legislation.

### 13.2 **Membership**

Nine (9) voting members and one (1) independent member.

Quorum : six (6) voting members.



### 13.3 **Rapid Reviews**

- a. To adopt the forward plan for Scrutiny.
- b. To ensure full and through scrutiny of the subject matter.
- c. To work with Officers to ensure ongoing progress and high performance in delivering a service.
- d. To consider the role of stakeholders and the community in scrutiny.
- e. To contribute to reports on the outcomes of rapid reviews.

### 13.4 **Membership**

Up to six (6) and no less than four (4) voting Members of the Scrutiny Committee as well as the Independent Member.

### 13.5 **Quorum**

Four (4) voting Members.

## Article 14 – The Joint Fire and Police Collaboration Committee

### 14.1 **Terms of Reference**

- a. To act as a Strategic Board to oversee collaboration between Merseyside Police (MP) and Merseyside Fire and Rescue Authority (MFRA).
- b. To consider reports on progress towards budget savings created by collaboration on operational issues.
- c. To consider reports on progress towards budget savings created by collaboration on shared premises wherever possible.
- d. To consider proposals created by an Officer led project group to share transactional support services and associated cost savings and timescales for this.
- e. To consider any other potential opportunities to make savings by shorter or longer term proposals.
- f. To make recommendations to the Police and Crime Commissioner and Merseyside Fire and Rescue Authority about potential collaboration opportunities between MP and MFRA.
- g. To provide a template for future developments in legislation around collaboration.

## 14.2 **Membership**

Five (5) voting Members.

Four (4) Members of MFRA (comprising of the Chair of the Authority and the Vice-Chair of the Authority; plus 1 opposition spokesperson for Merseyside.

One (1) co-opted Member representing Merseyside Police (the Police and Crime Commissioner).

## 14.3 **Quorum**

Three (3) voting Members.

## Article 15 – Audit Committee

### 15.1 **Terms of Reference**

#### **Audit Activity**

- a. To consider the internal auditor's annual report and opinion, and a summary of internal audit activity (actual and proposed) and the level of assurance it can give over the Authority's corporate governance arrangements.
- b. To consider and approve summaries of specific internal audit reports as requested.
- c. To consider reports dealing with the management and performance of the providers of internal audit Services.
- d. To consider a report from internal audit on agreed recommendations not implemented within a reasonable timescale.
- e. To consider the external auditor's annual letter, relevant reports and the report to those charged with governance.
- f. To consider specific reports as agreed with the external auditor.
- g. To comment on the scope and depth of external audit work and to ensure it gives value for money.
- h. To ensure that there are effective relationships between external and internal audit, inspection agencies and other relevant bodies and that the value of the audit process is actively promoted.
- i. To commission work from internal and external audit.
- j. To approve the Treasury Management (Year End) Report.

## **Regulatory Framework**

- a. To maintain an overview of the Authority's constitution in respect of contract procedure rules, financial regulations and codes of employee conduct and behaviour.
- b. To review any issue referred to the Committee by the Chief Fire Officer, Deputy Chief Fire Officer or the Director of Finance and Procurement or member of the Authority's Strategic Leadership Team.
- c. To monitor the effective development and operation of risk management and corporate governance in the Authority.
- d. To monitor Authority policies on Whistleblowing and the anti-fraud and anti-corruption strategy and the Authority's complaints process.
- e. To consider the Authority's arrangements for corporate governance agreeing necessary actions to ensure compliance with best practice.
- f. To approve the Authority's Annual Governance Statement.
- g. To consider the Authority's compliance with its own and other published standards and controls.

## **Accounts**

- a. To review the annual statement of accounts. Specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the council.
- b. To consider the external auditor's report to those charged with governance on issues arising from the audit of accounts.
- c. Approve the audited Statement of Accounts and approve publication of the sae (NB: this can also be approved by the Policy and Resources Committee if necessary).

### **15.2 Members' Code of Conduct**

To determine allegations made under the Member Code of Conduct Procedure and refer sanctions proposed and any complaint allegation requiring further investigation to the Authority's Appeals Committee.

### **15.3 Discipline Procedures for Statutory and Relevant Officers**

- a. To act as the Investigating and Disciplinary Committee where an allegation is made against the Chief Fire Officer, Deputy Chief Fire Officer, Assistant Chief Fire Officer, Monitoring Officer or the Director of Finance and Procurement in line with the Authority's policy for Discipline Procedures for Statutory Officers.
- b. To determine whether any allegation of misconduct by a statutory/relevant officer should be investigated by an independent investigator.

- c. To determine whether the statutory/relevant officer subject to the allegation should be suspended while the investigation is conducted.
- d. To appoint the independent investigator subject to the involvement of the statutory/relevant officer.
- e. Appoint independent Members to the Independent Panel.
- f. To consider the outcome of any resultant investigation and representations from the statutory/relevant Officer and either:
  - I. Determine there is no case to answer.
  - II. Determine a sanction short of dismissal.
  - III. Recommend dismissal to the full Authority.

#### 15.4 **Membership**

Five (6) voting members plus one (1) independent person

#### 15.5 **Quorum**

Three (4) voting members.

### Article 16 – The Appeals Committee

#### 16.1 **Terms of Reference**

- a. Consider and determine Appeals referred from the Audit Committee in relation to the Members Code of Conduct.
- b. Consider and, if appropriate, determine any other matters which may be referred to the Committee by the Authority, or any committee.
- c. In making decisions to have full regard to the Authority's public equality duties and its duties under Health and Safety and Environmental and other legislation.

#### 16.2 **Membership**

Chair of the Authority, Vice Chairs and Party Group Leaders.

#### 16.3 **Quorum**

At least one (1) Member from the controlling political party and at least one (1) party group leader from another political party represented on the Authority and to include either the Chair of the Authority or at least one (1) of the Vice Chairs of the Authority.

## Article 17 – The Appointments Committee

### 17.1 **Terms of Reference**

- a. To consider and determine for appointment to the posts and offices of the Chief Fire Officer, Deputy Chief Fire Officer, the Director of Finance and Procurement, Monitoring Officer and any other posts referred to the committee for consideration.
- b. To make appointments to the above posts on behalf of the Authority.
- c. To consider and, if appropriate, determine any other matters which may be referred to the Committee by the Authority.

### 17.2 **Membership**

The Chairs and Vice Chairs of the Authority and Party Group Leaders.

### 17.3 **Quorum**

At least one (1) Member from the controlling political party and at least one (1) Party group leader from another political party represented on the Authority and to include either the Chair of the Authority or at least one (1) of the Vice Chair of the Authority.

## Article 18 – Member Development and Engagement Group

### 18.1 **Terms of Reference**

- a. To promote the continuous development of Members of the Authority in a manner that will increase their capacity still further to meet the Authority's mission and aims.
- b. To consider proposals and options for arrangements in respect of Member's training and development and from time to time to make recommendations to the Authority.
- c. To monitor from time to time the existing arrangements for Members training and development and identify any relevant issues and report to the Authority.
- d. To liaise with the Authority's officers responsible for devising and implementing training and development for employees, with a view to promoting integration and avoiding duplication where appropriate.
- e. To encourage feedback from Members who attend conferences, training and events to consider the value and appropriateness of attendance at such events and report findings to the Authority.

### 18.2 **Membership**

Four (4) elected Members with at least two (2) from the controlling political party and at least one (1) Party group leader from another political party represented on the Authority.

### 18.3 Quorum

As this is a working group there is no quorum, however at least one (1) Member should be in attendance.

## Article 19 – Local Pension Board (Firefighter’s Pension Scheme(s))

19.1 The Authority has established a Local Pension Board (LPB) to assist the Authority in its role as ‘Scheme Manager’ for the Firefighters’ Pension Scheme(s), as required by the Pension Scheme (Amendment) (Governance) Regulations 2015 Regulation 4A. The (LPB) is responsible for assisting the Scheme Manager (or nominated officer) in securing compliance with:

- a. Scheme regulations.
- b. Other governance and administration legislation.
- c. Any requirements of The Pensions Regulator
- d. Additional matters, if specified by scheme regulations.

19.2 The 2015 Firefighters’ Pension Scheme regulations require the LPB to assist the Scheme Manager in ensuring the effective and efficient governance and administration of the scheme. This is potentially a wide ranging role and allows, for instance, the LPB to look at the systems underpinning the administration of the scheme or how decisions are taken. However, the LPB is not a decision making body. The LPB has an equal number of employer representatives and member representatives (3 of each).

## Article 20 – Scheme of Delegation to Officers

This scheme grants powers to Officers to exercise powers and carry out duties of the Authority under various Statutes, Orders, Regulations and Byelaws and Common Law.

The Openness of Local Government Bodies Regulations 2014 require the approval of certain delegated powers to Officers to be recorded and published. Such delegations concern the exercise of powers which affect the rights of individuals the granting of a permission or licence or the award of a contract or incurring of expenditure which, in either case, materially affects the Authority’s financial position.

The Monitoring Officer and/or the Director of Finance and Procurement to the Authority or their designated Deputy shall advise the Authority of circumstances as and when this will be necessary.

### 20.1 Conditions of Delegations

- a. It is the duty of Officers to whom the exercise of powers is delegated to keep Members of the Authority informed of activity arising within the scope of the delegated powers given to them.

- b. In exercising delegated powers, Officers shall consult with each other as appropriate in the circumstances and shall have regard to any advice given.
- c. It shall always be open to an Officer to seek authority or guidance from the Authority (particularly Statutory Officers) and to elect not to exercise delegated powers; or to consult with Members on the exercise of delegated powers.
- d. The exercise of delegated powers by an Officer shall be in accordance with:
  - I. The policies of the Authority and its decisions from time to time.
  - II. The Authority's Standing Orders and Financial Regulations.

## 20.2 Powers Not to be Delegated

- a. Any matter reserved to the Authority.
- b. Any matter which may, by law, not be delegated to an Officer.
- c. Any decision relating to the functions listed in Article 3.2 to 3.4.
- d. Where to do so would effectively result in the Officer making a decision reviewing their own decision in relation to pension, disciplinary or any other matters.
- e. Where to do so would result in a breach of the Authority's Contract Standing Orders for the time being in force.
- f. In respect of action constituting the grant of an exemption under Contract Standing Orders, or the award of a Contract the value of which exceeds £250,000.
- g. In respect of action constituting the entering into of sponsorship arrangements, the value of which exceeds £25,000.
- h. In respect of action constituting the appointment or dismissal of the Chief Fire Officer, the Deputy Chief Fire Officer, the Director of Finance and Procurement (as the s.151 Officer/Chief Finance Officer) or the Monitoring Officer.
- i. Where to do so would result in the Authority incurring expenditure for which no budgetary provision exists within the budget heads for which the Officer proposing to exercise delegated powers is responsible.
- j. Where to do so would result in expenditure entailing the virement of sums in excess of £50,000 from one (1) budget line approved by the Authority to another budget line.
- k. Where to do so would result in the Authority incurring expenditure on hospitality in excess of £800 on any occasion or in breach of any guidance issued by the Authority.
- l. No Officer other than the Director of Finance and Procurement (as the s.151 Officer/Chief Finance Officer) shall have the power to write off debts due to the Authority or equipment or other assets held by the Authority. The Director

of Finance and Procurement (as the s.151 Officer/Chief Finance Officer) shall have power to write off debts and assets up to the value of £5000 but shall exercise such power only if satisfied that:

- I. it would not be cost effective to expend additional resources to recover the amounts owed, or
  - II. every reasonable effort has been made to recover the amounts due, and further action is likely to damage the reputation of the Authority, or
  - III. the debt is legally irrecoverable, and
  - IV. that the Authority has not reserved such a decision to itself.
- m. The term "Officer" means the holder of a post named as having delegated powers or duties under this scheme.

### 20.3 Delegations to the Chief Fire Officer

(and in their absence the Deputy Chief Fire Officer) who may further delegate to any member of the Strategic Leadership Team or a Head of Service as appropriate.

- a. 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 Chairs of the Authority and each of the Party Group Leaders.
- b. To control all matters of the day to day administration of the Fire and Rescue Service which shall include taking and implementing decisions that are:
  - I. Concerned with maintaining the operational effectiveness of the Service;
  - II. matters incidental to the discharge of the Authority's functions which fall within a policy decision taken by the Authority.
- c. To make, issue and serve such Notices, Orders, Statements and other documents as may be necessary or appropriate for the above purposes or to give effect to, or carry out any decision of him/her under powers delegated to him/her under this scheme.
- d. To submit comments on any town and country planning matter, Building Regulations, Safety or Sports Grounds and other applications or licenses, where the Authority is a consultee, statutory or otherwise.
- e. To exercise all the powers of the Authority as an enforcement authority under relevant legislation, without prejudice to the generality of this position he/she may in particular:
  - I. authorise the commencement of criminal proceedings (after consultation with the Monitoring Officer) for any breach of any law or regulation, the enforcement of which the Authority is empowered to undertake;
  - II. take appropriate action on behalf of the Authority under the Regulatory Reform (Fire Safety) Order 2005 and/or other Enforcement legislation in force from time to time;



- III. designate persons as Inspectors under Article 26 of the Fire Safety Order and the Health and Safety at Work Act 1974;
  - IV. authorise named members of staff in writing to exercise statutory powers conferred on the Authority under Article 27 of the Fire Safety Order;
- f. To ensure that nationally and locally agreed conditions of service are properly implemented.
  - g. After consultation with the Director of Finance and Procurement to authorise the implementation of any nationally agreed pay award in respect of all employees, subject to any element of discretion being referred to the Authority for consideration.
  - h. To manage all staff, staffing structures and decide on personnel issues in line with agreed Authority policies.
  - i. To vary the grading of individual non-uniformed posts up to (but not including) the Director of Finance and Procurement (including progression within and between grades) having regard to the national Job Evaluation Scheme and in consultation with the relevant trade union(s).
  - j. To make and terminate appointments of uniformed and non-uniformed staff up to (but not including) those posts to be made/terminated by the Appointments Committee.
  - k. To ensure that the Fire Authority's disciplinary policy and procedures, based on the Advisory, Conciliation and Arbitration Service (ACAS) best practice guidance, are properly applied and enforced.
  - l. To hear disputes under the first stage of the Internal Disputes Resolution Procedure, which have been lodged in relation to the Firefighters Pension Scheme or the Local Government Pension Scheme.
  - m. To manage and maintain land and property daily, whether owned or leased.
  - n. To deal with any urgent matters, not otherwise delegated, in consultation with the Director of Finance and Procurement, Monitoring Officer, Chair and Vice Chair.
  - o. To provide a strategic lead in promoting and maintaining the Authority and Service's commitment to Equality and Diversity, Environmental issues and Health and Safety, through the Strategic Leadership Team.

#### **20.4 Delegations to the Monitoring Officer**

(and in their absence their nominated deputy).

- a. To take all necessary steps, including the obtaining of Counsel's advice, in connection with any matter concerning the Authority and incur expenditure in connection therewith.

- b. To institute on behalf of the Authority such proceedings or to take such other steps as he/she may consider necessary to:
  - I. secure the payment of any debt;
  - II. recover possession of any land;
  - III. enforce the performance of any obligations due to the Authority and to take such steps as he/she may consider necessary to enforce any judgement or order obtained in any such proceedings after consultation with the Chair of the Authority;
  - IV. sign or affix the Authority's seal to documents necessary to give effect to property or other matters dealt with pursuant to these delegated powers.
- c. To enter a defence to any claim brought against the Authority.
- d. To take all action on behalf of the Authority in respect of claims by or against the Authority where the Authority is insured in respect of such claims subject to:
  - I. sufficient budgetary provision being available and a report to the Director of Finance and Procurement following the exercise of such power;
  - II. the terms of any settlement complying with the recommendations of the Solicitor acting for Authority's insurer;
  - III. the delegated power being limited to settlement of claims by or against the Authority up to a maximum of £2000,000.
- e. To execute and issue all legal documents (including all contracts) necessary to implement decisions made by the Authority or its committees or Officers in pursuance of delegated powers, except where another Officer has been authorised to take such action or the Monitoring Officer has authorised him/her to do so.
- f. To authorise any person to appear on behalf of the Authority in any court, tribunal or inquiry on any matter relating to the business of the Authority.
- g. The above powers may be delegated to the Senior Solicitor by the Monitoring Officer.
- h. To ensure compliance on behalf of the Authority with the Public Services (Social Value) Act 2012.

## **20.5 Delegations to the Authority Director of Finance and Procurement**

(and in their absence their nominated deputy).

- a. To undertake all matters of day-to-day financial administration for the Service, in accordance with the Standing Orders and Financial Regulations of the Authority.
- b. In agreement with the Chief Fire Officer, and after consultation with the Chair and Vice Chair, in cases of urgency to approve virement, within revenue and

capital budgets not otherwise covered by the Director of Finance and Procurement's delegated authority. Action taken under this delegation must be reported to the next meeting of the Authority.

- c. To approve supplementary revenue votes for items which are of a formal unavoidable or relatively small amount and which are not inconsistent with approved budgetary policy, and which:
  - I. result from pay awards or price increases not taken into account in approved budgets;
  - II. result from expenditure arising from the mandatory implementation of Acts of Parliament or other Government directives;
  - III. relate to goods, services or other expenses which were budgeted for and properly ordered or committed in the previous year but which, owing to delays in delivery or execution, have to be accounted for in the following year. (It is implicit that the original budgetary provision should remain unspent at the end of the year of provision);
  - IV. are urgently necessary to maintain existing services and cannot reasonably be met from appropriate approved budgets;
  - V. do not exceed £10,000 in total for any one (1) purpose and do not entail significant expenditure in subsequent years.
  
- d. Virement (i.e., the transfer of sums approved for a specified purpose to another purpose) may be authorised by the Director of Finance and Procurement in accordance with Financial Standing Orders provided:
  - I. there are no greater consequential revenue effects in later years;
  - II. the proposals are not inconsistent with approved budgetary policy and the overall budget situation;
  - III. that it does not involve the transfer of sums between budget lines where the activities in one (1) of the areas is outside the control of the Authority;
  - IV. that it does not involve the transfer of sums to the appointment of staff or other purpose which will commit the Authority to a significant additional level of expenditure in future years or which will initiate new policies or the extension of existing policies.

## 20.6 **Supplementary Capital Budgets**

To approve supplementary capital budgets subject to the limitations set out in the Financial Standing Orders.

## 20.7 **Inspectors**

Officers appointed as Inspectors under the Health and Safety at Work Act 1974, shall have the powers of an Inspector specified in the following statutory provisions or any statutory amendments or re-enactments thereof:

- a. Sections 1, 20, 21, 22, 25 and 39 of the 1974 Act.
- b. Any Health and Safety regulations.

- c. The provisions of the Acts mentioned in Schedule 1 to the 1974 Act, which are specified in the third column of that Schedule and of the Regulations, Orders and other instruments of a legislative character made or having effect under any provision so specified.

Officers appointed as Inspectors under the Regulatory Reform (Fire Safety) Order 2005 or any statutory amendment or re-enactment thereof, shall have:

- a. The powers of an Inspector, specified in Regulation 27 of that Order.
- b. Powers to issue and serve alteration notices, enforcement notices, prohibition notices and notices relating to switches for luminous tube signs under that Order.
- c. The power to take any other action relating to the Authority's role as enforcing authority in respect of that Order.

#### **20.8 Directors/Heads of Service**

Officers appointed to posts at Director or Head of Service level for the time being of the Authority shall have all of the powers set out in paragraph 3 above subject to:

- a. Appropriate delegation by the Chief/Deputy Chief or Assistant Fire Officer.
- b. The restrictions set out in paragraph 1 above, and
- c. The matter of the exercise of delegated powers being within the role and area of responsibility of that Director/Head of Service.

Directors/Head of Service shall have the responsibility for ensuring, within their area of responsibility, compliance with and promotion of powers and duty under Health and Safety, Equality and Diversity and Environmental Legislation and for guidance from time to time in force.

#### **20.9 All Operational Firefighting Employees**

All employees of the Authority who are, for the time being appointed as Operational Firefighters from the role of Firefighter to the role of Chief Fire Officer, are authorised for the purposes of:

- a. S.44 of the Fire and Rescue Services Act 2004 (Powers in the event of an Emergency); and
- b. S.45 of the 2004 Act (Powers of Entry).
- c. Any statutory amendment or re-enactment of the above provisions.

#### **20.10 All Employees**

Shall have the responsibility to ensure their own and others health and safety under the Health and Safety at Work Act 1974 and shall ensure that they are conversant with, understand and are committed to the policies of the Authority in relation to Health and Safety, Equality and Diversity, Environmental and any other matters subject to policies and/or Service Instructions.

## 20.11 **Interpretation**

In this scheme, the powers of the Chair may, in the absence or unavailability of the Chair be exercised by a Vice Chair.

Any reference in this scheme to any enactment shall be deemed to include a reference to any statute incorporated therewith or any Statutory Instrument, Order in Council Bylaws or other Order made thereunder and any enactment repealing, amending or extending the provision thereof. Any reference to the Authority shall, where the sense allows, be deemed to include references to a Committee.

## PART 4 – PROCEDURE RULES

### Article 21 – Procedural Standing Orders

#### Section 1: Preliminary

##### Standing Order 1: Definitions

- 1.1 In these standing orders, unless the context otherwise demands, the following terms have the meaning assigned to them:
- 1.1.1 “Authority” – the Merseyside Fire and Rescue Authority.
  - 1.1.2 “Annual Meeting” – the Annual General Meeting of the Fire and Rescue Authority.
  - 1.1.3 “Chief Officer” – the Chief Fire Officer for the time being employed by the Authority.
  - 1.1.4 “Chief Finance Officer” – the officer appointed as having the responsibility for the proper administration of the Authority’s affairs pursuant to s.151 of the Local Government Act 1972.
  - 1.1.5 “Monitoring Officer” – the officer appointed as Monitoring Officer to the Authority pursuant to s. 5 of the Local Government and Housing Act 1989.
  - 1.1.6 “Independent Person” – an independent member of the Audit Committee without voting rights.
  - 1.1.7 “Employee” – an employee of the Authority or the holder of a paid office under the Authority other than the Chair and Vice-Chairs.
  - 1.1.8 “Meeting” – a meeting of the Authority, a Committee or a Sub-Committee (as the case may be).
  - 1.1.9 “Member” – in relation to the Authority, a Member appointed as a Member of the Authority and in relation to any Committee or Sub-Committee a person appointed as a Member of that Committee or Sub-Committee.
  - 1.1.10(a) “Number of Members” – in relation to the Authority, the number of persons who may act at the time in question as voting Members of the Authority, and in relation to a Committee or Sub-Committee, the number of persons who may act at the time in question as voting members of that body.
  - 1.1.10(b) “Opposition Spokesperson” – the Leader of the main Opposition group or groups.
  - 1.1.11 “Person Presiding” – the person entitled, or appointed, to preside at any Meeting.

- 1.1.12 “Political Group” – a political group as defined in the Local Government (Committees and Political Groups Regulations 1990).
  - 1.1.13 “Proper Officer” – for the purposes of all Standing Orders means the Monitoring Officer and for the purposes of Standing Order 29 includes the additional persons specified therein.
  - 1.1.14 “Standing Orders” – means Procedural Standing Orders and Contract Standing Orders unless otherwise stated.
  - 1.1.15 “Sub-Committee” – a Sub-Committee of a Committee.
  - 1.1.16 “The 1972 Act” – the Local Government Act 1972.
  - 1.1.17 “The 1985 Act” – the Local Government Act 1985.
  - 1.1.18 “The 1989 Act” – the Local Government and Housing Act 1989.
  - 1.1.19 “The 2000 Act” – the Local Government Act 2000.
  - 1.1.20 “The Localism Act” – the Localism Act 2011.
  - 1.1.21 “Without Comment” – in relation to the moving, seconding or putting of a motion, means without any person speaking except to indicate the wording of the motion, the fact that it is being moved, seconded or put, or (in the case of the Person Presiding) the effect of adopting the motion.
- 1.2 Unless the context otherwise requires, the singular includes the plural and the plural includes the singular and references to the male gender includes reference to the female gender.
  - 1.3 Any reference in any Standing Order to a numbered paragraph is, unless the context otherwise requires, a reference to the paragraph of that standing order bearing that number.

## Standing Order 2: Standing Orders

- 2.1 The Authority shall approved Procedural Standing Orders and Contract Standing Orders at its Annual Meeting and these standing orders shall be incorporated into the Authority’s Constitution.
- 2.2 No arrangements shall be made whereby a Committee, Sub-Committee or officer may exercise any power of the Authority to vary, revoke or add to these Standing Orders.
- 2.3 Except where it is in accordance with a recommendation of a Committee, any motion to amend, revoke or add to these Standing Orders, when moved and seconded, shall stand adjourned without further discussion to the next ordinary meeting of the Authority, and shall stand referred to such Committee as the Authority shall direct for report to that Meeting.
- 2.4 This Standing Order 2 and Procedural Standing Order 19.1 (Minutes) are not capable of being suspended.

- 2.5 Any of Procedural Standing Orders 3 – 7, (Meetings) 8.1 (Notice of Motion), 13.4, 13.5 and 13.6 (Requisition of Meeting), 16 (Order of Business) and 18.1 and 18.2 (Referring up) may be suspended by the Authority but only if:
- 2.5.1 Notice of the intention to move a motion for such suspension has been included in the agenda for the meeting; and
  - 2.5.2 No Member of the Authority present at the meeting at which such a motion is made objects to such suspension.
- 2.6 Any of the other Standing Orders may be suspended by the Authority provided that either:
- 2.6.1 Notice of intention to move such suspension has been included in the agenda for the Meeting; or
  - 2.6.2 At least one half of the number of Members of the Authority are present.
- 2.7 A suspension under paragraphs 2.5 or 2.6 shall have the effect that the Standing Order suspended is not in force during the period of suspension. A suspension under paragraph 2.5 shall last for the period specified in the resolution to suspend the Standing Order, which shall not extend beyond the next Annual Meeting of the Authority. If no period is specified the suspension shall last only for the Meeting at which it is adopted.
- 2.8 A printed copy of these Standing Orders shall be given to each Member following the Annual Meeting of the Authority, as part of the Constitution of the Authority.
- 2.9 The ruling of the Person Presiding at any Meeting as to the construction or application of any of these Standing Orders shall not be challenged at that Meeting.
- 2.10 Any of the Authority's Contract Standing Orders may be waived or suspended by the Authority or a Committee of the Authority acting with delegated powers provided that such a waiver or suspension shall not release the Authority from its obligation to comply with all statutory and regulatory requirements relating to procurement.
- 2.11 Further to the implementation of the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 the Standing Orders are varied to comply with the Regulations while they remain in force and as contained within the Amendment to Standing Orders and Procedure Rules for Remote Meetings Guidance.



## Section 2: Meetings of the Authority

### Standing Order 3: Ordinary Meetings of the Authority

- 3.1 The Annual Meeting of the Authority shall be held on such date in June to be determined by the Authority which ensures the participation of any new Members who may be appointed by constituent councils in that year and shall take place at Merseyside Fire and Rescue Authority HQ, Bridle Road, Bootle, Liverpool, L30 4YD at 1.00pm (or such other place and time as determined by the Authority or a Committee of the Authority).
- 3.2 Other ordinary meetings of the Authority for the transaction of general business shall be held at Merseyside Fire and Rescue Authority HQ, Bridle Road, Bootle, Liverpool, L30 4YD (or such other place and at such time as determined by the Authority or a Committee of the Authority).
- 3.3 Where it is appropriate to change the date, time or place of a Meeting, the Meeting shall take place on such date, place or time as determined by the Monitoring Officer in consultation with the Chair of the Authority and Opposition Spokespersons.

### Standing Order 4: Extraordinary Meetings of the Authority

- 4.1 The Chair of the Authority may at any time call an extraordinary meeting of the Authority.
- 4.2 If the office of Chair is vacant, or if the Chair is unable to act for any reason the Vice-Chair of the Authority may at any time call an extraordinary meeting of the Authority.
- 4.3 Three Members of the Authority may call an extraordinary meeting of the Authority if a request for such a meeting signed by such Members of the Authority has been presented to the Chair of the Authority and either she/he has refused to call a meeting, or without her/him so refusing, no extraordinary meeting has been called within seven (7) days of the presentation of the request.
- 4.4 Any request under paragraph 4.3 may be presented to the Chair by being left for him/her with the Proper Officer.
- 4.5 Where any person or persons decides to call an extraordinary meeting of the Authority she/he shall inform the Monitoring Officer that she/he has done so, the business to be transacted and the date and time for which the meeting is called. The Monitoring Officer shall thereupon ensure that the notice and summonses required by paragraph 4(2) of Schedule 12 to the 1972 Act are published and sent.
- 4.6 Any extraordinary meeting of the Authority which may be called shall be held at Merseyside Fire and Rescue Authority HQ, Bridle Road, Bootle, Liverpool, L30 4YD or such other place as the Monitoring Officer in consultation with the Chair of the Authority may appoint.
- 4.7 Extraordinary meeting shall be called unless it is proposed to transact at the Meeting business which, in accordance with the relevant enactments and these Standing Orders, may be transacted at that meeting.

- 4.8 Where in relation to any meeting of the Authority the next such meeting is an extraordinary meeting, the next following meeting of the Authority shall be treated as a suitable meeting for the purposes of signing of minutes.

## Standing Order 5: Person Presiding at Meetings of the Authority

- 5.1 The Person Presiding at the commencement of the Annual Meeting to consider the election of a Chair of the Authority shall be:
- 5.1.1 The Chair of the Authority for the previous municipal year of the Authority; or
  - 5.1.2 If she/he is absent or unable to act the Vice Chair of the Authority for the previous municipal year of the Authority; or
  - 5.1.3 If she/he is absent or unable to act such Member as is appointed by the Authority.
- 5.2 Thereafter the Person Presiding at meetings of the Authority shall be:
- 5.2.1 The Chair of the Authority; or
  - 5.2.2 In the absence of the Chair of the Authority, the Vice Chair of the Authority; or
  - 5.2.3 In the absence of the Vice Chair of the Authority and the Chair of the Authority, a Member of the Authority appointed by the Authority.
- 5.3 If it is necessary to choose a member of the Authority to preside in the absence of the Chair and Vice Chair, the Proper Officer shall call on a Member of the Authority to move that a Member of the Authority be named by that Member shall take the chair.
- 5.4 If discussion arises on that motion, the Proper Officer shall exercise the powers of the Person Presiding to regulate that discussion, and to maintain order at the meeting.
- 5.5 The motion, and any amendments, shall be put to the Meeting in accordance with Standing Order 22.5 (voting on appointments).

## Standing Order 6: Quorum of Meetings of the Full Authority

- 6.1 No business shall be transacted at any meeting of the Full Authority unless at least eight voting Members are present (Standing Order 15 deals with the Quorum of Committee and Sub-Committee meetings).
- 6.2 If, during any meeting of the Authority or its Committees or Sub-Committees, the Person Presiding, after causing the number of Members present to be counted, declares that there is not a quorum present, the Meeting shall stand adjourned for fifteen minutes.

- 6.3 If, after fifteen minutes the Person Presiding, after again causing the number of Members present to be counted, declares that there is still no quorum present, the Meeting shall end.
- 6.4 Notwithstanding any provision in these Standing Orders that notices of questions or motions shall lapse, the consideration of all business which is on the agenda of a meeting brought to an end under the previous paragraph; and which has not been completed before the meeting is brought to an end shall be postponed to the next meeting of the Authority, whether ordinary or extraordinary.

## Standing Order 7: Order of Business at Meetings of the Authority

- 7.1 Unless the Authority otherwise orders in accordance with Standing Order 7.3, the order of business at every meeting of the Authority shall be:
  - 7.1.1 In the absence of the Chair and Vice Chair, to choose a Member of the Authority to preside.
  - 7.1.2 At the Annual Meeting, and at any other Meeting which is the first after the office of Chair shall have become vacant, to elect a Chair.
  - 7.1.3 At the Annual Meeting, and at any other Meeting which is the first after the office of Vice Chair shall have become vacant, to appoint a Vice Chair.
  - 7.1.4 To approve as correct record, the minutes of the last meeting of the Authority, and of any earlier Meeting of which the minutes have not been so approved, and for the Person Presiding to sign them; unless the minutes of all earlier meetings of the Authority have already been signed as a correct record, or in accordance with Standing Order 19, any unsigned minutes are to stand over until the next suitable Meetings. Minutes of previous meetings which have been held during the chairmanship of the previous year, before the newly elected chair takes over presiding the meeting.
  - 7.1.5 To consider declarations of interests by Members.
  - 7.1.6 To receive communications or announcements from the Person Presiding; should this be moved up – e.g., Chair’s announcement usually prior to business on Agenda.
  - 7.1.7 Where the meeting has been requisitioned by Members under Standing Order 4.3, to consider the business specified in the Summons.
  - 7.1.8 Where a Meeting has been summoned to consider:
    - 7.1.8.1 The promotion or opposition of a bill under section 239 of the 1972 Act .
    - 7.1.8.2 A report from the Chief Financial Officer under section 114 of the Local Government Finance Act 1988 .

- 7.1.8.3 A report of the Monitoring Officer under section 5 of the 1989 Act.
- 7.1.8.4 To consider the business for which the meeting has been summoned.
- 7.1.9 To receive petitions for Members of the Authority.
- 7.1.10 The asking and answering of questions under Standing Order 10.
- 7.1.11 To consider items of business, if any, which were on the agenda of Committees in the order prescribed under paragraph 7.2.
- 7.1.12 To receive and consider reports, minutes and recommendations of Committees in the order prescribed under paragraph 7.2.
- 7.1.13 To consider motions of which notice has been submitted by Members of the Authority in accordance with Standing Order 8 in the order in which they are recorded as having been resolved.
- 7.1.14 To consider other business, if any, specified in the summons for the meeting.
- 7.2 The items of business under paragraph 7.1 shall be considered in the order in which they are listed in the agenda for the Meeting, and that order shall be in accordance with arrangements determined from time to time by the Authority.
- 7.3 The order of business in paragraph 7.1 may be varied by direction of the Person Presiding, made with the unanimous consent of the Members present, but not so as to alter the order of items set out in paragraphs 7.1.1 to 7.1.7.
- 7.4 If the Persons Presiding decides that an items of business which has not been included in the agenda for the Meeting sent with the summons, may be taken for reasons of urgency, that item shall, subject to any direction or resolution under paragraph 7.3, be taken at the end of the other items of business.
- 7.5 For the purposes of this Standing Order 7.1.2 and 7.1.3 a vacancy in the office of Chair and Vice Chair shall be deemed to have occurred where the holder of such office:
  - 7.5.1 Has ceased to be a Member of the Authority by reason of termination of appointment.
  - 7.5.2 Has ceased to be a Member of the Authority by reason of ceasing to be a member of the constituent Council at the time of notice to the Authority.
  - 7.5.3 In any other case on the date of the declaration or receipt of the notice or resignation.

## Standing Order 8: Notices of Motions to Authority

- 8.1 Any Member of the Authority may give notice of motion for consideration at any Meeting of the Authority.
- 8.2 Every motion shall be relevant to some matter in relation to which the Authority has a function.
- 8.3 Notice of every motion to be moved at a meeting of the Authority other than a motion which, (under Standing Order 9), may be moved without notice, shall be given in writing, and signed by the member or the Members giving notice. The notice shall state for which Meeting of the Authority the notice is given.
- 8.4 Unless the Person Presiding at the meeting is of the opinion that a motion should be considered as a matter of urgency, notice of every motion of which notice is required shall be delivered to the Proper Officer by hand, fax or email at least six (6) clear working days before the meeting for which the notice is given.
- 8.5 The Proper Officer shall not accept any notice of motion which, by reason of any enactment or any provision in these standing orders (other than paragraph 8.8 below), could not be considered at the meeting for which it is given.
- 8.6 The Proper Officer shall record the time and date at which every such notice is delivered to her/him. That record shall be open to the inspection of every Member of the Authority.
- 8.7 A motion shall only be moved by a Member by whom notice has been given, or by a Member authorised by such a Member.
- 8.8 Where notice of a motion has been given for any meeting, and that motion is neither moved (nor deemed to have been referred to a Committee), the notice shall lapse, and the motion shall not be moved without further notice.
- 8.9 Subject to Standing Order 8.10 below, where a notice of motion has been given for any meeting of the Authority, and that motion is within the terms of reference of any Committee of the Authority, the motion shall be deemed to have been transferred by that meeting to the next meeting for the Committee or Committees within whose terms of reference it falls. If any question arises as to the Committee to which the motion is to be referred, it shall be determined by the Chair of the Authority.
- 8.10 Where a motion has been referred, or is deemed to have been referred, to a meeting of a Committee, that committee shall consider it as its next meeting and shall either report upon the motion to the next meeting of the Authority, or include its views upon the motion in its next report to the Authority.
- 8.11 No motion or amendment shall be moved to rescind any resolution of the Authority which was passed within the same Authority Municipal Year or which is to the same effect as one (1) which has been rejected within that period.

## Standing Order 9: Motions and Amendments

- 9.1 The following motions may be moved without notice any Meeting, and considered in sequential order:
  - 9.1.1 To elect a Chair of the Authority, to appoint a Vice-Chair of the Authority, or to appoint a person to preside at the meeting at which the motion is made.
  - 9.1.2 Motions relating to the accuracy of the minutes.
  - 9.1.3 Motions under Standing Order 7.3 (change in order of business).
  - 9.1.4 “that the Authority (or Committee or Sub-Committee) proceed to the next business”.
  - 9.1.5 “that the question be now put”.
  - 9.1.6 “that the debate be now adjourned”.
  - 9.1.7 “that the Authority (or Committee or Sub-Committee) do now adjourn”.
  - 9.1.8 Motions under Standing Order 2.5.2 (suspension of Standing Orders without notice).
  - 9.1.9 Motions in accordance with section 100A (2) or (4) of the 1972 Act to exclude the public from a meeting where there is likely otherwise to be disclosure of exempt or confidential information.
  - 9.1.10 Motions giving consent of the Authority, committee or subcommittee, where it is required under these Standing Orders.
  - 9.1.11 Motions to refer a petition which has been presented to the Authority to a Committee for consideration.
  - 9.1.12 Where a matter has been submitted to a Committee, or Sub-Committee, to consider that matter.
- 9.2 On consideration of a report or a recommendation from a Committee, Sub-Committee, or Officer, the adoption of the report or recommendation and any resolutions consequential upon that adoption may be moved without notice.
- 9.3 Subject to PSO 9.3.1 and PSO 9.3.2, an amendment to a motion may be moved without notice, but shall be relevant to the motion.
  - 9.3.1 Notice of a motion consisting of a proposal for the setting of a budget and the associated calculations shall be provided in full to the Chief Finance Officer, the Monitoring Officer and all Members at least ten (10) working days prior to the date of the Authority meeting scheduled to consider the setting of a budget for the forthcoming financial year.

- 9.3.2 Notice of any amendment proposed to a motion specified in PSO 9.3.1 (a budget resolution) shall be provided in full to the Chief Finance Officer, the Monitoring Officer and all Members at least five (5) working days prior to the date of the Authority meeting scheduled to consider the setting of a budget for the forthcoming financial year.
- 9.3.3 An amendment to a budget resolution will not be considered by the Authority where the notice requirements set out in PSO 9.3.2 (above) have not been met.
- 9.3.4 For the purposes of PSO 9.3, notice is given on the date that it is received by the Chief Finance Officer and Monitoring Officer.
- 9.4 An amendment to a motion shall be either to refer the matter to a Committee, a Sub-Committee or an Officer for consideration (or reconsideration), to leave out words, or to insert or to add other words, but such omission, insertion or addition of words shall not have the effect of simply negating the motion before the Meeting.
- 9.5 With the consent of the Meeting signified without discussion, a Member may:
  - 9.5.1 Alter a motion of which she/he has given notice; or
  - 9.5.2 With the further consent of the seconder, alter a motion which has been moved or seconded.  
  
If (in either case) the alteration is one (1) which could be made as an amendment thereto.
- 9.6 With the consent of the seconder (if she/he is still present) and of the Meeting signified without discussion, the mover of a motion or an amendment may withdraw it. No Member shall speak to such a motion or amendment after the mover has asked consent for its withdrawal, unless such consent has been refused.
- 9.7 Where consent of the Authority, Committee, or Sub-Committee is required for anything, it may be given either:
  - 9.7.1 By the Person Presiding at the Meeting asking whether there are objections to the consent being given, and if no objection is raised, giving that consent; or
  - 9.7.2 If objection is raised, or if the Person Presiding so chooses, by a motion moved, seconded and put to the meeting.

## Standing Order 10: Questions

- 10.1 Every question shall be relevant to some matter in relation to which the Authority has functions.
- 10.2 Subject to Standing Order 10.1 if a Member of the Authority wishes to ask a question during a meeting of the Authority of:

10.2.1 The Chair of the Authority; or

10.2.2 The person appointed or chosen to preside In any committee.

She/he shall give notice in writing to the Proper Officer of the question at least seven (7) working days before the meeting at which the question is to be asked.

10.3 A list of the questions of which notice has been given shall be circulated to Members of the Authority at, or before, the meeting at which they are to be asked.

10.4 If the Person Presiding at a meeting of the Authority considers that, by reason of special circumstances, it is desirable that a question shall be asked at a meeting of the Authority although due notice of the questions has not been given, and if she/he is satisfied that as much notice as is possible has been given to the person of whom it is to be asked, she/he may permit the question to be asked.

10.5 Every question shall be put and answered without discussion, but the person to whom the question has been put may decline to answer it. If the Person Presiding permits, the Member asking a question may ask one (1) relevant supplementary question which shall be put and answered without discussion.

10.6 An answer to a question may be given by the person to whom it is addressed or by a person on her/his behalf, and may take the form of:

10.6.1 An oral answer.

10.6.2 Reference to information contained in some publication.

10.6.3 Written answer, which shall be circulated to Members of the Authority at the latest with the Summons for the next meeting of the Authority.

10.7 No question shall be asked more than ten (10) minutes after the Authority has entered on the item of business under which questions are asked.

10.8 If notice of a question has been given, and that question is not for any reason asked orally, and unless the Member who has notice of it withdraws the question or the Member to whom it is addressed refuses to answer, the question shall be given a written answer in the same way as under paragraph 10.6.3.

## Standing Order 11: Presentation of Petitions, Hearing of Deputations and Occasions When Public May Speak

11.1 At a meeting of the Authority any Member of the Authority or local government elector for the area of the Authority may present a petition which is relevant to some matter in relation to which the Authority has functions (and subject to 11.2).

11.2 The following matters are specifically excluded from consideration by the Authority through the submission of a petition:

11.2.1 Conditions of service of employees;



- 11.2.2 Any matter relating to enforcement action undertaken by Merseyside Fire and Rescue Service.
  - 11.2.3 Any matter which is vexatious, discriminatory, inappropriate or not reasonable.
  - 11.2.4 Any matter which relates to an individual and/or entity where that individual or entity has a right of review or right of appeal under any policy or enactment.
  - 11.2.5 Any matter which is exempt under the Local Government Act 1972, the Access to Information Act 1985, the Data Protection Act 2018, the Freedom of Information Act 2000 or the Environment Information Regulations 2004 (and amendments thereto). This includes but is not limited to information relating to an individual, information that is commercially sensitive, or that concerns information regarding which there are implications for the prevention or prosecution of a crime.
  - 11.2.6 Any matter which is substantially the same as a petition submitted in the previous 12 months.
- 11.3 At least seven working days before the meeting at which the petition is to be presented, the person wishing to present it shall give notice of her/his intention to do so to the Proper Officer, and shall show the petition to her/him. Where the person proposing to present the petition is not a Member of the Authority the notice of intention to present a petition shall not be accepted unless the Proper Officer has satisfied herself/himself that the petition is proper to be presented. If the petition is deemed not proper to be presented, outside the remit of a relevant matter of the Authority's functions or a specifically excluded matter the person wishing to present the petition will be informed and as to the reasons why.
- 11.4 A proper petition shall contain a minimum of twenty-five (25) signatories from different households including the names, postal addresses and signatures of any such persons supporting the petition who are local government electors for the area of the Authority.
- 11.5 Signatures for the petition should have been collected no more than six (6) months before the submission of the petition to ensure that the issues raised are considered within an appropriate time frame.
- 11.6 The presentation of a petition shall be limited to not more than five (5) minutes and shall be confined to reading out or summarising the subject of the petition indicating the number and description of the signatories, and making such further supporting remarks relevant to the petition as the person presenting it shall think fit.

- 11.7 Any person likely to be affected by a matter in relation to which the Authority has functions, (other than employees in relation to matters of conditions of service) may ask that a deputation should be received by a meeting of the Authority. Such a request shall be made to the Proper Officer at least seven working days before the meeting to which it relates. The person making the request shall indicate the matter to which the request relates, the number (which shall be more than two and less than five names and addresses of the persons who will form the deputation, and the member or members of the deputation who will speak for them).
- 11.8 On being called by the Person Presiding, the person or persons speaking for the deputation may make, during a period not exceeding five (5) minutes, such remarks as she/he or they think fit, providing that the remarks shall relate to the matter indicated.
- 11.9 The Members of the Authority may, during a further period not exceeding five (5) minutes for each deputation, ask questions of the members of the deputation. Such questions shall be asked and answered without discussion.
- 11.10 Petitions shall be presented, and deputations received in the order in which notice of them is received by the Proper Officer, without making any distinction between petitions and deputations.
- 11.11 Subject to the provisions of Standing Order 11.1 to 11.7, no members of the public shall be entitled to speak or address a meeting without the permission of the Person Presiding.

### Section 3: Committees and Sub-Committees

#### Standing Order 12: Appointment of Committees and Sub-Committees

- 12.1 Subject to the provisions of the 1972 Act, and other relevant enactments, at its annual meeting, the Authority:
  - 12.1.1 Shall resolve which Committees shall be appointed, the terms of reference of each of those Committees, the number of voting Members appointed to each Committee; and whether the Committees are to have delegated powers.
  - 12.1.2 May resolve that non-voting Members, assessors and advisers shall also be appointed to any such Committee, so far as the law permits.
  - 12.1.3 If it resolves to make appointments under Standing Order 12.1.2, shall specify the numbers of appointments to be made and what functions in relation to the Committee each person so appointed may discharge.
  - 12.1.4 May determine an annual timetable for ordinary meetings of Committees.
- 12.2 The Authority may at any time amend resolutions under the previous paragraph.
- 12.3 Every Committee set up under this Standing Order, and every Sub-Committee set up by such a Committee, shall continue to discharge the functions committee to them until the Authority or Committee, (as the case be), resolve otherwise.

- 12.4 The Authority may at any time appoint alternate Members from within its full Membership as persons entitled to attend Committees with full voting rights in the absence of the original Member for whom they are named as alternates, subject to the following:
- 12.4.1 An alternate for an original Member who is Chair of a Committee or a Sub-Committee shall not automatically be entitled to act in that capacity but may do so in accordance with provisions of Procedural Standing Order 14.
  - 12.4.2 The agenda for any Meeting shall only be supplied to an alternate Member at the time of initial circulation if prior notice of proposed absence has been received by the Proper Officer from the original Member.
  - 12.4.3 Attendance as an alternate at a Meeting shall be classed as an approved duty.
  - 12.4.4 If as a consequence of the application of this Standing Order a Member is appointed as an alternate Member for more than one original Member on the same Committee or Sub-Committee, she/he shall not be entitled to choose for which absent original Member to act but shall in every case act as alternate for the Member whose surname has alphabetical priority.
  - 12.4.5 Decisions relating to the nomination of alternate Members or variations thereto may be taken by the Authority at any meeting.
- 12.5 Every person appointed as a voting Member of such a Committee or Sub-Committee and every person appointed to exercise other functions in relation to a Committee shall continue as such until the appointment is terminated upon:
- 12.5.1 Receipt of written notification of their resignation from the Authority.
  - 12.5.2 Notification from their nominating Council that she/he is to be replaced or has been disqualified or has retired as a district Councillor.
  - 12.5.3 Failure to be successfully re-elected as a Councillor.
  - 12.5.4 Termination pursuant to Standing Order 12.16.
  - 12.5.5 Termination pursuant to S.52 (1) of the Local Government Act 2000 (failure to provide undertaking or comply with any other legislative provision).
- 12.6 Whenever:
- 12.6.1 The Authority is required to review the allocation of seats on Committees between Political Groups; or
  - 12.6.2 The Authority resolves to carry out such a review; or
  - 12.6.3 A Committee is required to review the allocation of seats on a Sub-Committee between Political Groups; or

- 12.6.4 A Committee resolves to carry out such a review;
- the Proper Officer shall submit a report to the Authority or Committee (as the case may be), showing what allocation of seats would, in her/his opinion, best meet the requirements for proportionality.
- 12.7 In light of such a report, the Authority or Committee, (as the case may be), shall determine the allocation of seats to Political Groups.
- 12.8 A Political Group shall be treated as constituted when the Proper Officer has received a notice in writing signed by two or more Members or the Authority stating:-
- 12.8.1 That the Members who have signed it wish to be treated as a Political Group.
- 12.8.2 The name of the Group; and
- 12.8.3 The name of one (1) Member of the Group who has signed the notice and who is to act as its Leader.
- 12.9 The notice referred to in Standing Order 12.8 may specify the name of one (1) other Member of the Group who has signed the notice and who is authorised to act in the place of the Leader.
- 12.10 The Leader may be changed by a further notice in writing to the Proper Officer signed by a majority (i.e. more than 50% of the Members of the Group).
- 12.11 The name of the Group may be changed by a further notice in writing to the Proper Officer signed by the Leader of the Group or a majority (i.e. more than 50%) of the Members of the Group.
- 12.12 A Member of the Authority is to be treated as a Member of a Political Group if she/he has signed a notice in accordance with paragraph 12.8 or if she/he has delivered to the Proper Officer a written notice signed by her/him and by the Leader (or representative) of the Group of a majority (i.e., more than 50%) of Members of the Group stating that she/he wishes to join the Groups.
- 12.13 A person is to be treated as having ceased to be a Member of a Political Group when:
- 12.13.1 She/he had ceased to be a Member of the Authority
- 12.13.2 She/he has notified the Proper Officer in writing that she/he no longer wishes to be treated as a Member of the Group.
- 12.13.3 She/he joins another Political Group.
- 12.13.4 The Proper Officer received a notice in writing signed by a majority of Members of the Group stating that they no longer wish her/him to be treated as a Member of it.
- 12.14 No person shall be treated as a Member of more than one (1) Political Group at any given time.

- 12.15 The Proper Officer shall keep and maintain a record of the current membership of each Group.
- 12.16 Whenever an appointment of a voting Member of a Committee or Sub-Committee fails to be made in accordance with the wishes of a Political Group to whom the seat has been allocated, and whenever such an appointment falls to be terminated in accordance with such wishes, then the Authority or the Committee, (as the case may be), at a meeting after those wishes are expressed, shall make or terminate the appointment accordingly.
- 12.17 In order to facilitate appointment of voting Members of Committees, Group Leaders shall submit nominations for membership of committees (in accordance with the allocation of seats) to the Proper Office:-
  - 12.17.1 At the Annual Meeting; and
  - 12.17.2 Following variations to membership nominations during the remainder of the Municipal Year and in any event at least one (1) week prior to the next meeting of the Committee concerned.
- 12.18 Subject to any resolutions by the Authority under this Standing Order:
  - 12.18.1 Every Committee may appoint Sub-Committees for such purposes as it thinks fit, and may make arrangements for a Sub-Committee to discharge any of the functions of the Authority which the Committee may discharge.
  - 12.18.2 Where a matter has been delegated to a Committee, the Committee may further delegate the matter to a Sub-Committee unless the Authority otherwise directs.

### Standing Order 13: Meetings of Committees and Sub-Committees

- 13.1 The Authority may fix the date, time and place of ordinary meetings of Committees and Sub-Committees.
- 13.2 If the Authority does not fix the date, or time, or place of an ordinary meeting of a Sub-Committee, then the Committee which appointed it to may do so.
- 13.3 If the date, time, or place of an ordinary meeting of a Committee or Sub-Committee, has not been fixed by the Authority or the appointing Committee (as the case may be), then that Committee or Sub-Committee shall fix those details of the meeting which have not otherwise been fixed provided that:
  - 13.3.1 For the first ordinary meeting of any Committee or Sub-Committee, the Chair of the Authority or, if a person has been appointed to preside in a Committee, that person may fix any details which have not otherwise been fixed.
  - 13.3.2 For any other meeting of a Committee or Sub-Committee, the Chair of the Authority or the Person Presiding in that Committee or Sub-Committee, after consultation (so far as practicable) with such persons as appear to her/him to be representative of the political groups to

which have been allocated seats on the Committee or Sub-Committee, may cancel or change any of the details of place, date or time already fixed for a meeting of the Committee or Sub-Committee, other than one (1) called under Standing Order 13.5.

- 13.4 The Person Presiding at meetings of a Committee or Sub-Committee, her/his deputy, or the Chair of the Authority may call a special meeting of the Committee or Sub-Committee at any time.

If:

13.4.1 A request for a special meeting of a Committee or Sub-Committee, signed by at least two of the voting Members of a Committee or Sub-Committee, has been presented to the person appointed to preside at their meetings; and

13.4.2 Either she/he has refused to call a meeting, or without her/him so refusing, no special meeting has been called within seven days of the presentation of the requisition.

Then any two members of the Committee or Sub-Committee, whichever is the greater, may forthwith request a special meeting of the Committee or Sub-Committee.

- 13.5 If any person decides to request a special meeting of a Committee or Sub-Committee, she/he shall forthwith give notice that she/he has done so to the Proper Officer, specifying the business proposed to be transacted. The Proper Officer shall forthwith give notice to all Members of the Committee or Sub-Committee and all persons entitled to receive their papers.

- 13.6 Any requisition under paragraph 13.5 may be presented by leaving it with the Proper Officer.

#### Standing Order 14: Persons Presiding in Committees and Sub-Committees

- 14.1 The Authority may appoint, from among the voting Members, a person to preside at the meeting of a Committee or Sub-Committee appointed by it, and or a person to preside in the absence of the first person.

14.2 If any appointment possible under the previous paragraph is not made, a Committee may appoint, from among the voting members, a person to preside at the meetings of any Sub-Committee appointed by it, or a person to preside in the absence of the first person, (as the case may be).

14.3 If any appointment possible under the previous paragraph is not made, a Committee or Sub-Committee at its first meeting after the Annual Meeting of the Authority shall, from among their voting Members, appoint a person to preside at their Meetings, and may, in the same way, appoint a person to preside at their Meetings, and may, in the same way, appoint a person to preside in the absence of the first person.

- 14.4 The Person Presiding at meetings of Committees and Sub-Committees of the Authority shall be:

- 14.4.1 The person appointed as Chair of that Committee.
- 14.4.2 If she/he is absent or unable to act as Chair a Member of the Committee or Sub-Committee (as the case may be) chosen by the voting Members of that Committee or Sub-Committee.
- 14.5 If it is necessary for the Committee or Sub-Committee to appoint a person to preside, the Proper Officer shall call on a Member of the Committee or Sub-Committee to move that a voting member of the Committee or Sub-Committee shall take the chair.
- 14.6 If discussion arises, the Proper Officer shall exercise the powers of the Person Presiding to regulate the discussion, and to maintain order at the meeting.
- 14.7 The motion, and any amendments, shall be put to the meeting in accordance with Standing Order 22.5 (voting on appointment).

#### Standing Order 15: Quorum of Committees and Sub-Committees

- 15.1 No business shall be transacted by either the Policy and Resources Committee or the Community, Safety and Protection Committee unless at least 5 voting Members are present.
- 15.2 No business shall be transacted at any meeting of any sub-committee or the Appeals Committee or the Appointments Committees unless at least 2 voting Members are present.
- 15.3 The provision of Standing Order 6.2 to 6.4 shall apply to a meeting of a committee or sub-committee at which a quorum is not present as they would apply if it were a meeting of the Authority.

#### Standing Order 16: Order of Business on Committees and Sub-Committees

- 16.1 Subject to any directions given by the person appointed to preside at the meeting or the committee or sub-committee, the items of business shall be arranged in such order as the Proper Officer thinks will best ensure the effective despatch of business.

#### Standing Order 17: Urgent Business

- 17.1 In agreement with the Chair the Authority may make arrangements for the discharge, in urgent circumstances, of functions of the Authority, by appointing an urgency committee of not fewer than three (3) voting Members of the Authority; or
- 17.2 In certain circumstances where this is not possible with the timescales required, the Chief Fire Officer of the Authority, in consultation with the Chair of the Authority, and such other Members as the Chair may consider necessary, may discharge these functions.

- 17.3 Any matter approved in the circumstances described in 17.1 – 17.2 shall be reported to the next full Authority meeting giving reasons for the urgency and this shall be recorded in the minutes.
- 17.4 No matter shall be considered at a meeting of the Authority or a committee or sub-committee of the Authority, if it is not specified in the agenda, unless the Chair (or in the case of a committee or sub-committee, the Person Presiding) rule that in his/her opinion the item should be considered as a matter of urgency **and specifies the reasons why it is urgent**. The ruling including the reasons for urgency, must be recorded in the minutes of the meeting.

## Standing Order 18: Reference-up of Decisions

- 18.1 This standing order applies where arrangements have been made for the discharge of a function of the Authority by a committee or sub-committee, and the operation of such arrangements is referred to in it as “the use of delegated powers”.
- 18.2 Subject to Standing Order 18.3 where a question on the use of delegated powers is put to the vote at a meeting of a committee or sub-committee and a majority of the voting Members present at the meeting, immediately after the question has been put to the vote, ask that the provision of this Standing Order should be applied, the decision which is the subject of delegated powers shall be of no effect, but shall be treated as a recommendation to the Authority (or the Committee which appointed the Sub-Committee, (as the case may be).
- 18.3 Paragraph 18.2 shall not apply to any question which arises on an item of business:
- 18.3.1 Where the Committee (Sub-Committee) has, under an obligation arising from the nature of the business to be transacted, heard representations from persons other than Members of the Authority and those appointed by the Authority to discharge a function in connection with the Committee (Sub-Committee) or
- 18.3.2 Which concerns the appointment, discipline or dismissal of a member of staff of the Authority.

## Section 4: Conduct of All Meetings

(and see Standing Orders 8 and 9)

## Standing Order 19: Minutes and Records of Proceedings

- 19.1 Minutes of every meeting shall be submitted to, and signed at, that meeting or at the next following meeting of the body concerned.

Provided that, in the case of the minutes of the meeting of the Authority, if the next following meeting of the Authority has been summoned to consider one (1) of the matters mentioned in Standing Order 7.1.7 (business to be transacted at specifically summoned meetings of the Authority), the minutes shall be signed



instead, at the next suitable meeting of the Authority which shall be the ordinary meeting which next follows the meeting at which such business is to be transacted.

- 19.2 The Person Presiding shall put the question that the minutes submitted to the meeting be approved as a correct record of that meeting, or of a specified former meeting, (as the case may be).
- 19.3 No discussion shall take place upon the minutes, except upon their accuracy. Any question of their accuracy shall be raised by motion. If no such question is raised or, if it is raised, then as soon as it is disposed of, the Person Presiding shall sign the minutes.
- 19.4 Recordings (tape and video as well as written recording) of Meetings of the Authority, its Committees and Sub-Committees may take place by any citizen subject to:
  - a. The provisions of Standing Order 21 (Prevention of Disorderly Conduct).
  - b. Compliance with the provisions of Schedule 12A of the Local Government Act 1972 (discussion of confidential items).
  - c. Adherence to the Protocol on Reporting at Meetings (page 233).

## Standing Order 20: Rules of Debate

- 20.1 The rules of debate in this Standing Order shall apply to all Meetings.

### **Motions and Amendments**

- 20.2 A motion or amendment shall not be discussed unless it has been proposed and seconded.
- 20.3 When proposing or seconding a motion or amendment, a member may reserve her/his speech until a later period of the debate by declaring her/his intention to do so.
- 20.4 When any motion of which notice has not been given, or any amendment has been moved and seconded, the Person Presiding may require that it shall be put into writing and handed to her/him before it is further discussed.
- 20.5 Only one (1) amendment may be moved and discussed at a time. No further amendment shall be moved until the amendment under discussion has been disposed of provided that the Person Presiding may permit two or more amendments to be discussed (but not voted upon) together if she/he thinks this will facilitate the proper conduct of business.
- 20.6 If an amendment is not carried, other amendments may be moved to the original motion. If an amendment is carried, the motion as amended, shall take the place of the original motion and shall become the motion upon which any further amendment may be moved.

### **Speeches**

- 20.7 If two or more Members offer to speak, the Person Presiding shall call on one (1) to speak.
- 20.8 When speaking, a Member shall address the Person Presiding.
- 20.9 A Member shall direct her/his speech to the question under discussion, or to a personal explanation or a point of order under the provisions of the next paragraph.
- 20.10 A Member may claim to speak on a point of order or in personal explanation, and shall be entitled to be heard forthwith. A point of order shall relate to an alleged breach of a specified statutory provision or a specified Standing Order, and the way in which the Member raising it considers that it has been broken. A member raising a point of order must specify which statutory provision or Standing Order she/he alleges has been breached. A personal explanation shall be confined to some material part of a former speech by her/him in the current debate which may appear to have been misunderstood.
- 20.11 The ruling of the Person Presiding on a point of order or on the admissibility of a personal explanation shall not be open to discussion except on a motion of which due notice has been given.

**Ancillary Motions**

- 20.12 When a motion is under debate, no other motion shall be moved except the following:
  - 20.12.1 To amend the motion.
  - 20.12.2 A closure motion under Standing Order 20.13.
  - 20.12.3 A motion under Standing Order 21 (prevention of disorder).
  - 20.12.4 A motion under Section 100A(2) or (4) of the 1972 Act (exclusion of the public).
- 20.13 The following closure motions shall be permitted during discussion of another motion ('the original motion'). They shall be moved, seconded and put without discussion. If the motion is moved and seconded, then the Person Presiding shall proceed as follows:
  - 20.13.1 "that the meeting proceed to the next business" the Person Presiding shall permit the mover of the original motion to reply, and shall then put to the vote the motion to proceed to the next business; if that motion is carried, the original motion shall lapse;
  - 20.13.2 "that the question be now put" if the Person Presiding is of the opinion that the matter before the Meeting has been sufficiently discussed, she/he shall put to the vote forthwith the motion, that the question now be put; if this is carried, she/he shall permit the mover of the original motion a right to reply for not more than three minutes and shall then put that motion to the vote;
  - 20.13.3 "that the debate now be adjourned"; or "that the meeting does now adjourn". If the Person Presiding is of the opinion that the matter before

the Meeting has been sufficiently discussed, she/he may refuse to accept either of these motions, and instead put the motion that the question be now put; if she/he is of the opinion that the matter has not been sufficiently discussed and cannot reasonably be sufficiently discussed on that occasion, she/he shall put the adjournment motion to the vote without giving the mover of the original motion a right of reply or stand over as uncompleted business until the next meeting of the Authority, Committee or Sub-Committee, (as the case may be).

## Standing Order 21: Prevention of Disorderly Conduct

- 21.1 If the Person Presiding is of the opinion that a Member has misconducted, or is misconducting, herself/himself by persistently disregarding the ruling of the Chair, or by behaving irregularly, improperly or offensively, or wilfully obstructing the business of the Authority, she/he may notify the Meeting of that opinion, and may take any of the following courses, either separately or in sequence;
- 21.1.1 She/he may direct the Member to refrain from speaking during all, or part, of the remainder of the Meeting.
  - 21.1.2 She/he may direct the Member to withdraw from all, or part, of the remainder of the Meeting.
  - 21.1.3 She/he may order the Member to be removed from the Meeting.
  - 21.1.4 She/he may adjourn the Meeting for 15 minutes or such period as shall seem expedient to her/him.
- 21.2 If a Member of the public interrupts proceedings at any Meeting, the Person Presiding shall warn her/him. If she/he continues the interruption, the Person Presiding shall order her/him to leave the room where the meeting is being held. If she/he does not leave, the Person Presiding shall order her/him to be removed. If a member of the public persistently creates a disturbance, the Person Presiding may adjourn the meeting for 15 minutes or such period as shall seem expedient to her/him.
- 21.3 In the event of general disturbance in any part of the room where any Meeting is being held which is open to the public, the Person Presiding shall order that part to be cleared and may adjourn the Meeting for 15 minutes or such period as shall seem expedient to her/him.
- 21.4 The powers conferred by this Standing Order are in addition to any other powers which the Person Presiding may lawfully exercise (e.g. for the Person Presiding to take preventative action before the Meeting commences or to order the removal of a Member persistently disregarding the Authority or the Chair).

## Standing Order 22: Voting

- 22.1 Except where a requisition is made under the next paragraph, the method of voting at Meetings shall be by show of hands.
- 22.2 If a requisition is made by a specified number of Members, before a vote is taken on any question, the voting on that question shall be recorded so as to show

whether each voting Member present gave her/his vote for or against that question or abstained from voting.

- 22.3 The specified number of Members is:
- 22.3.1 Four of the Members entitled to vote at a meeting; or
  - 22.3.2 Where the Authority is divided into Political Groups, in the case of a meeting of the Authority, the number of members of the second largest Political Group; or
  - 22.3.3 In the case of a meeting of a Committee or Sub-Committee, the number of seats on that body allocated to the second largest Political Group among the Members of the Authority; whichever is the less.
  - 22.3.4 Should the number of political members of the second largest group not exceed one (1) member, then the number shall be 2.
- 22.4 Where immediately after a vote is taken at a Meeting any Member of that body so requires, there shall be recorded in the Minutes of the proceedings of that Meeting whether that person cast her/his vote for the question or against the question or whether she/he abstained from voting.
- 22.5 Where a vote is required on a motion to appoint or elect a Member of the Authority to a position to be filled by the Authority and there are two or more Members nominated for that position, the names of all those nominated shall be put to the Meeting in alphabetical order of surname. Those entitled to vote shall each vote for only one person. If there is not a majority of those voting in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote shall be taken, and so on until a majority of votes is given in favour of one person.
- 22.6 In the event of an equality of votes the Person Presiding at the meeting shall be entitled to exercise a second casting vote.

### Standing Order 23: Attendance at Committees etc.

- 23.1 The names of every Member attending a Meeting shall be recorded by the Proper Officer.
- 23.2 No Member of an Appeals Committee shall be present at any meeting of that Committee when consideration is given to an appeal against a decision of another Committee or Sub-Committee in which such Member took part.
- 23.3 No Member of the Authority shall attend a Committee or Sub-Committee Meeting held to consider disciplinary, investigatory or grievance cases, appeals or grading appeals unless she/he is appointed by the Authority as a voting member of that Meeting.
- 23.4 Subject to Standing Order 23.2 and 23.3 the Chair and Vice-Chairs of the Authority may attend and speak and move and second motions (but may not vote) at a Meeting of which they are not voting Members.

- 23.5 Subject to Standing Order 23.2 and 23.3 the person appointed to preside at the meeting of a Committee, and her/his deputy, may attend and speak and move or second motions at a meeting of any Sub-Committee appointed by that Committee, but may not vote unless appointed as a voting Member.
- 23.6 Subject to paragraph 23.2 and 23.3 above a Member of the Authority who is not otherwise entitled to attend and speak at a Committee or Sub-Committee shall be entitled to do so (but not to vote) at a meeting of the Committee or Sub-Committee:
  - 23.6.1 During the consideration of any motion of which notice has been given which she/he has moved or seconded at a meeting of the Authority and which has been referred to that Committee or Sub-Committee; or
  - 23.6.2 With the agreement of the Person Presiding at the meeting of the Committee or Sub-Committee; or
  - 23.6.3 During the consideration of any matter which affects his/her constituent Council differently from other Councils represented within the Authority.

#### Standing Order 24: No Smoking

- 24.1 Smoking shall not be permitted at any meeting of the Authority, its Committees or Sub-Committees.

### Section 5: Summons and Agenda for Meetings

#### Standing Order 25: Summons and Agenda for Meetings

- 25.1 At least five (5) clear days before every Meeting, the Proper Officer shall send to every voting Member and to every other person entitled to receive the papers of the Authority; Committee or Sub-Committee a copy of the agenda for the Meeting.
- 25.2 The Summons shall:
  - 25.2.1 Specify the date, time and place of the Meeting.
  - 25.2.2 Specify the business to be transacted at the Meeting.
  - 25.2.3 Be signed by the Proper Officer; and
  - 25.2.4 Be left at or sent by post to the usual place of residence of the Member or to such other address as the Member may specify provided that want of service of a summons on any Member of the Authority, Committee or Sub-Committee shall not affect the validity of the meeting.
- 25.3 The agenda shall include:
  - 25.3.1 In the case of Committees and Sub-Committees all items of business which have been (or are deemed to have been) referred to the Committee by the Authority or by another Committee or Sub-Committee (as the case may be).

- 25.3.2 All reports submitted to the meeting by the Chief Officer (or such officers as have delegated authority by the Chief Officer).
  - 25.3.3 Any item of business directed to be included by the person appointed to preside at the Meeting in question.
  - 25.3.4 Any other item of business of which at least 5 clear days written notice before the date fixed for the Meeting has been given to the Proper Officer by a member of the Authority or, in the case of a meeting of a Committee or Sub-Committee, by a Member of that Committee or Sub-Committee (whether voting or not).
- 25.4 The prints of reports or other documents for the consideration of a Meeting shall be marked "Not for Publication" only if the Proper Officer (having regard to the provision of the Local Government Act 1972 (as amended) agrees with the Chief Officer (or their authorised deputy) that this shall be done. Such reports or documents shall be furnished prior to the Meeting only to members of that meeting.

## Section 6: Declaration of Interests

### Standing Order 26: Interests of Members in Contracts and Other Matters

- 26.1 A Member with a personal interest in a matter as defined in the Members Code of Conduct who attends a meeting of the Authority, its Committees or Sub-Committees at which the matter is considered must disclose to that meeting the existence and nature of that interest at the commencement of the meeting or of that consideration, or when the interest becomes apparent.
- 26.2 A Member with a prejudicial interest in any matter:
- 26.2.1 Should withdraw from the room where a meeting is being held whenever it becomes apparent that the matter is being considered at that meeting, unless she/he has obtained a dispensation from the Proper Officer; and
  - 26.2.2 Shall not seek improperly to influence a decision about the matter.
- 26.3 Where:
- 26.3.1 The Authority is considering any question as to the financial calculations set out in paragraph 26.4; and
  - 26.3.2 A Member has two (2) or more month's arrears of Council Tax and/or Community Charge, she/he shall declare that the provisions of S.106 of the Local Government Finance Act 1992 apply to her/him and shall not vote on such question.
- 26.4 The financial calculations referred to in paragraph 26.3 are:
- 26.4.1 The calculation of the Budget requirement of the Authority.
  - 26.4.2 The calculation of the basic amount of tax.

- 26.4.3 The calculation of tax for different valuation bands.
- 26.4.4 The calculation of the amount payable by each constituent Council.
- 26.4.5 Substitute calculations; and
- 26.4.6 Any other calculations required by Chapter III, IV or V of Part 1 of the Local Government Finance Act 1992.

## Standing Order 27: Interests of Officers in Contracts and Other Matters

- 27.1 In addition to her/his duty under section 117 of the 1972 Act if it comes to the knowledge of any officer of the Authority that she/he has a disclosable interest in any contract which has been, or is proposed to be, entered into by the Authority, or in some other matter which is mentioned in the officer Code of Conduct and any associated guidance which (in either case) is not:
  - 27.1.1 The contract of employment (if any) under which she/he serves the Authority: or
  - 27.1.2 The tenancy of a dwelling provided by the Authority.

She/he shall as soon as practicable give notice in writing to the Proper Officer of such interest.
- 27.2 The Proper Officer shall record in a register to be kept for the purpose particulars of any notice of a pecuniary interest given by an officer of the Authority under Section 117 of the 1972 Act or paragraph 27.1. The register shall, during the ordinary office hours of the Authority, be open for inspection by any Member of the Authority.
- 27.3 Where an officer submits a report to a Meeting on a matter in which she/he has declared an interest under Section 117 of the 1972 Act or Standing Order 27.1, she/he shall state that such declaration has been made, and give brief details of it, in a separate paragraph within the report.
- 27.4 Where any officer orally advises a Meeting on a contract, grant, proposed contract or other matter and has declared an interest in that matter, whether under the requirements of section 117 of the 1972 Act, or of paragraph 27.1, she/he shall remind the Meeting orally of that interest.

## Section 7: Miscellaneous

### Standing Order 28: Seal of the Authority

- 28.1 The common seal of the Authority shall be kept in a safe place in the custody of the Proper Officer.
- 28.2 The common seal of the Authority shall be affixed to a document only on the authority of:

- 28.2.1 A resolution of the Authority; or Committee or Sub-Committee acting with delegated powers.
- 28.2.2 A decision by the Authority or duly authorised Committee, Sub-Committee or Monitoring Officer to do anything where a document under the common seal is appropriate to complete the transaction.

### Standing Order 29: Attestation of Documents

- 29.1 In addition to any other person who may be authorised by resolution of the Authority for the purpose, the Proper Officer for the purpose of section 234 of the 1972 Act (authentication of documents) shall be the Monitoring Officer, Senior Solicitor or the Chief Officer of the Authority concerned with the matter to which the document relates or any officer authorised in writing by the Chief Officer.

### Standing Order 30: Papers and Advice

- 30.1 A copy of every paper which is circulated to Members for consideration at a Meeting shall be sent prior to submission as part of the agenda for such Meeting to the Chief Fire Officer, the Deputy Chief Fire Officer, the Monitoring Officer and the Director of Finance and Procurement .
- 30.2 Before it concludes its consideration of any question, every Meeting shall, at her/his request, afford an Officer who is entitled to receive papers under this Standing Order (or another officer nominated by her/him) an opportunity to advise on that question, either in writing or orally, subject to the provisions of 1972 Act Schedule 12 A.
- 30.3 Where the Authority considers a matter which has not previously been the subject to consideration by a Committee or Sub-Committee and of a report by that body to the Authority, the Person Presiding at the Meeting at which the matter is considered shall ensure that the question is not put to the vote before any Officer whose responsibilities relate to the matter under consideration and who asks for such an opportunity has had an opportunity to advise the Authority on the matter.

### Standing Order 31: Rescission of Previous Resolutions

- 31.1 No resolution of the Authority shall be varied or rescinded within the same Municipal Year of the Authority except on the recommendation of the Committee concerned.

### Standing Order 32: Canvassing

- 32.1 Canvassing of any Member of the Authority, a person appointed to discharge any function in relation to a Committee or Sub-Committee or officer of the Authority shall disqualify the candidate concerned in such canvassing for the appointment.
- 32.2 A Member of the Authority shall not solicit for any reason any appointment under the Authority but this shall not preclude a Member from giving a written testimonial of a candidate's ability, experience or character for submission to the Authority.



## Standing Order 33: Restrictions on Disclosure of Confidential Information

- 33.1 No Member shall disclose to any person the whole or any part of the contents of any agenda, report or other document which is marked by the Proper Officer to the effect that it contains “confidential information” as defined in the Local Government Act 1972 and that disclosure to the public would break an obligation of confidence in relation to that information unless and until the document has been made available to the public or the press by or on behalf of the Authority or a Committee or Sub-Committee or such disclosure is otherwise permitted by law.
- 33.2 No Member shall disclose to any person other than a Member of the Authority any matter arising during the proceedings of the Authority or of any Committee or Sub-Committee or any other matter coming in his knowledge by virtue of his office as a Member where such disclosure would prejudice the interest of the Authority unless such disclosure is required by law.
- 33.3 No Member shall, without the consent of the Chair of the Committee, (unless required by law) disclose to any person any decision or proceedings of a Committee or Sub-Committee except:
- 33.3.1 When a report on the matter has been circulated to the Authority by the Committee; or
  - 33.3.2 When the decision has become public knowledge, or
  - 33.3.3 When the matter comes within the delegated powers of the Committee or Sub-Committee and a final decision thereon has been reached.

## Standing Order 34: Delegation to Officers

- 34.1 The Authority shall at its Annual Meeting and on any other occasion it considers appropriate determine which of the powers of the Authority are to be delegated to Officers.

## Standing Order 35: Financial Regulations

- 35.1 The Authority shall at its Annual Meeting and on any other occasion it considers appropriate, prescribe Financial Regulations relating to financial controls and procedures to be observed by Officers.
- 35.2 No decision shall be taken by a Committee or the Authority which would lead to new or increased financial commitments without first considering, where relevant, a report on the matter which complies with the Code of Practice on a Prudential Approach to Local Authority commitments. Such a report shall be required in respect of proposals which:
- I. Would lead to new or increased financial commitments; and
  - II. have insufficient specific revenue budget provision or entail increasing real costs in future years.

## Standing Order 36: Disciplinary Action

- 36.1 No disciplinary action concerning the dismissal of the Chief Fire Officer, Deputy Chief Fire Officer, Assistant Chief Fire Officer, Monitoring Officer or the Director of Finance and Procurement (“the Relevant Officer”) may be taken by the Authority, or by a Committee, a Sub-Committee, a Joint Committee on which the Authority is represented or any other person acting on behalf of the Authority, other than in accordance with a decision by the full Authority.
- 36.2 Disciplinary action short of dismissal in respect of the Relevant Officer may be taken by the Audit Committee in its capacity as the IDC.
- 36.3 Any suspension of the officer in respect of Standing Order 36 for the purpose of investigating the alleged misconduct occasioning the action; and any such suspension must be on full pay and terminate no later than the expiry of two months beginning on the day on which the suspension takes effect unless agreed otherwise by the Audit Committee.
- 36.4 Any allegation of misconduct and any proposed disciplinary action must comply with the Statutory Officers’ Disciplinary Procedure as currently in force.

## Article 22 – Contract Standing Orders

### 1. **Introduction**

- 1.1 These Contract Standing Orders aim to explain in simple terms the procedures for obtaining written quotations and competitive tenders from suppliers for the provision of Authority Works, Goods and Services.
- 1.2 The Authority’s Constitution incorporates Financial Regulations and Financial Procedure Rules that provide a framework for managing the Authority’s financial affairs. They apply to every Member and Officer of the Authority and anyone acting on its behalf.
- 1.3 The Contract Standing Orders should be read in conjunction with both the Financial Regulations and the Scheme of Delegation which is also found in the Constitution.
- 1.4 The Contract Standing Orders are to be applied consistently with the Public Contracts Regulations 2015 (PCR 2015) or any successor legislation and applicable Procurement Policy Notes (PPNs) as published by Cabinet Office. In the event of a conflict the PCR 2015 will take precedence.

### 2. **How the Authority Procures**

- 2.1 The appropriate procedure to be followed is based upon the total estimated value of the contract (please note that the total value of the contract means the value of the contract over the total number of years it will remain in force – not just the initial purchase cost):

#### **For All Goods, Services and Works**

##### **Under £9,999:**

Works, Goods and Services (with the exception of public utility services i.e. gas, electric and periodical payments) maybe procured using an official order. Officers are responsible for ensuring that value for money is achieved.

**Between £10,000 and £49,999: (see PPN 03/15)**

At least two (2) identifiable quotations must be sought and obtained i.e. either written or electronic.

**For Goods and Services**

**Between £50,000 and £177,897:** Procurement involvement is required and a tendering procedure must be followed.

**Over £177,897:** Compliant with Procurement Regulations. (See PPN 10/21).

**For Works**

**Between £50,000 and £4,447,447:** Procurement involvement is required and a Tendering procedure must be followed.

**Over £447,447:** Compliant with Procurement Regulations. (See PPN 10/21).

2.2 The Tendering procedure will necessitate a notice seeking expressions of interest for organisations to be published on the e-tendering system (<https://procontract.due-north.com/Register>) (or any such equivalent portal operated by the Authority). Contracts Finder before the submission of competitive bids for Goods, Services and Works.

2.3 No openly advertised Tendering procedure needs to be followed in respect of:

- I. Contracts for purchase of Goods, Services or Works in respect of which tenders have been obtained from a purchasing consortium (e.g., Yorkshire Purchasing Organisation) or other recognised Government agency (e.g., Crown Commercial Services) where the Authority has been identified in any previous procurement exercise undertaken by the consortium or agency.
- II. Contracts for the supply of Goods which Home Office have specified as the type of Goods which should be used for a particular purpose and only one supplier of such Goods exists.
- III. Contracts for the supply of Goods or Services the price of which is fixed by a trade organisation or government department and no reasonably suitable alternative is available.
- IV. There is no genuine competition for the Goods, Works or Services being procured. Examples of this would include a requirement to utilise the Services of suppliers such as Disclosure and Baring Service, OFCOM and EdExcel.
- V. National Resilience sector led training arrangements with other Fire & Rescue Authorities which operate on a cost recovery basis, and are not commercial arrangements.
- VI. A contract for the engagement of counsel.
- VII. Subscriptions or fees to Government Departments, Professional bodies, Officer or Service Authorities.
- VIII. Stated exclusions within PCR 2015 or

- IX. Where the use of the negotiated procedure without prior publication of a notice has been justified.
- 2.4 Official orders must be in a form approved by the Director of Finance and Procurement. Official orders must be issued for all work, goods or services to be supplied to the Authority, except for supplies of utilities, periodic payments such as rent or rates, petty cash purchases or other exceptions specified by the Director of Finance and Procurement. **Telephone orders are not to be placed in advance of the official order.** All suppliers must be provided with a unique Financial System (FMIS) generated official purchase order number other than the exceptions specified above.

### **Compliance with Contract Standing Orders**

Every contract made by the Authority or on its behalf shall comply with all relevant domestic legislation, these Contract Standing Orders, Financial Regulations and the Scheme of Delegation. In particular the Authority shall comply with the fundamental principle of equality of treatment of contractors.

It shall be a condition of any contract between the Authority and anyone who is not an officer of the Authority, but who is authorised to carry out any of the Authority's contracts functions, that they comply with these Contract Standing Orders and the Financial Regulations of the Authority as if they were an officer of the Authority.

Every contract must be authorised and signed by the Monitoring Officer or their nominated Deputy as outlined in the Scheme of Delegation.

### **3. Exemptions to the Contract Procedures**

The Budget Holder must obtain approval to apply ANY exemption to the contract procedures outlined above by submitting an Exemption form (see Procurement webpage for link) to the Head of Procurement to consider the request and subject to their approval will forward the request to the Monitoring Officer, for further approval and finally to a Principal Officer for final confirmation of approval.

- 3.1 Exemptions to the contract procedures are permitted where it can be proven that it is inefficient or uneconomic to comply with the above requirements. Examples are detailed below:
- I. The Goods, Works or Services are unique and provided by only one organisation with no reasonably satisfactory alternatives available.
  - II. The procurement involves the purchase of proprietary or patented Goods or Services obtainable from one firm; are sold at a fixed price and no reasonably satisfactory alternative is available.
  - III. That new Works or Services are required which are a repetition of Works or Services carried out under an original contract. See also PCR 2015.
  - IV. That Goods are required as a partial replacement for, or addition to, existing Goods or installations and obtaining them from another source would result in issues with compatibility or disproportionate technical difficulties in operation or maintenance. See also PCR 2015
  - V. Tenders are invited on behalf of any consortium or collaboration, of which MFRA is an identified member, in accordance with any method adopted by that body. Where however, an MFRA officer invites tenders on behalf of the consortium the receipt, opening and acceptance of tenders must comply

with the MFRA Financial Regulations and Financial Procedure Rules or any overriding National legislation.

- VI. The Goods, Works or Services are of a sensitive nature (such as security) where publication of the tender documents would constitute a security breach and undermine the effectiveness of the final product.

No exemptions will be granted which would result in a breach of UK law, and in particular PCR 2015 or any successor legislation.

- 3.2 For procurement projects under £177,897 for Goods and Services and £4,447,447 for Works, the Head of Procurement or their nominated deputy, Monitoring Officer or their nominated deputy, and Principal Officer must approve any Exemption, prior to any commitment being given by the Authority to any Organisation. The Head of Procurement will keep a register of exemptions granted detailing the nature and value of the contract, the circumstances justifying the exemption and the name of the contractor awarded the contract.

#### 4. Advertising of Contracts

- 4.1 The upper thresholds from 01.01.22 are as follows: (See also PPN 10/21).

<b>Supplies</b>	<b>Services</b>	<b>Works</b>
<b>£177,897</b>	<b>£177,897</b>	<b>£4,447,447</b>

Supplies, Services and Works whose total Contract value exceeds these upper thresholds must be advertised in the FTS (Find a Tender Service) in addition to the procurement portal and Contracts Finder. Further information can be obtained from the Head of Procurement as required.

#### 5. Pre-Quotation/Tender Requirements

- 5.1 Contractors maybe contacted informally without obligation to the Authority before tender or quotations are invited in order to:
- Establish whether the Goods, Works or Services that the Authority wish to purchase are available and within what price range.
  - Assess market conditions should the procurement progress.

In making enquiries:

- No information shall be disclosed to one contractor which is not then disclosed to all those of which enquiries are made, or which are subsequently invited to tender or quote.
  - No contractor shall be led to believe that the information they offer will necessarily lead them to be invited to tender or quote, or awarded a contract.
  - A written record, including notes or any meetings held, the responses and the names of all individuals present shall be kept on the contract file.
- 5.2 Before obtaining tenders for a procurement estimated at a value of £50,000 or more, a detailed specification must be prepared by the project manager/budget holder. The specification is a description of the Services, Supplies or Works that

the Authority wishes to procure and the Organisation is expected to tender against and provide.

It will incorporate key performance or criteria for acceptance of the Services, Supplies or Works and be included in the invitation to tender documentation. It must be agreed with the Supplier awarded the contract and form the major part of the formal contract agreed between the Authority and the Supplier.

## 6. **Procurement Portal**

6.1 If an organisation wishes to be considered as a potential supplier to the Authority it can register on the Procurement e-tendering portal (<https://procontract.due-north.com/Register> or any such equivalent portal operated by the Authority) at no cost to the organisation.

6.2 If the organisation is asked to submit a quotation or tender, they may be required to provide sufficient information for MFRA officers to conduct an assessment on their capacity, capability and financial standing to undertake the work on behalf of the Authority.

## 7. **Selection Questionnaire**

7.1 Selection Questionnaires will be issued where the value of the Contract exceeds the upper thresholds. It is mandatory for a potential supplier to complete Part 1 and Part 2 of the standard Selection Questionnaire, for all procurements above the upper thresholds. See also PPN 8/16.

7.2 The questions included in Part 3 of the standard Selection Questionnaire should be adopted across all relevant procurement procedures over the threshold. You do not have to use all the questions – only those relevant and proportionate to the contract.

7.3 The questions should be used in line with the relevant procurement procedure, and used:

- as part of the tender pack to test that a potential supplier meets minimum levels of suitability when using the open procedure;
- to pre-qualify suppliers to be invited to tender when using the restricted procedure;
- to submit an initial tender under the competitive procedure with negotiation;
- or to participate in a competitive dialogue, innovation partnership procedure or Dynamic Purchasing System (DPS).

7.4 The Authority may utilise the Constructionline Approved Contractors database as a pre-qualification criteria for Works projects where appropriate.

## 8. **The Tendering Process**

8.1 All tendering requirements (£50,000 or more) must be advertised to ensure that the process is transparent, competitive and secures good value for money. A Contract Notice must be placed on the Procurement portal (<https://procontract.due-north.com/Register>) or any such equivalent portal operated by the Authority) and on Contracts Finder for all procurements above this value. In addition, any

procurements which have an estimated value exceeding the upper Procurement thresholds must be advertised in the FTS.

The two primary methods of tendering are:

- I. **Open Procedure** - This is a one-stage process, where all interested providers responding to a Contract Notice may submit a tender. The Notice will state how interested parties may obtain tender documents and the last date that tenders must be received. Whilst this method ensures absolute fairness, because no contractor is excluded from the process, there may be a significant risk that the number of responses received will be either insufficient or excessive. It may also be difficult to accommodate an adequate financial and technical appraisal within the time constraints of the tendering process so contingencies should be considered.
- II. **Restricted Procedure** – This is a two-stage process in which potential contractors expressing an interest in bidding for a specific contract are evaluated first.

8.2 Three (3) responses must be received to ensure that a Best Value evaluation can take place. In the event that three (3) responses are not received, an application for an Exemption of Contract Procedures must be completed and approved before Contract Award.

## 9. **Other Procedures**

The following procedures are also available for above the upper threshold procurements, where applicability criteria is met.

The Authority may utilise a Competitive Dialogue procedure or Competitive Procedure with Negotiation when:

- The needs of the Authority cannot be met without adaptation of readily available solutions.
- The procurement requirement includes design or innovative solutions.
- The contract cannot be awarded without prior negotiation because of specific circumstances related to the nature, complexity of the legal and financial make up or associated risks
- The technical specification cannot be established by the Authority with reference to a standard common technical specification, technical reference or European Technical Assessment.
- The outcome of an Open or Restricted procedure has elicited only irregular or unacceptable tenders

9.1 **Competitive Dialogue Procedure** – Utilising this procedure a selection is made of those who respond to the Contract Notice. The Authority will then enter into a dialogue with potential bidders to develop one or more suitable solutions for its requirements and on which chosen bidders will be invited to tender.

9.2 **Competitive Procedure with Negotiation** – Utilising this procedure a selection is made of those who respond to the Contract Notice, and only they are invited to submit an initial tender for the contract. The Authority may then open negotiations with the tenderers to seek improved offers.

- 9.3 **Innovation Partnerships Procedure** – Utilising this procedure a selection is made of those who respond to the Contract Notice. The Authority will then use a negotiated approach to invite suppliers to submit ideas to develop innovate Works, Supplies or Services aimed at meeting a need for which there is no suitable existing ‘product’ on the market. Under this procedure the Authority is allowed to award partnerships to more than one supplier.
- 9.4 **Negotiated Procedure Without Prior Publication** – This procedure can only be used in very specific circumstances (e.g., where for technical or artistic reasons or because of the protection of exclusive rights, the contract can only be carried out by a particular supplier). In this instance the Authority would approach one or more suppliers to negotiate the terms of the contract.
- 9.5 Approval must be sought and received from the Head of Procurement and Monitoring Officer, before commencing any procedure outlined in Section 9 of these Contract Standing Orders.

## 10. **Invitation and Submission**

- 10.1 Instructions must be issued to those Organisations invited to submit a tender, asking them to complete and return the required documents by a specified date and time. Tenders will be carried out electronically via the Procurement Portal (<https://procontract.due-north.com/Register>).

Invitation to tender documents will usually contain the following information:

- Letter of invitation and instructions about the process.
  - Form of tender
  - Specification and/or schedule of rates.
  - Contract terms and conditions.
  - Any relevant supporting information (drawings, maps etc.).
  - Where bids are to be evaluated on the basis of Quality and Price, the tender documentation must also specify the criteria for evaluation and the evaluation matrix including the Price/Quality ratio.
- 10.2 Completed tenders **MUST** be submitted on the portal by the date and time specified. Late tenders will not be accepted.
- 10.3 It is important that Organisations are given sufficient time to adequately research and compile their bids. This includes enough time to seek accurate estimates from their sub-contractors. The Authority’s minimum time for the return of priced tenders for below the upper threshold procurements is fourteen (14) days from date of issue, although best practice suggests that at least twenty-one (21) days should be allowed. All procurement which exceed the upper thresholds must use the timescales outlined in the Regulations.
- 10.4 The specified time to submit tenders/quotations may be extended in exceptional circumstances provided that all Organisations involved in the process are notified of the revised date and time and no potential supplier is disadvantaged by the deadline extension.

## 11. **Opening of Tenders**



- 11.1 Electronic Tenders must be delivered to the designated e-tendering system by bidders prior to the stated closing date and time set out in the Invitation to Tender. All electronic tender submissions re retained in a virtual 'locked box' until the designated opening time. The system will hold each submission unopened and with no reference to the contents of the response until 'box' is opened. An activity log within the system provides a full audit trail logging any activity, recording the name of the person accessing the box, date, time and any activity undertaken.
- 11.2 Unless tenders have been received electronically, a Procurement officer will facilitate the tender opening procedure and a written record indicating the name of the supplier and the value of the tender must be completed and signed by the officers opening the submitted bids.

## 12. Evaluation of Tenders and Quotations

- 12.1 Officers will check all tenders for completeness and potential discrepancies. Where errors or discrepancies are found that may affect the tender sum, the tenderer may be notified and afforded an opportunity to confirm the submitted sum without amendment, amend their bid to correct an arithmetical error, or withdraw their bid. A written record of any revisions or withdrawals must be maintained.
- 12.2 The Authority evaluate and award contracts to the Organisation it considers offers the best value for money having regard to both price and quality factors. This is sometimes referred to as the 'most economically advantageous tender' (MEAT and provides for the contract to be awarded to the company best able to meet the Authority's specification.
- 12.3 To ensure fairness the evaluation criteria and evaluation method must be clearly defined in the tender documentation. Award criteria will vary depending on the type of contract, as opposed to selection criteria which will be similar in nature. See also PPN 8/16.

Where the lowest are for £100,000 or more the Responsible Officer shall obtain the following information in respect of the lowest 2 tenders:

- The Authority's internal financial appraisal of the lowest two (2) tenders.
- An independent financial appraisal supplied by a business information service.

## 13. Post Tender Clarification

- 13.1 After the receipt of tenders, officers may need to contact tenderers to clarify technical and contractual information as part of the evaluation process. Any such communication must be confidential and a written record made of the reason for contact and the decision made.

## 14. Contract Award – Tenders and Quotations

- 14.1 The award of a contract the value of which exceeds £250,000 must be approved by the Authority (or committee with the relevant powers).
- 14.2 The successful Organisation should be notified promptly following acceptance of the tender, and the contract must be issued for signature by the Organisation. On receipt, the Authority will sign the Contract to form the legally binding agreement. Authorised signatories are the Monitoring Officer, and their nominated deputy.

14.3 All unsuccessful tenderers should also be notified promptly in writing. All submissions and supporting documentation are to be retained for as long as is stated in the Records Retention Schedule.

**15. Corrupt Practices**

15.1 In every written contract a clause must be inserted to ensure that the Authority is entitled to terminate the contract and recover from the contractor the amount of any loss resulting from corrupt practises. If the contractor has offered, given or agreed to give to any person any gift or consideration of any kind as an inducement, or reward for doing or not doing anything related to the contract or another contract with the Authority, or for favouring or not favouring any person in relation to such contract, or similar acts have been done by any person employed by the contractor or acting on their behalf, or the contractor or any person employed by them or acting on their behalf has committed any offence under the Bribery Act (2010) or any amendment of them or shall have given any fee or reward, the receipt of which is an offence under the Local Government Act 1972.

**16. Third Parties**

16.1 In cases where a third party, such as a local authority or private architect or consultant, is employed to act for the Authority in the carrying out of works or purchase of supplies, it shall be a term of their appointment that they shall:

- Observe or otherwise secure the observance of the procedures prescribed within these Standing Orders.
- Produce on demand, all records maintained by them in relation to the contract; and
- On completion of a contract, transmit all such records to the Chief Fire Officer or the Director of Finance and Procurement.

**17. Assignment**

17.1 In every written contract for the execution of work or the supply of Goods or Services the Contractor shall be prohibited from transferring or assigning or novating directly or indirectly to any person or persons whatever, any portion of his contract without the written permission of the Authority, Sub-letting, other than that which may be customary in the trade concerned, shall be prohibited.

**18. Sealed Contracts**

18.1 All contracts and orders shall be in writing and made in the name of the Authority.

18.2 All Contracts which relate to the purchase of land, or have potential long term liabilities and would benefit from the added legal protection afforded by the process of sealing shall be made by affixing the Common Seal. This shall only be attested by the Monitoring Officer or nominated Deputy.

**19. Term of Contract**

19.1 The term of a contract may be extended with the approval of the budget holder if there is provision within the contract terms and conditions to extend ad the agreement of the Director of Finance and Procurement has been received with

regards to budgetary provision. If the contract has already been extended to the full extent within the provisions of the existing contract, it cannot be extended further.

- 19.2 If there is no provision within the contract terms and conditions for the contract to be extended by the submission of an Exemption to Contracts Procedures (Section 3) for the approval of the Head of Procurement, Monitoring Officer and a Principal Officer.
- 19.3 The Contract Term cannot be extended where this would result in the value of the contract exceeding the Procurement threshold, or would make a fundamental change to the Contract award previously made or extending the Contract Period not previously identified in the Contract Notice. See also PCR 2015.

## Article 23 – Financial Regulations 2022-2023

### Status of Financial Regulations

- 1.1 Financial Regulations provide the framework for managing the Authority's financial affairs. They apply to every member and officer of the Authority and anyone acting on its behalf.
- 1.2 The Regulations identify the financial responsibilities of the Authority, the Chief Fire Officer, the Deputy Chief Fire Officer, the Monitoring Officer (Head of Legal and Democratic Service), the Director of Finance and Procurement and other members of the Strategic Leadership Team (SLT). SLT includes both the Executive Team and Director Team. SLT officers should maintain a written record where decision making has been delegated to members of their staff, including seconded staff. Where decisions have been delegated or devolved to other responsible officer's references to the SLT officer in the Regulations should be read as referring to them.
- 1.3 All members and staff have a general responsibility for taking reasonable action to provide for the security of the assets under their control, and for ensuring that the use of these resources is legal, is properly authorised, provides value for money and achieves best value.
- 1.4 The Director of Finance and Procurement is responsible for maintaining a continuous review of the Financial Regulations and submitting any additions or changes necessary to the Authority for approval. The Director of Finance and Procurement is also responsible for reporting, where appropriate, breaches of the Financial Regulations to the Authority.
- 1.5 The Authority's detailed financial procedures, setting out how the Regulations will be implemented, are contained in the appendices to the Financial Regulations.
- 1.6 SLT officers and budget managers are responsible for ensuring that all staff in their departments are aware of the existence and content of the Authority's Financial Regulations and other internal regulatory documents and that they comply with them. They must also ensure that an adequate number of copies are available for reference within their departments.
- 1.7 The Director of Finance and Procurement is responsible for issuing advice and guidance to underpin the Financial Regulations that members, officers and others

acting on behalf of the Authority are required to follow. She/he is also responsible for ensuring that adequate training is available to allow SLT officers and managers to comply with their duties.

## Financial Regulations A: Financial Management

### Introduction

- A1 Financial management covers all financial accountabilities in relation to the running of the Authority, including the policy framework and budget.

### The Statutory Officers

#### Chief Fire Officer (**Head of Paid Services**)

- A2 The Chief Fire Officer is responsible for the corporate and overall strategic management of the Authority as a whole. He or she must report to and provide information for the Authority and its committees. He or she is responsible for establishing a framework for management direction, style and standards and for monitoring the performance of the organisation. The Chief Fire Officer is also responsible, together with the Monitoring Officer, for the system of record keeping in relation to all the Authority's decisions (see below).

#### Solicitor to the Authority and **Monitoring Officer**

- A3 The Monitoring Officer is the Solicitor to the Authority and is responsible for promoting and maintaining high standards of member conduct. The Monitoring Officer is also responsible for reporting any actual or potential breaches of the law or maladministration to the Authority, and for ensuring that procedures for recording and reporting decisions are operating effectively.
- A4 The Monitoring Officer must ensure that Authority decisions and the reasons for them are made public. He or she must also ensure that members are aware of decisions made by the Authority, its committees and of those made by officers who have delegated responsibility.
- A5 The Monitoring Officer is responsible for advising all councillors and officers about who has authority to take a particular decision.
- A6 The Monitoring Officer is responsible for advising the Authority about whether a decision is likely to be considered contrary or not wholly in accordance with the policy framework.

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#### The Director of Finance and Procurement (**Chief Financial Officer / s151 officer**)

- A7 The Director of Finance and Procurement is the s.151 Officer (also referred to as the Chief Finance Officer) to the Authority and has statutory duties in relation to the

financial administration and stewardship of the Authority. This statutory responsibility cannot be overridden. The statutory duties arise from:

- I. Section 73 and 105<sup>1</sup> of the Local Government Act 1985.
- II. The Local Government Finance Act 1988.
- III. The Local Government and Housing Act 1989.
- IV. The Accounts and Audit Regulations 2015.

A8 The Director of Finance and Procurement is responsible for:

- I. The proper administration of the Authority's financial affairs.
- II. Setting and monitoring compliance with financial management standards.
- III. Advising on the corporate financial position and on the key financial controls necessary to secure sound financial management.
- IV. Providing financial information.
- V. Preparing the revenue budget and capital programme.
- VI. Treasury management.

A9 The Chief Finance Officer and the Monitoring Officer, in consultation with the Head of Paid Service, are responsible for advising the Authority about whether a decision is likely to be considered contrary or not wholly in accordance with the budget. Actions that may be 'contrary to the budget' include:

- I. Initiating a new policy.
- II. Committing expenditure in future years to above the budget level.
- III. Incurring interdepartmental transfers above virement limits.
- IV. Causing the total expenditure financed from council tax, grants and corporately held reserves to increase, or to increase by more than a specified amount.

Section 114 of the Local Government Finance Act 1988 requires the Director of Finance and Procurement to report to the Authority and external auditor if the Authority or one of its officers:

- I. Has made, or is about to make, a decision which involves incurring unlawful expenditure.
- II. Has taken, or is about to take, an unlawful action which has resulted or would result in a loss or deficiency to the Authority.
- III. Is about to make an unlawful entry in the Authority's accounts.

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<sup>1</sup> See "A Statement on the Role of the Director of Resources in Local Government" (CIPFA, 1999)

A10 Section 114 of the 1988 Act also requires:

- I. The Director of Finance and Procurement to nominate a properly qualified member of staff to deputise should he or she be unable to perform the duties under Section 114 personally.
- II. The Authority to provide the Director of Finance and Procurement with sufficient staff, accommodation and other resources – including legal advice where this is necessary – to carry out the duties under Section 114.

## Strategic Leadership Team

A11 Officers on the SLT are responsible for ensuring that Authority members are advised of the financial implications of all proposals and that the financial implications have been agreed by the Director of Finance and Procurement.

A12 It is the responsibility of SLT officers to consult with the Director of Finance and Procurement and seek approval on any matter liable to affect the Authority's finances materially, before any commitments are incurred.

## Other Financial Accountabilities

### Virement

A13 The Authority is responsible for agreeing procedures for virement of expenditure between budget headings.

A14 SLT officers are responsible for agreeing in-year virements within delegated limits, in consultation with the Director of Finance and Procurement. They must notify the Director of Finance and Procurement of all proposed virements.

### Treatment of Year-end Balances

A15 The Authority is responsible for agreeing procedures for carrying forward under and overspendings on budget headings.

### Accounting Policies

A16 The Director of Finance and Procurement is responsible for selecting accounting policies and ensuring they are applied consistently.

### Accounting Records and Returns

A17 The Director of Finance and Procurement is responsible for determining the accounting procedures and records for the Authority.

### The Annual Statement of Accounts

A18 The Director of Finance and Procurement is responsible for ensuring that the annual statement of accounts is prepared in accordance with the *Code of Practice*

*on Local Authority Accounting in the United Kingdom: A Statement of Recommended Practice (CIPFA/LASAAC).* The Authority is responsible for approving the annual statement of accounts.

## Financial Regulation B: Financial Planning

### Introduction

B1 The Authority is responsible for approving a financial policy framework and budget.

### Policy Framework

B2 The policy framework comprises the following plans and strategies:

- I. Corporate Financial Plan (a five year Medium Term Financial Plan, MTFP) and Annual Budget.
- II. A five year Capital Programme.
- III. Treasury Management Strategy.

B3 The Authority is also responsible for approving procedures for agreeing variations to approved budgets, plans and strategies forming the policy framework and for determining the circumstances in which a decision will be deemed to be contrary to the budget or policy framework. These decisions should be referred to the Authority by the Monitoring Officer.

B4 The Authority is responsible for setting the level at which officers may reallocate budget funds from one service to another. SLT officers are responsible for taking in-year decisions on resources and priorities in order to deliver the budget policy framework within the financial limits set by the Authority.

### Budgeting

#### Budget Format

B5 The general format of the budget will be approved by the Authority and on the advice of the Director of Finance and Procurement. The draft budget should include allocation to different services and projects, proposed taxation levels and contingency funds.

#### Budget Preparation

B6 The Director of Finance and Procurement is responsible for ensuring that a revenue budget is prepared on an annual basis and a general revenue plan on a five-yearly basis is maintained for consideration by the Authority. The Authority may amend the budget before approving it. The budget must, however, be approved and precepts notified to billing authorities prior to 1 March of the budget year in question.

- B7 The Director of Finance and Procurement is responsible for issuing guidance on the general content of the budget in consultation with the Chief Fire Officer as soon as possible following approval by the Authority.
- B8 It is the responsibility of SLT officers to ensure that budget estimates reflecting agreed service plans are submitted and that these estimates are prepared in line with guidance issued.

## Budget Monitoring and Control

- B9 The Director of Finance and Procurement is responsible for providing appropriate financial information to enable budgets to be monitored effectively. He or she must monitor and control expenditure against budget allocations and report to the Authority on the overall position on a regular basis.
- B10 It is the responsibility of SLT officers to control income and expenditure within their area and to monitor performance, taking account of financial information provided by the Director of Finance and Procurement. They should report on variances within their own areas. They should also take any action necessary to avoid exceeding their budget allocation and alert the Director of Finance and Procurement to any problems.

## Resource Allocation

- B11 The Director of Finance and Procurement is responsible for developing and maintaining a resource allocation process that ensures due consideration of the Authority's policy framework.

## Preparation of the Capital Programme and Treasury Management Strategy

- B12 The Director of Finance and Procurement, in consultation with SLT, is responsible for ensuring that a five (5) year capital programme is prepared on an annual basis in accordance with the requirements of relevant ClFFPA Code(s) (Prudential Code for Capital Finance in Local Government and Treasury Management Code), for consideration and approval by the Authority.

## Guidelines

- B13 Guidelines on budget preparation are issued to members and SLT officers by the Director of Finance and Procurement. The guidelines will take account of:
- I. Legal requirements.
  - II. Medium-term planning prospects.
  - III. The corporate plan (IRMP).
  - IV. Available resources.
  - V. Spending pressures.



- VI. Best value and other relevant government guidelines.
- VII. Other internal policy documents.
- VIII. Cross-cutting issues (where relevant).

## Maintenance of Reserves

- B14 It is the responsibility of the Director of Finance and Procurement to advise the Authority on prudent levels of reserves for the Authority.

## Financial Regulation C: Risk Management and Control of Resources

### Introduction

- C1 It is essential that robust, integrated systems are developed and maintained for identifying and evaluating all significant operational risks to the Authority. This should include the proactive participation of all those associated with planning and delivering services.

### Risk Management

- C2 The Authority is responsible for approving the Authority's risk management policy statement and strategy and for reviewing the effectiveness of risk management. The Authority on the advice of the Monitoring Officer (in consultation with the Chief Fire Officer and the Director of Finance and Procurement) is responsible for ensuring that proper insurance exists where appropriate.
- C3 The Authority is responsible for approving the Authority's Business Continuity Management policy statement and strategy and for reviewing the effectiveness of Business Continuity. The Authority on the advice of the Deputy Chief Fire Officer (in consultation with the Chief Fire Officer, the Director of Finance and Procurement and the Monitoring Officer) is responsible for ensuring that proper Business Continuity plans exist where appropriate.
- C4 The Chief Fire Officer, in consultation with the Director of Finance and Procurement and Monitoring Officer, is responsible for preparing the Authority's risk management policy statement, for promoting it throughout the Authority and for advising the executive on proper insurance cover where appropriate.
- C5 The Authority has an annually approved risk register.
- C6 The Authority has approved Organisation and Departmental Business Continuity Plans.
- C7 SLT members are responsible for maintaining the risk register and Business Continuity plans in their own areas of responsibility and ensuring adequate risk management and business continuity fall-back arrangements are in place for all projects.

## Internal Control

- C8 Internal control refers to the systems of control devised by management to help ensure the Authority's objectives are achieved in a manner that promotes economical, efficient and effective use of resources and that the Authority's assets and interests are safeguarded.
- C9 The Director of Finance and Procurement is responsible for advising on effective systems of internal control. These arrangements need to ensure compliance with all applicable statutes and regulations, and other relevant statements of best practice. They should ensure that public funds are properly safeguarded and used economically, efficiently, and in accordance with the statutory and other authorities that govern their use.
- C10 It is the responsibility of SLT officers to establish sound arrangements for planning, appraising and controlling their operations in order to achieve continuous improvement, economy, efficiency and effectiveness and for achieving their financial performance targets.

## Audit Requirements

- C11 The Accounts and Audit Regulations 2015 issued by the Secretary of State require every local authority to maintain an adequate and effective internal audit.
- C12 The Local Government Association (Public Sector Audit Appointments Limited) will be responsible for overseeing the Audit Commission's current external audit contracts with audit firms from 1 April 2015. The basic duties of the external auditor are governed by section 15 of the Local Government Finance Act 1982, as amended by section 5 of the Audit Commission Act 1998.
- C13 The Authority may, from time to time, be subject to audit, inspection or investigation by external bodies such as HM Customs and Excise and the Inland Revenue, who have statutory rights of access.

## Preventing Fraud and Corruption

- C14 The Monitoring Officer (in consultation with the Director of Finance and Procurement) is responsible for the development and maintenance of an anti-fraud and anti-corruption policy.

## Assets

- C15 SLT officers should ensure that records and assets are properly maintained and securely held. They should also ensure that contingency plans for the security of assets and continuity of service in the event of disaster or system failure are in place.

## Treasury Management

- C16 The Authority has adopted CIPFA's Code of Practice for Treasury Management in Public Services.

- C17 The Authority will create and maintain, as the cornerstones for effective treasury management:
- I. A treasury management policy statement, stating the policies, objectives and approach to risk management of its treasury management activities.
  - II. Suitable Treasury Management Practices (TMPs), setting out the manner in which the organisation will seek to achieve those policies and objectives, and prescribing how it will manage and control those activities.
- C18 The Authority will receive reports on its treasury management policies, practices and activities, including as a minimum, an annual strategy and plan in advance of the year, a mid-year review and an annual report after its close, in the form prescribed in its TMPs.
- C19 The Authority delegates responsibility for the implementation and monitoring of its treasury management policies and practices to SLT, and for the execution and administration of treasury management decisions to the Director of Finance and Procurement, who will act in accordance with the Authority's policy statement and TMPs and CIPFA's Standard of Professional Practice on Treasury Management.
- C20 The Authority nominates the Policy and Resources Committee together with the Audit Committee to be responsible for ensuring effective scrutiny of the treasury management strategy and policies.

## Staffing

- C21 The Authority is responsible for determining how officer support for executive and non-executive roles within the Authority will be organised.
- C22 The Chief Fire Officer (Head of Paid Service) is responsible for providing overall management to staff. He or she may vary the grading of individual non-uniformed posts up to (but not including) Director of Finance and Procurement (including progression within and between grades), having regard to the national Job Evaluation Scheme and in consultation with the relevant trade union(s).
- C23 SLT officers are responsible for controlling total staff number by:
- I. Advising the Authority on the budget necessary in any given year to cover estimated staffing levels.
  - II. Adjust the staffing to a level that can be funded within approved budget provision, varying the provision as necessary within that constraint in order to meet changing operational needs.
  - III. The proper use of appointment procedures.

## Financial Regulation D: Systems and Procedures

### Introduction

- D1 Sound systems and procedures are essential to an effective framework of accountability and control.

## General

- D2 The Director of Finance and Procurement is responsible for the operation of the Authority's accounting systems, the form of accounts and the supporting financial records. Any changes made by SLT officers to the existing financial systems or the establishment of new systems must be approved by the Director of Finance and Procurement. However, SLT officers are responsible for the proper operation of financial processes in their own departments.
- D3 Any changes to agreed procedures by SLT officers to meet their own specific service needs should be agreed with the Director of Finance and Procurement.
- D4 SLT officers should ensure that their staff receive relevant financial training that has been approved by the Director of Finance and Procurement.
- D5 SLT officers must ensure that, where appropriate, computer and other systems are registered in accordance with data protection legislation. SLT officers must ensure that staff are aware of their responsibilities under freedom of information legislation.

## Payments to Employees and Members

- D6 The Director of Finance and Procurement is responsible for all payments of salaries and wages to all staff, including payments for overtime, and for payment of allowances to members. They are also responsible for the payment of pensions to retired firefighters.

## Taxation

- D7 The Director of Finance and Procurement is responsible for advising SLT officers, in the light of guidance issued by appropriate bodies and relevant legislation as it applies, on all taxation issues that affect the Authority.
- D8 The Director of Finance and Procurement is responsible for maintaining the Authority's tax records, making all tax payments, receiving tax credits and submitting tax returns by their due date as appropriate.

## Trading Accounts/Business Units

- D9 It is the responsibility of the Director of Finance and Procurement to advise on the establishment and operation of trading accounts and business units.

## Financial Regulation E: External Arrangements

### Partnerships

- E1 The Authority is responsible for approving delegations and has approved a Partnership Strategy for partnerships. The Authority is the focus for forming partnerships with other local public, private, voluntary and community sector organisations to address local needs.

- E2 The Chief Fire Officer represents the Authority on partnership and external bodies, in accordance with the Scheme of Delegation and the Partnership Strategy.
- E3 The Monitoring Officer and the Director of Finance and Procurement are responsible for promoting and maintaining the same high standards of conduct with regard to financial administration in partnerships that apply throughout the Authority.
- E4 The Director of Finance and Procurement must ensure that the accounting arrangements to be adopted relating to partnerships and joint ventures are satisfactory. He or she must also consider the overall corporate governance arrangements and legal issues when arranging contracts with external bodies. He or she must ensure that the risks have been fully appraised before agreements are entered into with external bodies.
- E5 SLT officers are responsible for ensuring that appropriate approvals are obtained before any negotiations are concluded in relation to work with external bodies.
- E6 The Authority has approved a central register of all partnership agreements and a monitoring and review procedure.

## External Funding

- E7 The Director of Finance and Procurement is responsible for ensuring that all funding notified by external bodies is received and properly recorded in the Authority's accounts.

## Work for Third Parties

- E8 The Authority is responsible for approving the contractual arrangements for any work for third parties or external bodies.

## Appendix A: Financial Management

### Financial Management Standards

#### Why is this important?

- 1.01 All staff and members have a duty to abide by the highest standards of probity in dealing with financial issues. This is facilitated by ensuring that everyone is clear about the standards to which they are working and the controls that are in place to ensure that these standards are met.

#### Key Controls

- 1.02 The key controls and control objectives for financial management standards are:
  - a. Their promotion throughout the Authority.
  - b. A monitoring system to review compliance with financial standards, and regular comparisons of performance indicators and benchmark standards that are reported to the Authority.

## Responsibilities of the Director of Finance and Procurement

- 1.03 To ensure proper administration of the financial affairs of the Authority.
- 1.04 To set the financial management standards and to monitor compliance with them.
- 1.05 To ensure proper professional practices are adhered to and to act as head of profession in relation to the standards, performance and development of finance staff throughout the Authority.
- 1.06 To advise on the key strategic controls necessary to secure sound financial management.
- 1.07 To ensure that financial information is available to enable accurate and timely monitoring and reporting of comparisons of national and local financial performance indicators.

## Responsibilities of SLT Officers

- 1.08 To promote the financial management standards set by the Director of Finance and Procurement in their departments and to monitor adherence to the standards and practices, liaising as necessary with the Director of Finance and Procurement.
- 1.09 To promote sound financial practices in relation to the standards, performance and development of staff in their departments.

## Managing and Controlling Income and Expenditure

### Scheme of Virement

#### Why is this important?

- 1.10 The scheme of virement is intended to enable the SLT officers and their staff to manage budgets with a degree of flexibility within the overall policy framework determined by the Authority, and therefore to optimise the use of resources.

#### Key Controls

- 1.11 Key controls for the scheme of virement are:
  - a. It is administered by the Director of Finance and Procurement within guidelines set by the Authority. Any variation from this scheme requires the approval of the Authority.
  - b. The overall budget is approved by the Authority. SLT officers and budget managers are therefore authorised to incur expenditure in accordance with the estimates that make up the budget. The rules below cover virement; that is, switching resources between approved estimates or heads of expenditure. For the purpose of this scheme, a budget head is considered to be a line in the approved estimates report, or, as a minimum, at an

equivalent level to the standard service subdivision as defined by CIPFA's Service Expenditure Analysis.

- c. Virement does not create additional overall budget liability. SLT officers are expected to exercise their discretion in managing their budgets responsibly and prudently. For example, they should aim to avoid supporting recurring expenditure from one-off sources of savings or additional income, or creating future commitments, including full-year effects of decisions made part way through a year, for which they have not identified future resources. SLT officers must plan to fund such commitments from within their own budgets.

## Responsibilities of the Director of Finance and Procurement

- 1.12 To prepare jointly with the SLT officer a report to the Authority where virements in excess of £50,000 are proposed.
- 1.13 To report all virements below this level to the Authority through financial monitoring reports.

## Responsibilities of SLT Officers

- 1.14 SLT officers may exercise virement on budgets under their control for amounts up to £50,000 on any one budget head during the financial year, following notification to the Director of Finance and Procurement under arrangements agreed by the Authority and subject to the conditions in paragraphs 1.15 to 1.17 below.
- 1.15 Amounts greater than £50,000 require the approval of the Authority, following a joint report by the Director of Finance and Procurement and the SLT officer, which must specify the proposed expenditure and the source of funding, and must explain the implications in the current and future financial year.
  - The prior approval of the Authority is required for any virement, of whatever amount, where it is proposed to change Authority policy.
  - Virement that is likely to impact on the level of service activity of another SLT officer should be implemented only after agreement with the relevant SLT officer.
  - The virement must not result in an increase in commitment in future years which cannot be met from within existing budgets,
- 1.16 No virement relating to a specific financial year should be made after 31 March in that year.
- 1.17 Where an approved budget is a lump sum budget or contingency intended for allocation during the year, its allocation will not be treated as a virement, provided that:
  - a. The amount is used in accordance with the purposes for which it has been established.
  - b. The Authority has approved the basis and the terms, including financial limits, on which it will be allocated. Individual allocations in excess of the financial limits should be reported to the Authority.

## Treatment of Year-End Balances

### Why is it important?

- 1.18 The rules below cover arrangements for the transfer of resources between accounting years i.e., a carry-forward.
- 1.19 For the purposes of this scheme, a budget heading is a line in the estimates report (or, as a minimum, at an equivalent level to the standard service sub division as defined by CIPFA in its Service Expenditure Analysis).

### Key Controls

- 1.20 Appropriate accounting procedures are in operation to ensure that carried-forward totals are correct.

## Responsibilities of the Director of Finance and Procurement

- 1.21 To administer the scheme of carry-forward within the guidelines approved by the Authority.
- 1.22 To report all overspendings and underspending on service estimates carried forward to the executive and to the Authority.

## Responsibilities of SLT Officers

- 1.23 Any overspending on service estimates in total on budgets will be reported by the Director of Finance and Procurement to the Authority after the end of the financial year as part of the annual outturn report.
- 1.24 The Director of Finance and Procurement will determine which budgets are deemed to be controllable by the SLT director. A request to carry forward any underspend can be made by a director but is subject to Authority approval and the request will be submitted through the annual outturn report.
- 1.25 All requests to carry forward underspends (via the creation of a reserve) will be subject to consideration of the overall financial position of the Authority and service priorities.

## Accounting Policies

### Why is this important?

- 1.26 The Director of Finance and Procurement is responsible for the preparation of the Authority's statement of accounts, in accordance with proper practices as set out in the format required by the Code of Practice on Local Authority Accounting in the United Kingdom: A Statement of Recommended Practice (CIPFA/LASAAC), for each financial year ending 31 March.

### Key Controls



- 1.27 The key controls for accounting policies are:
- a. Systems of internal control are in place that ensure that financial transactions are lawful.
  - b. Suitable accounting policies are selected and applied consistently.
  - c. Proper accounting records are maintained.
  - d. Financial statements are prepared which present fairly the financial position of the Authority and its expenditure and income.

## Responsibilities of the Director of Finance and Procurement

- 1.28 To select suitable accounting policies and to ensure that they are applied consistently. The accounting policies are set out in the statement of accounts, which is prepared at 31 March each year, and covers such items as:
- a. Separate accounts for capital and revenue transactions.
  - b. The basis on which debtors and creditors at year end are include in the accounts.
  - c. Details on substantial provisions and reserves.
  - d. Fixed assets.
  - e. Depreciation.
  - f. Capital charges.
  - g. Work in progress.
  - h. Stocks and stores
  - i. Deferred charges.
  - j. Accounting for value added tax.
  - k. Government grants.
  - l. Leasing.
  - m. Pensions.

## Responsibilities for SLT Officers

- 1.29 To adhere to the accounting policies and guidelines approved by the Director of Finance and Procurement.

## Accounting Records and Returns

Why is this important?

- 1.30 Maintaining proper accounting records is one of the ways in which the Authority discharges its responsibility for stewardship of public resources. The Authority has a statutory responsibility to prepare its annual accounts to present fairly its operations during the year. These are subject to external audit. This audit provides assurance that the accounts are prepared properly, that proper accounting practices have been followed and that quality arrangements have been made for securing economy, efficiency and effectiveness in the use of the Authority's resources.

#### Key Controls

- 1.31 The key controls for accounting records and returns are:
- a. All members, finance staff and budget managers operate within the required accounting standards and timetables.
  - b. All the Authority's transactions, material commitments and contracts and other essential accounting information are recorded completely, accurately and on a timely basis.
  - c. Procedures are in place to enable accounting records to be reconstituted in the event of systems failure.
  - d. Reconciliation procedures are carried out to ensure transactions are correctly recorded.
  - e. Prime documents are retained in accordance with legislative and other requirements.
  - f. The duty imposed on the Authority by the Accounts and Audit Regulations to maintain an adequate and effective audit of its accounting records and its system of internal control.

#### Responsibilities of the Director of Finance and Procurement

- 1.32 To determine the accounting procedures and records for the Authority. Where these are maintained outside the finance department, the Director of Finance and Procurement should consult the SLT officer concerned.
- 1.33 To arrange for the compilation of all accounts and accounting records under his or her direction.
- 1.34 To comply, as far as practicable, with the following principles when allocating accounting duties:
- a. Separating the duties of providing information about sums due to or from the Authority and calculating, checking and recording these sums from the duty of collecting or disbursing them.
  - b. Employees with the duty of examining or checking the accounts of cash transactions must not themselves be engaged in these transactions.

Where such arrangements are not practical alternative controls must be agreed with the Director of Finance and Procurement.

- 1.35 To make proper arrangements for the audit of the Authority's accounts in accordance with the Accounts and Audit Regulations 2015.
- 1.36 To ensure that all claims for funds including grants are made by the due date.
- 1.37 To prepare and publish the audited accounts of the Authority for each financial year, in accordance with the statutory timetable and with the requirement for the Authority to approve the statement of accounts.
- 1.38 To administer the Authority's arrangements for under and overspendings to be carried forward to the following financial year.
- 1.39 To ensure the proper retention of financial documents in accordance with all legal requirements and as set out in the Authority's document retention schedule.

## Responsibilities of SLT

- 1.40 To consult and obtain the approval of the Director of Finance and Procurement before making any changes to accounting records and procedures.
- 1.41 To comply with the principles outlined above when allocating accounting duties.
- 1.42 To maintain adequate records to provide a management trail leading from the source of income/expenditure through to the accounting statements.
- 1.43 To supply information require to enable the statement of accounts to be completed in accordance with guidelines issued by the Director of Finance and Procurement.

## The Annual Statement of Accounts

Why is this important?

- 1.44 The Authority has a statutory responsibility to prepare its own accounts to present fairly its operations during the year. The Authority is responsible for approving the statutory annual statement of accounts.

## Key Controls

- 1.45 The key controls for the annual statement of accounts are:
  - I. The Authority is required to make arrangements for the proper administration of its financial affairs and to secure that one of its officers has the responsibility for the administration of these affairs. In this Authority, that officer is the Director of Finance and Procurement.
  - II. The Authority's statement of accounts must be prepared in accordance with proper practices as set out in the Code of Practice on Local Authority Accounting in the United Kingdom: A Statement of Recommended Practice (the SORP) (CIPFA/LASAAC).

## Responsibilities of the Director of Finance and Procurement

- 1.46 To select suitable accounting policies and to apply them consistently.
- 1.47 To make judgements and estimates that are reasonable and prudent.
- 1.48 To comply with the SORP.
- 1.49 To sign and date the statement of accounts, stating that it presents fairly the financial position of the Authority at the accounting date and its income and expenditure for the year ended 31 March 20xx.
- 1.50 To draw up the timetable for final accounts preparation and to advise staff and external auditors accordingly.

## Responsibilities of SLT Officers

- 1.51 To comply with accounting guidance provided by the Director of Finance and Procurement and to supply the Director of Finance and Procurement with information when required.

## Appendix B – Financial Planning

### Performance Plans

#### Why is this important?

- 2.01 The Authority has a statutory responsibility to publish various performance plans including integrated risk management plans etc. The purpose of performance plans is to explain overall priorities and objectives, current performances and proposals for further improvement.

#### Key Controls

- 2.02 The key controls for performance plans are:
  - a. To ensure that all relevant plans are produced and that they are consistent.
  - b. To produce plans in accordance with statutory requirements.
  - c. To meet the timetables set.
  - d. To ensure that all performance information is accurate, complete and up-to-date.
  - e. To provide improvement targets which are meaningful, realistic and challenging.

## Responsibilities of the Director of Finance and Procurement

- 2.03 To advise and supply the financial information that needs to be included in performance plans in accordance with statutory requirements and agreed timetables.
- 2.04 To contribute to the development of corporate and service targets and objectives and performance information.
- 2.05 To ensure that systems are in place to measure activity and collect accurate information for use as performance indicators.
- 2.06 To ensure that performance information is monitored sufficiently frequently to allow corrective action to be taken if targets are not likely to be met.

## Responsibilities of SLT Officer

- 2.07 To contribute to the development of performance plans in line with statutory requirements.
- 2.08 To contribute to the development of corporate and service targets and objectives and performance information.

## Budgeting

### Format of the Budget

#### Why is this important?

- 2.09 The format of the budget determines the level of detail to which financial control and management will be exercised. The format shapes how the rules around virement operate, the operation of cash limits and sets the level at which funds may be reallocated within budgets.

#### Key Controls

- 2.10 The key controls for the budget format are:
  - a. The format complies with all legal requirements.
  - b. The format complies with CIPFA's Service Reporting Code of Practice.
  - c. The format reflects the accountabilities of service delivery.

## Responsibilities of the Director of Finance and Procurement

- 2.11 To advise the Authority on the format of the budget that is approved.

## Responsibilities of SLT Officers

- 2.12 To comply with accounting guidance provided by the Director of Finance and Procurement.

## Revenue Budget Preparation, Monitoring and Control

Why is this important?

- 2.13 Budget management ensures that once the budget has been approved by the Authority, resources allocated are used for their intended purposes and are properly accounted for. Budgetary control is a continuous process, enabling the Authority to review and adjust its budget targets during the financial year. It also provides the mechanism that calls to account managers responsible for defined elements of the budget.
- 2.14 By continuously identifying and explaining variances against budgetary targets, the Authority can identify changes in trends and resource requirements at the earliest opportunity. The Authority itself operates within an annual cash limit, approved when setting the overall budget. To ensure that the Authority in total does not overspend, each service is required to manage its own expenditure within the cash-limited budget allocated to it.
- 2.15 For the purposes of budgetary control by managers, a budget will normally be the planned income and expenditure for a service area or cost centre. However, budgetary control may take place at a more detailed level if this is required by the SLT officer's scheme of delegation.

### Key Controls

- 2.16 The key controls for managing and controlling the revenue budget are:
- a. Budget managers should be responsible only for income and expenditure that they can influence.
  - b. There is a nominated budget manager for each cost centre heading.
  - c. Budget managers accept accountability for their budgets and the level of service to be delivered and understand their financial responsibilities.
  - d. Budget managers follow an approved certification process for all expenditure.
  - e. Income and expenditure are properly recorded and accounted for.
  - f. Performance levels/levels of service are monitored in conjunction with the budget and necessary action is taken to align service outputs and budget e.g., by budgetary virement.

### Responsibilities of the Director of Finance and Procurement

- 2.17 To establish an appropriate framework of budgetary management and control that ensures that:

- a. Budget management is exercised within annual cash limits unless the Authority agrees otherwise.
  - b. Each SLT officer has available timely information on receipts and payments on each budget which is sufficiently detailed to enable managers to fulfil their budgetary responsibilities.
  - c. Expenditure is committed only against an approved budget head.
  - d. All officers responsible for committing expenditure comply with relevant guidance, Contract Standing Orders and the Financial Regulations.
  - e. Each cost centre has a single named manager, determined by the relevant SLT officer. As a general principle, budget responsibility should be aligned as closely as possible to the decision-making processes that commits expenditure.
  - f. Significant variances from approved budgets are investigated and reported by budget managers regularly.
- 2.18 To administer the Authority's scheme of virement.
- 2.19 To submit reports to the Authority, in consultation with the relevant SLT officer, where an SLT officer is unable to balance expenditure and resources within existing approved budgets under his or her control.
- 2.20 To prepare and submit reports on the Authority's projected income and expenditure compared with the budget on a regular basis.

## Responsibilities of SLT Officers

- 2.21 To maintain budgetary control within their department, in adherence to the principles in 2.17, and to ensure that all income and expenditure are properly recorded and accounted for.
- 2.22 To ensure that an accountable budget manager is identified for each item of income and expenditure under the control of the SLT officer (grouped together in a series of cost centres). As a general principle, budget responsibility should be aligned as closely as possible to the decision-making that commits expenditure.
- 2.23 To ensure that spending remains within the Service's overall cash limit, and that individual budget heads are not overspent, by monitoring the budget and taking appropriate corrective action where significant variations from the approved budget are forecast.
- 2.24 To ensure that a monitoring process is in place to review performance levels/levels of service in conjunction with the budget and is operating effectively.
- 2.25 To prepare and submit to the Authority reports on projected expenditure compared with its budget, in consultation with the Director of Finance and Procurement.

- 2.26 To ensure prior approval by the Authority for new proposals<sup>2</sup> of whatever amount, that:
- a. Create financial commitments in future years.
  - b. Change existing policies, initiate new policies or cease existing policies.
  - c. Materially extend or reduce the Authority's services.
- 2.27 To ensure compliance with the scheme of virement.
- 2.28 To agree with the relevant SLT officer where it appears that a budget proposal, including a virement proposal, may impact materially on another service area or SLT officer's level of service activity.

## Budgets and Medium-Term Planning

Why is this important?

- 2.29 The Authority is a complex organisation responsible for delivering a wide variety of services. It needs to plan effectively and to develop systems to enable scarce resources to be allocated in accordance with carefully weighed priorities. The budget is the financial expression of the Authority's plans and policies.
- 2.30 The revenue budget must be constructed so as to ensure that resource allocation properly reflects the service plans and priorities of the Authority. Budgets (spending plans) are needed so that the Authority can plan, authorise, monitor and control the way money is allocated and spent. It is illegal for an Authority to budget for a deficit.
- 2.31 Medium-term planning (the Authority has adopted a five-year planning system) involves a planning cycle in which managers develop their own plans. As each year passes, another future year will be added to the medium-term plan. This ensures that the Authority is always preparing for events in advance.

Key Controls

- 2.32 The key controls for budgets and medium-term planning are:
- a. Specific budget approval for all expenditure.
  - b. Budget managers are consulted in the preparation of the budgets for which they will be held responsible and accept accountability within delegations set by the Authority for their budgets and the level of service to be delivered.
  - c. A monitoring process is in place to review regularly the effectiveness and operation of budget preparation and to ensure that any corrective action is taken.

## Responsibilities of the Director of Finance and Procurement

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<sup>2</sup> A report on the new proposals should explain the full financial implications, following consultation with the Director of Finance and Procurement, unless the Authority has agreed otherwise, SLT officers must plan to contain the financial implications within their cash limit.



- 2.33 To prepare and submit reports on budget prospects for the executive, including resource constraints set by the Government. Reports should take account of medium-term prospects, where appropriate.
- 2.34 To determine the detailed form of revenue estimates and the methods for their preparation, consistent with the budget approved by the Authority, and after consultation with SLT officers.
- 2.35 To prepare and submit reports to the Authority on the aggregate spending plans of departments and on the resources available to fund them, identifying, where appropriate, the implications for the level of council tax to be levied.
- 2.36 To advise on the medium-term implications of spending decisions.
- 2.37 To encourage the best use of resources and value for money by working with SLT officers to identify opportunities to improve economy, efficiency and effectiveness, and by encouraging good practice in conducting financial appraisals of development or savings options, and in developing financial aspects of service planning.
- 2.38 To advise the Authority on proposals in accordance with his or her responsibilities under section 73 of the Local Government Act 1985.

## Responsibilities of SLT Officers

- 2.39 To prepare estimates of income and expenditure, in consultation with the Director of Finance and Procurement, to be submitted to the Authority.
- 2.40 To prepare budgets that are consistent with any relevant cash limits, with the Authority's annual budget cycle and with guidelines issued by the Authority. The format should be prescribed by the Director of Finance and Procurement in accordance with the Authority's general directions.
- 2.41 To integrate financial and budget plans into service planning, so that budget plans can be supported by financial and non-financial performance measures.
- 2.42 In consultation with the Director of Finance and Procurement and in accordance with the laid-down guidance and timetable, to prepare detailed draft revenue and capital budgets for consideration by the appropriate committee or sub-committee.
- 2.43 When drawing up draft budget requirements, to have regard to:
  - a. Spending patterns and pressures revealed through the budget monitoring process.
  - b. Legal requirements.
  - c. Policy requirements as defined by the Authority in the approved policy framework.
  - d. Initiatives already under way.

## Resource Allocation

Why is it important?

- 2.44 A mismatch often exists between available resources and required resources. A common scenario is that available resources are not adequate to fulfil need/desire. It is therefore imperative that needs/desires are carefully prioritised and that resources are fairly allocated, in order to fulfil all legal responsibilities. Resources may include staff, money, equipment, goods and materials.

Key Controls

- 2.45 The key controls for resource allocation are:
- a. Resources are acquired in accordance with the law and using an approved authorisation process.
  - b. Resources are used only for the purpose intended, to achieve the approved policies and objectives, and are properly account for.
  - c. Resources are securely held for use when required.
  - d. Resources are used with the minimum level of waste, inefficiency or loss for other reasons.

Responsibilities of the Director of Finance and Procurement

- 2.46 To advise on methods available for the funding of resources, such as grants from central government and borrowing requirements.
- 2.47 To assist in the allocation of resources to budget managers.

Responsibilities of SLT Officers

- 2.48 To work within budget limited and to utilise resources allocated, and further allocate resources, in the most efficient, effective and economic way.
- 2.49 To identify opportunities to minimise or eliminate resource requirements or consumption without having a detrimental effect on service delivery.

Capital Programmes

Why is this important?

- 2.50 Capital expenditure involves acquiring or enhancing fixed assets with a long-term value to the Authority, such as land, buildings, and major items of plant, equipment or vehicles. Capital assets shape the way services are delivered in the long term and create financial commitments for the future in the form of financing costs and revenue running costs.
- 2.51 The Government places strict controls on the financing capacity of the Authority. This means that capital expenditure should form part of an investment strategy and should be carefully prioritised in order to maximise the benefit of scarce resources.

Key Controls

- 2.52 The key controls for capital programmes are:
- a. Specific approval by the Authority for the programme of capital expenditure.
  - b. Expenditure on capital schemes is subject to the approval of the Director of Finance and Procurement.
  - c. The preparation of five year rolling asset management plans for key categories of infrastructure (Property, ICT and Vehicles) for consideration by the Authority before the Budget and Financial plan is considered.
  - d. Approval by the Authority where capital schemes are to be financed from the revenue budget.
  - e. Proposals for improvements and alterations to buildings must be approved by the appropriate SLT Officer.
  - f. Monitoring of progress in conjunction with expenditure and comparison with approved budget.

## Responsibilities of the Director of Finance and Procurement

- 2.53 To prepare capital estimates jointly with SLT officers and to report them to the Authority for approval. The Authority recommendations on the capital estimates and on any associated financing requirements to the Authority. Authority approval is required where an SLT officer proposes to bid or exercise additional borrowing approval not anticipated in the capital programme. This is because the extra borrowing may create future commitments to financing costs.
- 2.54 To prepare and submit reports to SLT and the Authority on the projected expenditure and resources compared with the approved estimates on a regular basis.
- 2.55 To issue guidance concerning capital schemes and controls, for example, on project appraisal techniques. The definition of 'capital' will be determined by the Director of Finance and Procurement, having regard to Government regulations and accounting requirements.
- 2.56 To provide advice to allow responsible officers to obtain authorisation from the Authority for individual schemes where the estimated expenditure exceeds the capital programme provision.

## Responsibilities of SLT Officers

- 2.57 To comply with guidance concerning schemes and controls issued by the Director of Finance and Procurement.
- 2.58 To ensure that all capital proposals have undergone a project appraisal in accordance with guidance issued by the Director of Finance and Procurement.

- 2.59 To prepare regular reports reviewing the capital programme provisions for their services. They should also prepare a quarterly return of estimated final costs of schemes in the approved capital programme for submission to the Director of Finance and Procurement.
- 2.60 To ensure that adequate records are maintained for all capital contracts.
- 2.61 To proceed with projects only when there is adequate provision in the capital programme and with the agreement of the Director of Finance and Procurement, where required.
- 2.62 To prepare and submit reports, jointly with the Director of Finance and Procurement, to the Authority, of any variation in contract costs greater than the approved limits. SLT officers may meet cost increases of up to 10% by virement from savings elsewhere within their capital programme.
- 2.63 To prepare and submit reports, jointly with the Director of Finance and Procurement, to the Authority, on completion of all contracts where the final expenditure exceeds the approved contract sum by more than the specified amount.
- 2.64 To ensure that credit arrangements, such as leasing agreements, are not entered into without the prior approval of the Director of Finance and Procurement and, if applicable, approval of the scheme through the capital programme.
- 2.65 To consult with the Director of Procurement and Finance and to seek Authority approval where the SLT officer proposes to bid for additional supported borrowing approvals or grant from Government departments to support expenditure that has not been included in the current year's capital programme.

## Maintenance of Reserves

### Why is this important?

- 2.66 The Authority must decide the level of general reserves it wishes to maintain before it can decide the level of council tax. Reserves are maintained as a matter of prudence. They enable the Authority to provide for unexpected events and thereby protect it from overspending, should such events occur. Reserves for specific purposes may also be maintained, such as the purchase or renewal of capital items.

### Key Controls

- 2.67 To maintain reserves in accordance with the *Code of Practice on Local Authority Accounting in the United Kingdom: A Statement of Recommended Practice* (CIPFA/LASAAC) and agreed accounting policies.
- 2.68 For each reserve established, the purpose, usage and basis of transactions should be clearly identified.
- 2.69 Authorisation and expenditure from reserves by the appropriate SLT officer in consultation with the Director of Finance and Procurement.

## Responsibilities of the Director of Finance and Procurement

- 2.70 To advise the Authority on prudent levels of reserves for the Authority, and to take account of the advice of the external auditor in this matter.

## Responsibilities of SLT Officer

- 2.71 To ensure that resources are used only for the purposes for which they were intended.

## Appendix C – Risk Management and Control of Resources

### Risk Management

#### Why is this important?

- 3.01 All organisations, whether private or public sector, face risks to people, property and continued operations. Risk is the chance or possibility of loss, damage, injury or failure to achieve objectives caused by an unwanted or uncertain action or event. Risk management is the planned and systematic approach to identification, evaluation and control of risk. Its objectives are to secure the assets of the organisation and to ensure the continued financial and organisational well-being of the organisation. In essence it is, therefore, an integral part of good business practice. Risk management is concerned with evaluating the measures an organisation already has in place to manage identified risks and then effectively.
- 3.02 It is the overall responsibility of the Authority to approve the risk management and business continuity strategy, and to promote a culture of risk and business continuity management awareness throughout the Authority.

#### Key Controls

- 3.03 The key controls for risk management are:
- a. Procedures are in place to identify, assess, prevent or contain material known risks, and these procedures are operating effectively throughout the Authority.
  - b. A monitoring process is in place to review regularly the effectiveness of risk reduction strategies and the operation of these controls. The risk management process should be conducted on a continuing basis.
  - c. Managers know that they are responsible for managing relevant risks and are provided with relevant information on risk management initiatives.
  - d. Provision is made for losses that might result from the risks that remain.
  - e. Procedures are in place to investigate claims within required timescales.
  - f. Acceptable levels of risk are determined and insured against where appropriate.

- g. The Authority has identified business continuity plans or implementation in the event of disaster that results in significant loss or damage to its resources.
- h. Procedure are in place to identify, assess, prevent or contain known business continuity issues, and these procedures are operating effectively throughout the Authority.
- i. A monitoring process is in place to review regularly the effectiveness of business continuity strategies and the operation of these controls. The business continuity management process should be conducted on a continuing basis.
- j. Managers know that they are response for managing relevant business continuity plans and are provided with relevant information on business continuity management initiatives.
- k. Acceptable levels of contingency are determined and insured against where appropriate.

### Responsibilities of the Deputy Chief Fire Officer

- 3.04 To assist in the preparation of and promote the Authority's risk and business continuity management policy statement.
- 3.05 To develop risk and business continuity management.
- 3.06 To develop risk and business continuity management controls in conjunction with other SLT officers.
- 3.07 To consult with the Monitoring Officer on appropriate levels of insurance.

### Responsibilities of the Monitoring Officer

- 3.08 To include all appropriate employees of the Authority in a suitable fidelity guarantee insurance.
- 3.09 To (in consultation with the Director of Finance and Procurement) effect corporate insurance cover, through external insurance and internal funding, and to negotiate all claims in consultation with other officers, where necessary.

### Responsibilities of SLT Officers

- 3.10 To notify the Director of Finance and Procurement and the Monitoring Officer immediately of any loss, liability or damage that may lead to a claim against the Authority, together with any information or explanation required by those officers or the Authority's insurers.
- 3.11 To take responsibility for risk management, having regard to advice from the Monitoring Officer, Director of Finance and Procurement and other specialist officers (e.g., crime prevention, fire prevention, health safety).
- 3.12 To ensure that there are regular reviews of risk within their departments.

- 3.13 To notify the Director or Finance and Procurement and Monitoring Officer promptly of all new risks, properties or vehicles that require insurance and of any alterations affecting existing insurances.
- 3.14 To consult the Director of Finance and Procurement and the Monitoring Officer on the terms of any indemnity that the Authority is requested to give.
- 3.15 To ensure that employees, or anyone covered by the Authority's insurances, do not admit liability or make any offer to pay compensation that may prejudice the assessment of liability in respect of any insurance claim.

#### Internal Controls

- 3.16 The Authority is complex and beyond the direct control of individuals. It therefore requires internal controls to manage and monitor progress towards strategic objectives.
- 3.17 The Authority has statutory obligations, and, therefore, requires internal controls to identify, meet and monitor compliance with these obligations.
- 3.18 The Authority faces a wide range of financial, administrative and commercial risks, both from internal and external factors, which threaten the achievement of its objectives. Internal controls are necessary to manage these risks.
- 3.19 The system of internal controls is established in order to provide measurable achievement of:
  - a. Efficient and effective operations.
  - b. Reliable financial information and reporting.
  - c. Compliance with laws and regulations.
  - d. Risk management.

#### Key Controls

- 3.20 The key controls control objectives for internal control systems are:
  - a. Key controls should be reviewed on a regular basis and the Authority should make a formal statement annually to the effect that it is satisfied that the system of internal control are operating effectively.
  - b. Managerial control systems, including defining policies, setting objectives and plans, monitoring financial and other performance and taking appropriate anticipatory and remedial action. The key objective of these systems is to promote ownership of the control environment by defining roles and responsibilities.
  - c. Financial and operational control systems and procedures, which include physical safeguards for assets, segregation of duties, authorisation and approval procedures and information systems.

- d. An effective internal audit function that is properly resourced. It should operate in accordance with the principles contained in the Auditing Practices Board's auditing guidelines Guidance for Internal Auditors, CIPFA's Code of Practice for Internal Audit in Local Government in the United Kingdom and with any other statutory obligations and regulations.

## Responsibilities of the Director of Finance and Procurement

- 3.21 To assist the Authority to put in place an appropriate control environment and effective internal controls which provide reasonable assurance of effective and efficient operations, financial stewardship, probity and compliance with laws and regulations.

## Responsibilities of SLT Officers

- 3.22 To manage processes to check that established controls are being adhered to and to evaluate their effectiveness, in order to be confident in the proper use of resources, achievement of objectives and management of risks.
- 3.23 To review existing controls in the light of changes affecting the Authority and to establish and implement new ones in line with guidance from the Director of Finance and Procurement. SLT officers should also be responsible for removing controls that are unnecessary or not cost or risk effective – for example because of duplication.
- 3.24 To ensure staff have clear understanding of the consequences of lack of control.

## Audit Requirements

### Internal Audit

#### Why is this important?

- 3.25 The requirement for an internal audit function for local authorities is implied by section 151 of the Local Government Act 1972, which requires that authorities “make arrangements for the proper administration of their financial affairs”. The Accounts and Audit Regulations 2015, more specifically require that a “relevant body shall maintain an adequate and effective system of internal audit of their accounting records and control systems”.
- 3.26 Accordingly, internal audit is an independent and objective appraisal function established by the Authority for reviewing the system of internal control. It examines, evaluates and reports on the adequacy of internal control as a condition to the proper, economic, efficient and effective use of resources.

#### Key Controls

- 3.27 The key controls for internal audit are:



- a. That it is independent in its planning and operation.
- b. The internal audit service has direct access to the Chief Fire Officer, all levels of management and directly to elected members.
- c. The internal auditors comply with the Auditing Practices Board's guideline *Guidance for Internal Auditors*, as interpreted by CIPFA's *Code of Practice for Internal Audit in Local Government in the United Kingdom*.

## Responsibilities of the Director of Finance and Procurement

- 3.28 To ensure that internal auditors have the authority to:
- a. Access Authority premises at reasonable times.
  - b. Access all assets, records, documents, correspondence and control systems.
  - c. Receive any information and explanation considered necessary concerning any matter under consideration.
  - d. Require any employee of the Authority to account for cash, stores or any other Authority asset under his or her control.
  - e. Access records belonging to third parties, such as contractors, when required.
  - f. Directly access the Chief Fire Officer, the Authority and its members.
- 3.29 To submit for approval the strategic and annual audit plans, which take account of the characteristics and relative risks of the activities involved.
- 3.30 To ensure that effective procedures are in place to investigate promptly any fraud or irregularity.

## Responsibilities of SLT Officers

- 3.31 To ensure that internal auditors are given access at all reasonable times to premises, personnel, documents and assets that the auditors consider necessary for the purposes of their work.
- 3.32 To ensure that auditors are provided with any information and explanations that they seek in the course of their work.
- 3.33 To consider and respond promptly to recommendations in audit reports.
- 3.34 To ensure that any agreed actions arising from audit recommendations are carried out in a timely and efficient fashion.

- 3.35 To notify the Director of Finance and Procurement and Monitoring Officer immediately of any suspected fraud, theft, irregularity, improper use or misappropriation of the Authority's property or resources. Pending investigation and reporting, the SLT officer should take all necessary steps to prevent further loss and to secure records and documentation against removal or alteration.
- 3.36 To ensure the new systems for maintaining financial records, or records of assets, or changes to such systems, are discussed with and agreed by the head of internal audit prior to implementation.

## External Audit

### Why is this important?

- 3.37 The external auditor has rights of access to all documents and information necessary for audit purposes.
- 3.38 The basic duties of the external auditor are defined in the Audit Commission Act 1998 and the Local Government Act 1999. In particular, section 4 of the 1998 Act requires a code of audit practice, which external auditors follow when carrying out their duties. The code of audit practice issued in March 2000 sets out the auditor's objectives to review and report upon:
  - a. The financial aspects of the audited body's corporate governance arrangements.
  - b. The audited body's financial statements.
- 3.39 The Authority's accounts are scrutinised by external auditors, who must be satisfied that the statement of accounts 'presents fairly' the financial position of the Authority and its income and expenditure for the year in question and complies with the legal requirements.

### Key Controls

- 3.40 External auditors are appointed normally for a minimum period of five years.

## Responsibilities of the Director of Finance and Procurement

- 3.41 To ensure that external auditors are given access at all reasonable times to premises, personnel, documents and assets that the external auditors consider necessary for purposes of their work.
- 3.42 To ensure there is effective liaison between external and internal audit.
- 3.43 To work with the external auditor and advise the Authority and SLT officers on their responsibilities in relation to external audit.

## Responsibilities of SLT Officers

- 3.44 To ensure that external auditors are given access at all reasonable times to premises, personnel, documents and assets which the external auditors consider necessary for the purposes of their work.

3.45 To ensure that all records and systems are up-to-date and available for inspection.

## Preventing Fraud and Corruption

Why is this important?

3.46 The Authority will not tolerate fraud and corruption in the administration of its responsibilities, whether from inside or outside the Authority.

3.47 The Authority's expectation of propriety and accountability is that members and staff at all levels will lead by example in ensuring adherence to legal requirements, rules, procedures and practices.

3.48 The Authority also expects that individuals and organisations (e.g., suppliers, contractors, service providers) with whom it comes into contact will act towards the Authority with integrity and without thought or actions involving fraud and corruption.

Key Controls

3.49 The key controls regarding the prevention of financial irregularities are that:

- a. The Authority has an effective anti-fraud and anti-corruption policy and maintains a culture that will not tolerate fraud or corruption.
- b. All members and staff act with integrity and lead by example.
- c. Senior managers are required to deal swiftly and firmly with those who defraud or attempt to defraud the Authority or who are corrupt.
- d. High standards of conduct are promoted amongst members.
- e. The maintenance of a register of interests in which any hospitality or gifts accepted must be recorded.
- f. Whistle blowing procedure are in place and operate effectively.
- g. Legislation including the Public Interest Disclosure Act 1998 is adhered to.

## Responsibilities of the Director of Finance and Procurement

3.50 To assist the Monitoring Officer to develop and maintain an anti-fraud and anti-corruption policy.

3.51 To maintain adequate and effective internal control arrangements.

3.52 To ensure that all suspected irregularities are reported to the Head of Internal Audit, the Chief Fire Officer, the Monitoring Officer and the Authority as appropriate.

## Responsibilities of SLT Officers

- 3.53 To ensure that all suspected irregularities are reported to the Director of Finance and Procurement and the Monitoring Officer.
- 3.54 To instigate the Authority's disciplinary procedures where the outcome of an audit investigation indicates improper behaviour.
- 3.55 To ensure that where financial impropriety is discovered, the Director of Finance and Procurement is informed, and, in consultation with the Head of Internal Audit, where sufficient evidence exists to believe that a criminal offence may have been committed, the police are called in to determine with the Crown Prosecution Service whether any prosecution will take place.
- 3.56 To ensure that the register of interests is kept up-to-date.

## Assets

### Security

#### Why is this important?

- 3.57 The Authority holds assets in the form of property, vehicles, equipment, furniture and other items worth many millions of pounds. It is important that assets are safeguarded and used efficiently in service delivery, and that there are arrangements for the security of both assets and information required for service operations. An up-to-date asset register is a prerequisite for proper fixed asset accounting and sound asset management.

#### Key Controls

- 3.58 The key controls for the security of resources such as land, buildings, fixed plant machinery, equipment, software and information are:
  - a. Resources are used only for the purposes of the Authority and are properly accounted for.
  - b. Resources are available for use when required.
  - c. Resources no longer required are disposed of in accordance with the law and the regulations of the Authority so as to maximise benefits.
  - d. An asset register is maintained for the Authority, assets are recorded when they are acquired by the Authority and this record is updated as changes occur with respect to the location and condition of the asset.
  - e. All staff are aware of their responsibilities with regard to safeguarding the Authority's assets and information, including the requirements of the Data Protection Act and software copyright legislation.
  - f. All staff are aware of their responsibilities with regard to safeguarding the security of the Authority's computer systems, including maintaining

restricted access to the information held on them and compliance with the Authority's computer and internet security policies.

## Responsibilities of the Director or Finance and Procurement

- 3.59 To ensure that an asset register is maintained in accordance with good practice for all fixed assets with a value in excess of £5,000. The function of the asset register is to provide the Authority with information about fixed assets so that they are:
- a. Safeguarded.
  - b. Used efficiently and effectively.
  - c. Adequately maintained.
- 3.60 To receive the information required for accounting, costing and financial records from each SLT officer.
- 3.61 To ensure that assets are valued in accordance with the *Code of Practice on Local Authority Accounting in the United Kingdom: A Statement of Recommended Practice* (CIPFA/LASAAC).

## Responsibilities of SLT Officers

- 3.62 The appropriate SLT officer shall maintain a property database in a form approved by the Director of Finance and Procurement for all properties, plant and machinery and moveable assets currently owned or used by the Authority. Any use of property by a department or establishment other than for direct service delivery should be supported by documentation identifying terms, responsibilities and duration of use.
- 3.63 To ensure that lessees and other prospective occupiers of Authority land are not allowed to take possession or enter the land until a lease or agreement, in a form approved by the SLT officer in consultation with the Director of Finance and Procurement and Monitoring Officer, has been established as appropriate.
- 3.64 To ensure the proper security of all buildings and other assets under their control.
- 3.65 Where land or buildings are surplus to requirements, a recommendation for sale should be the subject of a joint report by the SLT officer and the Director of Finance and Procurement.
- 3.66 To pass title deeds to the Monitoring Officer who is responsible for custody of all title deeds.
- 3.67 To ensure that no Authority asset is subject to personal use by an employee without proper authority.
- 3.68 To ensure the safe custody of vehicles, equipment, furniture, stock, stores and other property belonging to the Authority.
- 3.69 To ensure that the department maintains a register of moveable assets in accordance with arrangements defined by the Director of Finance and Procurement.

- 3.70 To ensure that assets are identified, their location recorded and that they are appropriately marked and insured.
- 3.71 To consult the Director of Finance and Procurement in any case where security is thought to be defective or where it is considered that special security arrangements may be needed.
- 3.72 To ensure cash holdings on premises are kept to a minimum.
- 3.73 To ensure that keys to safes and similar receptacles are carried on the person of those responsible at all times; loss of any such keys must be reported to the Director of Finance and Procurement as soon as possible.
- 3.74 To record all disposal of part exchange of assets that should normally be by competitive tender or public auction, unless consultation with the Director of Finance and Procurement, SLT agrees otherwise.
- 3.75 To arrange for the valuation of assets for accounting purposes to meet requirements specified by the Director of Finance and Procurement.
- 3.76 To ensure that all employees are aware that they have a personal responsibility with regard to the protection and confidentiality of information, whether held in manual or computerised records. Information may be sensitive or privileged, or may possess some intrinsic value, and its disclosure or loss could result in a cost to the Authority in some way.

#### Inventories – Responsibilities of SLT Officers

- 3.77 To maintain inventories and record an adequate description of furniture, fittings, equipment, plant and machinery valued at £500 or more.
- 3.78 To carry out an annual check of all items on the inventory in order to verify location, review, condition and to take action in relation to surpluses or deficiencies, annotating the inventory accordingly. Attractive and portable items such as computers, cameras and video recorders should be identified with security markings as belonging to the Authority.
- 3.79 To make sure that property is only used in the course of the Authority's business, unless the SLT officer concerned has given permission otherwise.

#### Stocks and Stores – Responsibilities of SLT Officers

- 3.80 To make arrangements for the care and custody of stocks and stores in the department.
- 3.81 To ensure stocks are maintained at reasonable levels and are subject to a regular independent physical check. All discrepancies should be investigated and pursued to a satisfactory conclusion.
- 3.82 To investigate and seek approval to remove from the Authority's records Authority approval if they are in excess of £5,000.

- 3.83 To authorise or write off disposal of redundant stocks and equipment (following approval by the Director of Finance and Procurement). Procedures for disposal of such stocks and equipment should be by competitive quotations or auction, unless, following consultation with the Director of Finance and Procurement, the officer decides otherwise in a particular case.
- 3.84 To seek the approval of the Authority to the write-off of redundant stocks and equipment in excess of £5,000.

## Intellectual Property

### Why is this important?

- 3.85 Intellectual property is a generic term that includes inventions and writing. If these are created by the employee during the course of employment, then, as a general rule, they belong to the employer, not the employee. Various Acts of Parliament cover different types of intellectual property.
- 3.86 Certain activities undertaken within the Authority may give rise to items that may be patentable, for example, software development. These items are collectively known as intellectual property.

### Key Controls

- 3.87 In the event that the Authority decides to become involved in the commercial exploitation of inventions, the matter should proceed in accordance with the Authority's approved intellectual property procedures. Guidance may be sought from the Head of Procurement.

## Responsibilities of SLT Officers

- 3.88 To ensure that controls are in place to ensure that staff do not carry out private work in Authority time and that staff are aware of an employer's rights with regard to intellectual property.
- 3.89 To develop and disseminate good practice through the Authority's intellectual property procedures.

## Asset Disposal

### Why is this important?

- 3.90 It would be uneconomic and inefficient for the cost of assets to outweigh their benefits. Obsolete, non-repairable or unnecessary resources should be disposed of in accordance with the law and the regulations of the Authority.
- 3.91 Assets for disposal are identified and are disposed of at the most appropriate time, and only when it is in the best interests of the Authority, and best price is obtained, bearing in mind other factors, such as environmental issues. For items of significant value, disposal should be by competitive tender or public auction.
- 3.92 Procedures protect staff involved in the disposal from accusations of personal gain.

## Responsibilities of the Director of Finance and Procurement

- 3.93 To issue guidelines representing best practice for disposal of assets.
- 3.94 To ensure appropriate accounting entries are made to remove the value of disposed assets from the Authority's records and to include the sale proceeds if appropriate.

## Responsibilities of SLT Officers

- 3.95 To seek advice from purchasing advisors on the disposal of surplus or obsolete materials, stores or equipment.
- 3.96 To ensure that income received for the disposal of an asset passed to the Finance Department to be properly banked and coded.

## Treasury Management

Why is this important?

- 3.97 Many millions of pounds pass through the Authority's books each year. This led to the establishment of codes of practice. These aim to provide assurances that the Authority's money is properly managed in a way that balances risk with return, but with the overriding consideration being given to the security of the Authority's capital sum.

## Key Controls

- 3.98 That the Authority's borrowings and investments comply with the CIPFA *Code of Practice on Treasury Management* and with the Authority's treasury policy statement.

## Responsibilities of Director of Finance and Procurement – Treasury Management and Banking

- 3.99 To arrange the borrowing and investments of the Authority in such a manner as to comply with the CIPFA *Code of Practice on Treasury Management* and the Authority's treasury management policy statement and strategy.
- 3.100 To report, as a minimum, an annual strategy and plan in advance of the year, a mid-year review and an annual report after its close, in the form prescribed in the Authority's TMPs.
- 3.101 To operate bank accounts as are considered necessary – opening or closing any bank account shall require the approval of the Director of Finance and Procurement. All arrangements for the opening of bank accounts in the name of the Authority and for the ordering and issue of cheques shall be made by the Director of Finance and Procurement. All cheques drawn on behalf of the Authority shall be signed by the Director of Finance and Procurement or by such officers as may be nominated by him for that purpose. Any indemnity required by the Authority's bankers regarding the signature of cheques by a computer or



mechanical means, or where the services of a security firm are used for the deposit or receipt of cash at the bank shall be given by the Director of Finance and Procurement on behalf of the Authority.

### Responsibilities of SLT Officers – Treasury Management and Banking

- 3.102 To follow the instructions on banking issued by the Director of Finance and Procurement.

### Responsibilities of Director of Finance and Procurement – Investments and Borrowing

- 3.103 To ensure that all investments of money are made in the name of the Authority or in the name of nominees approved by the Authority.
- 3.104 To ensure that all securities that are the property of the Authority or its nominees and the title deeds of all property in the Authority's ownership are held in the custody of the appropriate SLT officer.
- 3.105 To effect all borrowings in the name of the Authority.
- 3.106 To act as the Authority's registrar of stocks, bonds and mortgages and to maintain records of all borrowing of money by the Authority.

### Responsibilities of SLT Officers – Investments and Borrowing

- 3.107 To ensure that loans are not made to third parties and that interests are not acquired in companies, joint ventures or other enterprises without the approval of the Authority, following consultation with the Director of Finance and Procurement

### Responsibilities of SLT Officers – Trust Funds and Funds held for Third Parties

- 3.108 To arrange for all trust funds to be held, wherever possible, in the name of the Authority. All officers acting as trustees by virtue of their official position shall deposit securities etc., relating to the trust, with the Director of Finance and Procurement, unless the deed otherwise provides.
- 3.109 To arrange, where funds are held on behalf of third parties, for their secure administration, approved by the Director of Finance and Procurement, and to maintain written records of all transactions.
- 3.110 To ensure that trust funds are operated within any relevant legislation and the specific requirements for each trust.

## Staffing

### Why is this important?

- 3.111 In order to provide the highest level of service, it is crucial that the Authority recruits and retains high calibre, knowledgeable staff, qualified to an appropriate level.

### Key Controls

- 3.112 The key controls for staffing are:
- a. An appropriate staffing strategy and policy exists, in which staffing requirements and budget allocation are matched.
  - b. Procedures are in place for forecasting staffing requirements and cost.
  - c. Controls are implemented that ensure that staff time is used efficiently and to the benefit of the Authority.
  - d. Checks are undertaken prior to employing new staff to ensure that they are appropriately qualified, experienced and trustworthy.

## Responsibilities of the Director of Finance and Procurement

- 3.113 To ensure that budget provision exists for all existing and new employees.
- 3.114 To act as an advisor to SLT officers on areas such as National Insurance and pension contributions, as appropriate.

## Responsibilities of SLT Officers

- 3.115 To produce an annual staffing budget.
- 3.116 To ensure that the staffing budget is an accurate forecast of staffing levels and is equated to an appropriate revenue budget provision (including on-costs and overheads).
- 3.117 To monitor staff activity to ensure adequate control over such costs as sickness, overtime, training and temporary staff.
- 3.118 To ensure that the staffing budget is not exceeded without due Authority and that it is managed to enable the agreed level of service to be provided.
- 3.119 To ensure that the Deputy Chief Fire Officer and the Director of Finance and Procurement are immediately informed if the staffing budget is likely to be materially over – or underspent.

## Appendix D – Financial Systems and Procedures

### General

Why is this important?

- 4.01 Departments have many systems and procedures relating to the control of the Authority's assets, including purchasing, costing and management systems. Departments are increasingly reliant on computers for their financial management information. The information must therefore be accurate and the systems and procedures sound and well administered. They should contain controls to ensure that transactions are properly processed and errors detected promptly.
- 4.02 The has a professional responsibility to ensure that the Authority's financial systems are sound and should therefore be notified of any new developments or changes.

### Key Controls

The key controls for systems and procedures are:

- a. Basic data exists to enable the Authority's objectives, targets, budgets and plans to be formulated.
- b. Performance is communicated to the appropriate managers on an accurate, complete and timely basis.
- c. Early warning is provided of deviations from target, plans and budgets that require management attention.
- d. Operating systems and procedures are secure.

### Responsibilities of the Director of Finance and Procurement

- 4.03 To make arrangements for the proper administration of the Authority's financial affairs, including to:
- a. Issue advice, guidance and procedures for officers and others acting on the Authority's behalf.
  - b. Determine the accounting systems, form of accounts and supporting financial records.
  - c. Establish arrangements for audit of the Authority's financial affairs.
  - d. Approve any new financial systems to be introduced.
  - e. Approve any changes to be made to existing financial systems.

## Responsibilities of SLT Officers

- 4.04 To ensure that accounting records are properly maintained and held securely.
- 4.05 To ensure that vouchers and documents with financial implications are not destroyed, except in accordance with arrangements approved by the Director of Finance and Procurement.
- 4.06 To ensure that a complete management trail, allowing financial transactions to be traced from the accounting records to the original document, and vice versa, is maintained.
- 4.07 To incorporate appropriate controls to ensure that, where relevant:
  - a. All input is genuine, complete, accurate, timely and not previously processed.
  - b. All processing is carried out in an accurate, complete and timely manner.
  - c. Output from the system is complete, accurate and timely.
- 4.08 To ensure that the organisational structure provides an appropriate segregation of duties to provide adequate internal controls and to minimise the risk of fraud or other malpractice.
- 4.09 To ensure there is a documented and tested disaster recovery plan to allow information system processing to resume quickly in the event of an interruption.
- 4.10 To ensure that systems are documented and staff trained in operations.
- 4.11 To consult with the Director of Finance and Procurement before changing any existing system or introducing new systems.
- 4.12 To establish a scheme of delegation identifying officers authorised to act upon the SLT officer's behalf in respect of payments, income collection and placing orders, including variations, and showing the limits of their authority.
- 4.13 To supply lists of authorised officers, with specimen signatures and delegated limits, the Director of Finance and Procurement, together with any subsequent variations.
- 4.14 To ensure that effective contingency arrangements, including back-up procedures, exist for computer systems. Wherever possible, back-up information should be securely retained in a fireproof location, preferably off site or at an alternative location within the building.
- 4.15 To ensure that, where appropriate, computer systems are registered in accordance with data protection legislation and that staff are aware of their responsibilities under the legislation.
- 4.16 To ensure that relevant standards and guidelines for computer systems issued by the SLT officer are observed.

- 4.17 To ensure that computer equipment and software are protected from loss and damage through theft, vandalism etc.
- 4.18 To comply with the copyright, designs and patents legislation and, in particular, to ensure that:
- a. Only software legally acquired and installed by the Authority is used on its computers.
  - b. Staff are aware of legislative provisions.
  - c. In developing systems, due regard is given to the issue of intellectual property rights.

## Income and Expenditure

### Income

Why is this important?

- 4.19 Income can be a vulnerable asset and effective income collection systems are necessary to ensure that all income due is identified, collected, receipted and banked properly. It is preferable to obtain income in advance of supplying goods or services as this improves the Authority's cash flow and also avoids the time and cost of administering debts.

### Key Controls

- 4.20 The key controls for income are:
- a. All income due to the Authority is identified and charged correctly, in accordance with an approved charging policy, which is regularly reviewed.
  - b. All income is collected from the correct person, at the right time, using the correct procedures and the appropriate stationery.
  - c. All money received by an employee on behalf of the Authority is paid without delay to the Director of Finance and Procurement or, as he or she directs, to the Authority's bank account, and properly recorded. The responsibility for cash collection should be separated from that:
    - I. For identifying the amount due.
    - II. For reconciling the amount due to the amount received.
  - d. Effective action is taken to pursue non-payment within defined timescales.
  - e. Formal approval for debt write-off is obtained.
  - f. Appropriate write-off action is taken within defined timescales.
  - g. Appropriate accounting adjustments are made following write-off action.
  - h. All appropriate income documents are retained and stored for the defined period in accordance with the document retention schedule.

- i. Money collected and deposited is reconciled to the bank account by a person who is not involved in the collection or banking process.

## Responsibilities of the Director of Finance and Procurement

- 4.21 To agree arrangements for the collection of all income due to the Authority and to approve the procedures, systems and documentation for its collection.
- 4.22 To order and supply to departments all receipt forms, books or tickets and similar items and to satisfy himself or herself regarding the arrangements for their control.
- 4.23 To agree the write-off of bad debts up to an approval limit in each case and to refer larger sums to the Authority.
- 4.24 To approve all debts to be written off in consultation with the relevant SLT officer and to keep a record of all sums written of up to the approved limit and to adhere to the requirements of the Accounts and Audit Regulations 2015.
- 4.25 To obtain the approval of the Authority in consultation with the relevant SLT officer for writing off debts in excess of the approved limited of £5,000 net.
- 4.26 To ensure that appropriate accounting adjustments are made following write-off action.

## Responsibilities of SLT Officer

- 4.27 To establish a charging policy purely on a cost recovery basis for the supply of goods or services, including the appropriate charging of VAT and to review it regularly, in line with corporate policies. The Commercial Training Manager shall have discretion to set the level of commercial training course fees in light of the cost recovery requirement but also in light of the market competitiveness of similar courses sold by other training providers subject to the agreement of any proposed charges by the Director of Finance and Procurement in order to avoid any possible "State Aid" challenges.
- 4.28 To separate the responsibility for identifying amounts due and the responsibility for collection, as far as is practicable.
- 4.29 To establish and initiate appropriate recovery procedures, including legal action where necessary, for debts that are not paid promptly.
- 4.30 To issue official receipts or to maintain other documentation for income collection.
- 4.31 To ensure that when post is opened that money received by post is properly identified and recorded.
- 4.32 To hold securely receipts, tickets and other records of income for the appropriate period.

- 4.33 To lock away all income to safeguard against loss or theft, and to ensure the security of cash handling.
- 4.34 To ensure that income is paid fully and promptly into the appropriate Authority bank account in the form in which it is received. Appropriate details should be recorded on to paying-in slips to provide an audit trail. Money collected and deposited must be reconciled to the bank account on a regular basis.
- 4.35 To supply the Director of Finance and Procurement with details relating to work done, goods supplied, services rendered or other amounts due, to enable the Director of Finance and Procurement to record correctly the sums due to the Authority and to ensure accounts are sent out promptly. The current approved process is outlined below:
- a. Where possible, arrangements should be made to secure prepayment for goods/services provided, particularly for pre-planned events such as Commercial Training Courses.
  - b. Where that is not possible, within thirty-five (35) days of goods/services being provided a properly completed Sales Invoice Request Form (SIRF) must be sent to the Finance Department.
  - c. After validating the SIRF a Sales Invoice will be generated and sent to the Customer by the Finance Department.
  - d. All customers will be allocated payment terms of up to a maximum 30 days. This term maybe reduced where appropriate to secure pre-payment in line with F4.35(a) or where mutually agreed. Consequently, all sales invoices are required to be paid within thirty (30) days of the invoice date (or lesser date where appropriate).
  - e. Any outstanding undisputed invoices will have a first written reminder sent out no more than three (3) working days after the payment due date for the customer's invoice.
  - f. If the invoice remains unpaid seven (7) days after the first reminder letter was issued a second reminder letter will be issued.
  - g. If the invoice remains unpaid it will then be referred to the Litigation Department (usually seven (7) days after the second reminder letter was sent out). The period between the second reminder and referral to the Litigation Department will be used to contact the debtor and hopefully resolve any issues preventing them from making payment. In circumstances where all parties are making reasonable and timely efforts to resolve the matter the referral period may exceed seven (7) days subject to the approval of the Director of Finance and Procurement.
  - h. Any action taken by Litigation will be recorded as appropriate against the customer invoice number.

SLT officers must ensure any offices raising SIRF requests assist the Director of Finance and Procurement in collecting debts that they have originated by providing any further information requested by the debtor, liaising directly with the customer where necessary and

actively pursuing the matter on the Authority's behalf.

- 4.36 To keep a record of every transfer of money between employees of the Authority. The receiving officer must sign for the transfer and the transferor must retain a copy. Levels of cash held on the premises must be minimised.
- 4.37 To recommend to the Director of Finance and Procurement all debts to be written off and to keep a record of all sums written off up to the approved limit. Once raised, no bona fide debt may be cancelled, except by full payment or by its formal writing off. A credit note to replace a debt can only be issued to correct a factual inaccuracy or administrative error in the calculation and/or billing of the original debt.
- 4.38 To obtain the approval of the Director of Finance and Procurement when writing off debts in excess of the approved limit, and the approval of the Authority where required.
- 4.39 To notify the Director of Finance and Procurement of outstanding income relating to the previous financial year as soon as possible after 31 March in line with the timetable determined by the Director of Finance and Procurement and not later than 30 April.

## Ordering and Paying for Work, Goods and Services

Why is this important?

- 4.40 Public money should be spent with demonstrable probity and in accordance with the Authority's policies. Authorities have a statutory duty to achieve best value in part through economy and efficiency. The Authority's procedures should help to ensure that services obtain value for money from their purchasing arrangements. These procedures should be read in conjunction with the Authority's Contract Standing Orders.

## General

- 4.41 Every officer and member of the Authority has a responsibility to declare any links or personal interests that they may have with purchasers, suppliers and/or contractors if they are engaged in contractual or purchasing decisions on behalf of the Authority, in accordance with appropriate codes of conduct.
- 4.42 Official orders must be in a form approved by the Director of Finance and Procurement. Official orders must be issued for all work, goods or services to be supplied to the Authority, except for supplies of utilities, periodic payments such as rent or rates, petty cash purchases or other exceptions specified by the Director of Finance and Procurement. **Telephone orders should not be placed in advance of the official order.** All suppliers must be provided with a unique Financial System (FMIS) generated official purchase order number other than the exceptions specified above.
- 4.43 Each order must confirm to the guidelines set by the Head of Procurement (in consultation with the Director of Finance and Procurement and Head of Legal &



Democratic Services). Standard terms and conditions must not be varied without the prior approval of the Head of Procurement.

4.44 The normal and preferred method of payment from the Authority shall be by automated electronic payments (BACS) drawn on the Authority's bank account or National Giro account by the Director of Finance and Procurement. The use of direct debit shall require the prior agreement of the Director of Finance and Procurement.

4.45 Official orders must not be raised for any personal or private purchases, nor must personal or private use be made of Authority contracts.

#### Key Controls

4.46 The key controls for ordering and paying for work, goods and services are:

- a. All goods and services are ordered only by appropriate persons and are correctly recorded.
- b. All suppliers must be provided with a unique pre-numbered Financial System (FMIS) generated official purchase order number other than the exceptions specified in 4.43.
- c. All goods and services shall be ordered in accordance with the Authority's Contract Standing Orders unless they are purchased from sources within the Authority.
- d. Goods and services received are checked to ensure they are in accordance with the order. Goods should not ordinarily be received by the person who placed the order but where possible, received and checked by a different officer from the person who authorised the order.
- e. Payments are not made unless goods have been received by the Authority and formally receipted in the Financial System (FMIS) to the correct price, quantity and quality standards.
- f. All payments are made to the correct person, for the correct amount and are properly recorded, regardless of the payment method.
- g. All appropriate evidence of the transaction and payment documents are retained and stored for the defined period, in accordance with the document retention schedule.
- h. All expenditure, including VAT, is accurately recorded against the right budget and any exceptions are corrected.
- i. In addition, the effect of e-business/e-commerce and electronic purchasing requires that processes are in place to maintain the security and integrity of data for transacting business electronically.

#### Responsibilities of the Director of Finance and Procurement

4.47 To ensure that all the Authority's financial systems and procedures are sound and properly administered.

- 4.48 To approve any changes to existing financial systems and to approve any new systems before they are introduced.
- 4.49 To approve the form of official orders and associated terms and conditions.
- 4.50 To make payments from the Authority's funds on the SLT officer's authorisation that the expenditure has been duly incurred in accordance with financial regulations.
- 4.51 To make payments, whether or not provision exists within the estimates, where the payment is specifically required by statute or is made under a court order.
- 4.52 To make payments to contractors on the certificate of the appropriate SLT officer, which must include details of the value of work, retention money, amounts previously certified and amounts now certified.
- 4.53 To provide advice and encouragement on making payments by the most economical means.
- 4.54 To ensure that a budgetary control system is established that enables commitments incurred by placing orders to be shown against the appropriate budget allocation so that they can be taken into account in budget monitoring reports.
- 4.55 The Director of Finance and Procurement has, in consultation with the Head of Legal Services, delegated authority to agree advance payments where a risk assessment and benefits analysis has been undertaken and shall notify senior officers in writing of the excepted items of supplies and services for which payment in advance of receipt may be made.

## Responsibilities of SLT Officers

- 4.56 To ensure that unique Financial System (FMIS) generated pre-numbered official orders are used for all goods and services, other than the exceptions specified in 4.43.
- 4.57 To ensure that orders are only used for goods and services provided to the department or directorate. Individuals must not use official orders to obtain goods or services for their private use.
- 4.58 To ensure that only those staff authorised by him or her authorise requisitions and/or purchase orders and to maintain an up-to-date list of such authorised staff, including specimen signatures identifying in each case the limits of their Authority. The authoriser of the order should be satisfied that the goods and services ordered are appropriate and needed, that there is adequate budgetary provision and that quotations or tenders have been obtained if necessary. Best value principles should underpin the Authority's approach to procurement. Value for money should always be achieved.
- 4.59 To ensure that goods and services are checked on receipt to verify that they are in accordance with the order. This check should, where possible, be carried out by a different officer from the person who authorised the order. Appropriate entries should then be made in inventories or store's records.

- 4.60 To ensure that payment is not made unless a proper VAT invoice has been received, checked, coded and certified for payment, confirming:
- a. Receipt of goods and services.
  - b. That the invoice has not previously been paid.
  - c. That expenditure has been properly incurred and is within budget provision.
  - d. That prices and arithmetic are correct and accord with quotations, tenders, contracts or catalogue prices.
  - e. Correct accounting treatment of tax.
  - f. That the invoice is correctly coded.
  - g. That discounts have been taken where available.
  - h. That appropriate entries will be made in accounting records.
- 4.61 To ensure that two authorised members of staff are involved in the ordering, receiving and payment process. Whenever possible, a different officer from the person who signed the order, and in every case, a different officer from the person checking a written invoice, should authorise the invoice.
- 4.62 To ensure that the department maintains and reviews periodically a list of staff approved to authorise invoices. Names of authorising officers together with specimen signatures and details of the limits of their authority shall be forwarded to the Director of Finance and Procurement.
- 4.63 To ensure that payments are not normally made on a photocopied or faxed invoice, statement or other document other than the formal invoice. Electronically submitted invoices can be accepted if submitted in a form agreed by the Director of Finance and Procurement.
- 4.64 To encourage suppliers of goods and services to receive payment by BACS, the preferred payment method for the Authority. It is essential, however, that payments made by direct debit have the prior approval of the Director of Finance and Procurement.
- 4.65 To ensure that the department obtains best value from purchases by taking appropriate steps to obtain competitive prices for goods and services of the appropriate quality, with regard to the best practice guidelines issued by the Director of Finance and Procurement, which are in line with best value principles and contained in the Authority's Contract Standing Orders.
- 4.66 To utilise the skills of the Head of Procurement in putting purchases, where appropriate, out to competitive quotation or tender. These will comply with the Contract Standing Orders and will cover:
- a. Authorised officers and the extent of their Authority.
  - b. Advertisement for tenders.

- c. Procedure for creating, maintaining and revising a standard list of contractors.
  - d. Selection of tenderers.
  - e. Compliance with UK and EU legislation and regulations.
  - f. Procedures for the submission, receipt, opening and recording of tenders.
  - g. The circumstances where financial or technical evaluation is necessary.
  - h. Procedures for negotiation.
  - i. Acceptance of tenders.
  - j. The form of contract documentation.
  - k. Cancellation clauses in the event of corruption or bribery.
  - l. Contract records.
- 4.67 To ensure that employees are aware of the national code of conduct for local government employees.
- 4.68 To ensure that loans, leasing or rental arrangements are not entered into without prior agreement from the Director of Finance and Procurement. This is because of the potential impact on the Authority's borrowing powers, to protect the Authority against entering into unapproved credit arrangements and to ensure that value for money is being obtained.
- 4.69 To notify the Director of Finance and Procurement of outstanding expenditure relating to the previous financial year as soon as possible after 31 March in line with the timetable determined by the Director of Finance and Procurement and, in any case, not later than 30 April.
- 4.70 With regard to contracts for construction and alterations to buildings and for civil engineering works, to document and agree with the Director of Finance and Procurement the systems and procedures to be adopted in relation to financial aspects, including certification of interim and final payments, checking, recording and authorising payments, the system for monitoring and controlling capital schemes and the procedures for validation of sub-contractor's tax status.
- 4.71 To notify the Director of Finance and Procurement immediately of any expenditure to be incurred as a result of statute/court order where there is no budgetary provision.
- 4.72 To ensure that all appropriate payment records are retained and stored for the defined period, in accordance with the document retention schedule.

## Payment to Employees and Members

### Why is this important?

- 4.73 Staff costs are the largest item of expenditure for Authority services. It is therefore important that payments are accurate, timely, made only where they are due for services to the Authority and that payments accord with individual's conditions of employment. It is also important that all payments are accurately and completely recorded and accounted for and that member's allowances are authorised in accordance with the scheme adopted by the Authority.

### Key Controls

- 4.74 The key controls for payments to employees and members are:
- a. Proper authorisation procedures are in place and that there is adherence to corporate timetables in relation to:
    - I. Starters
    - II. Leavers
    - III. Variations
    - IV. Enhancements
- and that payments are made on the basis of time records or claims.
- b. Frequent reconciliation of payroll expenditure against approved budget and bank account.
  - c. All appropriate payroll documents are retained and stored for the defined period in accordance with the document retention schedule.
  - d. That Inland Revenue regulations are complied with.

### Responsibilities of the Director of Finance and Procurement

- 4.75 To arrange and control secure and reliable payment of salaries, wages compensation or other emoluments to existing and former employees, in accordance with procedures prescribed by him or her, on the due date.
- 4.76 To record and make arrangements for the accurate and timely payment of tax, superannuation (pension) and other deductions.
- 4.77 To make arrangements for payment of all travel and subsistence claims or financial loss allowance.
- 4.78 To make arrangements for paying members travel or other allowances upon receiving the prescribed form, duly completed and authorised.
- 4.79 To provide advice and encouragement to secure payment of salaries and wages by the most economical means.

## Responsibilities of SLT Officers

- 4.80 To ensure appointments are made in accordance with the regulations of the Authority and approved establishments, grades and scale of pay and that adequate budget provision is available.
- 4.81 To notify the Director of Finance and Procurement of all appointments, terminations or variations which may affect the pay or pension of an employee or former employee, in the form and to the timescale required by the Director of Finance and Procurement.
- 4.82 To ensure that adequate and effective systems and procedures are operated, so that:
  - a. Payments are only authorised to bona fide employees.
  - b. Payments are only made where there is a valid entitlement.
  - c. Conditions and contracts of employment are correctly applied.
  - d. Employee's names listed on the payroll are checked at regular intervals to verify accuracy and completeness.
- 4.83 To send an up-to-date list of the names of officers authorised to sign records to the Director of People and Organisational Development, together with specimen signatures. The payroll provider should have signatures of personnel officers and officers authorised to sign timesheets and claims.
- 4.84 To ensure that payroll transactions are processed only through the payroll system. SLT officers should give careful consideration to the employment status of individuals employed on a self-employed consultant or sub contract basis. The Inland Revenue applies a tight definition for employee status, and in cases of doubt, advice should be sought from the Director of Finance and Procurement.
- 4.85 To certify travel and subsistence claims and other allowances. Certification is taken to mean that journeys were authorised and expenses properly and necessarily incurred, and that allowances are properly payable by the Authority, ensuring that cost-effective use of travel arrangements is achieved. Due consideration should be given to tax implications and that Director of Finance and Procurement is informed where appropriate.
- 4.86 To ensure that the Director of Finance and Procurement is notified of the details of any employee benefits in kind, to enable full and complete reporting within the income tax self-assessment system and Inland Revenue regulations.
- 4.87 To ensure that all appropriate payroll documents are retained and stored for the defined period in accordance with the document retention schedule.
- 4.88 To ensure that there are adequate arrangements for administering superannuation matters on a day-to-day basis.

## Responsibilities of Members and Employees

- 4.89 To submit personal expense claims for travel and subsistence allowances, including mileage claims under the Essential\Casual Car User Scheme on a monthly basis.
- 4.90 To submit all scale rate claims via payroll so that appropriate deductions can be made in respect of Income Tax and National Insurance contributions in compliance with rules set by HM Revenue & Customs

## **Taxation**

Why is this important?

- 4.91 Like all organisations, the Authority is responsible for ensuring its tax affairs are in order. Tax issues are often very complex and the penalties for incorrectly accounting for tax are severe. It is therefore very important for all officers to be aware of their role.

Key Controls

- 4.92 The key controls for taxation are:
- a. Budget managers are provided with relevant information and kept up-to-date on tax issues.
  - b. Budget Managers are instructed on required record keeping.
  - c. All taxable transactions are identified, properly carried out and accounted for within stipulated timescales.
  - d. Records are maintained in accordance with instructions.
  - e. Returns are made to the appropriate authorities within the stipulated timescale.

## Responsibilities of the Director of Finance and Procurement

- 4.93 To complete all HM Revenue & Customs returns regarding PAYE.
- 4.94 To complete a monthly return of VAT inputs and outputs to HM Revenue & Customs.
- 4.95 To provide details to HM Revenue & Customs regarding the construction industry tax deduction scheme.
- 4.96 To maintain up-to-date guidance for Authority employees on taxation issues in the accounting manual and the tax manual.

## Responsibilities of SLT Officers

- 4.97 To ensure that the correct VAT liability is attached to all income due and that all VAT AT recoverable on purchases complies with HM Customs and Excise regulations.

- 4.98 To ensure that, where construction and maintenance works are undertaken, the contractor fulfils the necessary construction industry tax deduction requirements.
- 4.99 To ensure that all persons employed by the Authority are added to the Authority's payroll and tax deducted from any payments, except where the individuals are bona fide self-employed or are employed by a recognised staff agency.
- 4.100 To follow the guidance on taxation issued by the Director of Finance and Procurement in the Authority's accounting manual and VAT manual.

## Trading Accounts and Business Units

Why is this important?

- 4.101 Trading accounts and business units have become more important as local authorities have developed a more commercial culture. Under CIPFA Service Reporting Code of Practice (SeRCOP), authorities are required to keep trading accounts for services provided on a basis other than straightforward recharge of cost. They are also required to disclose specific information on the trading operation and its financial performance.

## Responsibilities of the Director of Finance and Procurement

- 4.102 To advise on the establishment and operation of trading accounts and business units.

## Responsibilities of SLT Officers

- 4.103 To consult with the Director of Finance and Procurement where a business unit wishes to enter into a contract with a third party where the contract expiry date exceeds the remaining life of their main contract with the Authority. In general, such contracts should not be entered into unless they can be terminated within the main contract period without penalty.
- 4.104 To observe all statutory requirements in relation to business units, including the maintenance of a separate revenue account to which all relevant income is credited and all relevant expenditure, including overhead costs, is charged, and to produce an annual report in support of the final accounts.
- 4.105 To ensure that "proper" accounting practices are applied in relation to trading accounts as for other services or business units.
- 4.106 To ensure that each business unit prepares an annual business plan.



## Appendix E – External Arrangements

### Partnerships

Why is this important?

- 5.01 Partnerships are likely to play a key role in delivering community strategies and in helping to promote and improve the well-being of the area. Local authorities are working in partnership with others – public agencies, private companies, community groups and voluntary organisations. Local authorities still deliver some services, but their distinctive leadership role is to bring together the contributions of the various stakeholders. They therefore need to deliver a shared vision of services based on user wishes.
- 5.02 Local authorities will mobilise investment, bid for funds, champion the needs of their areas and harness the energies of local people and community organisations. Local authorities will be measured by what they achieve in partnership with others.

### General

- 5.03 The main reasons for entering into a partnership are:
- a. The desire to find new ways to share risk.
  - b. The ability to access new resources.
  - c. To provide new and better ways of delivering services.
  - d. To forge new relationships.
- 5.04 A partner is defined as either:
- a. An organisation (private or public) undertaking, part funding or participating as a beneficiary in a project.
- or
- b. A body whose nature or status give it a right or obligation to support the project.
- 5.05 Partners participate in projects by:
- a. Acting as a project deliverer or sponsor, solely or in concert with others.
  - b. Acting as a project funder or part funder.
  - c. Being the beneficiary group of the activity undertaken in a project.
- 5.06 Partners have common responsibilities:
- a. To be willing to take on a role in the broader programme appropriate to the skills and resources of the partner organisation.

- b. To act in good faith at all times and in the best interests of the partnership's aims and objectives.
- c. Be open about any conflict of interests that might arise.
- d. To encourage joint working and promote the sharing of information, resources and skills between public, private and community sectors.
- e. To hold confidentiality any information received as a result of partnership activities or duties that is of a confidential or commercially sensitive nature.
- f. To act wherever possible as ambassadors for the project.

#### Key Controls

5.07 The key controls for Authority partners are:

- a. If appropriate, to be aware of their responsibilities under the Authority's Financial Regulations and Contract Standing Orders.
- b. To ensure that risk management processes are in place to identify and assess all known risks.
- c. To ensure that project appraisal processes are in place to assess the viability of the project in terms of resources, staffing and expertise.
- d. To agree and accept formally the roles and responsibilities of each of the partners involved in the project before the project commences.
- e. To communicate regularly with other partners throughout the project so that problems can be identified and shared to achieve their successful resolution.

#### Responsibilities of the Director of Finance and Procurement

5.08 To advise on effective controls that will ensure that resources are not wasted.

5.09 To advise on the key elements of funding a project. They include:

- a. A scheme appraisal for financial viability in both the current and future years.
- b. Risk appraisal and management.
- c. Resourcing, including taxation issues.
- d. Audit, security and control requirements.
- e. Carry forward arrangements.

5.10 To ensure that the accounting arrangements are satisfactory.

## Responsibilities of SLT Officers

- 5.11 To ensure all requests/proposals for Partnerships are referred to Partnership Advice Group to determine relationship/proposals.
- 5.12 To maintain a register of all contracts entered into with external bodies in accordance with procedures specified by the Director of Finance and Procurement and the Chief Fire Officer.
- 5.13 To ensure that, before entering into agreements with external bodies, a risk management appraisal has been prepared for the Director of Finance and Procurement.
- 5.14 To ensure that such agreements and arrangements:
  - a. Link with the aims and objectives of the Authority; and
  - b. do not impact adversely upon the services provided by the Authority.
- 5.15 To ensure that all agreements and arrangements are properly documented.
- 5.16 Partnerships to be regularly reviewed, monitored and evidenced on the project file and register by Project Managers.
- 5.17 To provide appropriate information to the Director of Finance and Procurement to enable a note to be entered into the Authority's statement of accounts concerning material items.

A standard formal approach should be taken to measuring partnership outcomes.

## External Funding

Why is this important?

- 5.18 External funding is potentially a very important source of income, but funding conditions need to be carefully considered to ensure that they are compatible with the aims and objectives of the Authority. Local authorities are increasingly encouraged to provide seamless service providers. Funds from external agencies such as the National Lottery and the single regeneration budget provide additional resources to enable the Authority to deliver services to the local community. However, in some instances, although the scope for external funding has increased, such funding is linked to tight specifications and may not be flexible enough to link to the Authority's overall plan.

## Key Controls

- 5.19 The key controls for external funding are:
  - a. To ensure that key conditions of funding and any statutory requirements are complied with and that the responsibilities of the accountable body are clearly understood.
  - b. To ensure that funds are acquired only to meet the priorities approved in the policy framework by the Authority.

- c. Any re-alignment of the budget to reflect the receipt of external funds will in essence be treated in the same manner as a budget virement adjustment and the virement process outlined in Financial Regulations 1.10 to 1.18 must be followed.
- d. To ensure that any match-funding requirements are given due consideration prior to entering into long-term agreements and that future revenue budgets reflect these requirements.

## Responsibilities of the Director of Finance and Procurement

- 5.20 To ensure that all funding notified by external bodies is received and properly recorded in the Authority's accounts.
- 5.21 To ensure that the match-funding requirements are considered prior to entering into the agreements and that future revenue budgets reflect these requirements.
- 5.22 To ensure that audit requirements are met.

## Responsibilities of SLT Officers

- 5.23 To ensure that all claims for funds are made by the due date.
- 5.24 To ensure that all project progresses in accordance with the agreed project and that all expenditure is properly incurred and recorded.

## Work for Third Parties

### Why is this important?

- 5.25 Current legislation enables the Authority to provide a range of services to other bodies. Such work may enable a unit to maintain economies of scale and existing expertise. Arrangements should be in place to ensure that any risks associated with this work is minimised and that such work is intra vires.

### Key Controls

- 5.26 The key controls for working with third parties are:
  - a. To ensure that proposals are costed properly in accordance with guidance provided by the Director of Finance and Procurement.
  - b. To ensure that contracts are drawn up using guidance provided by the Director of Finance and Procurement and that the formal approvals process is adhered to.
  - c. To issue guidance with regard to the financial aspects of third party contracts and the maintenance of the contract register.

## Responsibilities of the Director of Finance and Procurement

- 5.27 To issue guidance with regard to the financial aspects of third party contracts and the maintenance of the contract register.

## Responsibilities of SLT Officers

- 5.28 To ensure that the approval of the Authority is obtained before any negotiations are concluded to work for third parties.
- 5.29 To maintain a register of all contracts entered into with third parties in accordance with procedures specified by the Director of Finance and Procurement.
- 5.30 To ensure that appropriate insurance arrangements are made.
- 5.31 To ensure that the Authority is not put at risk from any bad debts.
- 5.32 To ensure that no contract is subsidised by the Authority.
- 5.33 To ensure that, wherever possible, payment is received in advance of the delivery of the service.
- 5.34 To ensure that the department/unit has the appropriate expertise to undertake the contract.
- 5.35 To ensure that such contracts do not impact adversely upon the services provided for the Authority.
- 5.36 To ensure that all contracts are properly documented.
- 5.37 To provide appropriate information to the Director of Finance and Procurement to enable a note to be entered into the Statement of Accounts.

## PART 5 – PROCEDURE AND POLICIES

### CODE OF CONDUCT FOR MEMBERS

#### **Introduction**

This Authority and those across the Liverpool City Region have adopted this Code of Conduct to promote and maintain high standards of conduct and underpin public confidence in the authority and its members and co-opted members. It is adapted from the Local Government Association (LGA) Model Councillor Code of Conduct 2020 published 19<sup>th</sup> January 2021.

The LGA Model Code was introduced by a Joint Statement from the political groups that:

*“The role of councillor across all tiers of local government is a vital part of our country’s system of democracy. It is important that as councillors we can be held accountable and all adopt the behaviours and responsibilities associated with the role. Our conduct as an individual councillor affects the reputation of all councillors. We want the role of councillor to be one that people aspire to. We also want individuals from a range of backgrounds and circumstances to be putting themselves forward to become councillors.*

*As councillors, we represent local residents, work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent our local area; taking decisions fairly, openly, and transparently. We have both an individual and collective responsibility to meet these expectations by maintaining high standards and demonstrating good conduct, and by challenging behaviour which falls below expectations.*

*Importantly, we should be able to undertake our role as a councillor without being intimidated, abused, bullied or threatened by anyone, including the general public.*

*This Code has been designed to protect our democratic role, encourage good conduct and safeguard the public’s trust in local government.”*

The Code sets out general obligations about the standards of conduct expected of Members and co-opted members of the authority, together with provisions about registering and declaring interests. It has been adopted under section 27 of the Localism Act 2011 by the Authority on 20<sup>th</sup> May 2021.

The LGA Model Code is to be reviewed annually and is supported by Guidance to be issued mid - 2021. (does this need to be changed?)

#### **Definitions**

For the purposes of this Code of Conduct, a “Member” means a member or co-opted member of a local authority [or a directly elected mayor]. A “co-opted member” is defined in the Localism Act 2011 Section 27(4) as “a person who is not a member of the authority but who:

- a) is a member of any committee or sub-committee of the authority, or;
- b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority;

For the purposes of this Code of Conduct, “local authority” includes the upper tier councils, town or parish councils and the combined authorities the Liverpool City Region Combined Authority, the Merseyside Recycling and Waste Authority and Merseyside Fire and Rescue Authority together with any joint committee of two or more of the local authorities across the Liverpool City Region.

### **Purpose of the Code of Conduct**

The purpose of this Code of Conduct is to assist you, as a Member, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow Members, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all Members and your specific obligations in relation to standards of conduct. The fundamental aim of the Code is to create and maintain public confidence in the role of Member and local government.

### **General Principles of Member Conduct**

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, Members and local authority officers; should uphold the Seven Principles of Public Life, also known as the Nolan Principles.

In addition, Members of Fire and Rescue Authorities should also uphold the ethical principles in the Core Code of Ethics for Fire and Rescue Services issued by the NFCC and detailed within Appendix C.

Building on these principles, the following general principles have been developed specifically for the role of Member.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of Member.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority’s requirements and in the public interest.

### **Application of the Code of Conduct**

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of Member or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a Member.

This Code of Conduct applies to you when you are acting in your capacity as a Member which may include when:

- you misuse your position as a Member; or
- your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a Member.

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a Member.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. Town and parish Members are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring Officer.

## **Standards of Member Conduct**

This section sets out your obligations, which are the minimum standards of conduct required of you as a Member. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

## **General Conduct**

### **1. Respect**

#### **As a Member:**

**1.1 I treat other Members and members of the public with respect.**

**1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.**

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a Member, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.



In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in Members.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidating or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow Members, where action could then be taken under the Member Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's Member- officer protocol.

## **2. Bullying, harassment and discrimination**

### **As a Member:**

**2.1 I do not bully any person.**

**2.2 I do not harass any person.**

**2.3 I promote equalities and do not discriminate unlawfully against any person.**

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Members have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

## **3. Impartiality of officers of the local authority**

### **As a Member:**

**3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.**

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

## **4. Confidentiality and access to information**

**As a Member:**

### **4.1 I do not disclose information:**

- a. given to me in confidence by anyone**
- b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless**
  - i. I have received the consent of a person authorised to give it;**
  - ii. I am required by law to do so;**
  - iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or**
  - iv. the disclosure is:**
    - 1. reasonable and in the public interest; and**
    - 2. made in good faith and in compliance with the reasonable requirements of the local authority; and**
    - 3. I have consulted the Monitoring Officer prior to its release.**

### **4.2 I do not improperly use knowledge gained solely as a result of my role as a Member for the advancement of myself, my friends, my family members, my employer or my business interests.**

### **4.3 I do not prevent anyone from getting information that they are entitled to by law.**

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

## **5. Disrepute**

**As a Member:**

### **5.1 I do not bring my role or local authority into disrepute.**

As a Member, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other Members and/or your local authority and may lower the public's confidence in you or your local

authority's ability to discharge your/it's functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.

You are able to hold the local authority and fellow Members to account and are able to constructively challenge and express concern about decisions and processes undertaken by the local authority whilst continuing to adhere to other aspects of this Code of Conduct.

## **6. Use of position**

**As a Member:**

**6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.**

Your position as a member of the local authority provides you with certain opportunities, responsibilities, and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

## **7. Use of local authority resources and facilities**

**As a Member:**

**7.1 I do not misuse local authority resources.**

**7.2 I will, when using the resources of the local or authorising their use by others:**

- a. act in accordance with the local authority's requirements; and**
- b. ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.**

You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a Member.

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport
- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a Member more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

## 8. Complying with the Code of Conduct

### As a Member:

- 8.1 I undertake Code of Conduct training provided by my local authority.
- 8.2 I cooperate with any Code of Conduct investigation and/or determination.
- 8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.
- 8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.

It is extremely important for you as a Member to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

## Protecting your reputation and the reputation of the local authority

### 9. Interests

#### As a Member:

- 9.1 I register and disclose my interests.

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of Members of the local authority.

You need to register your interests so that the public, local authority employees and fellow Members know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other Members when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in **Table 1**, is a criminal offence under the Localism Act 2011.

**Appendix B** sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Monitoring Officer.

## 10. Pre-Determination or Bias

### As a Member I:

- 10.1 **Never place myself under any financial or other obligation to outside individuals or organisations who might seek to influence me in the performance of my official duties.**
- 10.2 **Consider all matters with an open mind and make decisions based upon weighing the best evidence before me, fairly and on merit.**

Where you have been involved in campaigning in your political role on an issue which does not impact on your personal and/or professional life, you should not be prohibited from participating in a decision in your role as Member. However, you must ensure that your integrity is not compromised.

You may be pre-disposed to a number of outcomes to a decision, based upon your, philosophy, beliefs or political allegiance (including any application of a Group whip), but this must not predetermine your actions or the outcome of a decision you are to make. You must always remain open to the potential for further evidence or argument to alter any previously expressed or held viewpoint at the time of making your decision. For this reason, particularly in relation to contractual matters or those affecting individuals' civil rights, it is often best to be cautious about how or if your views are expressed before coming to make a decision.

## 11. Gifts and hospitality

### As a Member:

- 11.1 **I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.**
- 11.2 **I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.**
- 11.3 **I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.**

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a Member. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a Member, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a Member. If you are unsure, do contact your Monitoring Officer for guidance.

## **Appendices**

### **Appendix A – The Seven Principles of Public Life**

The principles are:

#### **Selflessness**

Holders of public office should act solely in terms of the public interest.

#### **Integrity**

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

#### **Objectivity**

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

#### **Accountability**

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

#### **Openness**

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

#### **Honesty**

Holders of public office should be truthful.

#### **Leadership**

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

## Appendix B - Registering Interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in “The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012”. You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

“**Disclosable Pecuniary Interest**” means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

“**Partner**” means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

“**Standard Dispensation**” means a dispensation that has been granted by the Authority relieving the member or co-opted member from the restrictions or obligations under this Code as detailed in **Table 3** below.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A ‘sensitive interest’ is as an interest which, if disclosed, could lead to the Member, or a person connected with the Member, being subject to violence or intimidation.
3. Where you have a ‘sensitive interest’ you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

### Disclosure and Non-participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation or a Standard Dispensation applies. If it is a ‘sensitive interest’, you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.
5. Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

## Disclosure of Other Registerable Interests and Non-Registerable Interests (Personal and Prejudicial Interests)

### Personal Interests

6. Where a matter arises at a meeting which **affects**:
  - a. your own financial interest or wellbeing;
  - b. a financial interest or well-being of a relative, close associate; or
  - c. a body included in those you need to disclose under Other Registrable Interests as set out in **Table 2**

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing the interest the following test should be applied

### Prejudicial Interests

7. In the following instances, you must disclose the interest and you may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise, you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
  - a. Where a matter arises at a meeting which **directly relates** to one of your Other Registerable Interests (as set out in **Table 2**).
  - b. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate.
  - c. Where a matter **affects** your financial interest or well-being:
    1. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
    2. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest
8. Where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must make sure that any written statement of that decision records the existence and nature of your interest.

### Overview and Scrutiny Committees

9. You also have a prejudicial interest in any business before an overview and scrutiny committee of your authority (or of a sub-committee of such a committee) where:



- (a) that business relates to a decision made (whether implemented or not) or action taken by your authority's Cabinet, board or another of your authority's committees, sub-committees, joint committees or joint subcommittees; and
  - (b) at the time the decision was made or action was taken, you were a member of the Cabinet, board, committee, sub-committee, joint committee or joint sub-committee mentioned in sub-paragraph (a) and you were present when that decision was made or action was taken.
10. Paragraph 9 does not prevent you attending and participating in a meeting if you are required to attend a meeting of an overview or scrutiny committee, by such committee exercising its statutory powers.

## Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

<b>Subject</b>	<b>Description</b>
<b>Employment, office, trade, profession or vocation</b>	Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.]
<b>Sponsorship</b>	Any payment or provision of any other financial benefit (other than from the local authority) made to the Member during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a Member, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
<b>Contracts</b>	Any contract made between the Member or his/her spouse or civil partner or the person with whom the Member is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council — (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
<b>Land and Property</b>	Any beneficial interest in land which is within the area of the council. 'Land' excludes an easement, servitude, interest or right in or over land which does not give the Member or his/her spouse or civil partner or the person with whom the Member is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.
<b>Licenses</b>	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer

<b>Corporate tenancies</b>	Any tenancy where (to the Member's knowledge)— (a) the landlord is the council; and (b) the tenant is a body that the Member, or his/her spouse or civil partner or the person with whom the Member is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
<b>Securities</b>	Any beneficial interest in securities* of a body where— (a) that body (to the Member's knowledge) has a place of business or land in the area of the council; and (b) either— (i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the Member, or his/ her spouse or civil partner or the person with whom the Member is living as if they were spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

\* 'director' includes a member of the committee of management of an industrial and provident society.

\* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

## Table 2: Other Registrable Interests

You have a personal interest in any business of your authority where it relates to or is likely to affect:

- a) any body of which you are in general control or management and to which you are nominated or appointed by your authority
- b) any body
  - (i) exercising functions of a public nature
  - (ii) any body directed to charitable purposes or
  - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

## Table 3: Standard Dispensations

2. You will not be regarded as having a prejudicial interest in any business where that business relates to:
- (a) the housing functions of your authority where you hold a tenancy or lease with your authority, provided that you do not have arrears of rent with your authority of more than two months, and provided that those functions do not relate particularly to your tenancy or lease;
  - (b) the functions of your authority in respect of school meals, transport and travelling expenses, where you are a guardian, parent, grandparent or have parental responsibility (as defined in section 3 of the Children Act 1989) of a child in full time education, unless it relates particularly to the school which that child attends;
  - (c) the functions of your authority in respect of statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of such pay from your authority;
  - (d) the functions of your authority in respect of an allowance or payment made under sections 22(5), 24(4) and 173 to 176 of the Local Government Act 1972, an allowance or pension under section 18 of the Local Government and Housing Act 1989 or an allowance or payment under section 100 of the Local Government Act 2000;
  - (e) any ceremonial honour given to one or more Members; or
  - (f) the setting of the authority's council tax requirement, council tax, levy or a precept under the Local Government Finance Act 1992 (except that this dispensation does not apply if you are two months or more in arrears with their Council Tax you must declare this to the meeting and must not vote on budget recommendations, as to do otherwise can be a criminal offence).

## **Appendix C – Our Five Fire and Rescue Service Ethical Principles**

With reference to the Nolan Principles, Members should follow and promote the following ethical principles:

### **1. Putting our Communities First**

We put the interests of the public, the community and service users first.

As a Member to demonstrate this, I:

- act with empathy, compassion, and respect, caring equally for everyone I deal with
- consider the diverse needs of my communities and tailor my work to best meet their specific needs
- understand and evaluate the impact I have on the public's safety and wellbeing
- continuously improve my performance to better serve the public and my communities
- am an ambassador for my Fire and Rescue Service and a role model in my communities
- identify and remove barriers to people joining or accessing our service.

### **2. Integrity**

We act with integrity including being open, honest and consistent in everything that we do.

As a Member to demonstrate this, I:

- am honest, open and fair when dealing with everyone
- can evidence my decisions and am able to explain my behaviour
- build trusting relationships and demonstrate an understanding of everyone's roles and responsibilities
- welcome challenge and adapt the way I work and my behaviour as a result of what I learn
- challenge behaviour that does not comply with our Core Code or my service's values
- never behave in a way that may cause others to act outside our ethical principles
- remain impartial and objective
- never act in an improper way, or in a manner that could create a perception of improper behaviour for personal gain. I declare relevant interests and relationships and maintain personal and professional boundaries.

### **3. Dignity and Respect**

We treat people with dignity and respect, making decisions objectively based on evidence, without discrimination or bias.

As a Member to demonstrate this, I:

- use unbiased judgement and behaviour and act respectfully
- act with decency and impartiality, recognising that my unconscious bias can prevent me considering all perspectives and needs when I am making decisions

- do the right thing when delivering services, using the ethical principles set out in this Core Code and my service's values
- support the development and opportunity of myself and my colleagues
- create an environment of openness and trust
- treat people with respect and without discrimination, harassment, or bullying; I actively reject these inappropriate behaviours
- challenge all inappropriate behaviour when I am at work.

#### 4. **Leadership**

We are all positive role models, always demonstrating flexible and resilient leadership.

We are all accountable for everything we do and challenge all behaviour that falls short of the highest standards.

As a Member to demonstrate this, I:

- take responsibility for continuously improving my own performance and the performance of my service
- am accountable to the public, my employer and my colleagues for my decisions and actions
- take responsibility for my actions and their consequences
- address inappropriate behaviour in ways appropriate to my role
- recognise leaders exist at all levels in my organisation and communities
- always demonstrate the principles of a positive culture of equality, diversity, and inclusion
- am committed to implementing and working by this Core Code.

#### 5. **Equality, Diversity and Inclusion (EDI)**

We continually recognise and promote the value of EDI, both within the FRS and the wider communities in which we serve.

We stand against all forms of discrimination, create equal opportunities, promote equality, foster good relations and celebrate difference.

As a Member to demonstrate this, I:

- acknowledge and care about people's diverse needs so they can access the services they need from me and my service
- provide an environment where everyone has an equal voice
- acknowledge my own unconscious bias and consider everyone's perspective
- behave in a way that celebrates diversity in all its forms, everywhere
- tackle discriminatory behaviour, policy and procedure
- do all I can to encourage people from underrepresented groups to join our Service and feel welcome
- help everyone to be their best and to always learn from one another.

## Procedure for Dealing with Allegations Under the Code of Conduct

### Stage 1

1. When a complaint is received (using the existing complaint form) based on the new adopted Code of Conduct:
  - a. Complaints should be directed to the Monitoring Officer.
  - b. The Monitoring Officer must acknowledge the complaint within two (2) working days of receipt.
2. An Independent Person (IP) must be involved in the complaint investigation as required by the Localism Act 2011 section 28(7). This will be arranged by the Monitoring Officer.

### Stage 2

3. Standards matters shall be within the terms of reference of the Audit Committee and if a complaint is received it will firstly be considered by this Committee.
4. The Monitoring Officer or Deputy shall consider the complaint with the IP and provide a report for the Audit Committee which details:
  - a. Details of the complaint.
  - b. Considerations of the complaint and whether a full investigation and hearing may be required.
  - c. Observations of the IP.
  - d. Recommendations to the Committee as to next steps.
  - e. The Audit Committee will be presented with this report and the IP will attend the meeting along with the report author, to give any views arising in respect of the complaint.
5. The report will not be open to inspection by the public under the provisions of the Local Government Act 1972 Schedule 12A.
6. The Audit Committee will determine:
  - a. If the complaint is upheld.
  - b. If the complaint requires further investigation.

- c. If the complaint is not upheld.

**If the complaint is upheld:**

7. The Monitoring Officer or Deputy will provide a report for the Appeals Committee recommending the Sanction proposed by the Audit Committee. Sanctions available are mainly for admonishment of a Member, training and/or development or where pecuniary or other interests have not been declared this could constitute a criminal offence.

**If the complaint is not upheld:**

8. The Audit Committee must give its reasons for not upholding a complaint and can recommend any further/other action it considers might be helpful (for example that the Authority/CLG produces guidance).
9. The Monitoring Officer or Deputy will then write to both the complainant and the Member concerned with reasons/other recommendations.
10. The complainant may appeal to the Appeals Committee by completing an appeal form and sending this to the Monitoring Officer who will then arrange for a report to be drafted to the Appeals Committee.

**If the complaint requires further investigation:**

11. The Monitoring Officer/Deputy will make arrangements for an investigation to be undertaken within 28 days from the date of the Audit Committee meeting. The investigation must involve the IP and must also provide information from the Member complained of along with the reasons provided from the Audit Committee.
12. A meeting of the Appeals Committee will be convened within the next 14 working days to hear the complaint. The complainant, the Members concerned and the IP will be invited to give their views.
13. The meeting will be held in private and the complainant and the member must be given the opportunity to present their case.
14. The Appeals Committee will make its decision giving full reasons, as to whether the Member has or has not complied with the Code of Conduct. The outcome will then be provided in writing within the next 7 working days, to both the complainant and Member concerned.
15. If the complaint is upheld, the Appeals Committee will decide on the appropriate sanction. The decision of the Appeals Committee will be final.



### **Stage 3: Appeals**

#### **If an appeal is received under Stage 2 (above):**

16. An extraordinary meeting of the Appeals Committee will be convened within the next 14 working days to hear the appeal. The complainant, the Members concerned and the IP will be invited to give their views.
17. The meeting will be held in private and the complainant and the member must be given the opportunity to present their case.
18. The Appeals Committee will make its decision giving full reasons, as to whether the Member has or has not complied with the Code of Conduct. The outcome will then be provided in writing within the next 7 working days, to both the complainant and Member concerned.
19. If the appeal is upheld, the Appeals Committee will then decide on the appropriate sanction.
20. The decision of the Appeals Committee will be final.

# MEMBERS CODE AND GUIDANCE ON OFFICIAL VISITS BY MEMBERS

## Guidance

### 1. **Proposal by Members**

1.1 Members proposing an official visit on behalf of the Authority, should submit the following details to the Solicitor to the Authority:

- a. The location of the visit.
- b. The purpose of the visit.
- c. The duration of the visit.
- d. The number of Members and Officers proposing to make the visit.
- e. The proposed method of travel to the location and itinerary of the visit.
- f. The estimated cost of the visit.
- g. The estimated benefit to the Authority in making the visit.

1.2 The Solicitor to the Authority after consultation with the Chief Fire Officer, shall then report the proposal to the appropriate committee, setting out the above details and the estimated cost of attendance in respect of travel and accommodation, or travelling and subsistence allowances, in order that the Authority may make a decision on the matter.

### 2. **Proposal by Principal Officers**

2.1 Principal Officers proposing an official visit by Elected Members on behalf of the Authority shall inform the Monitoring Officer of the proposal in order that the Monitoring Officer can provide an assessment, in consultation with the Director of Finance and Procurement, of the cost to the Authority of travel and accommodation, or travelling and subsistence allowances, and an indication as to whether sufficient budgetary provision is available.

2.2 The relevant Principal Officer shall then submit a report to the appropriate committee, detailing the matters set out in paragraph 1 above including details of estimated costs.

### 3. **Expenses of Visit**

3.1 The Authority may agree to pay expenses as follows:

- a. In the case of visits within the UK, subsistence and travel allowances equivalent to the maximum rates specified by the Secretary of State for performance of approved Duties.

- b. In the case of visits outside the UK, subsistence and travel allowances at the maximum rates specified by the Secretary of State for performance of approved duties; or such reasonably higher amount as reflects the higher cost of meals or accommodation abroad.
  - c. Expenses incurred in the reception and entertainment, by way of official courtesy, of persons representatives of, or connected with local government or other public Services, whether inside or outside the UK.
  - d. Other expenses reasonably incurred by, or on behalf of Members during the visit (such as reciprocating hospitality on a modest scale) where proof of such expenditure is provided.
- 3.2 Where possible, accommodation, meals and methods of travel should be booked and paid by the Authority directly, in order to maximise discounts available; and to avoid the need for individuals to pay expenses from their own funds, or requiring cash allowances.
- 3.3 Expenditure incurred in the reception and entertainment by way of official courtesy, should comply with the Authority's Guidance on giving hospitality.

In summary this means that:

- a. Prior approval of the Authority to incur expenditure on such hospitality is required.
  - b. The hospitality provided must be of a modest scale appropriate to the occasion.
  - c. If a full meal is appropriate, the cost must not exceed the existing levels of Members allowances.
  - d. The number of recipients of hospitality must be restricted and must not extend beyond those directly involved in the relevant official courtesy visit.
- 3.4 Expenses will not be paid by the Authority in respect of personal expenditure incurred by Members or Officers, including the following:
- a. Purchase of alcoholic drinks (except a moderate amount taken as part of a meal which qualifies for subsistence payment).
  - b. Other Hotel or in-room amenities.

#### 4. **Reporting Back**

- 4.1 A report shall be prepared by the relevant Senior Officer, or a Member who attended the visit, and submitted to the next meeting of the appropriate Committee detailing the results of the visit.

5. **Checking Entitlement to Expenses**

- 5.1 Members who consider that they are entitled to claim travel and subsistence allowances in relation to a visit, should in cases of doubt, check and confirm entitlement with Democratic Services.

6. **Monitoring of Expenditure**

- 6.1 The Solicitor to the Authority shall be responsible for monitoring expenses and allowances payable as a result of such visits.

**Indemnity Given to Members of the Authority**

1. The Authority has determined to indemnify its Members against certain claims, costs and damages against Members, in the circumstances set out below.

2. **Indemnity**

- 2.1 In this Indemnity:

- a. "Act of Default" means any neglect, act, error, or omission including any breach of Trust or duty of care or fiduciary, or any other duty committed by an employee of Member.
- b. "Solicitor to the Authority" means the person appointed to the Authority under S.34 of the Local Government Act 1985 and S.5 of the Local Government and Housing Act 1989.
- c. "Code of Conduct" means the Code of Conduct applying to the Authority Members for the time being in force.
- d. "Part 3 Proceedings" means any investigations, report, reference, adjudication or other proceeding pursuant to Part 3 of the Local Government Act 2000.
- e. "Director of Finance and Procurement" means the person appointed as Chief Finance Officer to the Authority under S.73 and 105(1) of the Local Government and Housing Act 1989.
- f. "Officers and Members" means the Chief Fire Officer and all employees of the Authority, all Members, the Solicitor to the Authority, the Director of Finance and Procurement of the Authority and its former Chief Fire Officers, employees, Councillors, Solicitors and Directors of Finance and Procurement.

- 2.2 The Authority will, subject to the exceptions set out in paragraph 2.3, Indemnify its Officers and Members against claims made against them (including, all damages and costs awarded) and will not itself make claims against them for any loss or damage (other than claims falling within the cover provided to its officers and Members under any policy of insurance taken out by the Authority, or any motor vehicle insurance policy taken out by the officer or Member) occasioned by negligent and accidental act or omission, including any breach of trust, or duty of care or fiduciary, or any other duty committed by them:

- a. Whilst acting within the scope of their employment or authority.
  - b. Where they and the Authority honestly believed that they were acting within the scope of their employment or authority (even though they were not in fact acting within the scope of their employment or authority).
  - c. Whilst acting for other persons or other bodies of whatsoever nature within the scope of their employment or authority.
- 2.3 This indemnity shall not extend to loss or damage directly or indirectly caused by, or arising from:
- a. Fraud, dishonesty, deliberate wrongdoing, or a criminal offence, on the part of Officers and Members whilst acting on the Authority's business (except where the criminal offence is an offence under the provisions of the Health and Safety at Work Act etc. 1974 or relevant statutory provisions within the meaning of the Act, or where it is alleged that the criminal offence arose due to the wrongful but not wilful act or default of any such person, in which case the indemnity will continue to apply).
  - b. Liability in respect of losses certified by the District Auditor as caused by wilful misconduct.

Notwithstanding paragraph 2.3 (a) above (subject to paragraph 3), an indemnity will be provided in relation to:

- I. The defence of any criminal proceedings brought against the Officer or Member, and
  - II. any civil liability arising as a consequence of any action or failure to act, which also constitutes a criminal offence.
- 2.4 If any part of this indemnity is declared by any judicial or other competent authority to be void, illegal or otherwise unenforceable, then such part shall be severed from the remainder of this indemnity which will continue to be valid and enforceable to the fullest extent permitted by law.
3. The Member shall reimburse the Authority for any money spent by the Authority in relation to:
- a. Defence of criminal proceedings if the Member in question is convicted of a criminal offence and that conviction is not overturned following any appeal.
  - b. Part 3 Proceedings against a Member if:
    - I. a finding is made in those proceedings that the Member in question has failed to comply with the Code of Conduct and that finding is not overturned following any appeal; and
    - II. the Member admits that they have failed to comply with the Code of Conduct.
4. Wherever possible, all outside bodies upon which Members are presently appointed; and any outside bodies upon which Members may in the future be appointed, are required to purchase and maintain henceforth, insurance to cover

the Member of any financial liability which might by virtue of any rule of law or otherwise, attach to such Member, in respect of any negligent default, breach of duty, or breach of trust, of which such Member may be guilty.

## SCHEME OF MEMBERS ALLOWANCES

1. This Scheme is made on the 13<sup>th</sup> day of June 2019, in accordance with the Local Authorities (Members Allowances) England Regulations 2003 for the payment of Members Allowances.
2. This Scheme amends the previous Scheme made by the Authority with effect from the 1<sup>st</sup> day of April 2005, as subsequently amended on 1<sup>st</sup> November 2008, 15<sup>th</sup> June 2009, 11<sup>th</sup> June 2013, 26<sup>th</sup> June 2014, 11<sup>th</sup> June 2015, 14<sup>th</sup> June 2016, 13<sup>th</sup> June 2017 and 14<sup>th</sup> June 2018. This Scheme shall continue until subsequently varied or revoked by the Authority.
3. Basic Allowance
  - 3.1 The Authority shall pay a Basic Allowance to each Member of the Authority who is a Councillor for each year.
  - 3.2 Subject to paragraphs 3.3, 7, 8, and 12 the Basic Allowance payable in respect of each year commencing on 1st April, shall be £8,070.
  - 3.3 Where a Member's term of office begins or ends at any time other than at the beginning or end of a year, their entitlement shall be to a proportion of the Basic Allowance that represents the number of days within that year, to which they are appointed as a Member of the Authority.
4. Special Responsibility Allowance
  - 4.1 Subject to paragraphs 4.2, 7, 8, and 12 the Authority shall pay to a Member of the Authority who is a Councillor and who has the Special Responsibility specified in column one of Schedule 1 to this scheme, a Special Responsibility Allowance in respect of each year, commencing on the 1st April 2019, of a sum specified in the corresponding part of column 2 of Schedule 1.
  - 4.2 Should a Member be appointed to, or removed from a role carrying a Special Responsibility Allowance, at any point other than at the beginning or end of the year, their entitlement shall be to a proportion of the Special Responsibility Allowance, that represents the number of days within the year, to which they are appointed in that role.
5. Travelling and Subsistence Allowance
  - 5.1 Subject to paragraphs 8, 9, and 12 the Authority shall pay to each Member of the Authority who is a Councillor, an allowance in respect of travelling and subsistence undertaken in connection with, or relating to the duties specified in paragraph 5.2, in respect of matters specified in column 1 of the second Schedule at the rates specified in the corresponding part of column 2 of the second Schedule.
  - 5.2 The duties referred to in paragraph 5.1 (for which a travelling and subsistence allowance is payable) are:
    - a. The attendance at a meeting of, the Authority, any sub – committee of the Authority, any other body to which the Authority makes appointments or nominations, or any committee or sub-committee of any such a body;

- b. The attendance at any other meeting, the holding of which is authorised by the Authority, or a committee or sub-committee of the Authority, or a joint committee of the Authority and one or more Local Authority within the meaning of section 270 (1) of the Local Government Act 1972, or a sub-committee of such a joint committee provided that:
  - I. Where the Authority is divided into two or more political groups, it is a meeting to which members of at least two such groups have been invited, or
  - II. if the Authority is not so divided, it is a meeting to which at least two members of the Authority have been invited.
- c. The attendance at a meeting of any association of authorities of which the Authority is a member.
- d. The attendance at any conference or meeting approved by the Authority (or the Monitoring Officer, acting under delegated powers on behalf of the Authority) whether inside or outside of the United Kingdom, for the purpose of discussing any matter which relates to the interests or the functions of the Authority, or to any function of Local Authorities in which the Authority has any interest.
- e. The attendance at seminars and presentations arranged by the Chief Fire Officer, the Monitoring Officer, or the Authority, which relate to the interests or the functions of the Authority, or to any function of local authorities in which the Authority has an interest.
- f. Making official and courtesy visits, whether inside or outside the United Kingdom, on behalf of the Authority, as approved by the Authority, or a Committee of the Authority (or the Monitoring Officer acting under delegated powers on behalf of the Authority.)

6. Independent Persons Allowance

- 6.1 The Authority shall pay an Independent Person Allowance, in respect of attendance at conferences and meetings, to any individual who is not a Member of the Authority, but who is appointed as a co-opted member of a Committee (or Sub-Committee) of the Authority.
- 6.2 Subject to paragraphs 6.3, 7, 8, 9, and 12, the Independent Person's Allowance, payable in respect of each year commencing on 1<sup>st</sup> April 2017, shall be to a sum of £50 for each day of attendance at meetings or events.

7. Suspension of Allowances

- 7.1 Where a Member of the Authority or of a Committee of the Authority (as the case may be) is suspended from their responsibilities or duties as a Member of the Authority in accordance with part III of the Local Government Act 2000 or regulations made under that part, then the Authority may withhold:
  - a. the part of the Basic Allowance payable to that Member in respect of the period for which they are suspended or partially suspended; and/or



- b. the part of the Special Responsibility Allowance payable to that Member in respect of the responsibilities or duties from which they are suspended or partially suspended; and/or
- c. any Travelling and Subsistence Allowance payable to the Member in respect of the responsibilities or duties from which they are suspended or partially suspended; and/or
- d. any Independent Person's Allowance payable to that Member in respect of the responsibilities or duties from which they are suspended or partially suspended.

8. Repayment of Allowances

8.1 Where payment of any allowance has already been made in respect of any period during which the Member concerned is:

- a. suspended or partially suspended from their responsibilities or duties as a Member of the Authority in accordance with Part III of the Local Government Act 2000 or regulations made under that part; or
- b. ceases to be a Member of the Authority; or
- c. is in any other way not entitled to receive the allowance in respect of that period.

The Authority may require that such part of the allowance as relates to any such period, be repaid to the Authority.

9. No Duplication of Payment

9.1 Where a Member of the Authority is also a Member of another authority, that Member may not receive allowances from more than one authority in respect of the same duty.

10. Elections to Forgo Allowances

10.1 A person may, by notice in writing given to the Monitoring Officer, elect to forgo their entitlement, or any part of their entitlement to allowances.

11. Claims and Payments

11.1 Claims for Travelling and Subsistence Allowances, and Independent Person's Allowances must be made by the person to whom they are payable within 6 months of the date from which entitlement to such allowances arises.

11.2 The Authority has the right to refuse payment where the allowance is not claimed within the period specified in paragraph 11.1.

12. Annual Adjustment of Allowances

12.1 The allowances specified in paragraphs 3 (Basic Allowance), 4 (Special Responsibility Allowance), 5 (Travelling and Subsistence Allowance) and 6 (Independent Person's Allowance), shall be increased annually with effect from the 1<sup>st</sup> day of April in each year, by the same proportion as the increase in salary of firefighting staff in the Service in the year prior to 1<sup>st</sup> April of the year for which an allowance under this scheme is payable, unless The Authority resolves otherwise.

13. Date from which Amendments to the Scheme are to Apply

13.1 Where an amendment is to be made to this scheme by the Authority, which affects an allowance payable for the year in which the amendment is made, entitlement to such allowance as amended, shall apply with effect from the date of approval of the amendment by the Authority.

## Schedule 1 – Special Responsibility Allowances

<u>Column 1</u> (Special Responsibility)	<u>Column 2</u> (Amount of Special Responsibility Allowance)
Chairperson	£16,140
Vice Chairperson (incl. Chair Of Committee)	£12,105
Opposition Spokesperson	£2,018
Committee Chair for Committees of 7 Members or more (excl. Authority Chair/ Vices & Leaders/Opposition Spokesperson)	£6,053
Committee Chair for Committees of 6 Members or less	£4,035
Additional Responsibility (except the Chairman, a Vice Chairman, Leader/Opposition Spokesperson, Chair of a Committee or Sub-Committee)	£2,018

Only one additional Responsibility Allowance payable regardless of how many additional responsibility roles held.

## Schedule 2 – Travelling & Subsistence Allowances

### 1. Travel Allowance

<u>Column 1</u> (type of travel)	<u>Column 2</u> (rates of allowance)
Travel by public transport	A sum equal to the costs of the ordinary fare, or in the case of travel by rail the cost of first class travel
Travel by motor cycle	22.6p per mile
Travel by motor vehicle	56.4p per mile
Travel by taxi	A sum equal to the actual fare and any reasonable gratuity paid.
Travel by air	A sum equal to the cost of the ordinary fare, or where travelling on a flight scheduled to take at least 5 hours a sum equal to the cost of club class

### 2. Subsistence Allowance

<u>Column 1</u> (absence period)	<u>Column 2</u> (rates of allowance)
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#### 2.1 Where the Authority does not pay for overnight accommodation direct and:

Absence overnight in UK from usual place of residence (other than in London)	£148.00
Absence overnight from usual place of residence in London (i.e. the city of London, Boroughs of London, Greenwich and Fulham, Islington, Kensington and Chelsea, Lambeth, Lewisham, Southwall, Tower Hamlets, Wandsworth and Westminster)	£180.00
Absence overnight outside the U.K.	£180.00

2.2 Subject to paragraph 2.3. where the Authority pays for overnight accommodation direct and there is absence from the usual place of residence, a subsistence allowance of £56.82 in London and £44.77 elsewhere, is payable. Where the absence does not involve an absence overnight:

(a) Breakfast Allowance

Absence of more than 4 hours Before 11a.m.	£9.01
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(b) Lunch Allowance

Absence of more than 4 hours, Including the period of 12noon and 2pm	£13.55
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(c) Tea Allowance

Absence of more than 4 hours Including 3pm to 6pm	£5.64
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Or;

(d) Evening Meal Allowance

Absence of more than 4 hours ending after 7pm	£16.92
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2.3 Where meal(s) are provided free of charge to the Member their entitlement to an allowance will not apply in respect of the meal period for which such meal or meals are provided without charge to the Member.

## MEMBER ALLOWANCES 2022/2023

Original Source: CFO/117/05

Revised 'Scheme of Members Allowances' 01/11/08

Increased each 1<sup>st</sup> April in line with Firefighters Pay Award of previous July

Increase applied 01/04/10 = 1.25%

<b>Basic Allowance</b>	<b>Annual</b>	<b>New Monthly</b>
Members	£ 8,070	£ 672.50

	<b>Daily Attendance Rate</b>
Co-Optee / Independent Person	£50 payable via Invoice

<b>Special Responsibility Allowance</b> (payable to certain Members in addition to Basic)	<b>Annual</b>	<b>New Monthly</b>
Chair	£16,140	£ 1,345.00
Vice Chair (incl. Chair of Committee)	£12,105	£ 1,008.75
Opposition Spokespersons	£ 2,018	£ 168.17
Committee Chair for Committees of 7 Members or more (excl. Authority Chair/ Vices & Leaders)	£ 6,053	£ 504.42
Committee Chair for Committees of 6 Members or less	£ 4,035	£ 336.25
Additional Responsibility (unless in receipt of any other special responsibility)	£ 2,018	£ 168.17

### **Members Travel & Subsistence Allowances 2018/19**

<b>Travel</b>	<b>New Allowance</b>
Motor Cycle (pence per mile)	22.6
Motor Vehicle (pence per mile)	56.4

<b>Overnight Subsistence</b>	
Overnight Stay – London & Approved Conferences	£180.00
Overnight stay outside London	£148.00

***If accommodation is paid directly by the Authority, the allowance is reduced to:***

London & Approved Conferences	£56.82
Outside London	£44.77

<b>Day Subsistence</b>	
Breakfast	£ 9.01
Lunch	£13.55
Tea	£ 5.64
Evening Meal	£16.92
Full day subsistence	£39.49

***Where any meal is provided free of charge, the corresponding allowance will not be payable.***

## SUCCESSION PLANNING POLICY – CHAIR AND VICE CHAIR OF THE AUTHORITY

### 1. **Policy**

- 1.1 The Authority recognises that it must plan for succession for positions of:

Chair and Vice Chair of the Authority

### 2. **Implementation**

- 2.1 At each Annual Meeting of the Authority, the Monitoring Officer shall request an indication from all Members as to whether there are any Members who would wish to put themselves forward for consideration as either a future Chair or Vice Chair.
- 2.2 If there are Members who are prepared to undertake either of these roles, then arrangements will be made to enable prospective Chairs and Vice Chairs to shadow the existing Chair and Vice Chair over a period of time.
- 2.3 The Solicitor to the Authority shall arrange for an external selection process for selection and appointment of Independent Persons, which will be completed in ample time to enable newly appointed independent Persons to take up their appointments.
- 2.4 The Monitoring Officer shall seek to retain a list of external candidates, who may be willing to take up an appointment as an Independent Person in the event that any serving Independent Person suddenly become unable to continue as an Independent Person for any reason.

## PROTOCOL ON MEMBER AND OFFICER RELATIONS

*“Every Local Authority should have its own written statement or protocol governing relations between Members and Officers”* (Third report of the committee on standards in public life, the Nolan Committee).

### 1. Introduction

- 1.1 The relationship between Elected Members and Officers of the Fire Authority is one of its main organisational strengths. However, the Authority accepts it is required to have a formal protocol which covers the relationship between Elected Members and Officers. This protocol is prepared to meet those requirements, but against a background of a good working partnership, which benefits everyone who serves or is employed in the Authority. It will provide a safe guide to help ensure that current good practice continues.
- 1.2 The Fire Authority recognises that a strong, constructive and trusting relationship between Members and Officers, is essential to the effective and efficient working of the organisation. Members and Officers should work in partnership in developing the policies of the Authority and in ensuring the delivery of Services to the people of Knowsley, Liverpool, Sefton, St. Helens and Wirral.
- 1.3 This protocol takes into account the respective and different roles of Members and Officers and does not seek to change or influence these roles. The intention is to build on the good relationship which already exists.
- 1.4 It is accepted that from time to time issues do arise which need to be addressed from both sides. This protocol will be used as appropriate to help in addressing any such matters.
- 1.5 It is recognised that the Authority is a corporate entity, but that in terms of its political structure, there is an administration and opposition dimension which involves both Members and Officers operating in a politically sensitive climate. Officers have an obligation to serve the Authority as a corporate body.
- 1.6 It is recognised that the Authority is a corporate entity, but that in terms of its political structure, there is an administration and opposition dimension which involves both Members and Officers operating in a politically sensitive climate. Officers have an obligation to serve the Authority as a corporate body.

### 2. Operation of this Protocol

- 2.1 This protocol will be applied to having regard to the requirements of the Members' Code of Conduct and the Officers' Code of Conduct, as set out in the Authority's Constitution, and relevant Authority policies, procedures and processes. Members and Officers must at all times observe this protocol.
- 2.2 Where there is a conflict or discrepancy between this protocol and those codes and policies referred to in 2.1 above, then those codes and policies shall have precedence. Account will also be taken of any conventions in the case of conflict or discrepancy.



- 2.3 This protocol does not affect or interfere with any rights of or protection which a person may have in law.

### 3. Responsibility for the Protocol

- 3.1 The Chief Fire Officer is responsible for the operation of this protocol and will ensure that it is reviewed from time to time.
- 3.2 He or she will rule on the interpretation and / or the application of the protocol in matters of dispute and such rulings will be final. Where such a matter is relevant to or involves the Chief Fire Officer then the Monitoring Officer shall be the appropriate Officer under this paragraph.
- 3.3 The Fire Authority is responsible for approving any amendments or additions to the protocol following consultation with Member and Officer representatives and the Audit Sub Committee where appropriate.

### 4. Member and Officer Roles

- 4.1 This protocol recognises that Members are elected and Officers are appointed to serve the people of Knowsley, Liverpool, Sefton, St. Helens and Wirral and that their roles are distinct.
- 4.2 The Members are accountable to the electorate who determine the people they wish to represent them on various unitary authorities. These five Authorities then nominate Elected Members to sit on the Fire Authority.
- 4.3 Officers are accountable to the people of Knowsley, Liverpool, Sefton, St. Helens and Wirral through the full Fire Authority.
- 4.4 Councillors are mainly responsible for:
- a. The political direction and leadership of the Authority, the determination of policies, plans and strategies; and deciding matters to give effect to or implement those policies, plans and strategies, particularly in service delivery terms.
  - b. Performing the Authority's regulatory functions.
  - c. Monitoring and reviewing functions, the Authority's performance in implementing its plans and strategies and in delivering its Services.
  - d. Participation in partnership working.
  - e. Representing the Authority on national, regional and local bodies and organisations.
  - f. Representing the views of their communities and individual constituents in respect of the work of the Fire Authority.
- 4.5 Members should not involve themselves in the day to day management of the Authority's Services as the responsibility rests with the Chief Fire Officer and Senior Managers and there are clearly defined lines of accountability to Members.

- 4.6 Under the Authority's Constitution some Members have additional responsibility at Member level, for example being Chair of a Committee or as a Lead Member for a specific area of the Service. The holding of these Offices will involve a different relationship with certain Officers in areas where the Member has a particular role and responsibility. Also, the relationships will be more complex and expectations will be different from other Members.
- 4.7 The roles of certain Members and Officers can be summarised as follows:
- a. Chair – Chair of the Authority who is responsible for promoting and developing the Authority.
  - b. Vice Chair – who deputises for the Chair in their absence.
  - c. Committee Chairs - who Chair and co-ordinate Committee meetings and work together to ensure effective scrutiny.
  - d. Opposition Spokesperson – who leads the main opposition Group and represents it at meetings of the Authority and its Committees.
  - e. Minority Party Group Leaders – who lead the other opposition Groups and represent them at meetings of the Authority and its Committees.
  - f. Group Whips – who are responsible for the organisation and administration within Party Groups and for liaison with Officers about Members' attendance at meetings and representation on outside bodies.
- 4.8 It is important that Members of the Authority:
- a. Respect the impartiality of officers and not undermine their role in carrying out their duties.
  - b. Do not ask Officers to undertake work or to act in a way which seeks to support or benefit a particular political party or gives rise to the officer being criticised for operating in a party political manner.
  - c. Do not ask Officers to exceed their authority where that authority is given to them in law, by the Authority or by their managers.
- 4.9 This protocol recognises the role of opposition groups in the Fire Authority acting individually or jointly, and that relationships will be again different and complex. Members in opposition have the same rights and obligations in their relationships with Officers and should be treated equally. Where opposition groups, individually or collectively, appoint their Members to perform shadow or spokesperson roles, then the requirement of 4.6 above will apply.
- 4.10 It is however envisaged that all Members will work co-operatively to ensure that the Fire Authority meets its statutory obligations and provides an effective and efficient Fire and Rescue Service to the people of Merseyside.
- 4.11 The primary role of officers is to advise, inform and support all Members and to implement the lawfully agreed policies of the Fire Authority.

- 4.12 In performing this role, Officers will act professionally, impartially and with political neutrality. Whilst Officers will report a Member's view on an issue, the Officer should not be influenced or pressured to make comments or recommendations which are contrary to his or her professional judgement or views.
- 4.13 The Chief Fire Officer, the Monitoring Officer and the Director of Finance and Procurement (Section 151 Officer) have specific responsibilities placed on them by law. These responsibilities go beyond their obligations as employees of the Fire and Rescue Authority. Where an Officer is discharging his or her responsibilities under any statutory office, a Member or Members shall not:
- a. Interfere with or obstruct the Officer in exercising those responsibilities.
  - b. Victimise any Officer who is discharging or has discharged his or her responsibilities of the statutory office.

## 5. Member/Officer Obligations and Expectations

- 5.1 Members will require and expect Officers.
- a. To be committed to the Authority as a whole and not to any political group or individual.
  - b. To work in partnership with Members in an impartial and professional manner.
  - c. To understand and support the respective roles of Members and the associated workloads and pressures.
  - d. To implement decisions of the Fire Authority and its subordinate committees which are lawful, have been properly approved in accordance with the law and the Authority's Constitution and formally recorded.
  - e. To respond to enquiries and complaints in accordance with the Fire and Rescue Authority's standards.
  - f. To provide professional advice, which is not influenced by political views or preferences, and which does not compromise the political neutrality of Officers.
  - g. To provide information as agreed on matters that can reasonably be considered appropriate and relevant to their needs, taking into account the Members' individual responsibilities and position and the requirements on Members' access to documents and information, subject to specific exclusions, e.g. personal interests and confidentiality.
  - h. To be aware of and sensitive to the internal and external political environment.
  - i. To act with honesty, respect, dignity and courtesy at all times.
  - j. To provide support and learning and development opportunities for Members to help them in performing their various roles.

- k. To act with integrity and appropriate confidentiality.
- l. Not to raise issues of a personal nature outside agreed procedures.
- m. Not to use their relationship with Members to advance their personal interests or to influence decisions improperly.
- n. To comply at all times with the Officer Code of Conduct and such other policies or procedures approved by the Fire and Rescue Authority to support the role of Councillors with any policy or procedure agreed by the Fire Authority.
- o. Not to support Members in any role other than that of a Fire Authority Member and not to undertake any actions which are not compatible with this Protocol.

5.2 Officers can expect Councillors:

- a. To act within the policies, practices, processes and conventions established by the Fire and Rescue Authority.
- b. To work constructively in partnership with Officers, acknowledging their separate and distinct roles and responsibilities.
- c. To understand and support the respective roles and responsibilities of Officers and their associated workloads, pressures and reporting lines.
- d. To give political leadership and direction and to seek to further their agreed policies and objectives with the understanding that Members have the right to take the final decision and issues based on advice.
- e. To treat them fairly and with respect, dignity and courtesy.
- f. To act with integrity, to give support and to recognise appropriate confidentiality.
- g. To recognise that Officers work to the instructions of their senior Officers and not to individual Members.
- h. Not to subject them to intimidation, harassment or put them under pressure. Councillors will have regard to the seniority of Officers in determining what are reasonable requests, having regard to the relationship between Councillor and Officer and the potential vulnerability of officers, particularly at junior levels.
- i. Not to request them to exercise discretion which involves acting outside the Fire Authority's policies and procedures.
- j. Not to authorise, initiate or certify any financial transactions or enter into any contract, agreement or undertaking on behalf of the Fire Authority, or in their role as Member of the Fire Authority without proper and lawful authority.
- k. Not to use their position or relationship with Officers to advance their personal interest or those of others, or to influence decisions improperly.

- I. To comply at all times with the Members Code of Conduct, the law, the Constitution and such other Policies, Procedures, Protocols and Conventions agreed by the Fire Authority.

## 6. Behaviour Limitations

- 6.1 The different roles of Members and Officers require particular limitations upon behaviour. Both Members and Officers need to ensure that their working relationship is appropriate to their respective role and that they do not act in any way which would lead to their behaviour being questioned. It is not possible to provide a list of circumstances where behavioural issues might be of concern. The main examples below help to illustrate the point.
  - a. A close personal relationship between a Member and an Officer can confuse their separate roles and influence the proper discharge of the Authority's functions, not least in creating a perception that a Councillor or Officer may be securing advantageous treatment.
  - b. The need to maintain the separation of roles means that there are limits to those matters on which a Member may seek the advice of an Officer, both in relation to personal matters and party political issues.
  - c. Relationships with a particular individual or party group should not be such as to create public suspicion that an employee favours one Councillor or group above the others.

## 7. Members' Access to Information

- 7.1 Information requested by Members should be supplied to them unless there are good reasons for withholding it in accordance with this Protocol, and those reasons are given in writing and copied to the Monitoring Officer. Information requested should be supplied accurately and quickly. In a few instances, the need to meet legal constraints, and to protect the Authority's and the public interest, may lead to contention. The following paragraphs set out some guidance on how to resolve those issues.

They describe:

- a. The circumstances in which Members have a legal right to access the information.
  - b. The limits to those legal rights.
  - c. The process that will determine a dispute.
- 7.2 Under the "need to know" principle, Members are entitled to the information that they reasonably require to enable them to discharge their functions as Members. They are not entitled to go on fishing expeditions through Authority files. They are not entitled to access information for some other purposes, such as to help somebody to attack the Authority. Their rights will therefore depend on their individual roles, and on which Committee they serve on. Statute law gives Members rights of access to certain Authority documents.

- 7.3 Members do not have a general right to require Officers to carry out research or administrative work to provide information, apart from officers whose job is to provide such support to Members. Unless they have authority to do so by virtue of their specific role they cannot require resources to be re-allocated for work of this kind, however, all Officers will assist wherever they can.
- 7.4 Members are entitled to publicly accessible information, and personal information about themselves, like any other member of the public (for example under the Data Protection Act or in due course the Freedom of Information Act). Members may be authorised by a member of the public to access personal information on their behalf, but the authority must be clear and explicit.
- 7.5 An Officer may require a Member to undertake that the information will be treated as confidential before supplying it, and may refuse to supply it if the undertaking is not given. Reasons for confidentiality should be given in writing and subject to the Right of Appeal to the Monitoring Officer.
- 7.6 Information provided by Officers should be prompt and accurate.
- 7.7 Any Member who is dissatisfied with the decision to withhold information should complain to the relevant Director. If a Member is still dissatisfied, they should raise the matter with the Chief Fire Officer, who may take legal advice. If the Member disagrees with the decision of the Chief Fire Officer they can place the matter before the Authority, or the relevant Committee, or raise it with the District Auditor.

## 8. Confidentiality

- 8.1 Members and Officers must keep confidential information and papers confidential. This means not sharing them with anyone.
- 8.2 Authority and Committee papers marked "exempt" are "confidential" and are to be treated as confidential. Other information may be confidential because it is against the Authority's or the public interest to disclose it or because of the circumstances in which it was obtained.
- 8.3 Information about someone's private or business affairs will normally be confidential, as will their correspondence with the Authority.
- 8.4 Officers should make it clear to Members if they are providing them with confidential information. If a Member is uncertain about whether or not information might be confidential, he or she should seek guidance from the Monitoring Officer, and in the meantime treat it as confidential.
- 8.5 If a Member receives confidential information but thinks that it should be released on a "whistle-blowing" basis in the public interest, he or she must check with the Chief Fire Officer, Monitoring Officer or the Director of Finance and Procurement or the appropriate external Regulatory Authority before deciding to release it.

## 9. Personal Relationships

- 9.1 The relationship between Members and Officers must be based on mutual respect and confidence.
- 9.2 Close personal relationships between Officers and Members can arise, for example, where a Member's relative works for the Authority. This needs special care. The Member should declare the relationship to his or her Group Leader or Whip. The Officer should declare a relationship to his or her line manager, who should make it known to the Clerk and Monitoring Officer. These disclosures should be recorded in writing. They may be made on a completely confidential basis, that is to say on the very clear understanding that no one else will be told without both parties' consent. If there is a special reason why the Group Leader, Whip or Line Manager should not be told then the advice of the Monitoring Officer should be taken. The Officer and the Member must strive to avoid giving any impression of favouritism. The relationship may give the Member a declarable personal interest, and possibly a prejudicial interest preventing him or her from relevant Authority activity. The Officer may be unable to carry out certain activities that would otherwise be part of his or her job. Both need to bear these constraints in mind when they seek changes in their areas of responsibility. In an extreme case the relationship may make it impossible for them to perform those responsibilities properly.
- 9.3 Officers and Members should likewise strive to avoid developing antagonistic or combative relationships with each other. They should show respect to one another at all times. Offensive behaviour by an Officer to a Member is likely to be a disciplinary offence. Offensive behaviour by a Member to an Officer is likely to be a breach of the Code of Conduct.
- 9.4 A Member who is criticised by another Member can answer back. It would not be appropriate for an Officer to do so. Members should avoid public criticism of individual Officers, as it is unfair and oppressive. Members should not attempt to pressurise individual Officers to give them preferential treatment, or to compromise their professional integrity.
- 9.5 Officers' performance is monitored by their line managers and the performance of each service is monitored by the Authority.
- 9.6 Complaints about the performance of individual Officers should be made to their line managers. Complaints about Directors should be made to the appropriate line manager on the Executive Team. Complaints about the legality or financial probity of the activities of the Chief Fire Officer should be made to the Monitoring Officer and the Chief Finance Officer. Otherwise complaints about the Chief Fire Officer should be placed before the Authority or taken to the appropriate external regulator such as the District Auditor.
- 9.7 If a Member has a personal, private or business interest in a matter being dealt with by an Officer, he or she should strive to ensure that no suspicion of preferential treatment can arise. The objective should be as much transparency as possible, but subject to this it may be better for the Member to arrange for someone else to deal direct with the Officer. The Member should write to the relevant Officers placing it on record that he or she does not expect preferential treatment. A Member should not badger or pressurise the Officer, or use ease of access to his or her personal advantage.

## 10. Officers and Committees

- 10.1 Reports to the Authority, its Committees and Sub-Committees are produced by Officers. Initially the reports will have been drafted by Officers, and they will bear the name of the Reporting Officer (usually a member of the Executive Team) and a Contact Officer.
- 10.2 The agenda for a Committee is agreed by the Chair on the advice of the relevant Officers. If, exceptionally, an Officer needs to report to an Authority body outside these principles but in discharge of his or her professional or legal duty, the Officer must consult the Chief Fire Officer and the Chair of the body in question first.

## 11. Correspondence

- 11.1 Only the Chair (or Vice Chair) can write official letters (that is to say a letter intended or appearing to be written on behalf of the Authority as a body, as opposed to on behalf of an individual Member) although generally Officers will handle correspondence of all kinds. Chairs of Committees may write letters concerning the conduct of their meetings, but not otherwise. Members writing official letters on behalf of the Authority must use a style which distinguishes this from the letters written in their personal or political capacities. Other Members' letters are written in personal or political capacities.
- 11.2 A Member can ask an Officer to keep their correspondence private. If the Officer cannot do this (because they are under an obligation to someone else, or because the Authority ought to respond to the issue raised in a different way) they must make this clear straight away. Otherwise, the Officer must observe confidentiality.
- 11.3 Unless correspondence is private, Officers may copy letters of general interest to the relevant Member or Committee Chair. They should always state that they are doing this on the letter itself. Officers should never copy Members' correspondence to other Members secretly.
- 11.4 Officers should be aware that Members may circulate their letters to the public unless requested not to do so.
- 11.5 This all applies to emails.
- 11.6 If an Officer needs to reproduce and communicate an oral conversation with a Member in written form, he or she will copy the correspondence to the Member concerned as a matter of courtesy.
- 11.7 Officers should respond to correspondence from Members within 5 (five) working days.



## 12. Staffing Matters

- 12.1 Members may be formally involved in staff recruitment as a member of a panel.
- 12.2 That apart, Members should not become personally involved in such matters.
- 12.3 Officers should not raise individual personal issues with Members concerning their jobs.
- 12.4 If a Member receives a “whistleblowing” disclosure from an employee, he or she should pass it on in accordance with the whistleblowing code (Appendix 5). Members should contact the Monitoring Officer should they require guidance.

## 13. Authority Property

- 13.1 Individual Members do not have a general right to visit Authority premises or land that are not open to the public. However, Members are encouraged to visit Fire Stations and other Fire Authority premises.
- 13.2 Members may have a "need to know" what is happening on Authority premises in the same way as they have access to other information. This will entitle them to visit premises for a specific purpose, such as scrutiny.
- 13.3 If Members do visit premises, they should normally make themselves known to the person in charge.

## 14. Attendance at Meetings

- 14.1 Members may wish Officers to attend public meetings to provide them with support. This is subject to the principles set out below:
  - a. Officers cannot become involved in political debate. This includes public meetings at which Members are not present.
  - b. Officers will be able to explain particular proposals and issues but technical officers are not expected to deal with issues outside their area of knowledge.
  - c. Officers will not normally attend such meetings after the publication of notification of election.
- 14.2 Officers may be invited to public meetings by local people or Organisations. If so, they should consider whether any Members, should be notified.

## 15. Political Groups

- 15.1 It is in the interests of the Authority to support to some degree the effective operation of all its political groups and not one particular group. The operation of Political Groups may, however, pose particular issues for Officers in terms of their impartiality.
- 15.2 A political group may request the Chief Fire Officer or a senior manager to prepare a written report on a matter or matters relating to the Authority for consideration by the Group.
- 15.3 An Officer report to a political group will be restricted to a statement of material facts and identification of options and the merits or otherwise of such options for the Authority. Such reports will not cover any political implications of the matter or any option. Such reports will not include any recommendations.
- 15.4 The release of such reports to other political groups shall be dealt with in accordance with any conventions in existence at the time.
- 15.5 A political group may request the Chief Fire Officer or a senior manager to attend a meeting of the group to advise on a particular matter relating to the Authority. The Chief Fire Officer or senior manager may arrange for the attendance of a representative on his or her behalf, or may decline to attend or send a representative where he or she is of the opinion that the particular issue is of such a political nature that it would be inappropriate to attend.
- 15.6 Officer advice at a meeting of a political group will be restricted to a statement of material facts and identification of options and the merits or otherwise of such options for the Authority. The advice will not cover any political implications of any matter or any option.
- 15.7 All Officers will respect the confidentiality of any matter which they hear in the course of attending any political group meeting or in respect of any requests for advice and the giving of that advice.

## 16. Breaches of the Protocol

- 16.1 Where a Member is dissatisfied with the conduct, behaviour or performance of an Officer, the matter should be raised with the appropriate Line Manager. Where the Officer concerned is a Line Manager, the matter should be made with the Chief Fire Officer. Where the employee concerned is the Chief Fire Officer, the matter should be raised with the Monitoring Officer.
- 16.2 On the Members side, where the relationship between Councillors and Officers breaks down or becomes strained, every effort will be made to resolve matters informally, through conciliation by an appropriate senior manager or Councillors. Officers will also have recourse to the Grievance Procedure or to the Authority's Monitoring Officer as appropriate, in certain circumstances. In the event of a Grievance or Complaint being upheld, the matter will be referred to the Chief Fire Officer who, having advised the Chair of the Authority and the other appropriate party spokespersons, will decide on the course of action to be taken, following consultation with the Audit Committee if appropriate.

16.3 Breaches of the Protocol by a Member may result in a Complaint to the Audit Committee and in the case of officers may lead to Disciplinary Action.

## MEMBER'S TRANSPORT GUIDANCE

### Introduction

In order to attend meetings of the Authority, its Committees and other approved duties which are for the purpose of or in connection with the discharge of the functions of the Authority, the elected Members of the Authority are entitled to claim travelling allowances in accordance with the Local Government Act 1972 and the Local Authorities (Members Allowances) England Regulations 2003 (as amended). The Members Allowance Scheme of the Authority provides for travel allowances payable at specified rates to any Councillor who carries out any approved duty as defined in the Scheme.

This document sets out the guidance of the Authority with regard to the various options available to elected Members for travelling to perform their duties. It also sets out the allowances that they are eligible to claim in respect of any travel expenses that they do incur.

### Guiding Principles for Member's Transport

Members are asked to attend meetings and other duties wherever possible by use of their own vehicles, public transport or where no public service is reasonably available, by taxi. Where a taxi is not available the use of a hired vehicle may be authorised by the Solicitor to the Authority. It is accepted that such modes of transport represent the most convenient and best value options for both Members individually and the Authority in general.

The "last resort" option would be for Authority vehicles, driven by personnel to transport Members to their duties. However, this is clearly a costly and inefficient use of resources and it would also inevitably, on occasion, prove logistically impractical, particularly as Members are not permanently based at any particular Authority premises. However, there will be certain instances where transport of Members by Authority vehicle is appropriate and this guidance indicates such circumstances and the procedure which should be followed in the event that a request for such use is contemplated.

The Democratic Services Team will provide a journey planning service to Members for all journeys outside the county area. Members are requested to advise the Team of the date and location of the event they are attending as soon as they become aware of it. An assessment will then be made of the most efficient and effective mode of transport, given the specific circumstances of the journey and according to the balance between the criteria of time saved, the alternative available modes of public or private transport, the cost of such alternatives, the practicality, convenience and ease of travel for the individual and the implications for the Authority of otherwise providing transport directly.

In the event that the Authority directly meets the cost of providing transport, Members are not entitled to claim an expense.

In certain situations, as detailed below, Members are requested, where possible, to provide receipts or other evidence of expenditure for costs actually incurred in the course of travel.

### Use of Member's Own Vehicles

All Members of Merseyside Fire & Rescue Authority, who may be required to use their own transport for attending meetings and events on Authority business, should ensure that they have business use included on their motor vehicle insurance policy.

If Members on approved duties use their own private motor vehicle, they are entitled to claim back the following mileage allowances:

Motor Cycle	22.6 pence per mile
Motor Vehicle	56.4 pence per mile

Members may claim the amount of actual expenditure for car parking and of tolls for tunnels or bridges. If absent overnight on an approved duty, reimbursement of the actual cost of garaging a motor vehicle may be made to Members.

All of the above claims can be made by completing the standard yellow claim form for allowances that are available from the Democratic Services Manager. Receipts or other evidence of expenditure, are requested where claims are made for car parking or garaging fees. They will not be required for payment of Mersey Tunnel or other toll fees.

## Use of Public Transport

**\*Members are requested to consider factors which may impact on the cost of any travel, before any booking is made, to ensure that the most efficient journey, which represents value for money, can be planned. There is provision for Members to use first class travel. However, given the requirement for the Authority to be open and transparent, the cost of any first class travel should be justifiable.**

## Rail

\*When wishing to travel via rail on Authority Business, Members can either contact the Democratic Services Manager to request the booking be made, providing as much detail and notice prior to the date of travel as possible, to enable the most efficient journey to be planned and a value for money ticket to be secured.

There is provision for Members to use first class rail travel, if justification can be provided.

Wherever possible, fixed return tickets should be booked if they are substantially more cost effective than an open return.

Members can make their own rail travel booking for attending events on Authority business within the County, by way of the Merseyrail network, and submit claims for reimbursement to the Democratic Services Manager on the standard allowances claim form, with the corresponding receipts/confirmation of booking attached.

In respect of travel by rail outside the county, Democratic Services will make arrangements in advance, specifying the time and date of travel and the nature of the tickets they require. It should be remembered that, in particular with rail travel, discounted and saver tickets are available when tickets are reserved sufficiently in advance. Alternatively, if appropriate, Members may meet the costs of travel themselves and reclaim the expenditure later, providing receipts or other evidence of expenditure wherever possible.

## Bus, Ferry and Other Public Transport

\* Members are requested to travel standard class wherever possible, and claim the actual amount of the ordinary fare or any saver fare where available. Members may travel and claim first class, if justification can be provided. Claims should be made on the standard claims form

and submitted with supporting receipts/confirmation of booking to the Democratic Services Manager.

## Use of Taxis

The Solicitor to the Authority is delegated to determine if a specific journey by taxi is acceptable by undertaking an assessment of the balance between time saved, alternative available modes of public or private transport, the cost of such alternatives, the practicality, convenience and ease of travel for the individual and the implications for the Authority of otherwise providing transport directly.

After considering the above issues and having determined that there are clear circumstances - such as there being a case of urgency or where no public transport service is reasonably or directly available – where the use of a taxi is acceptable, the Solicitor to the Authority will authorise such use. Members should claim on the standard form the actual fare incurred and any reasonable gratuity paid. Receipts or other evidence of expenditure should be provided.

## Use of Hired Vehicle

Where there is an entitlement, as detailed above, to reclaim taxi fare and where such a vehicle is not available or where the likely cost of the fare is excessive, a Member is entitled to be repaid the cost of hiring a motor vehicle other than a taxi. However, if such an event is likely to occur, Members are requested in the first instance to contact the Democratic Services Manager. They will ascertain first of all the possibility of a Service vehicle being provided or if not, they will arrange for the Service to make appropriate efforts to hire a suitable vehicle for the use of the Member. In the event that this is not possible and the Member hires the motor vehicle directly, they should provide appropriate receipts or other evidence of expenditure when submitting a claim for reimbursement.

## Air Travel

Members are entitled to claim the Standard Air Fare between destinations or where travelling on a flight scheduled to take at least five hours, a sum equal to the cost of club class.

In most cases the Authority, via the Democratic Services Manager, will directly meet the costs of air travel but in the event that Members do pay their own fare, they should provide receipts or other evidence of the fare, along with their claim for re-imbusement.

## Use of Transport Provided by Service

Members will be assisted with directly provided transport for certain particular events. There are two broad categories for the provision of Service transport:

- (i) where it is for a visit which will involve a number of Members, (for example, Station Visits, a Members Strategy Day or a visit to the Fire Service College or Westminster) the Authority directly arranges transportation, usually in the form of a car, minibus or coach, in order to minimise overall transport costs; and
- (ii) where there is a direct request from a Member for the use of a Service vehicle and/or the provision of a Service driver.

In the latter category, the Member should initially make their request to the Democratic Services Manager who will act on behalf of the Solicitor to the Authority in liaising with the

Chief Fire Officer to ascertain if the request is feasible both in terms of the availability of a vehicle and/or driver and of the existence, in the specific circumstances, of any potentially more economic and practical alternatives such as the use of a taxi.

Members in possession of a full, valid driving license are insured to drive Service vehicles and are eligible to make a request to do so. In the event that Members are authorised to self-drive a Service vehicle and that it is necessary for them to purchase petrol, oil or any other necessary commodity or accessory which is essential to ensure they complete their journey, they may claim reimbursement of the actual costs incurred. Receipts or other evidence of expenditure should be produced.

## Travel Insurance

Members are requested to ensure that the Democratic Services Manager is notified in advance of all occasions when they will be either travelling outside the UK or travelling by air as such trips will require specific notification to the insurers of the Authority.

## SUPPORT SERVICES FOR MEMBERS

1. The Authority provides support services for Members:
  - a. Group officers, including administrative officers and facilities.
  - b. ICT facilities.
  - c. Development and training.
  - d. The Members' research facility in Democratic Services.
  - e. Allowances and expenses.
  - f. Official transport.
- 1.2 There are three constraints on the use of these facilities: legal limits, cost factors, and the importance of providing equivalent facilities to all political groups.
- 1.3 Members must not abuse these facilities. This protocol sets out the general principles.
- 1.4 None of these rules affect the activities of Members using other resources, for example using support provided by their political parties. Political lobbying and campaigning is an essential part of the government at all levels. The different level of resources available to the different political parties and groups is not a matter for the Authority.
- 1.5 Authority resources must never be used for party political publicity. "Publicity" has a very wide legal definition - any communication to any section of the public is covered.
- 1.6 Leaving aside publicity, the Code of Conduct says "a Member..... must when using or authorising the use by others of the resources of the Authority..... ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the Authority or of the office to which the Member has been elected or appointed."
- 1.7 Resources are limited, so explicit limits are placed on copying, posting etc. These can be waived in exceptional circumstances by the Democratic Services Manager, or the Clerk, but the situation must be truly exceptional. Members should not divide up work into parcels, or trade entitlements to find ways around the limits.
- 1.8 Members using ICT facilities must abide by the Authority's ICT Acceptable Use Policy. A copy of the policy is included in this document. Further, Members attention is drawn to the E-mail; Internet Access and Usage; and Using Social Media service instructions contained within the related document section of the policy.
- 1.9 Members must not use any facilities for their own private purposes, unless they are using spare capacity at no cost to the Authority and in accordance with any instructions given by the Authority.



- 1.10 Official cars and taxis are made available to Members and Officers solely for use on official duties. Guidance is included in this document.
- 1.11 Members' allowances, and subsistence and travel expenses, are paid in accordance with the Scheme and the legislation. Members may only claim expenses that they have actually incurred, and that they needed to incur for Authority activities. This should comply with the legal code.

## SERVICE POLICY ICTPOL03

### Acceptable Use Policy

#### 1. Policy Introduction and Background

Provide brief background information to introduce the reader to the context of the policy and the reasons for its creation.

MF&RS is dependent on Information and Communication Technology (ICT) to deliver its services. The appropriate and secure use of ICT is vital to protect the interests of MF&RS and the service it provides to the citizens of Merseyside.

The ICT AUP is in place to ensure:

- The use of ICT complies with legal requirements.
- The maximum benefit is obtained from MF&RS investment in ICT facilities
- Risks arising from improper use of information, identity or equipment are minimised.
- Individual users can have confidence that they can only be held accountable for their own actions, and not unknowingly those of others.
- Children and Young people using technology are helped to be kept safe.

#### 2. Policy Explanation

Provide details about the policy, what the Fire and Rescue Service is committed to do and why, including any legislative requirements

ICT facilities are provided to users primarily for MF&RS business purposes to support the service it provides. In addition, occasional and limited personal use of the ICT facilities by users is permitted. ICT facilities encompass, but are not restricted to:

- Network Infrastructure; including (but not limited to) the physical infrastructure whether cable or wireless, together with network servers, firewall, connections, switches and routers.
- Network Services; including (but not limited to) internet access, web services, broadband, email, wireless, network file store, network user accounts, printing and telephony.
- Hardware Assets; MF&RS owned or leased computing hardware, both fixed and portable, including (but not limited to) desktops, laptops, tablets, PDA's, mobile devices, mobilising devices, servers, printers, scanners, disc drives, monitors, keyboards and other peripherals.
- Software; including (but not limited to) applications and information systems and software tools.

The ICT facilities will vary per user group depending on their business requirement.

### 3. Policy Implementation

The Service Instructions used to underpin this Policy are:

ICT users should familiarise themselves with these Service Instructions:

SI0433	Airwave Radio terminals and associated equipment – Secure handling and storage
SI0587	Communication Equipment Rooms
SI0699	Using Social Media (Owned by Corporate Communications Function)
SI0700	Acceptable E-Safety Use (Owned by Community Risk Management Function)
SI0703	Internet Access and Usage
SI0704	ICT Incident Reporting Process
SI0705	ICT Mobile Phones
SI0706	ICT Service Request
SI0707	Office Moves involving ICT Assets
SI0729	LLAR Acceptable Use of ICT Equipment
SI0730	E-Mail
SI0740	AVLS Fault Reporting
SI0774	Monitoring of ICT Equipment
SI0851	Acceptable use of iPads
SI0787	Airwave Protocols
STRPOL09	Associated Policy – Information Governance and Security
SI0896	Printing, scanning and copying

# PROTOCOL ON REPORTING AT MEETINGS

## Introduction

Merseyside Fire and Rescue Authority is committed to openness and transparency in how it conducts its business. This Protocol sets out its approach to certain types of reporting at its decision-making meetings. It outlines some basic principles and practical points aimed at balancing the requirements of those wishing to report the meeting and those attending and taking part.

Appended to this Protocol is a more in depth procedure which should be read in advance and adhered to by anyone wishing to attend Merseyside Fire and Rescue Authority Meetings, Committee's and Sub-Committee's. (Appendix A Procedure for Attendance and Recording of Meetings of Merseyside Fire and Rescue Authority).

## Reporting

The Local Government Act 1972 provides that individuals may carry out reporting at meetings of local government bodies. This Protocol is primarily concerned with reporting that involves filming, photographing, and/or audio-recording of meetings.

## Before the Meeting

There is no requirement to obtain permission or to make a prior arrangement to attend a meeting for the purpose of reporting upon it. However, if you are intending to film, photograph and/or audio-record, it would be helpful to contact Democratic Services (see contacts below) to ensure that suitable arrangements can be made to accommodate you.

There will be a designated area in the meeting room for you to observe the meeting and to allow you to film, photograph and/or audio-record it. Wherever possible you will have access to a seat (although this may depend on how much space is available).

The Chair of the meeting will be informed if the reporting includes filming, photographing and/or audio-recording. Those attending the meeting who are not Members or officers will be made aware that they have the right to object to being filmed, photographed and/or audio-recorded by you.

You must not start filming, photographing and/or audio-recording until the Chair opens the meeting.

## During the Meeting

The Chair will announce at the beginning of the meeting that the meeting is being filmed, photographed and/or audio-recorded. He or she will then ask attendees whether they agree to be filmed, photographed and/or audio-recorded to allow them to register a personal objection. If anyone has a personal objection then the Chair can temporarily suspend filming, photographing and/or audio-recording to allow attendees to have their say.

Note: this does not apply to Members and officers.

If the Chair considers that the filming, photographing and/or audio-recording is disrupting the meeting he/she can instruct you to stop doing so. Therefore, it is worth noting that your equipment should not be noisy or otherwise distracting (e.g. flash and spotlights can be problematic).

You will not normally be allowed to give a live commentary on proceedings as this is highly likely to be disruptive.

If you refuse to stop filming, photographing and/or audio-recording when requested to do so, the Chair may ask you to leave the meeting. If you refuse to do so then the Chair may adjourn the meeting or make other appropriate arrangements for the meeting to continue without disruption. There are provisions in the Authority's Constitution that allow this.

When the meeting is officially closed by the Chair you must stop filming, photographing and/or audio-recording.

## Exclusion from Meetings

The majority of the Authority's decision-making take place in meetings open to the public and press. You may only be excluded from a meeting when issues are being considered that involve confidential or exempt information (as defined in Section 100 of the Local Government Act 1972).

Even if you are excluded you will know the nature of the business to be dealt with while you are excluded from the meeting and the decision will be made known after the meeting.

No filming, photographing and/or audio-recording is permitted during any exclusion. All equipment for filming, photographing and/or audio-recording must be removed from the meeting room.

## Interpretation of this Protocol

Any decision taken by the Chair on the interpretation of this protocol before, or at the meeting in question is final.

## Publication

This protocol will be published on the website with Meetings Agendas, and Meeting Agendas will carry a statement relating to this Protocol.

## Contact Details

Democratic Services Manager  
Merseyside Fire and Rescue Authority HQ  
Bridle Road, Bootle, Liverpool, Merseyside, L30 4YD  
0151 296 4112  
[democraticservices@merseyfire.gov.uk](mailto:democraticservices@merseyfire.gov.uk)

# PROCEDURE FOR ATTENDANCE AND RECORDING OF MERSEYSIDE FIRE AND RESCUE AUTHORITY

## Purpose

To inform all visitors attending Merseyside Fire and Rescue Authority Headquarters with the intention to observe and/or record the proceedings of meetings, of the procedure to be followed during your attendance, for the purpose of clarity, safety and security. *(This procedure is in addition to, and should be read in conjunction with MFRA Meeting Reporting Protocol).*

## Overview

Merseyside Fire and Rescue Authority is committed to openness and transparency in how it conducts its business. Anyone wishing to attend public meetings of this Authority are welcome, however the number of people who attend each meeting may vary making it difficult to predict how many people will turn up on the day. Therefore, the following arrangements are in place to ensure that there is reasonable provision for your purpose of visit.

## Prerequisite Information

The Openness of Local Government Bodies Regulations 2014 came into force on 6 August 2014 and amended the Local Government Act 1972 regarding the governance of Authority, Committee and sub-Committee meetings, and the recording of certain officer decisions. Whilst already open to members of the press and public to attend, the Openness of Local Government Bodies Regulations 2014 provides for any person to be permitted to report on the meeting, including the filming, photography, or making of audio recordings of proceedings of meetings. This does not include live commentary.

## Safety, Precaution, Entry, Admittance and Departure

Most meetings of Merseyside Fire and Rescue Authority, including Committees and Sub-Committees, are held at their Headquarters, Bridle Road, Bootle, Liverpool, Merseyside, L30 4YD and usually commence at 1pm (unless otherwise published). It is recommended that you check the location and start time of the meeting before starting your journey, to ensure you arrive at the appropriate time.

All meetings and agendas are published on our website ([http://www.merseyfire.gov.uk/asp/pages/fire\\_auth/authorityContent.aspx](http://www.merseyfire.gov.uk/asp/pages/fire_auth/authorityContent.aspx)) five days prior to the date of the meeting or you can contact Democratic Services by ringing 0151 296 4230.

It would be helpful if you could contact Democratic Services to advise of your intention to attend the meeting to assist in the allocation of appropriate space within the meeting room. Should you have any special requirements which may impact upon your visit, please contact Reception tel.0151 296 4000, and advise ahead of your planned visit, to enable details to be taken and the appropriate officer notified to consider any reasonable adjustments or additional assistance which may be required.

If the number of visitors exceed that which is deemed safe for the size and capacity of the meeting room, you will be refused access on safety grounds.

All external visitors wishing to attend meetings of the Authority, are requested to arrive no earlier than thirty minutes prior to the opening of the meeting (e.g. meeting start 1.00 pm – do

not arrive earlier than 12.30 pm). Arrival before this time may result in you being refused admittance to the building until such time that your entry can be facilitated. This is due to the security requirements for the building.

For your own safety, security and protection, and for that of others working and visiting the premises, all external visitors (including employees who do not work in the building) are required to identify yourself to reception upon arrival, and departure. You will be required to provide your name, the purpose of your visit, who you are visiting, and provide the details of any vehicle which you wish to leave on the premises until your departure.

If you have equipment with you, you should inform reception and confirm for what purpose you intend to use such equipment during your visit. Examination of any equipment you bring, may be required.

When you sign into the building you will be allocated a coded visitor pass which you are required to visibly wear at all times, and must hand back to reception when you sign out of the building.

Once entry to the building has been granted and compliance with reception/security requirements have been met, Reception will inform Democratic Services of your presence and arrangements to escort you to the designated waiting area, will be made. You **must** wait to be escorted to the designated area. Staff will be preparing for the meeting or escorting other visitors therefore this may take a few minutes wait until such time a member of staff is available to do so, we therefore request your patience.

## Access to the Actual Meeting

ALL persons attending to observe meetings of the Authority, who are not Merseyside Fire and Rescue Authority Members or Officers directly advising Members in the meeting, **MUST** remain in the designated waiting area until such time that it is announced that you may enter the Authority Meeting Room.

Access to the Meeting room will be given fifteen minutes prior to the start of the meeting, to allow reasonable time to set up any equipment.

In the event of a fire or requirement to evacuate the building – all visitors must be accounted for therefore you must ensure you are with the person/s you are here to visit.

In the event of an evacuation you will be instructed where to go by Fire Marshalls and Officers, and procedures should be announced at the opening of business.

## Equipment

The Authority does not accept responsibility for the loss or damage to any equipment or items it does not own, therefore any personal items and belongings you bring with you are your responsibility which you bring at your own risk.

You may be required to have your equipment / belongings checked before admittance to the building.

You are requested to ensure that your equipment is not noisy or invasive, which could cause distraction to the proceedings.

## Prior to the Meeting

Members and Officers attending meetings or training events prior to any meeting of the Authority, are required to arrive on time, ensure that all business starts at the agreed time and concludes **at least** fifteen minutes prior to the published start time of the Authority/Committee/Sub Committee, to enable the room to be cleared and ensure sufficient time for visitors to be permitted entry and set up of equipment, is provided.

## During the Meeting

The Chair presiding over the meeting will request anyone present with the intention of recording the proceedings, to make themselves known to the Chair. The Chair will advise those present, if the meeting is being recorded, and ask if any visitors have objection to being filmed. **In the event that someone requests not to be filmed, they will be asked if they wish to leave or move to an area out of recording sight.** The Chair has the right to request stoppage of recordings, or to stop the proceedings of the meeting (in line with procedural standing orders contained within the constitution) should he/she feel there is unsuitable distraction or disturbance to the meeting.

## Exclusion

All reports considered by the Authority are open and published to the Public unless there is confidential information contained within the report which under the Local Government Act 1972, is deemed Exempt. In such instances the Agenda will state by what section of the Local Government Act the item is Exempt under and during the preliminary matters on the Agenda, the Chair will announce if there are any exempt items on the Agenda which the Press and Public will be required to leave the meeting.

If there are Exempt items the Chair will announce at the time of reaching that item, for the Press and Public to leave.

All external visitors must take their equipment and belongings and make their way back to the waiting area. Equipment is to be packed away in the waiting area and you must wait for a member of staff to escort you back to reception. This may mean waiting a short while for other visitors to finish packing away their equipment and a member of staff escort several visitors together to reception.

## Exit and Departure

You will be required to sign out at reception and ensure that you hand your visitor pass back to reception, and they have confirmed your departure. You must vacate the building and car park (if using the car park) immediately.

## Further Information

For further information or questions on any aspects of this document, please contact the Democratic Services Team at:

[Democraticservices@merseyfire.gov.uk](mailto:Democraticservices@merseyfire.gov.uk)



<b>MERSEYSIDE FIRE AND RESCUE AUTHORITY</b>			
<b>MEETING OF THE:</b>	<b>AUTHORITY (ANNUAL GENERAL MEETING)</b>		
<b>DATE:</b>	<b>9<sup>TH</sup> JUNE 2022</b>	<b>REPORT NO:</b>	<b>CFO/031/022</b>
<b>PRESENTING OFFICER</b>	<b>CFO PHIL GARRIGAN</b>		
<b>RESPONSIBLE OFFICER:</b>	<b>NICK SEARLE</b>	<b>REPORT AUTHOR:</b>	<b>STEWART WOODS / GM BEN RYDER</b>
<b>OFFICERS CONSULTED:</b>	<b>TDA PROJECT BOARD &amp; EXECUTIVE GROUP</b>		
<b>TITLE OF REPORT:</b>	<b>CONSTRUCTION OF A NEW MULTI-PUMP SUPERSTATION, TRAINING AND DEVELOPMENT ACADEMY / NATIONAL RESILIENCE CENTRE OF EXCELLENCE AT LONG LANE, AINTREE</b>		

<b>APPENDICES:</b>	<b>APPENDIX A: DRAFT PLANNING CONDITIONS</b>
	<b>APPENDIX B: TRAINING MODEL</b>
	<b>APPENDIX C: PATHWAY TO NET ZERO</b>
	<b>APPENDIX D: EIA</b>

## Purpose of Report

1. To request that Members, consider the content of this report and provide final approval for the combination of Aintree and Croxteth Fire Stations and the construction of a new multi-pump superstation, Training and Development Academy/National Resilience Centre of Excellence at Long Lane, Aintree.

## Recommendation

2. That Members;
  - a) Approve the combining of Croxteth and Aintree Fire Stations into a single site at Long Lane, Aintree as per Integrated Risk Management Plan (IRMP) 2021-24.
  - b) Approve the purchase of the land at Long Lane, Aintree for £3.938m.
  - c) Approve the construction of a new multi-pump superstation, Training and Development Academy/National Resilience Centre of Excellence at Long Lane, Aintree as per IRMP 2021-24, and
  - d) Approve the capital budget allocation of £39.198m as outlined in the finance section of the report, and the associated £14.253m borrowing. Note, the Authority has incurred costs to date of £1.2m and received £1.7m from Home Office and a further £0.2m available from unspent home office grant. Therefore, the Authority is being asked to commit to £36.098m of Authority expenditure.

- e) Award a Design and Build contract to Wates construction as detailed in the finance section.
- f) Instruct the Marketing for sale of Croxteth Fire station, Aintree Fire station and Vesty 5a and 5b and Richie Avenue with a report brought back to members for final approval.
- g) Note and give delegated powers to the Chief Fire Officer in consultation with the Director of Finance and Procurement and the Monitoring Officer to progress collaborative opportunities (including sponsorship) which are currently under consideration with Mersey rail / National Highways and specialist smoke control systems (Certus) should in the case of sponsorship the value exceed the current delegated powers of £25,000.

### **Introduction and Background**

- 3. On the 30<sup>th</sup> June 2021, the Authority approved the Integrated IRMP 2021-24. The consultation process for the IRMP 2021-24 was conducted between 01<sup>st</sup> March 2021 and the 24<sup>th</sup> May 2021 and was reported to the Authority via report CFO/039/21.
- 4. Merseyside Fire and Rescue Service's IRMP 2021-24 states that:
 

‘We plan to: Combine the stations at Aintree and Croxteth to create a super-station (Hybrid/Specialist Rescue station) along with a new Training and Development Academy to be built on land at Long Lane, Aintree.’ (IRMP 2021-24 page 33)
- 5. On the 30<sup>th</sup> June 2021, the Authority considered report CFO/040/21 and resolved that the merger of Aintree and Croxteth Fire Stations at a new site at Long Lane, Aintree be approved subject to a 12-week period of public consultation to commence from 15<sup>th</sup> July 2021.
- 6. On the 29<sup>th</sup> July 2021, the Authority approved the appointment of Wates as the main contractor for the new TDA pre construction works. The cost incurred to date including initial feasibility study, site investigation and pre construction is £1.2 m.
- 7. On the 11<sup>th</sup> November 2021, the Authority considered the outcomes of the public consultation as reported in CFO/040/21 and subsequently approved officers to progress with a formal planning application reported in CFO/061/21.

### **Planning**

- 8. A formal planning application was submitted on the 15<sup>th</sup> December 2021 to Liverpool City Council (LCC).
- 9. The planning application was considered and approved at the Liverpool City Council planning committee on the 03<sup>rd</sup> May 2022. The planning application was

received by the committee with no objections from the committee members, statutory consultees or members of the public. The chair of the planning committee and the wider members of the committee expressed their support for the proposal recognising the positive impact this development will have on the Liverpool City Region and communities of Merseyside.

10. The granted planning permission is subject to entering into a section 106 legal agreement which will be completed following the outcome of this Authority meeting.
11. The planning approval has a number of planning conditions associated with the scheme, none of which do we feel are detrimental to the smooth running of the site in the long term. The planning officer report and draft planning conditions is attached in appendix 'A'.
12. The planning conditions do impose some challenges however, officers in conjunction with Wates will work with the Local Authority to discharge, manage and mitigate the risks associated to these conditions. These pre-commencement conditions are imposed to ensure that the development is constructed in an appropriate manner taking account of any environmental issues. The project team and Wates are progressing through each condition with Liverpool City Council and will discharge each condition appropriately throughout the construction phase.

### **Service & Operational Improvements**

13. The site at Long Lane, Aintree is a key strategic deliverable within the Authority's IRMP 2021-24.

a) Response Times (CFO/040/21)

The move to Long Lane will improve response times into Aintree, Croxteth and pan-Merseyside as per the tables below:

Site	Aintree station area	Croxteth station area	Overall
Current stations	00:04:54	00:04:06	00:04:29
Long Lane	00:04:05	00:03:46	<b>00:03:55</b>

KPI	IRMP 2017/20		IRMP Supplement 2019/21		IRMP 2021-24 (with proposed Long Lane site)	
	Overall Performance	Average Response Time	Overall Performance	Average Response Time	Overall Performance	Average Response Time
Performance	91.70%	00:06:07	93.70%	00:05:52	<b>93.90%</b>	<b>00:05:50</b>

b) Improved Training (CFO/061/21)

The training zones will be fully immersive enabling our firefighters to enhance their skills against foreseeable risk in realistic conditions. The zones are designed to be multi-functional and are able to be adapted in order to provide a wider range of incident types in line with MFRS's Standard Operating Procedures (SOP's) and build the desperately needed capacity that the current site can no longer support, the new site will further enhance MFRS's commercial market appeal.

The site at Long Lane, Aintree will act as an enabler in supporting a cultural shift in how we train our people. The site will provide the necessary infrastructure and facilities for the Authority to achieve its vision of being the best fire and rescue service in the UK. The site will become a beacon of excellence for the Service and for our communities.

c) Exercising & Responding to Major Incidents

The enhanced training facilities will allow training against our established 'Training Model' (see Appendix 'B') which is not readily achievable at our current site. The model takes account of:

- The core training required for MFRS staff to be competent in areas risk critical to their role.
- National Security Risk Assessment – (NSRA: Produced by Cabinet Office). Foreseeable risk at a National Level (Example: Six High Impact Incidents Types: Terrorist Related Incidents, Marine Incidents, Wildfire, Flooding, Fires in large buildings and Fires at recycling and waste processing plants.).
- Community Risk Register – (CRR: Produced by Merseyside Resilience Forum). Foreseeable risk at a Local/Merseyside Level (Example: MTA, Marine (will be phased within future developments), Tunnels, High Rise etc).
- Empirical Data – Incident Data provided by MFRA's Strategy and Performance Directorate (Example: Types of primary fires attended).
- Significant Incident Reports – Information provided by Ops Assurance Team including significant incident reports, case studies and learning from public inquires etc.
- Cognisance of National Operational Guidance and Emerging Risks such as Lithium Ion Batteries.

d) A National Resilience Centre of Excellence (CFO/040/21)

Building on our lead Authority status for National Resilience the MFRS has secured £1.7m of funding from Home Office. This funding combined with an additional £0.2m of Home Office provided National Resilience funding will be used as a capital contribute to the build of a National Resilience Centre of Excellence.

The establishment of the National Resilience Centre of Excellence will further cement the relationship that MFRS has with the Home Office. The Strategic Resilience Board and National Resilience Boards will operate from here.

e) Improved Facilities and Accessibility (CFO/040/21)

As detailed in CFO/040/21, the current Aintree, Croxteth and TDA buildings are not capable of offering our staff or communities the facilities they require. The sites are not fully accessible to all and lack the necessary facilities for a diverse workforce. The latest Access audit highlights circa £500k of recommendation alone to improve accessibility.

The new development will be accessible to all, including a changing places facility, gender neutral facilities, Mother and Baby facilities, Prayer room and staff wellbeing facilities and garden.

The development will also accommodate a youth engagement/Prince's Trust facility and meeting rooms accessible to the local community.

An access appraisal was submitted with the planning application with the planning officer reporting – all accessibility measures have been incorporated into the scheme and officers now find the provision to be acceptable in accordance with policy UD4 of the Local Plan.

f) Secondary Fire Control

A new secondary fire control will be constructed in the heart of the TDA building adjacent to the National Resilience Assurance Team (NRAT) and International Search and Rescue offices (ISAR). This will further improve our relationship with Home Office and further embed National Resilience into MFRA.

The new secondary control is a significant improvement on the current facilities in line with learning from the prolonged use of secondary control during Covid. The improved layout of the control room, dedicated breakout space and a new watch manager's office located within the National Resilience centre of excellence part of the building.

g) Sustainability / Net Zero Slide

The new development has been designed to be 75% better than BSRIA benchmarks, which is a 46% decrease in carbon emitted compared to the last three new fire station built in Merseyside and a circa 80% less than our current sites at Aintree, Croxteth and the TDA. No fossil fuels will be used on site, with improved thermal envelope, air source heat pumps and the installation of Photovoltaic Panels. Appendix 'C' highlights the pathway to achieving Net Zero Carbon for the site by 2040 in line with the City Region strategy.

Twenty three electric vehicle points will be included within the car parking including accessible spaces which represents 12% of the overall car parking spaces. The planning officer report concluded that the proposal is considered to be in accordance with the climate change measures identified in policies R7 and R10 of the Local Plan.

A number of opportunities to recycle and reuse existing building and equipment from the current site to the new development are being considered to reduce the environmental construction impact. For example, Garages, temporary classrooms, ICT equipment and training towers.

The reuse of existing infrastructure will also reduce the overall cost of the development.

#### h) Environment

A number of green measures have been incorporated into the site which is not located within a sustainable location but includes:

- A BREEM rating of 'Very Good'
- The planting of 158 mature trees on the site
- A staff wellbeing garden with pond and habitat area to enhance wildlife and increase biodiversity
- Ecology improvements to support bird and bat breeding and safeguarding terrestrial mammals during construction and in operation.
- The use of a 'Scrubber plant' to clean smoke generated in fire training activities.

#### g) Flexible design approach

The design of Long Lane site allows for a phased approach to the development in order to allow the Authority to develop further operational training zones to accommodate current and future risks. Approximately 2 – 3 acres of the site has been designated as future development land for further training facilities to be developed to train against risks such as Marine / Renewable energies and emerging technologies.

### **Cost Plan**

14. The project was a specific agenda item at the Fire Authority Budget Strategy Day on the 20th January 2022 with an estimated £35m budget figure indicated to members. The budget Authority meeting on the 24th of February 2022 approved the 2022/23-26/27 medium term financial plan which included provision for the updated £35m TDA capital scheme.
15. Members resolved they would consider the final affordability of the TDA scheme once planning was considered and the final costs were known.
16. Since February, Wates construction have carried out a second stage tender market testing exercise on over 75 work packages ranging from Joinery, steel

work, specialist training equipment and groundworks. Each tender package has been sent to the market obtaining a number of quotes for each package against the current specification and design drawings.

17. RLB are appointed directly by Merseyside Fire and Rescue to carry out independent cost consultancy and Quantity Surveyor duties to verify the Wates proposals and interrogate the market tested costs. They have found these to be in line with current market trends, providing the Authority with reassurance that the cost plan has been through a robust quality control process.
18. Market intelligence and tender price forecasting indicate that Russia's invasion of Ukraine has altered the outlook for the global economy. Conflict and the roll-out of sanctions have ushered in a new era of economic complexity and inflation has increased as a direct result. Swings in commodity prices have been dramatic with record rises in fuel and energy prices.
19. So far, the greatest impact to UK construction has come from higher oil and gas prices. High energy costs are feeding through to the production of energy-intensive construction products and materials, and we have seen several surcharges and price increase notifications as a result. Although down from their recent peaks, energy prices have yet to settle and are in a state of flux. Many producers use forward energy contracts / price hedging so there is typically a lag between wholesale energy cost rises and the impact on the cost of manufacturing products and materials, so even if the situation improves and prices fall in the short-term, the input cost of manufacturing these energy-intensive products and factory gate prices may not fall.
20. Whilst the long-term utility costs are difficult to determine alongside those related to business rates, Members will note that the proposal and new operating model will result in the Authority reducing its capital assets/ overheads i.e. the disposal of Aintree FS, Croxteth FS, Vesty 5 (a) & 5 (b) and Richie Avenue stores.
21. Brexit, the pandemic, the energy crisis and the war in Ukraine are having a compounding effect on the market.
22. Fabricated structural steel sections, for example, were already 65% higher in February 2022 than they were just before the pandemic hit. Since then, British Steel has announced an additional £250/tonne increase for all new orders, followed by another £100/tonne in early April 2022. British Steel blamed the sustained high level of steelmaking costs and continued disruption to international trade flows for the hikes. With the supply chain anticipating further rises, customers are placing new orders at record pace, thinking that if they do not buy now and fix costs, in a few months' time steel will be even more expensive.
23. The contract has been negotiated to provide the most protection from price inflation utilising a JCT Design & Build contract.

24. Wates have presented a commercial cost plan which is detailed in the financial section below, a JCT design and build contract will be entered into with Wates if Authority approval is obtained.
25. The design of the new site enables this scheme to be constructed in a phased approach, sensitive to financial/budgetary variations. Therefore, the Authority would be able to manage its fiscal resources based on risk of future unknown cost assumption. This will enable construction cost to remain within the approved budget tolerances, elements of the scheme such as external classrooms /storage and ancillary buildings could be phased or removed in order to ensure the development continues within budget, with the minimum impact on the risk critical training model.
26. A number of collaborative opportunities (including sponsorship) are under consideration with Merseyrail/National Highways and specialist smoke control systems from Certus. These may reduce the overall construction costs yet further and also grow future commercial opportunities. This has purposefully been omitted from the cost plan until any savings are realised. To date the proposals have been in regard to the provision of equipment to utilise for training, the extent of any collaboration or sponsorship has not been explored further at this stage.
27. The construction of the Long Lane site will see the relocation of a number of staff based across the wider MFRA estate portfolio, this will in turn allow MFRA to make a number of efficiencies across its property portfolio. It is envisaged that Vesty 5a and 5b along with a small storage unit on Richie Avenue, Aintree will become surplus to requirements. The estimated capital receipts for these three properties will generate a further £1.2m and reduce revenue running cost by circa £50k per annum.
28. As a result of the above and with Officers working closely with Wates and the wider design team and supply chain, Officers believe the offer presented represents best value and mitigates the risk of future inflationary increases. RLB consider this offer to be unique in the current economic climate as many tier one contractors are seeking to introduce fluctuation mechanism to transfer the risk back to the client.

### **Land Deal**

29. The Authority have conditionally exchanged contracts and a £376k deposit for the land at Long Lane in June 2021. The conditional exchange was based upon set criteria being successfully obtained and subject to that criteria the completion of the land purchase taking place on or before 22<sup>nd</sup> June 2022 or the purchase of the land is at risk. The completion of the purchase was conditional on three main items:
  - a) The grant of Satisfactory Planning Consent;
  - b) Public consultation on the relocation of Croxteth Fire station & Training centre and Aintree Fire station into this site having taken place;



- c) Formal approval by Merseyside Fire and Rescue Authority to purchase the land.
30. The first two items above have successfully been obtained, therefore, if the Authority provide final approval to purchase the land, the Authority is legally bound to complete the land purchase at a sum of £3.76m before 22<sup>nd</sup> June 2022.

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### **Equality and Diversity Implications**

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- 31. A full Equality Impact Assessment (EIA) has been completed. The EIA will continue to be reviewed and revised throughout the construction phase of project. ( Appendix D)
- 32. All associated Equality, Diversity and Inclusion considerations have been completed through the corporate management of the project. The MFRA Equality, Diversity and Inclusion Team have been integral to the project management structure.
- 33. The Project Manager has engaged extensively with the staff networks, most significantly via the Chairs and Vice Chairs meeting; this has been ongoing since the inception of the project.

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### **Staff Implications**

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- 34. The provision of sector leading facilities at the new TDA site with an infrastructure fit to meet the ambitions of MFRS will exponentially improve the working conditions and training provision for MFRS personnel.
- 35. There has been a detailed consultation and communication process delivered by MFRS in line with Service Instruction 0881 (Consultation and Engagement Framework).
- 36. The Consultation and Communication Sub-Group will continue to engage with staff in order to positively influence the project.
- 37. As with any new build there will always be training implications. With the creation of a new Training and Development Academy this will require significant training and familiarisation requirements for members of staff who will be based at the new site to be able to operate the site safely and effectively.
- 38. It is proposed that a small implementation team work with construction partners to produce user manuals, session plans and associated risk assessments for the new site. This will ensure a seamless transition to the new site with limited impact on risk critical operational training.

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### **Legal Implications**

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- 39. The planning permission has been granted subject to certain conditions as detailed in paragraph 11. Some of the requirements will not be able to be

addressed until the construction phase and in the event they could not be met the Authority would have already purchased the land although this risk is being mitigated as detailed in paragraph 12. The remaining implications in respect of the proposed purchase of the land at Long Lane are contained within the body of the report.

40. Further to a tender competition on a Crown Commercial Services framework as detailed in CFO/045/21 Members approved the appointment of Wates Construction to undertake the necessary works under the pre-construction services agreement.
41. Under the framework and same tender competition Wates Construction Members also approved Wates Construction to be the contractor for the main build. However, this was subject to the proposed build of a new multi-pump superstation, Training and Development Academy/National Resilience Centre of Excellence at Long Lane, Aintree being approved by Members. If the proposal is approved, a design and build contract would need to be agreed between both parties prior to any commencement of the build or any further commitment being entered into by the Authority in respect of the same.

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#### **Financial Implications & Value for Money**

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42. The current Medium Term Financial Plan (MTFP) 2022/23 – 2026/27 capital programme includes a £35.027m provision for the new TDA and superstation, of which £11.615m is to be funded from borrowing with the balance from specific resources (reserves, capital receipts, and Home Office funding). The costs associated with the scheme can be broken down:

a) Pre-construction and Design costs	£1.200m
b) Land Purchase	£3.938m
c) Fees (construction phase)	£0.117m
d) ICT (including new control and command suite)	£0.951m
e) Construction Costs	£28.821m
<b>Total</b>	<b>£35.027m</b>

43. The revenue costs associated with the planned £11.615m borrowing and increased running costs were estimated at £0.950m, and included within the 2022/23 – 2026/27 MTFP.
44. Officers have been working with Wates to make sure the design of the site is sufficiently flexible to allow for phasing of build elements and future expansion. Officers have chosen to defer some construction of non-urgent build elements such as external classrooms / Garages and Marine simulation to contain the overall construction costs. Following the receipt of the construction bids, costs

increased from £28.821m by £4.621m to £33.442m. The decision to defer some build elements will be kept under constant review during the build phase, and should the Authority's financial position become more favourable, officers may seek approval from Members to bring some of the deferred build back.

45. Following lengthy negotiations the bid from Wates construction now includes for greater price security and protection against further inflationary rises if approval to proceed is granted today and final terms and conditions are agreed before the end of July 2022.

46. Officers have reviewed the ICT ask and have reduced the planned spend from £0.951m to £0.501m. The intention will be to contain any further ICT expenditure within the existing capital programme or the reuse of equipment to achieve the desired outcomes.

47. The revised scheme costs are;

a) Pre-construction and Design costs	£1.200m
b) Land Purchase	£3.938m
c) Fees (construction phase)	£0.117m
d) ICT (including new control and command suite)	£0.501m
e) Construction Costs (no greater than)	£33.442m
Total	£39.198m

48. Funding of the £4.171m (£39.198m - £35.027m) increase in scheme costs;

a) Increase in Capital Receipts (Vesty / Richie Ave)	£1.200m
b) Increase in Capital Reserve (2021/22 Qtr 4 adjustment grant increase)	£0.133m
c) Allocate unspent Home Office Grant	£0.200m
d) Increase in Borrowing	£2.638m
Total	£4.171m

49. As the current MTFP includes the revenue costs associated with the original £11.615m borrowing costs, the additional £2.638m would increase the revenue costs by £0.160m. However, the sale of Vesty and Richie Avenue would free up £0.050m budget so the net increase is £0.110m. The MTFP's 2024/25 budget is

currently £67.050m, so the c£0.110m increase equates only to less than a 0.2% point, and so could be viewed as immaterial and affordable.

50. This report has outlined the need to investment in a new TDA and station in the area. The associated costs and funding of the scheme have been included in the current MTFP and the approval of the scheme would not materially change the current forecast financial position.
51. Members will recall that the MTFP is based on a number of key assumptions, specifically pay awards (2.5% p.a. = £1.3m) and Government funding increases (1% or £0.3m p.a.). The MTFP indicates a small, less than £1m, potential challenge by 2026/27, however, due to the significant uncertainty over the future funding and expenditure the Authority agreed to deal with any financial challenge once the future Government funding had been confirmed.
52. The financial risk for the Authority is that the key assumptions in the current MTFP (pay and Government funding) do not hold out over the MTFP and at a future point the Authority will need to consider new savings to balance the budget. The cost of the new TDA and station have been built into the MTFP, but the scheme will commit £1.1m of budget for the next 40 years, and therefore it will marginally reduce the available controllable budget. However, the Authority will still have a £55m controllable budget. Any future savings if required would need to be found from these budgets (employee, premises, transport and supplies and services costs).
- 53.

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### **Risk Management, Health & Safety, and Environmental Implications**

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- 54.
55. A risk register has been developed to manage and mitigate associated risks. The register is reviewed regularly at the Project Board. The Chair/Vice Chair of the Project Board escalate risks by exception to the project's Executive Group led by the Deputy Chief Fire Officer.
56. The MFRS's clean kit principle as outlined in the Health Safety and Welfare Committee – Joint Statement has been a key element in the design of the site.
57. The MFRS's Health and Safety Manager is a key member of the Project Board and has and will continue to provide technical advice and support in relation to the mitigation of contaminants and firefighter safety.
58. The enhanced infrastructure and training facilities provided at the new site will exponentially improve MFRA's ability to train against foreseeable risk in line with National Operational guidance.
59. Firefighter safety has been a key factor in developing this proposal.

60. It is anticipated (utilising predictive software) that the response times for the area will reduce by circa 34 seconds. This improvement will clearly benefit the public in the areas serviced by the new station.

**Contribution to Our Vision:** *To be the best Fire & Rescue Service in the UK.*

Our Purpose: *Here to serve, Here to protect, Here to keep you safe.*

61. The capital scheme at Long Lane, Aintree is an integral component of the IRMP 2021-24. The building of a new Training and Development Academy, National Resilience Centre of Excellence and Search and Rescue Super-Station is intrinsic to our vision.
62. The scheme will significantly improve the locality and this will be demonstrable through a Team Liverpool / Centre for Local Economic Strategies (CLES) case study.
63. The CCS framework has strict social value targets in place for Design and Build contracts let under their framework, these will be monitored and measured as the build progresses with outcomes reported back to members. Measures include but not limited to - Local employment, armed forces, apprentices, training, local supply chain, voluntary hours and work placement hours, school visit and community projects.

## **BACKGROUND PAPERS**

<b>CFO/009/21</b>	<b>DRAFT IRMP 2021-24</b>
<b>CFO/039/21</b>	<b>INTERGRATE RISK MANAGEMENT PLAN 2021-24 POST CONSULTATION REPORT</b>
<b>CFO/040/21</b>	<b>STATION 18 &amp; 19 MERGER LONG LANE SITE</b>
<b>CFO/045/21</b>	<b>APPOINTMENT OF MAIN CONTRACTOR FOR NEW TDA PRE CONSTRUCTION WORKS</b>
<b>CFO/058/21</b>	<b>OUTCOMES FROM CONSULTATION OF CROXTETH AND AINTREE FIRE STATIONS</b>
<b>CFO/061/21</b>	<b>FORMAL PLANNING APPLICATION FOR THE LONG LANE SITE</b>

## **GLOSSARY OF TERMS**

<b>BSRIA</b>	<b>B</b> uilding <b>S</b> ervices <b>R</b> esearch and <b>I</b> nformation <b>A</b> ssociation
<b>MFRA</b>	<b>M</b> erseyside <b>F</b> ire and <b>R</b> escue <b>A</b> uthority is the physical and legal entity. When writing reports MFRA is the “object”.
<b>MFRS</b>	<b>M</b> erseyside <b>F</b> ire and <b>R</b> escue <b>S</b> ervice is the service provided by MFRA. When writing reports MFRS is the “action”

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<b>Ward:</b>	<b>Warbreck</b>		
<b>Site:</b>	<b>Former Commercial Hydraulics Site, 100 Long Lane, Liverpool, L9</b>		
<b>Proposal:</b>	<b>Proposed redevelopment of the site to provide a two storey four bay fire station with garaging and a two storey training &amp; development academy including single storey classroom blocks and associated structures and specialist training facilities (all for fire and search and rescue training purposes)including high rise multi-purpose building (18.5m in height), two/three storey terraced housing block, hazardous material rig (9.6m in height), urban search and rescue rig (10.4m in height), transport training zone and three storey vehicle store, animal rescue zone (including canine training), marine rig (8m in height), training towers (13m in height) and other training equipment, change in vehicular access and provision of parking, lighting, boundary treatments and landscaping</b>		
<b>Applicant:</b>	<b>Merseyside Fire and Rescue Authority</b>		
<b>Application No.:</b>	<b>21F/3635</b>	<b>Committee Date</b>	<b>3<sup>rd</sup> May 2022</b>
<b>D.C. Team:</b>	<b>City North</b>		
<b>Recommendation:</b>	<b>Approve Subject to a Legal Agreement</b>		

Any supporting or background documentation referenced within the Case Officer Report may be available for inspection at the City Council offices by prior appointment in accordance with the provisions of Section 100D of the Local Government Act 1972. Note that the right to inspect such materials is contingent on the provisions of both Schedule 12A Local Government Act 1972 (as amended) and the Data Protection Act 2018

### **Case Officer Report**

#### **Site Description**

The application site is a vacant piece of land located on the southern side of Long Lane, to the south-west of the junction with Stopgate Lane. The site has some sparse vegetation throughout the site, with a large body of standing water to the rear.

The site is adjacent to Taskers Store and is bound by a number of industrial/commercial premises within the Liver Industrial Estate and on Charnock Road. To the west, the site lies within 170m of the Liverpool Loop Line, a protected area of Green Space managed by Sustrans.

Opposite, accessed on the northern side of Long Lane are the Jeffrey Humble Playing Fields and Everton Cemetery. Long Lane is tree lined with grass verges along the highway. The current site access is flanked by large advertising boards with an existing sub-station to the east of this.

The site is allocated as a site for Industrial/Business Development within the Liverpool Local Plan.

### **The Proposal**

It is proposed to redevelop the 5.01Ha site for use by the Merseyside Fire and Rescue Service (MFRS). Two existing fire stations (Croxteth and Aintree) are to be re-located to the site with the remainder of the land to be given over for training and development purposes.

The scheme comprises a number of elements, but its primary function is to be a centre of excellence for the training of fire fighters and in the centre of the site is a Training and Development Academy (TDA) together with an array of external training zones to mimic real life scenarios including railway, marine, high rise and an operational fire station.

The following would be incorporated within the site:

- An operational Fire Station (OFS) (A four appliance bay, two storey community fire station incorporating operational and welfare accommodation, offices and training facilities, external drill and training spaces, four storey training tower (circa 13m), below ground training tank and associated car parking).
- A training and development academy (TDA) including classrooms, offices, dining space, indoor training facilities and a community meeting room
- Indoor training facility
- Urban Search and Rescue (USAR) garage
- Provision of external training which will also incorporate added provision for National Resilience (NR) focused training requirements (high rise multi-purpose building (18.5m in height), two/three storey terraced housing block, hazardous material rig (9.6m in height), urban search and rescue rig (10.4m in height), transport training zone and three storey vehicle store, marine rig (8m in height), training towers (13m in height), fire behaviour units (shipping containers) and other training equipment)
- Canine Training
- Specialised practical classrooms

The site will also be extensively landscaped and have parking for 190 vehicles (discounting training and operational vehicles).

### **Relevant Site History**

#### Planning History

#### This Site

20F/2695 To use land as motor auction purposes (Sui Generis) and install associated containers and associated parking.  
Approved 03/06/2021



- 07F/3395 To erect 2 no. two-storey blocks comprising 10 no. industrial units within Classes B1 (Offices), B2 (General Industrial), and B8 (Warehousing) of the Town and Country Planning (Use Classes) Order; together with associated estate roads, parking, landscaping, and ancillary works (part alternative to permission 04F/3105).  
Approved 11/03/2008
- 07F/2018 To erect a single-storey (9.1 metres high) block comprising 5 no. industrial units within use classes B1 (offices), B2 (general industrial), and B8 (warehousing) of the Use Classes Order, together with associated parking, landscaping, and ancillary works (part alternative to planning permission 04F/3105).  
Refused 05/10/2007
- 07F/1000 To carry out various environmental improvements including removal and replacement of fencing and gates, and surface and boundary treatment works.  
Approved 22/05/2007
- 05F/2964 To use site for a period of up to 18 months for car boot sales on Sundays.  
Refused 09/01/2006
- 04F/3105 To develop site by the erection of 6 no. two-storey blocks comprising 34 no. industrial units, for uses within classes B1, B2, and B8 of the Town and Country Planning (use classes) Order 1987; together with associated estate roads, parking, landscaping, and ancillary works  
Approved 09/02/2005

#### Adjoining Sites

- 19LE/1085 Unit 11 Charnock Road -Application for certificate of lawfulness as a martial arts studio.  
Approved 19/06/2019
- 18F/0284 Taskers PLC - To vary conditions 2 and 7 attached to 16F/1425 for the alteration and extension of existing unit (amended plans)  
Approved 22/03/2018
- 16F/1425 Taskers PLC - To alter and extend existing unit including provision of click and collect point with associated works  
Approved 06/09/2016
- 16F/1052 Jeffrey Humble Playing Fields - To extend existing changing pavilion to provide additional changing rooms and health and fitness facilities. Install 3, 3G artificial grass football pitches with associated flood lighting, perimeter fencing and hardstanding. Extend car park to provide 250+ spaces and install new perimeter/gates.  
Approved 19/08/2016

- 14F/1312 Unit L6 Long Lane - To erect 2no. industrial units (class B1/B2) and carry out associated works.  
Approved 19/08/2014
- 13F/0228 Jeffrey Humble - To erect new build changing/community facilities with associated car park.  
Approved 15/03/2013
- 11F/1900 37 Stopgate Lane - To erect single storey extension to existing factory and erect 6 storage silos.  
Approved 14/11/2011
- 08F/2275 Liver Industrial Estate - To erect two-storey building and lay out associated car parking, for use as a vehicle rescue and recovery unit.  
Approved 28/10/2008

### **Response to Consultations**

Two consultation exercises have been undertaken by way of letters to 226 residents/neighbouring properties and a site notice was erected at the site as well as a press notice published. Consultation was undertaken once upon receipt of the original submission, the second upon receipt of amended/additional plans.

### **External**

#### **Neighbours**

No comments received.

#### **Councillors**

No comments received.

#### **Merseyside Environmental Advisory Service (MEAS)**

No objections to the proposal subject to conditions relating to breeding birds, provision of bird nesting boxes, provision of bat boxes, a detailed lighting scheme being submitted for the protection of bats, terrestrial mammal protection, reasonable avoidance measures during construction to protect amphibians, landscaping design and construction waste.

#### **SUSTRANS**

No comments received

#### **Environment Agency**

No objections, comments made on risk management for land contamination.

#### **Civil Aviation Authority (Liverpool Airport)**

No objections to the proposal and confirmed that the proposed works will have no impact on operations at Liverpool John Lennon Airport. An informative is requested to be added in respect of the height of cranes and the possibility for instrument flight procedures assessments needing to be carried out.

## **Inter-Departmental Consultees**

### **Head of Highways and Transportation**

Confirm that additional traffic generated on the network by the development is negligible and that there are limited opportunities to improve surrounding junctions which are already operating over capacity. 46 road collisions have occurred in the surrounding areas however this is generally representative of busy distributor roads and is not indicative of any underlying highway safety issues. The comments also confirm the development vehicle access points and traffic impact do not raise highways safety concerns. No objections are raised subject to conditions relating to the discharge of surface water onto the highway, highways works (including new TROs, installation of wig-wag signals and formalising existing foot and cycleways), cycle parking provision, parking and servicing areas being required to be surfaced, drained and permanently marked, adoption of travel plan and provision of a construction method statement.

### **Environmental Health (Noise and Disturbance)**

On the basis that dogs aren't kept on the site overnight and would only be brought onto site during normal working hours for the search & rescue training exercises and the implementation of the recommendations in the acoustic design review report, no objections are raised to the proposal and no conditions are required other than to secure the report recommendations.

### **Environmental Health (Pollution)**

No objections subject to conditions requiring the submission of contaminated land reports.

### **Highways (Drainage)**

The information provided is considered satisfactory for approval subject to a full drainage scheme being submitted as part of any conditions, no objections are raised.

## **Intra-Departmental Consultees**

### **Tree Specialist**

The proposal requires 4 street trees to be removed, it has been confirmed that planting in mitigation cannot be located within the grass verge due to the siting of utilities, therefore a sum in mitigation is required to be paid via a S106. Tree planting is also proposed throughout the site which is considered of a suitable size to off-set some of the S106 contribution required for street trees.

### **Inclusive Design Specialist**

Several comments were received which required amendments to parking bays, bollards, glazing and seating.

### **Planning Policy**

The National Planning Policy Framework (NPPF) confirms the status of the Development Plan as the starting point for decision making.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 also requires that "where in making any determination under the Planning Acts, regard is to be had to the

development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.”

### **Revised National Planning Policy Framework 2021 (NPPF)**

The Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise

The Revised National Planning Policy Framework (2021) (NPPF) sets out a presumption in favour of sustainable development.

Paragraph 7 states that the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

Paragraph 9 states that plans and decisions need to take local circumstances into account, so that they reflect the character, needs and opportunities of each area.

NPPF re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

Paragraph 12 states that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

Paragraph 83 states planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative or high technology industries; and for storage and distribution operations at a variety of scales and in suitably accessible locations.

Paragraph 126 states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

### **Liverpool Local Plan 2013 - 2033 (LLP)**

The following policies are of consideration:

- UD1 Local Character and Distinctiveness
- UD2 Development Layout and Form
- UD3 Public Realm
- UD4 Inclusive Design
- UD5 New Buildings
- UD6 Tall Buildings

UD8 Public Art  
UD8 Public Art  
TP1 Improving Accessibility and Managing Demand for Travel  
TP2 Transport Assessments  
TP4 Strategic Road Schemes  
TP5 Cycling  
TP6 Walking and Pedestrians  
TP8 Car Parking and Servicing  
STP1 Spatial Priorities for the Sustainable Growth of Liverpool  
STP2 Sustainable Growth Principles and Managing Environmental Impacts  
STP6 Developer Contributions  
R1 Pollution  
R3 Flood Risk and Water Management  
R7 Renewable and Low Carbon Energy  
R10 Non-Fossil Fuel Energy Sources  
GI1 Green Infrastructure  
GI5 Water Spaces  
G 6 Protection of Biodiversity and Geodiversity  
GI8 New Planting and Design  
GI9 Management of Existing Site Vegetation  
EC1 Employment Land Supply  
EC2 Employment Areas  
EC3 Delivering Economic Growth  
SP5 Community Facilities

### **Other Material Considerations**

Access for All SPG 5  
Car and Cycle Parking Standards SPG 8  
Design for Access for All SPD

### **Issues**

1. Principle of Proposed Development
2. Design
3. Accessibility
4. Impact on Amenity
5. Highway Safety/Parking
6. Trees and Ecology
7. Flooding and Drainage
8. Planning Obligations
9. Climate Change
10. Summary

## **Officer Assessment**

### **1.0 Principle of Proposed Development**

- 1.1 The NPPF (para 81) advises 'significant weight should be placed on the need to support economic growth and productivity, taking into account local business needs and wider opportunities for development'.
- 1.2 Section 8 of the NPPF provides guidance in respect of the promotion of healthy and safe communities. Paragraphs 96 and 97 advocates the faster delivery of other public service infrastructure and the promotion of public safety by increased resilience and recognising and supporting development required for operational defence and security purposes.
- 1.3 The site is allocated in the Local Plan for Industrial/Business Development and is listed in Policy EC2 'Employment Areas' as site allocation E15 'Land to the West of junction of Long Lane and Stopgate Lane'.
- 1.4 Policy EC2 advises that new employment development will be directed towards land designated as Primarily Industrial Areas and allocated as Sites for Industrial/Business Development. Part 2 states that land in these areas will primarily be protected for industrial and business uses. Planning permission will be granted for industrial/business uses (use Classes E(g), B2 and B8) and where appropriate to the location, and in accordance with other plan policies, employment generating sui-generis uses associated with industrial/business areas.
- 1.5 The proposed development would include a variety of uses on the site including training facilities, offices, and an operational fire station and for this reason It is considered that the proposed use of the site would not fit in to a specific use class within the Use Classes Order and would therefore be classed as Sui Generis. Policy EC2 Part 2 advises that planning permission will be granted for employment generating sui-generis uses associated with industrial/business areas provided they are ancillary or complementary (subject to compliance with other relevant plan policies), therefore the principle of allowing a sui-generis use on the site may be acceptable provided employment would be generated as a result of the proposed use.
- 1.6 The Planning Statement advises on a variety of scenarios involving the closure of various combinations of existing fire stations and details several alternative locations which have been explored by MFRS, to enable them to consolidate sites whilst improving emergency response times and providing enhanced community and training facilities; the Long Lane site has been chosen as the most suitable.
- 1.7 The application advises that there would be 62 no. firefighters based at the site all working to a 24-hour shift pattern; with 15 no. firefighters during each shift. In addition to this there would be approximately 50 no. administrative/training staff working normal office hours. The Planning Statement also advises that with particular regard to Policy EC2, MFRS aspiration is to grow and enhance their training offer and ultimately become a centre of excellence and national training, which would in turn increase employment opportunities at the site in addition to

redeploying over 40 members of staff who are currently involved in training delivery at the Croxteth site.

- 1.8 Additional information was provided in respect of *new* posts created through the development which confirmed there would be 20 new fire fighters, one new support staff role, two part time Prince's Trust course leaders, one commercial member of staff, one full-time Facilities Management team member and one additional assurance team member for National Resilience. In addition to relocating staff based at Aintree and Croxteth Fire stations and the Training centre, the development will also see up to 13 National Resilience staff being seconded to work from the new development. These members of staff are currently working within other UK Fire and Rescue services but will be seconded to work in Merseyside and be housed in the Long Lane development. The ambition is to further develop the commercial training opportunities and grow both the internal commercial team and trainers with a potential for further job creation. The development would strengthen Merseyside Fire and Rescue Service's position as National Resilience lead, which secures annual Home Office funding for jobs which are currently based at other Merseyside Fire and Rescue locations. It is considered that the proposed development would help to retain and protect existing jobs within the city administrative boundary, as well as creating new posts, a significant proportion of which would be office based which you would normally expect to see in an industrial/business area.
- 1.9 The development will also utilise the site for community use. MFRA encourages the use of its premises by community and voluntary groups and other organisations in a manner which will assist MFRA to achieve its mission of safer, stronger communities. The site will also be used by Fire Cadets and the Prince's Trust. Policy SP5 (Community Facilities) states that planning permission will be granted for the provision of a new community facility where it is demonstrated that the proposal is located in an allocated centre or is required to meet a need and is close and accessible to the community it serves by sustainable transport modes and will not have an impact on residential amenity. The building should also be flexible, adaptable and capable of multi-use. Whilst the site is not in an overly accessible location, there are a number of bus stops located along Long Lane, and the site is accessible by cycleways and is in close proximity to the loop line to the rear of the site. The building is designed to be capable of multi-use and it has been confirmed that the latest the community use will operate from the site is 9am-8pm. To allow flexibility and given that the site is away from residential properties, it is reasonable that this could be allowable until 10pm. There is clearly an identified need and want by MFRS to use their estate for community facilities, and the use of the site for groups such as Fire Cadets can only reasonably be accommodated on a site such as this. It is considered that the community use aspect of the proposal meets the requirements of Policy SP5.
- 1.10 It is considered that there is a need for the relocation of MFRS operations and an argument as to the suitability of the site has been put forward. The proposal would allow for increased emergency response times and therefore a community/safety benefit, enhanced community facilities and importantly enhanced training facilities, which would also have the potential to create additional employment. Whilst the site would introduce a Sui Generis use and therefore depart from the Local Plan

designation for industrial/business use, a significant number of office/administration jobs would be located at the site with the potential for more employment as a result of the training use, and there would be benefit derived from securing the retention of the current workforce within the locality, in accordance with the requirements of Policy EC2.

## **2.0 Design**

- 2.1 Design is a key consideration in the planning process. Good design is an important aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Paragraph 126 of the NPPF Para (2021) states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 2.2 Paragraph 130 of the NPPF (2021) requires Local Planning Authorities to ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities). New development shall also establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 2.3 Policy UD5 states that all new buildings must be designed to the highest design standards, based on a clear rationale, and aesthetic based on the characteristics of the area.
- 2.4 The two main aspects of the proposal, and that which can be seen from the road most prominently are the Operational Fire Station (OFS) and the Training and Development Academy (TDA), both of which have a street facing presence.
- 2.5 The design of the operational fire station appears acceptable and the mix of metal cladding and brick structure is considered complimentary to its function. The overall form appears purposefully monolithic but that is not seen as a weakness given the proposed use. The frontage has large door apertures punched through the brick skin, whilst a slot window at first floor level serving the gym of the staff block provides another large opening punched through this bulky form. There is a clearly defined language to the building. Should permission be forthcoming, cross-sections of the windows will be conditioned to be submitted for agreement to



ensure they have a deep recess to reinforce the perception that the apertures have been 'punched' in the building skin.

- 2.6 It was considered that there would be aesthetic benefits to having some regular texture to the operational fire station building cladding without diluting its defined character i.e.: through the use of standing seam. It has been agreed that the cladding to the upper level of the OFS and the TDA will be Corten Weathering Steel. The cladding material will be in cassette form with recessed joints and colour matched fixings. The cladding will be carefully detailed to provide a high-quality appearance and to ensure consistent weathering without avoidable pattern staining. Notwithstanding these details, materials will be conditioned to be submitted for agreement to ensure their appropriateness given the prominence of the build and the extent of the use of the cladding.
- 2.7 The TDA building is considered acceptable and will also incorporate the Corten Weathering Steel cassette cladding to the gabled terrace structure. The sections suggest that the reveals are approximately 100-200mm which are shallow and not sufficient for this type of architectural language, therefore as with the operational fire station cross-sectional details of these features shall be required to be provided should permission be forthcoming. The front of the TDA building incorporates an extensively glazed element which incorporates a lobby and dining area and initial concerns were that the front elevation did not read as a celebrated entrance point onto the front of the site. It has since been confirmed that the glazed entrance pavilion will be detailed and as the arrival point for the show piece development will be constructed of high-quality materials and signage in the form of manifestations (glass etchings) will be included on the entrance elevation and will be supported by complementary signage totems and directional signage (subject to future advertisement consent applications). The manifestations along with the landscape will be used to clearly signpost the glazed entrance and to make sure that the main public entrance is sufficiently prominent. Details of the manifestations are to be conditioned to be submitted for agreement. A sedum roof is also proposed over the glazed roof form which is welcomed and conditions to ensure its ongoing management and retention will be added should permission be forthcoming.
- 2.8 From a strategic perspective, the scale of development is acceptable. The approximately 18.5m tall high-rise fire house building is taller than would be deemed normally acceptable in this location but it is acknowledged that it is an essential training facility. The height and prominence of this structure is exacerbated as a result of its siting to the rear of the car park and therefore forming the centre piece to the site when viewed from the highway. It was suggested that the structure be moved to the northern side of the site, specifically somewhere to the rear of the TDA building however the applicant confirms that the BA fire training house along with the other training facilities on the site has been carefully located so that they interact with the other training activities on the site and so maximises the opportunities for varying training scenarios including large scale multi-agency major incident training. Positioning has also taken consideration of the possibility of causing nuisance to neighbours and in particular Taskers. The BA House is part of the Built Environment Training Zone and so has a direct relationship with the Terraced House Block and the Fire Behavioural Units. All these facilities are grouped together to both facilitate the training and to enable the connection of the

plant used to clean the smoke generated in training activities. In addition to supporting the common training activities in this area, the positioning enables MFRS to locate the realistic street scene with the terraced houses etc. at the entrance to the training zone so that the domestic firefighting activities are visible from the front of the site and able to be viewed at a safe distance by visitors and members of the public. On balance, given the locational and operational factors requiring the siting of the building within a centralised position within the site and the industrial context of the surroundings of the site on this part of Long Lane, Officers are satisfied that the positioning of the building is acceptable.

- 2.9 Policy UD6 of the Local Plan is concerned with the provision of tall buildings which in Liverpool is defined as a building taller than 1.5x the context height of its local surrounding area. The building is set just outside the key sensitive views as outlined in Appendix 4 of the Local Plan. However given it's height at over 18m (in combination with other tall buildings including training towers of 13m in height) the scale of the buildings on the site will be highly prominent and visually apparent from wide ranging views. The use of the building for fire and rescue training purposes would also add to its overall prominence. The size of the fire house building and in particular its height is acknowledged however this is considered necessary to enable the service to cover all the various firefighting scenarios including high rise, hospitals, care homes, secure facilities, cinemas, and other places of entertainment. The high rise structure is set 150m back from the public boundary with the terraced house block being sited as to mitigate views of the lower part of the building. The tall buildings are required as part of the comprehensive development of a larger site facilitating delivery of wider regeneration and improvements beyond the proposal itself in line with the policy requirements, and given their location are not considered to result in harm to nearby heritage assets. In respect of microclimate and sunlighting, given the buildings location centralised within an active training facility within an industrial area, no concerns are raised in this regard.
- 2.10 The remainder of the site is given over to training facilities, garaging and classrooms for training and development purposes. The larger of these elements will be discussed in turn:

Urban Search And Rescue (USAR) and Training and Development Academy (TDA) Garage: This building is sited to the rear of the operational fire station and will be visible across the car park, specifically from the north-west travelling along Long Lane. The maximum height of the building will be 6.7m with various pitched roof profiles laid out in an L-shaped form sited approximately 6m off the eastern boundary. The garaging will be clad in a black composite insulated panel system joined with a grey brick. The garaging will serve the fire station and the training facilities and is of an acceptable design and siting given it's functionality and the industrial location where it is sited. To the rear of the garaging along the same boundary is sited a vehicle wash garage, canine training area, high volume pump training and the marine simulation scenario training installation (maximum 8m in height, above ground simulation ship). All will be visible from the neighbouring industrial premises to the east, however given the industrial context in which it will be viewed this is considered acceptable. Impacts on amenity will be covered further within the report.

Fire training towers: A training tower is to be sited directly to the rear of the operational fire station and within the foundation training zone which is sited to the rear of the command and control building attached to the TDA. The towers measure approximately 13m in height and appear industrial in nature due to their metal construction. These are operational requirements found on most fire stations and are as a result of the use and as such are functional in their appearance. Whilst they would be prominent, this is not considered harmful or out of character within the surrounding industrial context.

Hazardous Material (HAZMAT) Petrochemical Training Rig and National Resilience Training Rig– These structures are to be sited to the rear of the site, behind the high-rise Fire House. The structures would measure a maximum of 10.6m in height and set approximately 170m back from the highway. The rig is utilised to simulate buildings in a disaster scenario that are in a semi-collapsed state and that then require specialist techniques for both search and rescue and trapped/injured person extrication. The rubble zone within the USAR Training Rig Area is a designated area of mounded clean building rubble (brick and concrete). The tunnels, which are formed in concrete, are used along with the rubble piles to provide the rescue technicians and dogs with the facility to search and excavate voids. The structures would only be visible from the neighbouring industrial land with glimpses through from the highway. The size, scale and siting of the structures are considered acceptable in the context of the future use of the site and neighbouring industrial land.

Along the western boundary of the site it is proposed to site an Urban Search and Rescue (USAR) vehicle and prop store (approximately 6m in height), road traffic collision classroom and culvert, animal rescue trench and railway simulation scenario. Views of this part of the site would be oblique from the highway, but would have some publicly available views from Taskers to the west. Again, given the context in which these installations are sited within, and the surrounding industrial land and buildings, they are not considered harmful to the wider visual amenity of the area.

- 2.11 Other than the buildings, another defining feature of the site is the extent of car parking to the front along Long Lane. The car park benefits from soft landscaping to break up the mass of hard surface which is welcomed. The small bunded areas on the site frontage are intended to keep an open frontage; the land levels of these small bunded areas are unknown and will be subject to a condition should permission be forthcoming given the size and scale of the mounds which are minimal in the wider site context. Bunding and land level changes are also sited to the rear whereby it is proposed to create bunds around the site perimeter approximately 0.5m in height, rising to an increase in height of approximately 2m to the rear of the motorway area labelled as 'future zone for fire service training & development element'. Whilst the change in land levels within this area of the site are acceptable, a condition will be added to ensure that notwithstanding the plans any future expansion of the site would be subject to a future application.
- 2.12 In respect of the boundary treatments proposed, a 2 m high security paladin fence between the TDA building and the OFS is proposed, which partly surrounds the car

park which delineates the private and public areas. Whilst the fencing will appear quite stark, planting is proposed along all fence lines to help soften this appearance. Existing boundaries with neighbouring industrial premises are to be retained, with the boundary along the east proposed to retain and replace where necessary the barbed wire fencing. Whilst the use of barbed wire is not usually encouraged, given the nature of the practises proposed on the site this is considered an appropriate treatment.

- 2.13 On balance, the proposed layout, scale and massing are considered appropriate for this site and with the conditioning of details of the materials to be submitted, would ensure a satisfactory quality of development. It is concluded that the design is appropriate as an extension to an existing industrial premises and is acceptable on design grounds. The proposal complies with the requirements of the NPPF and Policies UD1, UD2, UD3, UD5 and UD6 of the emerging LLP.

### **3.0 Accessibility**

- 3.1 An access appraisal was submitted with the application. The internal layouts and access provisions (e.g. toilets, changing places, vertical circulation etc) meet the required standards and comments were provided in order to amend the external areas in order to meet the highest standards of accessibility. Amendments were forthcoming to the car parking layout, seating, dropped kerbs and manifestation of the glass entrance to the TDA building. All accessibility measures have been incorporated into the scheme and officers now find the provision to be acceptable in accordance with policy UD4 of the Local Plan.

### **4.0 Impact on Amenity**

- 4.1 It is considered that the most significant impact on neighbouring residential amenity would likely be additional noise and disturbance resulting from the day to day, 24 hour activities associated with this site as an operational fire station and training facility. The closest residential properties are sited to the south-east 40m away at the closest point along Stopgate Lane and Long Lane and continue along both road frontages. At the closest point, the property at 74 Stopgate Lane is located approximately 96m from the operational fire station which is the closest building to the residential area.
- 4.2 As a result of the separation distances, there would be no impact on any residential properties as a result of the size, scale or siting of the proposed buildings. In terms of noise and disturbance, the OFS will be operational 24 hours a day with sirens likely to be operational only in daylight hours. However in some circumstances this will be required throughout the 24 hour period. Further to this the main TDA and external training equipment is likely to be used between 9am-5pm on weekdays only, however there will be a number of infrequent (one or two per year) large scale exercises which will last through the night and over weekend periods. Canine training is also proposed within the site, with dogs brought to the site in the day time period only for search and rescue training purposes; no dogs will be kennelled over night. Further to this the TDA building will be available for use between 9am-10pm 7 days a week for community use. To the rear (south west) of the site is the proposed external training area which is to be used for simulated training to mimic

real life fire and rescue scenarios. The following noisy equipment/activities are to be used in the external training areas: testing the fire engine sirens, testing the fire engine pumps, concrete saws, concrete drills, diesel generator, electric power saw (e.g. for cutting through doors etc), canine training etc.

- 4.3 An acoustic assessment has been submitted which states that providing that the use of the sirens is limited to just the daytime periods, the predicted environmental noise impact as during the night time period would not occur. Therefore the resultant environmental noise impact from the use of fire engine emergency sirens at the nearest and worst affected residential housing on Stopgate Lane is low. However, whilst it is confirmed that the use of sirens within the night time period is unlikely, if there was to be traffic on Long Lane, then the sirens may be required to be activated therefore there would be an impact in respect of noise on the nearest residential properties. A condition to prevent the use of sirens in the night time would not be reasonable given the need to ensure safety and fast response times to emergencies. Whilst there may be some impact as a result of night time sirens, these are not considered to be frequent and are a requirement for the safe operation of the site which benefits the residents of the city and surrounding areas. The operational requirements of the use in this case outweigh any potential harm to neighbouring residents which may occur when the sirens are infrequently used in the night time hours. In respect of any other noise omitting from the site, no objections are raised as the noise can be considered below the pre-existing background noise levels. The Environmental Health Officer has considered the report and raises no objections subject to a condition to ensure the dogs are not kennelled on the site and that the mitigation measures outlined in the report are undertaken.
- 4.4 The site is surrounded on three sides by commercial/industrial businesses, and the impact on these premises as a result of the proposal needs consideration in light of the 'agent of change' principal as per para 187 in the NPPF (2021) which states: *'...existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.'*
- 4.5 The largest industrial units consist of Taskers (homeware) and Eurowide (distribution) to the western boundary, Aintree Plastics to the south-eastern boundary with other industrial premises accessed from Charnock Road beyond this (including a double glazing manufacturer and roofing company). To the southern rear boundary is a large industrial unit partitioned into four industrial premises known as G7-G10 Liver Industrial Estate and an application is submitted to erect 16 industrial units (21F/2466) to the south.
- 4.6 Given the industrial/business nature of the neighbouring uses, which are also in some circumstances noise generating in their own right, and the designation of the site for industrial use, the noise and operations of the site are not considered to adversely impact the neighbouring businesses and are found to be acceptable by the Council's Environmental Health Officer. In respect of the impact of the built

form, it is noted that Taskers has an outdoor commercial space to the rear of the unit which would be sited within 16.5m of the flank elevation of the TDA building which would stand at 9.5m in height at this point. The simulation railway is also sited within close proximity to the boundary. The outdoor commercial space is currently bound from the site by pre-cast concrete post and steel mesh panel fencing, topped with 3 rows of barbed wire and is therefore an enclosed space. Whilst the development would be visible from the commercial premises, it is not considered harmful to the business or operations of Taskers.

- 4.7 In conclusion, the proposed development would not significantly negatively impact the amenity of neighbouring residents and the proposal accords with the revised NPPF (2021) and Liverpool Local Plan policies UD1, UD5 and R1.

## **5.0 Highway Safety/Parking**

- 5.1 The application site falls in a sustainable location, accessible via sustainable means. The footways are shared use with cyclists. Formal pedestrian crossings and 2 bus stops (in both directions) lie close to the site frontage at Long Lane.
- 5.2 Long Lane is a distributor road (part of the B5187 corridor) and has an 'on-road signed cycle route' according to the Liverpool Cycle Map. Close to the site is the Trans Pennine Trail (Route 62), which is an off-road cycle route that runs from Southport to Hornsea, with connections to York and Leeds. The existing walking/cycling infrastructure fronting the site is poorly signed and is substandard to LTN 1/20 (cycle infrastructure design guidance). That said, the Transport Consultant and Highways team have explored different options for upgrading the existing shared footway with cyclists. The upgrading options would have widened the footway to 2m and the cycleway to 3m to comply with LTN 1/20, which would have resulted in the significant loss of 16 trees on the highway. With that in mind, an option has been accepted that will formalise the existing footways/cycleways along Long Lane. In the absence of LTN 1/20 compliant facilities, new carriageway markings and traffic signs shall be installed on the existing shared route (on both sides of Long Lane), which shall be formalised with a TRO to make the existing walking/cycling infrastructure more legible. This will be carried out on both sides of Long Lane, improving cycling connectivity to/from the Loop Line as well as the site.
- 5.3 A total of 46 cycle spaces will be provided across the site. It is advised that most cycle spaces will be housed in the secure Training and Development Academy (TDA) bike sheds. Plus, there will be 3 community bike hoops for visitor cycle spaces. Currently, less than 3% of staff walk and 7.25% of staff cycle. In the opening year 2023, it is envisaged that walking and cycling will be at 3% (existing) and 10% respectively.
- 5.4 A new vehicle access and an emergency vehicle apron will be created at the footway/cycleway of Long Lane. Servicing will take place via the new vehicle access, which is supported with a tracking drawing in the Transport Assessment. Wig-wag signals will be installed at Long Lane, outside the emergency vehicle apron, including a 'hurry call button' and associated infrastructure. This ensures that emergency vehicles can exit safely under 'blue light' conditions.

- 5.5 While the development is sui generis, the OFS (1,511sqm) and garage (884sqm) have been classed in B2 (general industrial use) and the TDA (2,810sqm) in B1. In accordance to the Ensuring a Choice of Travel SPD (B2: 1 car space per 48sqm, and B1: 1 car space per 32sqm) the maximum car parking should be 50 and 88 respectively, a total of 138 car spaces. Nonetheless, the development proposes an excess of 52 car spaces (190 in total).
- 5.6 Based on staff travel surveys:
- The OFS will demand 25 car spaces
  - Staff associated with the TDA will demand 44 car spaces
  - Trainees associated with the TDA (maximum of 105 trainees) will likely generate a demand for 62 car spaces.
- Furthermore:
- There will be a demand for an additional 7 Fire Tenders on site. Given that a Fire Tender is approximately 8m long, 5 car spaces (12m) can be used to accommodate one, which equates to 35 car spaces.
  - Community use, outside of TDA working days, have not been accounted for. However, community use has been envisaged to be visitors and the general community using the facilities and community group meetings. That said, 10 car spaces have been allocated for this use outside the 'secure line' car parking.
- Although the SPD may suggest a maximum of 138 car spaces, it is likely that a minimum of 176 car spaces will be required.
- 5.7 The additional 14 car spaces (that make the proposed 190) have been included to minimise any overspill car parking on the surrounding highway network. It is understood that the applicant is aware of existing TROs along Long Lane and that the surrounding residential/industrial streets are considered unsuitable for parking. With that in mind, Officers accept the 190 car spaces proposed given the specific operational and locational factors.
- 5.8 The following junctions were modelled:
- Stopgate Lane/ East Lancashire Road signalised junction
  - Stopgate Lane/ Longmoor Lane priority junction
  - Long Lane/Longmoor Lane signalised junction
- 5.9 LinSigV3 and PICADY were utilised to model signalised and priority junctions respectively. Traffic counts and staff travel surveys had been conducted to forecast the 'without development' and 'with development' in the 2021 and 2028 scenarios. All generated trips have been assumed as new trips on the network for a robust assessment.
- 5.10 In summary, the additional traffic generated on the network by the development is considered negligible:
- For the Stopgate Lane/ Longmoor Lane priority junction, the 'with development' scenario 2028 AM peak makes the said junction operate at overcapacity. However, the increased demand is minimal at 2%.
  - In the 'without development' scenarios 2021 and 2028, the signalised junctions (Stopgate Lane/ East Lancashire Road and Long Lane/Longmoor

Lane) are either at or over capacity. Due to land constraints, Highways accepts that there is limited opportunity to improve such junctions.

- In the 'with development' scenarios 2021 and 2028, the development increases the demand on the Stopgate Lane/East Lancashire Road signalised junction by 3%, and the Long Lane/Longmoor Lane signalised junction by 3.5% in the 2028 PM peak.

- 5.11 Crashmap was interrogated for Road Traffic Collision (RTC) data. The immediate highways (the B5187 corridor, inclusive of the junctions of Longmoor Lane/Long Lane/Hall Lane and Stopgate Lane/A580/Parthenon Drive) was analysed in the latest 5-year period (2016 – 2020). Although 46 RTCs occurred here, it is generally representative of a busy distributor route: largely light industrial zone, numerous ingress/egress points, and high traffic volumes. The rate of accidents is not considered indicative of any underlying highway safety issues. Plus, the development vehicle access points and traffic impact do not raise highway safety concerns.
- 5.12 It is therefore believed that the MFRS facility will unlikely generate a level of traffic that would have a material impact on the safe and effective operation of the surrounding highway network, particularly when the trips generated have been considered as new trips rather than existing trips on the network from relocated MFRS facilities. All works on the highway shall be carried out at the applicant's expense at nil cost to LCC under a S278 Agreement. The Highways Officers have no objections subject to conditions.

## **6.0 Trees and Ecology**

- 6.1 The proposal requires 4 street trees to be removed. In replacement a compensatory sum is to be paid to replace and maintain new street trees in perpetuity.
- 6.2 In respect of tree planting across the site, 158 trees are proposed to be planted which are of sufficient maturity and positioning. The new trees will be a mixture of native and specimen trees in positions along the boundaries and throughout the parking area/front of the site. Should permission be forthcoming, a detailed landscaping plan will be required to be provided which would indicate tree and planting species.
- 6.3 A staff wellbeing garden is proposed to the rear of the site, which will be accessed by informal paths and will provide sheltered and secluded space for relaxation. A pond and wetland habitat area will be accessed by timber boardwalk and decking leading to the water's edge. This area will be designed to provide substantial enhancement of wildlife habitats and an increase in site biodiversity.
- 6.4 In respect of ecology, a number of conditions are required to support bird and bat breeding potential and to safeguard terrestrial mammals during construction. To the rear of the site is a body of standing water which is to be made into a pond/wetland feature adjacent to the wellbeing garden. A condition is required to safeguard this feature from harm during construction.



6.5 Subject to the S106 sum for tree replacement and conditions for the submission of detailed landscaping plans, no objections are raised to the proposal and the scheme is considered broadly compliant with policies GI6, GI8 and GI9 of the Local Plan.

## **7.0 Flooding and Drainage**

7.1 In respect of drainage, the information provided is satisfactory for approval subject to a full drainage scheme being submitted prior to commencement of works, as part of any conditions.

## **8.0 Planning Obligations**

- 8.1 Paragraph 57 of the National Planning Policy Framework (2021) advises that planning obligations must only be sought where they meet all of the following tests:
- a) necessary to make the development acceptable in planning terms;
  - b) directly related to the development; and
  - c) fairly and reasonably related in scale and kind to the development.
- 8.2 Local Plan policy STP5: Developer Contributions allows for contributions to be made to ensure that new development meets the reasonable costs of providing on and off-site infrastructure requirements; to meet the needs for additional or improvement to infrastructure.
- 8.3 Policies GI 9: Green Infrastructure Enhancement seek open space to be provided for new residential developments. Policy GI 7: New Planting and Design seeks trees to be included within development proposals. Where these cannot be provided on site, the policies allow for a financial contribution to be made for the provision of a new space or enhancement of existing spaces and off-site tree planting.
- 8.4 Further advice in the form of a supplementary planning document will be developed now that the Local Plan has been adopted. Prior to this, the advice contained in Cabinet report on planning obligations dated September 2015 has been reviewed and a further advice note is to be considered by Cabinet on 22 April 2022.
- 8.5 This report and the sums referred to below are based on the draft advice note to be considered by Cabinet on 22 April 2022. If this is not approved, the Cabinet report dated September 2015 and the figures contained within it, would remain valid for the consideration of this application and Members will be advised as such at the meeting on 3<sup>rd</sup> May 2022.
- 8.6 On that basis, contributions would be required for the planting (and future maintenance) of street trees; and to cover the costs of administering the Section 106 Agreement. The amounts required are as follows:
- 8.7 Street trees: On the basis that this development proposes new non-residential floorspace, S.106 funding would be required for the planting (and future maintenance) of 1 no. street tree per every 1,000sqm of non-residential floor space or 1 no. tree per car parking space (whichever is greatest) with a contribution of £800 per tree. However, an appropriate landscaping scheme has been provided as

part of the proposed development and the Tree Officer has agreed the proposed planting is technically appropriate; Officers are satisfied with the level of the contribution meets policy requirements. A commuted sum has also been agreed to replace and manage 4 street trees of £7,271.62.

- 8.8 Monitoring: A charge of 15% of the value of the planning application fee is to be attached to all legal agreements to cover any monitoring costs incurred by the local planning authority. Therefore the amount payable would be £4256.85 upon the signing of the legal agreement.

	<b>S106 Required</b>	<b>Amount Due</b>	<b>Amount to be Paid</b>	<b>When Due</b>
Street Trees	1 tree per car parking space @ £800 per tree for non-residential floor space.	= 190 trees @ £800 per tree = £152000	£10,400	50% of this sum shall be paid prior to commencement of development; 50% paid prior to occupation of the development
Replacement Trees	4 no. trees and ongoing management costs	£7271.62	£7271.62	50% of this sum shall be paid prior to commencement of development; 50% paid prior to occupation of the development
Monitoring	15% of application fee	15% of £28,379 =£4256.85	£4256.85	On completion of legal agreement
Legal	Variable, depending on scale of development and speed of service requested			
Totals			£21,928.47	

## 9.0 Climate Change

- 9.1 Policy R7 requires all major development proposals to seek to integrate low carbon energy and decentralised energy networks into the proposal. Further, Policies R8, and R10 support the provision of wind turbines, solar panels and adoption of non-

fossil fuel technologies to generate locally sourced energy, respectively, subject to other considerations including site context and amenity.

- 9.2 MFRA have an ambition to respond to the Government initiative of Net Zero Carbon by 2050. In addition to a Net Zero Carbon target the project is seeking to achieve a minimum BREEAM (Building Research Establishment’s Environmental Assessment Method) rating of excellent and so will include measures to reduce energy and resource consumption and to maintain and where possible improve the ecological value of the site. At the broad scale, site excavations will be managed to attain a cut and fill balance so that material taken off site is limited. Paved surfaces will utilise porous paving where practical following the principles of SUDS otherwise surface water generated by vehicle washing and training will be recycled and reused, and water taken off site will be attenuated which includes filters for fuel.
- 9.3 The site is not located within a sustainable location and does heavily rely on car parking however a number of green measures have been incorporated into the site layout including the provision of a sedum roof on the TDA building and 23 EV charging points to car parking spaces (12.1% provision). The EV charging points will also have potential future provision for PV infrastructure. The proposal is therefore considered to be proposed in accordance with the climate change measures identified in policies R7 and R10 of the Local Plan.

**10.0 Summary**

- 10.1 It is considered that sufficient justification in respect of how the site will generate employment and operational locational factors has been put forward to allow Officers to conclude that in principle, the use is considered appropriate within this location. The proposal accords, in the main, with national and local planning policy and would offer a suitable type of development which would enhance and bring benefits citywide without impacting neighbouring uses or having wider highways or ecological impact. Subject to appropriate conditions, the proposal is found to be acceptable and is therefore recommended for approval.
- 10.2 The proposal is therefore considered acceptable for the reasons stated above and the Interim Chief Planning Officer recommends that the application be granted:
- (a) subject to the stated conditions;
  - (b) subject to the applicant entering into a Section 106 Agreement for:
    - (i) the payment of £10,400 in lieu of the off-site provision of street trees
    - (ii) the payment of £7271.62 for management and replacement of street trees
    - (iii) the payment of £4256.85 to cover the costs of administering the Section 106 Agreement, upon signing of the Section 106 Agreement

**Conditions**

1	The development hereby permitted shall begin before the expiration of 3 years from the date of this permission.  REASON: To comply with Section 91 of the Town and Country Planning Act 1990
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	as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2.	<p>The development hereby approved shall be carried out in accordance with the following drawings and documents:</p> <p>(i) Drawing Numbers</p> <p>079124-CUR-00-XX-RP-GE-001-V02_Phase 1_Aintree Fire Station_FINAL_Part A Rev P2</p> <p>079124-CUR-00-XX-RP-GE-001-V02_Phase 1_Aintree Fire Station_FINAL_Part B Rev P2</p> <p>079124-CUR-00-XX-RP-GE-001-V02_Phase 1_Aintree Fire Station_FINAL_Part C Rev P2</p> <p>079124-CUR-00-XX-RP-GE-001-V02_Phase 1_Aintree Fire Station_FINAL_Part D Rev P2</p> <p>079124-CUR-00-XX-RP-GE-001-V02_Phase 1_Aintree Fire Station_FINAL_Part E Rev P2</p> <p>079124-CUR-00-XX-RP-GE-001-V02_Phase 1_Aintree Fire Station_FINAL_Part F Rev P2</p> <p>079124-CUR-XX-XX-CA-C-92003-V02_DrainageCalculations Rev P2</p> <p>079124-CUR-XX-XX-D-C-92101-P01_OutlineDrainage Rev P1</p> <p>079124-CUR-XX-XX-D-C-92102-P01_DrainageStrategy Rev P1</p> <p>079124-CUR-XX-XX-D-C-92103-P01_DrainageStrategy.pdf Rev P1</p> <p>079124-CUR-ZZ-XX-D-C-05001-P03_RefuseVehicle rev P3</p> <p>079124-CUR-ZZ-XX-D-C-05003-P03_FireApplianceVehicle Rev P3</p> <p>4810 - MFRS TDA Landscape Strategy 09122021 Rev P1</p> <p>MFRTDA-DEP-00-XX-DR-L-0010 P07 Landscape GA Plan Rev P07</p> <p>MFRTDA-DEP-00-XX-DR-L-0011 P06 Boundary Treatment Plan Rev P06</p> <p>MFRTDA-DEP-00-XX-DR-L-0024 P02 Landscape Cross Sections Rev P02</p> <p>MFRTDA-DEP-00-XX-DR-L-0025 P01 Landscape Cross Sections Rev P01</p> <p>MFRTDA-RYD-A-00-DR-A-3000-S2-P6-Training and Development Academy Building GA Level 00 Plan Rev P6</p>

MFRTDA-RYD-A-01-DR-A-3001-S2-P5-Training and Development Academy Building GA Level 01 Plan Rev P5
MFRTDA-RYD-A-RF-DR-A-3002-S1-P5-Training and Development Academy Building GA Roof Plan Rev P5
MFRTDA-RYD-A-XX-DR-A-3600-S1-P5-Training and Development Academy Building GA Elevations Rev P5
MFRTDA-RYD-A-XX-DR-A-3800-S1-P5-Training and Development Academy Building GA Sections (Sheet 1 of 2) Rev P5
MFRTDA-RYD-A-XX-DR-A-3801-S2-P2-Training and Development Academy Building GA Sections (Sheet 2 of 2) Rev P2
MFRTDA-RYD-A-XX-DR-A-3900-S1-P1-Training and Development Academy Building Typical Detail Elevation - Section A Rev P1
MFRTDA-RYD-A-XX-DR-A-3901-S1-P1-Training and Development Academy Building Typical Detail Elevation - Section B Rev P1
MFRTDA-RYD-A-XX-DR-A-3902-S1-P1-Training and Development Academy Building Typical Detail Elevation - Section C Rev P1
MFRTDA-RYD-A-XX-DR-A-3903-S1-P1-Training and Development Academy Building Typical Detail Elevation - Section D Rev P1
MFRTDA-RYD-A-XX-DR-A-3904-S1-P1-Training and Development Academy Building Typical Detail Elevation - Section E Rev P1
MFRTDA-RYD-A-XX-DR-A-3905-S1-P1-Training and Development Academy Building Typical Detail Elevation - Section F
MFRTDA-RYD-A-XX-DR-A-3906-S1-P1-Training and Development Academy Building Typical Detail Elevation - Section G
MFRTDA-RYD-A-XX-DR-A-3907-S1-P1-Training and Development Academy Building Typical Detail Elevation - Section H Rev P1
MFRTDA-RYD-A-XX-VS-A-3452-S2-P2-Training and Development Academy Building Exterior Visual A Rev P2
MFRTDA-RYD-A-XX-VS-A-3453-S2-P2-Training and Development Academy Building Exterior Visual B Rev P2
MFRTDA-RYD-B-00-DR-A-3000-S2-P6-Operational Fire Station GA Level 00 Plan Rev P6
MFRTDA-RYD-B-01-DR-A-3001-S2-P6-Operational Fire Station GA Level 01 Plan

Rev P6

MFRTDA-RYD-B-RF-DR-A-3002-S1-P4-Operational Fire Station GA Roof Plan  
Rev P4

MFRTDA-RYD-B-XX-DR-A-3600-S1-P6-Operational Fire Station GA Elevations  
Rev P6

MFRTDA-RYD-B-XX-DR-A-3601-S2-P1-Operational Fire Station Training Tower  
GA Elevations Rev P1

MFRTDA-RYD-B-XX-DR-A-3800-S2-P3-Operational Fire Station GA Sections rev  
P3

MFRTDA-RYD-B-XX-DR-A-3900-S1-P3-Operational Fire Station Typical Detail  
Elevation - Section A rev P3

MFRTDA-RYD-B-XX-DR-A-3901-S1-P3-Operational Fire Station Typical Detail  
Elevation - Section B Rev P3

MFRTDA-RYD-B-XX-DR-A-3902 -S1-P3-Operational Fire Station Typical Detail  
Elevation - Section C Rev P3

MFRTDA-RYD-B-XX-DR-A-3903-S1-P3-Operational Fire Station Typical Detail  
Elevation - Sections D + E rev P3

MFRTDA-RYD-B-XX-DR-A-3904-S1-P3-Operational Fire Station Typical Detail  
Elevation - Section F Rev P3

MFRTDA-RYD-B-XX-VS-A-3454-S2-P2-Operational Fire Station Exterior Visual  
Rev P2

MFRTDA-RYD-C-00-DR-A-3000-S2-P5-USAR and TDA Garage GA Plan Rev P5

MFRTDA-RYD-C-RF-DR-A-3001-S2-P4-USAR and TDA Garage GA Roof Plan  
Rev P4

MFRTDA-RYD-C-XX-DR-A-3600-S2-P3-USAR and TDA Garage GA Elevations  
Rev P3

MFRTDA-RYD-C-XX-DR-A-3601-S2-P2-USAR and TDA Garage Elevations rev P2

MFRTDA-RYD-D1-XX-DR-A-3600-S2-P3-Classroom Type 01 GA Elevations Rev  
P3

MFRTDA-RYD-D1-ZZ-DR-A-3000-S2-P4-Classroom Type 01 GA Plan rev P4

MFRTDA-RYD-D2-XX-DR-A-3600-S2-P3-Classroom Type 02 GA Elevations Rev  
P3

MFRTDA-RYD-D2-ZZ-DR-A-3000-S2-P3-Classroom Type 02 GA Plans Rev P3

MFRTDA-RYD-D3-XX-DR-A-3600-S2-P3-Classroom Type 03 GA Elevations Rev P3

MFRTDA-RYD-D3-ZZ-DR-A-3000-S2-P3-Classroom Type 03 GA Plans Rev P3

MFRTDA-RYD-E1-XX-DR-A-3600-S2-P4-BA House GA Elevations Rev P4

MFRTDA-RYD-E1-ZZ-DR-A-3000-S2-P2-BA House GA Plans Rev P2

MFRTDA-RYD-E2-XX-DR-A-3600-S2-P2-Terraced Houses GA Elevations Rev P2

MFRTDA-RYD-E2-ZZ-DR-A-3000-S2-P2-Terraced Houses GA Plans Rev P2

MFRTDA-RYD-E3-XX-DR-A-3600-S2-P2-Hazmat Training Rig GA Elevations Rev P2

MFRTDA-RYD-E3-XX-DR-A-3800-S2-P2-Hazmat Training Rig GA Sections Rev P2

MFRTDA-RYD-E3-ZZ-DR-A-3000-S2-P2-Hazmat Training Rig GA Plans Rev P2

MFRTDA-RYD-E4-XX-DR-A-3600-S2-P4-USAR Training Rig GA Elevations Rev P4

MFRTDA-RYD-E4-XX-DR-A-3800-S2-P4-USAR Training Rig GA Sections Rev P4

MFRTDA-RYD-E4-ZZ-DR-A-3000-S2-P7-USAR Training Rig GA Plans Rev P7

MFRTDA-RYD-E5-ZZ-DR-A-3000-S2-P1-RTC Culvert Rev P1

MFRTDA-RYD-E5-ZZ-DR-A-3001-S2-P1-Motorway Rev P1

MFRTDA-RYD-E5-ZZ-DR-A-3002-S2-P1-Vehicle Prop Store Rev P1

MFRTDA-RYD-E5-ZZ-DR-A-3003-S2-P1-Railway Rev P1

MFRTDA-RYD-E6-ZZ-DR-A-3000-S2-P3-High Volume Pump Water Tank Rev P3

MFRTDA-RYD-E7-XX-DR-A-3000-S2-P2-Training Towers to Foundation Training Zone Rev P2

MFRTDA-RYD-E8-ZZ-DR-A-3000-S2-P1-Animal Rescue Trench rev P1

MFRTDA-RYD-E9-ZZ-DR-A-3000-S2-P1-Marine Rig Rev P1

MFRTDA-RYD-ZZ-00-DR-A-1000-S2-P11-Concept Site Masterplan Rev P11

MFRTDA-RYD-ZZ-ZZ-DR-A-1004-S2-P1-External Training Massing Rev P1

MFRTDA-RYD-ZZ-XX-DR-A-2700-S2-P2-Proposed Site Elevation - Long Lane Rev P2

MFRTDA-RYD-ZZ-XX-DR-A-3600-S2-P2-BA House and Terraced Houses Elevations Rev P2

TDA-RYD-00-00-DR-A-0100-S1-P1-Existing Site Location Plan rev P1

MFRA TDA Proposed external Lighting

01. USAR SEARCH DOG MODULAR TRAINING PATHWAY V1.0

(ii) Supporting Documents

21F-3635 - MFRATDA - Employment generation details - 220222

P1982-REP01-REV B-BDH-Acoustic Design Review

TDA Aintree - Stage 2 Access Appraisal - December 2021

3655-SHA-ZZ-XX-DR-S-0005 - ELECTRICAL SITE SERVICES LIGHTING STRATEGY

Extended Phase 1 Habitat Survey and Habitat Suitability Index Survey of land off Long Lane. Aintree. Liverpool - 2021

MFRTDA-RYD-00-XX-FN-A-0104-S2-P01\_Planning Statement

MFRTDA-RYD-00-XX-FN-A-0105-S2-P01\_Statement of Community Involvement

MFRTDA-RYD-00-XX-RP-A-0103-S1-P1-Design and Access Statement

079124-CUR-XX-XX-RP-C-00001-V02\_FRA

MFRSLL-FC-HGN-FS-RP-D-0002 -Transport Assessment Appendices P03 Part 1

MFRSLL-FC-HGN-FS-RP-D-0002 -Transport Assessment Appendices P03 Part 2

MFRSLL-FC-HGN-FS-RP-D-0002\_P03 Transport Assessment

MFRSLL-FC-HGN-FS-RP-D-0003\_Travel Plan P02

MFRSLL-FC-HGN-FS-RP-D-0004 P01 MASA

PM.FULL.04.12.21 - MFRA. Aintree. Liverpool(1) Rev P1 (Arboricultural Report)

REASON: For the avoidance of doubt.



3.	<p>(a) Notwithstanding the details as laid out on the hereby approved plans, prior to their implementation and use on site, samples or specifications of all materials to be used in the external construction of this development shall be submitted to and approved in writing by the local planning authority.</p> <p>(b) The scheme shall be completed using the approved materials before the development is occupied/brought into use.</p> <p>REASON: To ensure a satisfactory external appearance.</p>
4.	<p>The surface water drainage of the site shall be designed to prevent the discharge of water on to the public highway in accordance with a drainage design which shall be submitted to and approved in writing by the local planning authority and completed in accordance with the approved details before the development is occupied/brought into use.</p> <p>REASON: To prevent unnecessary surface water from being deposited on to the highway thus causing a potential source of danger to other road users.</p>
5.	<p>a) Except for site clearance and remediation, no development shall commence until a scheme for the design and construction of highway improvement works has been submitted to and approved in writing by the local planning authority. For avoidance of doubt, the works shall include:</p> <ul style="list-style-type: none"> <li>i. Creation of two vehicle access points (emergency vehicle apron and new vehicle access) on the footway/cycleway/verge of Long Lane.</li> <li>ii. Reinstatement of all redundant vehicle access points contiguous to the site boundary at Long Lane as footway/cycleway/verge.</li> <li>iii. Installation of new TROs: double yellow lines along the site frontage at Long Lane, including junction protection for the new vehicle access points, and yellow box junction fronting the new emergency vehicle apron.</li> <li>iv. Formalising the existing footway/cycleway on both sides of Long Lane with appropriate carriageway markings and traffic signs under a TRO.</li> <li>v. Installation of wig-wag signals and associated infrastructure at Long Lane.</li> </ul> <p>b) The approved scheme shall be completed in accordance with the approved details before the development is occupied/brought into use.</p> <p>REASON: To ensure that the sufficient measures are taken such that the highway network can accommodate the development and that the traffic generated does not exacerbate unsatisfactory highway or transportation conditions.</p>
6.	<p>No part of the development shall be occupied or brought into use until the areas indicated on the submitted plans to be set aside for cycle parking have been provided. The cycle parking shall be retained as such thereafter.</p>

	<p>REASON: To ensure that adequate provision is made for parking cycles on the site; and to establish measures to encourage non-car modes of transport</p>
7.	<p>The development shall not be brought into use until the areas identified for parking/servicing have been surfaced, drained and permanently marked out or demarcated in accordance with the details agreed. The parking and servicing areas shall be retained as such thereafter.</p> <p>REASON: To ensure that adequate provision is made on the site for the traffic generated by the development, including allowance for safe circulation, manoeuvring, loading and unloading of vehicles as well as parking, and that hard-surfaced areas have a satisfactory appearance.</p>
8.	<p>a) Within 6 months of the development being brought into use, a Travel Plan shall be submitted to and approved in writing by the local planning authority. The Travel Plan shall include immediate, continuing and long-term measures to promote and encourage alternative modes of transport to the single-occupancy car. For the avoidance of doubt, the Travel Plan shall include, but not be limited to:(i) Involvement of employees;(ii) Information on existing transport policies, services and facilities, travel behaviour and attitudes;(iii) Access for all modes of transport;(iv) Targets for mode share;(v) Resource allocation including Travel Plan Co-ordinator and budget;(vi) A parking management strategy;(vii) A marketing and communications strategy;(viii) Appropriate measures and actions to reduce car dependence and encourage sustainable travel;(ix) An action plan including a timetable for the implementation of each such element of (viii) above;(x) Mechanisms for monitoring, reviewing and implementing the travel plan. b) The Travel Plan shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied and in use. An annual report shall be submitted to the Council no later than 1 month following the anniversary of the first occupation of the development for a period of 5 years. The annual report shall include a review of the Travel Plan measures, monitoring data and an updated action plan.</p> <p>REASON: To maximise opportunities for travel by modes of transport other than the private car, and to ensure that the development is sustainable.</p>
9.	<p>a) No works shall take place, including any demolition, site clearance or ground works, until a Construction Method Statement comprehensively detailing the phasing and logistics of demolition/construction has been submitted to and approved in writing by the local planning authority. The method statement shall include, but not be limited to: (i) Construction traffic routes, including provision for access to the site(ii) Entrance/exit from the site for visitors/contractors/deliveries(iii) Location of directional signage within the site(iv) Siting of temporary containers(v) Parking for contractors, site operatives and visitors(vi) Identification of working space and extent of areas to be temporarily enclosed and secured during each phase of demolition/construction(vii) Temporary roads/areas of hard standing(viii) Schedule for large vehicles delivering/exporting materials to and from site(ix) Storage of materials and large/heavy vehicles/machinery on site(x) Measures to control noise and dust(xi) Details of street sweeping/street cleansing/wheelwash</p>

	<p>facilities(xii) Details for the recycling/disposing of waste resulting from demolition and construction works(xiii) Hours of working(xiv) Phasing of works including start/finish dates b) The approved Construction Method Statement shall be adhered to throughout the construction period for the development.</p> <p>REASON: These details are needed prior to the commencement of development in order to ensure that adequate on-site provision is made for construction traffic, including allowance for the safe circulation, manoeuvring, loading and unloading of vehicles, as well as parking, and to reduce impact on residential amenity and the general amenity of surrounding occupiers during construction.</p>
10.	<p>No tree felling, scrub clearance, vegetation management or ground clearance works is to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all trees, scrub and vegetation are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected are required to be submitted for approval.</p> <p>REASON: In the interest of the protection breeding birds</p>
11.	<p>The development hereby permitted shall not be occupied until details of bird boxes to include number, type and location on an appropriately scaled plan as well as timing of installation, has been provided for approval and implemented in accordance with those details.</p> <p>REASON: In the interest of the protection of birds</p>
12.	<p>Prior to the installation of any lighting, a lighting scheme shall be designed so that it protects ecology and does not result in excessive light spill. The report shall be submitted to the Local Planning Authority for approval in writing. Once agreed, the report shall be implemented fully in perpetuity.</p> <p>REASON: In the interest of the protection of bats.</p>
13.	<p>The following reasonable avoidance measures should be put in place during construction to ensure that there are no adverse effects on terrestrial mammals and amphibians: - All trenches and excavations should have a means of escape (e.g. a ramp);- Any exposed open pipe systems should be capped to prevent mammals gaining access; and - Appropriate storage of materials to ensure that mammals do not use them</p> <p>REASON: In the interest of the protection of terrestrial mammals and amphibians.</p>
14.	<p>The following reasonable avoidance measures should be put in place during construction to ensure that there are no adverse effects on terrestrial mammals and amphibians:- Existing vegetation on the site will be gradually cut and removed under ecological supervision to encourage any amphibians present to move away from the affected areas;- The working area, together with any storage areas, will be kept clear of debris, and any stored materials will be kept off the ground on pallets so as to prevent amphibians from seeking shelter or protection within them; and</p>

	<p>Any open excavations (e.g. foundations / footings / service trenches etc) will be covered with plywood sheeting (or similar) at the end of each working day. The edges of these sheets will be covered with a thick layer of topsoil or similar) to prevent amphibians from seeking shelter beneath them. Any excavation must be in-filled and made good to ground level with compacted stone or similar at the earliest opportunity, so as to remove any hazard to amphibians / reptiles.</p> <p>REASON: In the interest of the protection of terrestrial mammals and amphibians.</p>
15.	<p>Prior to above ground works, a full and detailed Landscape and Ecological Management Plan, which covers management of the site for the duration of the development is required to be submitted to and approved in writing by the Local Planning Authority. The Plan should include the following:- Description and evaluation of the features to be managed;- Ecological trends and constraints on site which may influence management;- Aims and objectives of management;- Appropriate management options for achieving aims and objectives;- Prescriptions for management actions;- Preparation of a work schedule (including an annual work plan and the means by which the plan will be rolled forward annually);- Personnel responsible for implementation of the plan; - Confirmation of funding and ownership and - Details of a programme of monitoring and remedial measures triggered by monitoring.</p> <p>REASON: To ensure an acceptable landscape strategy is implemented and maintained in perpetuity.</p>
16.	<p>Prior to the commencement of development,. a site waste management plan or site waste audit requiring the minimisation of waste production and implementation of measures to achieve efficient use of resources, including designing out waste and minimisation of off-site disposal shall be submitted to and agreed in writing by the Local Planning Authority.</p> <p>REASON: In accordance with Policy WM8 of the Merseyside and Halton Waste Joint Local Plan (WLP) and the National Planning Policy for Waste (paragraph 8)</p>
17.	<p>(a) No development shall take place until a scheme for surface water drainage based on the hierarchy of drainage options in the National Planning Policy Framework, with evidence of an assessment of the site conditions, has been submitted to and approved in writing by the local planning authority. (For the avoidance of doubt the full drainage scheme shall have a maximum surface water discharge of 11.5 l/s) (b) The development shall be carried out in accordance with the approved details.</p> <p>REASON: These details are needed prior to the commencement of development in case design changes are necessary; in order to ensure a satisfactory means of drainage and in accordance with policies within the Development Plan, Liverpool Flood Risk Management Strategy and NPPF.</p>
18.	<p>(a) Details of the implementation, maintenance and management of the sustainable drainage system shall be submitted to and approved in writing by the local planning</p>

	<p>authority. Those details shall include:</p> <p>(i) a timetable for its implementation; and,</p> <p>(ii) a management and maintenance plan for the lifetime of the development;</p> <p>(iii) contact details of the person/company responsible for this maintenance.</p> <p>(b) The sustainable drainage system shall be implemented in accordance with the approved details before the development is occupied/brought into use, and thereafter managed and maintained in accordance with the approved details.</p> <p>REASON: To ensure a satisfactory means of drainage and to manage risk of flooding and pollution in accordance with policies within the Development Plan, Liverpool Flood Risk Management Strategy and NPPF.</p>
19.	<p>Except for site clearance and remediation, no development shall commence until details of treatment of all parts on the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details. For the avoidance of doubt, the plan must be to a recognised scale and the symbols used and plant schedule provided must comply with BS EN ISO 11091:1999 Construction Drawings Landscape drawing practice. Details shall include:</p> <p>(1) A scaled plan showing all existing vegetation and landscape features to be retained and proposed trees and plants to be planted;</p> <p>(2) The location, type and materials to be used for hard landscaping including specifications, where applicable for:</p> <ul style="list-style-type: none"> <li>-Permeable paving;</li> <li>-Tree pit design;</li> <li>-Underground modular systems;</li> <li>-Sustainable urban drainage integration;</li> <li>-Use within tree Root Protection Areas (RPAs).</li> </ul> <p>(3) A schedule detailing sizes and numbers/densities of all proposed trees/plants;</p> <p>(4) Specifications for operations associated with plant establishment and maintenance that are compliant with best practice.</p> <p>REASON: These details have not been submitted with the application and the Council wishes to ensure they are satisfactory in the interests of visual amenity</p>
20.	(a) The approved landscaping scheme shall be completed either: not later than

	<p>the first planting season following first occupation of the development; or during the appropriate planting season progressively as the development proceeds, in accordance with a programme to be agreed in writing with the local planning authority.</p> <p>(b) All works must be carried out to BS 8545:2014 Trees: from nursery to independence in the landscape and BS 4428: 1989 Code of Practice for General Landscape Operations.</p> <p>(c) Any trees/plants which die, become diseased, damaged or are removed within 5 years of planting shall be replaced with trees/plants of similar sizes and species or as may otherwise be agreed with the local planning authority in the first available planting season thereafter.</p> <p>(d) An audit trail of the plant stock used for the scheme must be retained for biosecurity reasons and made available to the Local Planning Authority on request.</p> <p>(e) The newly planted trees must be irrigated in accordance with following schedule and include at least 75 litres of water per session ideally delivered using watering bags. Watering must be carried out on the first working day after each date for the 3 years following the planting: 15 April; 1 &amp; 15 May; 1 &amp; 15 June; 1, 8, 15 &amp; 22 July; 1, 8 &amp; 15 August; 1 September.</p> <p>REASON: It is in the interests of visual amenity and in accordance with the duty of the Council under Section 197 of the Town and Country Planning Act 1990 in respect of the planting and preservation of trees.</p>
21	<p>For the avoidance of doubt, the development hereby approved does not give consent for an operational helicopter landing pad and any identified helicopter landing area is to be for simulation purposes only.</p> <p>REASON: To protect neighbouring amenity and to ensure future consideration of any alternative development</p>
22	<p>No dogs shall be kennelled or kept on site outside of the hours of 8am-7pm Monday-Sunday.</p> <p>REASON: To protect neighbouring amenity.</p>
23.	<p>No development shall take place on any phase, including any demolition, site clearance or ground works, until</p> <p>a) An investigation and assessment methodology, including analysis suite and risk assessment methodologies has been submitted to and approved by the LPA in writing, prior to any site investigations</p> <p>b) A site investigation and assessment has been carried out by competent persons to determine the status of contamination including chemical, radiochemical, flammable or toxic gas, asbestos, biological and physical hazards at the site and</p>

	<p>submitted to the LPA.. The investigations and assessments shall accord with current Government and Environment Agency recommendations and guidance and identify the nature and extent of any contaminants present, whether or not they originate on the site, their potential for migration and risks associated with them. The assessment shall consider the potential risks to</p> <ul style="list-style-type: none"> <li>(i) human health,</li> <li>(ii) controlled waters,</li> <li>(iii) property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,</li> <li>(iv) adjoining land,</li> <li>(v) ecological systems</li> <li>(vi) archaeological sites and ancient monuments.</li> </ul> <p>c) A detailed remediation scheme (if required), has been submitted to and agreed in writing with the LPA. This scheme shall include an appraisal of remedial options, implementation timetable, works schedule, site management objectives, monitoring proposals and remediation validation methodology. The scheme once completed must ensure that the site will not qualify as contaminated land under Part IIA of the Environmental Protection Act 1990 in relation to its intended use.</p> <p>REASON: These details are needed prior to the commencement of development in order to ensure that risks from land contamination to future users of the land and neighbouring land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.</p>
24	<p>After development commences and prior to first occupation;</p> <ul style="list-style-type: none"> <li>a) Following completion of the measures identified in the approved remediation scheme and prior to occupation of any part of the development, a verification report which shall confirm the adequacy of remediation must be prepared and submitted to and approved in writing by the local planning authority before this condition will be discharged. If a phased approach to the development is being proposed, then a validation/completion report for an agreed number of plots within each of the proposed phases shall be submitted to the local planning authority and approved in writing before the condition relating to the phase in question shall be discharged.</li> <li>b) If any potentially contaminated (unusual/suspect) material or flammable/toxic gas not previously identified is discovered, this must be reported in writing to the local planning authority and a further assessment and a revised remediation scheme will be required by the local planning authority . If no contamination is found then this should be detailed in the remediation verification report.</li> </ul> <p>REASON: To ensure that risks from land contamination to future users of the land</p>

	and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
25.	<p>The dining area (107sqm) as shown on plan reference 'Training and Development Academy Building GA Level 00 Plan' shall be used only by staff and visitors to the Training and Development Academy and at no time be open to Members of the public.</p> <p>REASON: In order to protect neighbouring amenity and to ensure an acceptable use of the site within the allocated industrial area.</p>
26.	<p>The development hereby permitted shall be used only between the hours of 9am-10pm as a community facility and at no other time.</p> <p>REASON: In accordance with Policy SP5 of the Local Plan and in the interest of protecting neighbouring amenity.</p>
27.	<p>Prior to the above ground works of the development hereby approved details of the proposed green roof shall be provided to and approved in writing by the Local Planning Authority. The details shall include a scaled section through the actual roof showing the details of the substrate base and living roof components, details of the proposed plug planting and seed composition and planting methodology and a management strategy detailing how the living roof will be maintained and monitored for a period of at least 5 years post installation. The green roof shall be implemented in accordance with the approved timetable and shall be maintained in accordance with the approved management plan hereafter.</p> <p>REASON: To ensure the provision of a satisfactorily sustainable development</p>
28.	<p>Prior to above ground works, cross-sectional details of the windows to the Training and Development Academy and Operational Fire Station shall be submitted to and approved in writing.</p> <p>REASON: To ensure a satisfactory design quality.</p>
29.	<p>Prior to above ground works, elevational details of the manifestations to the glazed element of the Training and Development Academy shall be submitted to and agreed in writing by the Local Planning Authority.</p> <p>REASON: To ensure a satisfactory design quality.</p>
30.	<p>(a) Except for site clearance and remediation, no development shall commence until existing and proposed site levels have been submitted to and approved in writing by the local planning authority. This shall include details of the bunds to the front of the site.</p> <p>(b) The development shall be carried out in accordance with the approved site</p>



	<p>levels.</p> <p>REASON: These details are not included in the application and the Council wishes to ensure that they are satisfactory.</p>
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### Informatives

1.	Surface Water Drainage- It should be noted that any maximum surface water discharge figure provided as part of the planning approval will satisfy planning requirements but the applicant is advised to consult United Utilities to determine if they have any discharge restrictions, which could be more restrictive.
2.	Deposits on Highway - The applicant is reminded that it is an offence to allow material to be carried from the site and deposited on or cause damage to the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and will prosecute persistent offenders under Sections 131, 148 & 149 of the Highways Act 1980.
3.	Section 278 Agreement - It is an offence to carry out any works within the public highway without permission of the Highway Authority. The grant of planning permission will require the applicant to enter into a S278 Agreement with the Council as Highway Authority. The applicant is advised to contact the Council's Highway Development Control Team by email: <a href="mailto:HDC@liverpool.gov.uk">HDC@liverpool.gov.uk</a> for further advice, to ascertain the details of such an agreement and the information to be provided. For the avoidance of doubt all works shall be carried out by the Council's approved contractor at nil cost to the Council.
4.	Traffic Regulation Orders - The grant of planning permission requires the applicant to seek the implementation of a Traffic Regulation Order, the effect of which include double yellow lines and a yellow box junction at Long Lane. All costs incurred by the Highway Authority will be required to be met by the applicant. In the first instance the applicant is requested to contact the Council's Highway Development Control Team by email: <a href="mailto:HDC@liverpool.gov.uk">HDC@liverpool.gov.uk</a> for further advice on the processes and information requirements.
5.	Scaffolding and Hoardings on the Highway - The grant of planning permission shall not be construed as authority to erect scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority. The applicant is advised to contact the Council's Highways Team at <a href="mailto:lcchighwaysskipsscaffold@liverpool.gov.uk">lcchighwaysskipsscaffold@liverpool.gov.uk</a> for further advice. It should be noted that there is a fee associated with this process.
6.	Street Naming and Numbering - If a street name and/or property numbering is required as part of this development, developers are required to contact Liverpool City Council who are the street naming and property numbering authority to arrange for addresses to be attributed to the development. Developers or property owners cannot attribute property numbers or addresses themselves, these can

	<p>only be undertaken by the Council. Attributing addresses can take approximately 6 weeks to progress from application therefore applicants must give themselves sufficient time and are advised to make an early application to enable the process to be completed so that an address can be issued and used. In the first instance, the applicant is required to contact the Council's Highway Development Control Team at <a href="mailto:HDC@liverpool.gov.uk">HDC@liverpool.gov.uk</a> for further advice on the processes and information requirements. Please note there is a fee for this process which shall be advised upon application.</p>
7.	<p>The contractor/developer should consult Liverpool Airport for permission to work if any demolition, excavation, crane or lifting equipment is to be used and its height exceeds 10 meters or that of the surrounding structures or trees. If deemed necessary due to the size of the crane an Instrument Flight Procedures (IFP) assessment will be carried out. Any costs incurred in carrying out this assessment will be met by the applicant. Reason: This is in the interests of Aviation Safety and in accordance with: Civil Aviation Publication (CAP) 738: 'Aerodrome Safeguarding', Civil Aviation Publication (CAP) 1096: 'Guidance to crane users on the crane notification process and obstacle lighting and marking', the British Standard Institute Code of Practice for the safe use of Cranes, BS 7212, Part 1 and the Construction Plant-hire Association (CPA) Technical Information Note TIN 039 'Operating Tower Cranes in the Vicinity of Aerodromes, Notification and En-route Obstacle Lighting'. The nature of Instrument Flight Procedure (IFP) design also demands that a separate safeguarding assessment of proposed development or construction and temporary obstacles be undertaken against current and any possible future IFPs. Notification should be made to the Safeguarding Officer at Liverpool Airport via <a href="mailto:planning@liverpoolairport.com">planning@liverpoolairport.com</a></p>
8.	<p>During the site works the contractor shall pay full regard to the best practicable means available in respect of the control of noise and dust from the site. In addition, no operations which are audible at the site boundary shall be carried out: (i) outside the hours of 0800 to 1800 weekdays (ii) outside the hours of 0800 to 1300 Saturdays, and (iii) at any time on Sundays or Bank Holidays.</p>



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# Pathway to Net Zero Carbon: Training Academy

2014 → 2019

## We built three new fire stations

Prescott | Saughall | St Helens

**Carbon**  
39kg CO<sub>2</sub> /m<sup>2</sup>      55% better than BSRIA Benchmark

### HOW?

- Improved thermal envelope
- VRF heating and cooling to primary rooms
- Panel heaters to ancillary rooms
- Gas radiant panels to appliance bays
- Heat recovery ventilation
- Gas fired hot water

2024 → 2040

## Net Zero Carbon site

**Future PV Install offset**  
45,434kg CO<sub>2</sub> /annum  
Equates to 1,250m<sup>2</sup> of PV  
(1/3 of car park)

2021 → 2022

## Planning & Design Phase

Operational Fire Station Training Academy: To be delivered in 2024

**Carbon**  
21kg CO<sub>2</sub> /m<sup>2</sup>      46% decrease from St Helens  
75% better than BSRIA benchmarks

### HOW?

- Improved thermal envelope
- Hybrid VRF
- ASHP underfloor heating to garages
- No fossil fuels
- Low temperature hot water system & domestic hot water
- Air source heat pump
- Photovoltaic cells

### Total Energy regulated & unregulated

87,399 kg CO<sub>2</sub> /annum  
**PV Install Offset**  
41,965 kg CO<sub>2</sub> /annum

2040

### Net zero carbon -

### Operational Energy:

“When the amount of carbon emissions associated with the building’s operational energy on an annual basis is zero or negative. A net zero carbon building is highly energy efficient and powered from on-site and/or off-site renewable energy sources, with any remaining carbon balance offset.”

# Pathway to Net Zero Carbon: Training Academy



**Net zero carbon - Operational Energy:**  
“When the amount of carbon emissions associated with the building’s operational energy on an annual basis is zero or negative. A net zero carbon building is highly energy efficient and powered from on-site and/or off-site renewable energy sources, with any remaining carbon balance offset.”

2014 → 2019

**WE BUILT THREE NEW FIRE STATIONS:**  
PRESCOTT | SAUGHALL | ST HELENS

**39kg**  
CO<sub>2</sub>/m<sup>2</sup>

55% better than BSRIA Benchmark

**HOW?**

- Improved thermal envelope
- VRF heating and cooling to primary rooms
- Panel heaters to ancillary rooms
- Gas radiant panels to appliance bays
- Heat recovery ventilation
- Gas fired hot water

2021 → 2022

**PLANNING & DESIGN PHASE**  
OPERATIONAL FIRE STATION TRAINING ACADEMY:  
TO BE DELIVERED IN 2024

**21kg**  
CO<sub>2</sub>/m<sup>2</sup>

46% decrease from St Helens  
75% better than BSRIA benchmarks

**HOW?**

- Improved thermal envelope
- Hybrid VRF
- ASHP underfloor heating to garages
- No fossil fuels
- Low temperature hot water system & domestic hot water
- Air source heat pump
- Photovoltaic cells

**Total Energy regulated & unregulated**  
**87,399 kg**  
Co<sub>2</sub> /annum

**PV Install Offset**  
**41,965 kg**  
Co<sub>2</sub> /annum

2024 → 2040

**NET ZERO CARBON SITE**

**Future PV Install offset**  
**45,434 kg**  
Co<sub>2</sub> /annum

Equates to 1,250m<sup>2</sup> of PV  
(1/3 of car park)

2040

# Equality Impact Assessment

<b>Title of Policy/Service Instruction/Report/Plan Projects/Events/Consultation/Functional Plans or Strategy</b>	<b>TDA Development and station merger Project</b>
<b>Department:</b>	<b>Cross-Directorate</b>
<b>Date:</b>	<b>Consultation</b>
<b>Completed by:</b>	<b>GM - Ben Ryder ED&amp;I Advisor - Michelle Kirk</b>

**1: What are the main aims and objectives outlined in the Projects/Events/Consultation/Functional Plan etc. and are any of them in your opinion Positive / Negative or Neutral in relation to those protected groups outlined in section 6 below**

## **Scope of the EIA**

The key proposals of the project are listed below and are the basis of the completion of this EIA.

The purpose of this EIA is to review information and intelligence available at an early stage in the development of options for the Long Lane Project. It is intended that the EIA can be used to help inform decisions as the options progress and will help Principal Officers and Authority Members to understand equality related impacts on the decisions being made in relation to local diverse communities.

The EIA will be a living document which will developed further during the life cycle of the consultation stages. This initial EIA will provide be an opportunity to plan ahead for various activities such as community and staff consultation and equality data gathering.

## **The Project**

As proposed in the 2021-24 IRMP:

- To purchase a 12-acre site at Long Lane, Aintree, Liverpool
- To combine Aintree and Croxteth Fire Stations (Station 18 and 19) at a new station Specialist Rescue Station on Long Lane, Aintree, Liverpool.
- To build a new state of the art Training and Development Academy inclusive of a National Resilience Centre of Excellence at Long Lane, Aintree, Liverpool

The EIA will be conducted in a number of stages:

### **Stage 1 - Desk Top Assessment**

A desktop assessment has been completed in order to consider ED&I implications for this initial draft.

### **Stage 2 - Consultation (External and Internal):**

Following approval of the project by MFRA on 30th June 2021, a twelve-week public consultation took place from **15th July to 7th October 2021** regarding the merger of Croxteth and Aintree Stations.

The consultation process aimed to develop and maintain a positive engaged response from staff, partners and local communities. To deliver key messages in multiple formats to encourage a clear understanding of the proposed benefits of the new development and to gather valuable feedback and to ensure equality impacts are considered throughout the process and included in the final version of the EIA for review by final decision makers. The standard consultation process was restricted in line with Covid 19 restrictions and Zoom was used for all but one consultation meeting. Having used that method in October 2020 for IRMP consultation, we were confident to use it again.

### **Stage 3 - More detailed assessment**

Following the consultation process all responses have been considered and findings used to update this document.

## **EQUALITY IMPACT**

The proposals set out in the project are considered at this time to have a positive impact for both staff and communities.

- The creation of a new superstation will have a positive impact for both staff and communities. The proposed new site is well located to highway networks with ease to major trunk roads. Our research shows that relocating the two stations will actually improve our response time to emergencies in the Croxteth and Aintree areas. The redistribution of specialist appliances will help us to deal more efficiently and effectively to emergencies in areas where there is a likelihood of a particular risk occurring. Training our staff in the use of specialist equipment will have a positive impact on their



development as it will build skills and confidence in delivering a service which is effective in meeting the need of all the communities we serve.

- The proposal of a new Training and Development Academy and development of a centre of excellence will have a positive impact allowing MFRS to expand and increase training and provide modern facilities with accommodation and facilities appropriate for all. This will allow staff to be well trained, developed and empowered to deliver our services.
- The new builds will be designed in accordance with MFRS Leadership message, equality legislation and building regulations to ensure they are fit for purpose, fully accessible to end users and visitors who may require disabled access, suitable for those who wish to practise their faith and facilitate nursing mothers etc.
- The site at Long Lane, Aintree will exponentially improve the Services provision for community facilities. This comes in the form of a specifically designed area on the fire station for children and young people. This facility is purpose built to deliver a range of youth engagement activities that the Service offer (Fire Cadets, PT, BEACON, Healing Together etc.).
- The TDA main building will be a state of the art learning facility for the FRS and a large proportion of the facilities will be available for the use of the local community. This will enable community group to access and use the facilities.

## **2: Who will be affected by the objectives proposed in the Projects/Events/Consultation/Functional Plan etc. and will this be Negative /Neutral or Positive ?**

The project is likely to positively impact on the following:

- Local communities of Aintree and Croxteth
- MFRS operational and support staff
- Representative bodies (trade unions and staff associations)
- Partner agencies

The consultation process has provided valuable insight into the opinion of our staff, communities and partners. There were a few initial areas concern which were addressed during the consultation meetings. These related to:

- Response time – This project has a positive impact improving response times in Aintree, Croxteth and across Merseyside (as detailed in report CFO- 040-21.)
- Traffic Congestion – The Authority has appointed Flinders Chase to advise the Service of highways solution. This will be a key element of the formal planning application/process if approved by Authority.
- Firefighter Numbers – The IRMP 2021-24 increases the number of fire appliances from 29 (plus the Special Rescue Appliance) to 31 (plus the Special Rescue Appliance) by expanding our Hybrid duty system.

After hearing MFRS's reasoning and evidence for the project, consultation participants supported the proposals.

### 3: What monitoring data have you considered?

*Summarise the findings of any monitoring data you have considered regarding this Projects/Events/Consultation/Functional Plan. This could include data which shows whether it is having the desired outcomes and also its impact on members of different equality groups.*

**What monitoring data have you considered?**

**Station 18 and 19 Incident Data**

Data shows that the combined area of Aintree (Station 18) and Croxteth (Station 19) saw a 3.1% increase (+37) in the overall number of incidents in 2019/20 when compared to 2015/16. The combined area has seen a reduction of 12.5% (-176 incidents) when comparing 2019/20 to 2018/19, the lowest since 2015/16.

The increased count of incidents over the five-year period is specifically related to increases in Special Service calls including: assisting other agencies, effecting entry to property and road traffic collisions. It is worth noting that we have entered into arrangements with other blue light partners specifically to assist them (e.g. effecting entry to homes where a call for an ambulance has been made) and we do not aim to reduce those types of incidents. Other types of Special Services such as Road Traffic collisions are incident types we aim to reduce and work with communities to do so. This type of incident fits with our proposal for Long Lane to be a specialist rescue station.

**Facility Location Planner Analysis**

To identify the best possible location for a new merged station and Training Academy, MFRS utilised software called Facility Location Planner (FLP) which was developed by a supplier called Process Evolution. The software uses Lower Layer Super Output Area (LSOA) geography to identify the best location for a site within a given area. This process was simulated twice, initially for best performance and then for quickest response time.

The map above shows the current fire stations, locations for the Lower Layer Super Output Area (LSOA) for the best performance (red border) and for the quickest travel time (blue border) and a



<p><b>IRMP Considerations</b></p>	<p><b>Positive</b> - based on the current proposals, it is predicted that overall response to life risk incidents within 10 minutes would be achieved 93.7% of the time, with an average attendance time of 5m 52 seconds. Closing Aintree and Croxteth and building a merged station on Long Lane results in a minor gain in terms of attending life risk incidents pan Merseyside. This results in a prediction of 93.9% of life risk incidents being attended within 10 minutes and an average attendance time of 5m 50 seconds. Modelling shows, that based on the Long Lane location the 10-minute response time would be achieved on 98% of occasions (up from 94.3 based on current proposals) for life risk incidents attended within the current Aintree station area. And for the Croxteth station area, modelling identifies that performance would be achieved on 96.5% of occasions, slightly lower than the current 97.8%.</p>
<p><b>Staff Implications</b></p>	<p><b>Positive</b> - the new TDA site with an infrastructure fit to meet the ambitions of the Service will exponentially improve the working conditions and training provision for MFRA personnel. If the station merger is approved the implications to our staff will be carefully considered and managed by the Aintree and Croxteth station management teams and POD. This will include engagement with representative bodies and staff and take account of employee’s personal circumstances. Any outcomes will be logged in this EIA and considered by the project board.</p>
<p><b>Legal Implications</b></p>	<p>It is considered that in carrying out the extensive twelve-week consultation that is proposed, the Authority will be fully complying with legal requirements and best practice guidelines. The outcomes of this twelve-week public consultation process will be fully reported to Authority prior to a decision being made. Dialogue continues with the owner’s representative of the Long Lane site, however any agreement for the purchase of the land would be subject to full Authority approval. The legal searches and draft terms for any conditional exchange continue to be undertaken. Subject to Fire Authority approval to purchase the identified site and feedback from the public consultation, the legal parameters for the sale of the two existing fire stations that</p>

<p><b>Risk Management, Health and Safety and Environmental Implications</b></p>	<p>are proposed to merge would also be sought and executed as appropriate.</p> <p>A risk register has been developed to manage and mitigate associated risks. The register is reviewed regularly at the Project Board. The Chair/Vice Chair of the Project Board or Project Manager escalate risks by exception to the project's Executive Group. MFRA will reduce any associated corporate risk by completing extensive consultation on the proposed station merger. Any outcomes from the consultation and EIA process that potentially pose risks will be included in the risk register.</p>
<p><b>Demographics of the merged area</b></p>	<p>The proposed merged station area of Aintree and Croxteth has a combined population of 108,857 people, making the proposed station area the second largest in Merseyside. There are approximately 16,645 residents above the age of 65, this is 15.3% of the area's population, this is below the Merseyside average of 18% and proportionally the 7<sup>th</sup> lowest station area for over 65s. Concerning ethnic backgrounds of residents, according to the 2011 census, 93.1% of local residents are White British. Overall, the merged station area lies within the 10-20% most deprived LSOA's within England.</p>

<p><b>5. Consultation</b></p>
<p><i>Summarise any consultation you have had ,when developing the Projects/Events/Consultation/Functional Plan etc. with any protected groups (listed in 6 below) both internally and externally to the organisation about how the objectives might impact them either positively or negatively or natural</i></p>
<p><b>Engagement</b> – The project manager has engaged extensively with the Chairs and Vice Chairs of the staff networks.</p> <p><b>Station Change Methodology</b> – The station change methodology is informed by station merger projects in Knowsley, Wirral and St. Helens. The project team has engaged with staff to gather lessons learned which will inform the current project e.g. learning from accessibility audits from other MFRA sites.</p>

**TDA Development** – The project team and TDA staff have engaged extensively with other FRS's in order to gather information on lessons learned during capital build projects. There has been a particular focus on recent training and development projects in neighbouring Service's such as Cheshire and Manchester.

**National Resilience** – MFRA have engaged extensively with each of the capability leads to ensure that we have best practice examples from the sector lead delivery model for our training zones.

### **Public Consultation**

A twelve-week public consultation has taken place between 15<sup>th</sup> July and 7<sup>th</sup> October 2021. The consultation process was held in order for the Authority to gain an understanding of the views of the residents of Aintree and Croxteth and other stakeholders about the proposal to combine Aintree and Croxteth fire stations into a new superstation, including development of a Training and Development Academy (TDA) and National Resilience Centre of Excellence, at a new site on Long Lane, Aintree.

The consultation included an online questionnaire, three externally facilitated online deliberative focus groups (two for residents of Aintree and Croxteth station areas and one all-Merseyside group - to consider the wider implications of our proposals), three open public meetings (two were online and one face to face at Service Headquarters), a joint stakeholder meeting and several staff and individual stakeholder meetings including three with local ward councillors.

### **Promoting and marketing the consultation:**

Following Authority approval on 30<sup>th</sup> June 2021, on 15<sup>th</sup> July a consultation document and on-line survey were published on the Merseyside Fire and Rescue Authority website, Facebook, Twitter and a press release were used to launch the consultation.

Consultation documentation was printed and distributed widely across the Aintree and Croxteth areas, published on the Authority website and promoted via social media and the press. Consultation documents were placed in public buildings including libraries, one stop shops and community centres and supermarkets across the two station areas.

The consultation document was sent by email to the offices of all local Members of Parliament, Merseyside Police Chief Constable, Northwest Ambulance, Police and Crime Commissioner, City Region Mayor Steve Rotherham, Liverpool City Region, all local ward councillors and the Democratic Services teams at each of the five local councils.

Authority social media accounts were used during the consultation period to direct people to information and encourage participation in the consultation process.

The Chief Fire Officer consulted with a number of local ward councillors in the two station areas to explain our proposals and to seek their views.

The Chief Fire Officer consulted the City Region Mayor and the Mayor of Liverpool on our plans.

Stakeholders, including 22 businesses surrounding the proposed new site on Long Lane and 11 major sites in both station areas (including Aintree Hospital and HMP Altcourse), were invited to Service Headquarters to hear our proposals, ask questions and give their views.

The Chief Fire Officer spoke to staff on the affected stations to gather their views on the proposals.

**The consultation events:**

The consultation events that took place are detailed below. Due to the social distancing constraints of Covid 19 it was decided it was safer for public meetings to take place online (via Zoom) with just one face to face meeting planned for those who did not have access to the internet:

- Aintree station area focus group meeting – Tuesday 14<sup>th</sup> September
- Croxteth station area focus group meeting – Wednesday 15<sup>th</sup> September
- All Merseyside focus group meeting – Thursday 16<sup>th</sup> September
- All Merseyside online public meeting – Tuesday 21<sup>st</sup> September
- All Merseyside online public meeting – Wednesday 22<sup>nd</sup> September
- All Merseyside (face to face) public meeting – Thursday 21<sup>st</sup> September – Service Headquarters, Bridle Rd, Bootle
- Stakeholders (face to face) meeting – Tuesday 28<sup>th</sup> September – Service Headquarters, Bridle Rd, Bootle

**Outcomes from the consultation:**

Full analysis of the online questionnaire, focus groups, public meetings and other meetings with staff, interested and interested stakeholders can be found at Appendix 2.

A brief overview is provided below:

- The proposal would have a positive impact on equality, diversity and inclusion in terms of service delivery and employment.
- No negative equality, diversity and inclusion impacts were raised: participants could only see positives in terms of accessibility and inclusivity for station staff and the communities of Aintree and Croxteth.
- Participants were informed that, in developing its proposals, MFRS must consider whether they would have a particular impact (either positive or negative) on people with protected characteristics.
- No negative impacts were raised. In fact, participants could only see positives in terms of accessibility and inclusivity for station staff and the communities of Aintree and Croxteth. Moreover, one member of the cross-Merseyside group foresaw possible recruitment benefits as a result of opportunities to work in improved facilities.

**6. Conclusions - Provide any conclusions ascertained from section 2 to 5 above about the equality impacts for each protected group – Describe the impact in terms of negative, positive or neutral.**

**(a) Age**

People in this group are likely to fall into our vulnerable category, 15.3% of the merged area population are within this age group – though this merged station area has below the Merseyside average for over 65's. The largest concentrations of persons above the age of 65 are within the wards of West Derby (Liverpool) and Molyneux (Sefton). There are numerous sheltered housing locations, particularly in the existing Croxteth station area (359 against 66 in Aintree), though even in combination, this makes up only the 9<sup>th</sup> most populous station area for such housing. The number of people aged over 65 is increasing significantly across Merseyside. People are living longer but live with poor health for longer.

**Positive Impact:** The new build will consider accessibility for all.

The new build will have a bespoke youth engagement facility at the new super-station. This facility is purpose built and designed to create a positive environment for the children and young people learn and develop.

There is nothing to indicate that the actions within this plan would have a detrimental impact on people with this protected characteristic

**(b) Disability (including mental, physical and sensory conditions)**

**Positive Impact:** The new build project will consider disability access requirements.

There is nothing to indicate that the actions within this plan would have a detrimental impact on people with this protected characteristic.



The new build will learn from the findings of the recent Access/Inclusion Audits conducted on the current estate. Wilkinson Cowan Partnership Ltd has been incorporated into the Project Team and will input on the design of the new build.

People with profound and multiple learning disabilities or with physical disabilities often need extra equipment and space to allow them to use the toilets safely and comfortably. MFRS will ensure these needs are met with the installation of a Changing Places toilet.

MFRS will work closely with the MFRS Gender Network and Senior Sponsor for Disability on an ongoing basis to ensure the new build is inclusive

Furthermore, MFRS is a Disability Confident Employer and will be submitting an application to applying for level 3 accreditation by September 2022.

**(c) Race (include: nationality, national or ethnic origin and/or colour)**

According to the 2011 census, 93.9% of the merged area population is recorded as British white. Whilst there are small populations of Asian, Middle Eastern and European people, there is nothing to indicate that the actions within this plan would have a detrimental impact on people with this protected characteristic

**(d) Religion or Belief**

**Positive Impact:** The new build project will consider facilities to practice religion or belief. As part of MFRS commitment towards health and wellbeing including pastoral and spiritual and religious support will be considered to help provide holistic support to staff.

There is nothing to indicate that the actions within this plan would have a detrimental impact on people with this protected characteristic

**(e) Sex (Gender)**

**Positive Impact** The new build project will consider accommodation and facilities that are inclusive and appropriate for all. MFRS will work closely with the MFRS Gender Network on an ongoing basis to ensure the new build is inclusive. There is nothing to indicate that the actions within this plan would have a detrimental impact on people with this protected characteristic

**(f) Gender Reassignment**

**Positive:** The new build project will consider accommodation and facilities that are inclusive and appropriate for all. MFRS will work closely with the MFRS LGBT+ Network and Senior Sponsor on an ongoing basis to ensure the new build is inclusive

There is nothing to indicate that the actions within this plan would have a detrimental impact on people with this protected characteristic

**(g) Marriage or Civil Partnership**

There is nothing to indicate that the actions within this plan would have a detrimental impact on people with this protected characteristic

**(h) Pregnancy and Maternity**

**Positive:** The new build project will consider facilities for nursing mothers

There is nothing to indicate that the actions within this plan would have a detrimental impact on people with this protected characteristic

**(i) Sexual Orientation**

The new build project will consider accommodation and facilities that are appropriate for all irrespective of their sexual orientation. MFRS will work closely with the MFRS LGBT+ Network and Senior Sponsor on an ongoing basis to ensure the new build is inclusive

There is nothing to indicate that the actions within this plan would have a detrimental impact on people with this protected characteristic.

**(j) Socio-economic disadvantage**

There is much deprivation within the proposed area, particularly within the: Croxteth, Norris Green and parts of Fazakerley wards, though there are less deprived areas including: West Derby and Aintree Village. Analysis has shown an improvement in average response times, so regardless of whether how deprived an area is, we are still able to achieve the 10-minute response standard. There is nothing to indicate that the actions within this plan would have a detrimental impact on people with this protected characteristic.

The scheme will be used as a Team Liverpool / Centre for Local Economic Strategies (CLES) case study. This will provide demonstrable evidence of the social value that the project will bring to the local area. As an anchor organisation it is vital that we use the CLES principles to improve the communities we serve.

The community facilities and specifically the youth engagement provision will provide an enhanced provision for the communities of Aintree, Croxteth and Merseyside.

**7. Taking into account the information contained in the sections above what are the final Outcomes and Decisions**

*If the Projects/Events/Consultation/Functional Plan etc. or any of its objectives will have the potential to have a negative impact on members of one or more of the protected groups, explain how this will be managed or mitigated or justified as being an appropriate and necessary means of achieving the legitimate aims and objectives.*

The information provided in this EIA explain the ways in which different protected groups may be affected by the aims and objectives set out in the proposed project.

It is believed that the proposals that are contained within the project offer the best service provision in the circumstances.

**This is a draft EIA that will be added to during the consultation period for the proposed project.**

## 8. Equality Improvement Plan

The following activities have been identified by the ED&I Team as part of the EIA reviewing and signing off process. They will assist with the improving implementation, ensuring that Equality Impacts are assessed and reviewed on an ongoing basis.

## 9. Equality & Diversity Sign Off

***The completed EIA form must be signed off by the ED&I Team before it is submitted to Strategic Management Team or Authority.***

**Signed off by: Currently in Draft**

**Date: 22/10/21**

**Comments:**

**See Action Plan in section 8 above where appropriate**

For any advice, support or guidance about completing this form please contact the [DiversityTeam@merseyfire.gov.uk](mailto:DiversityTeam@merseyfire.gov.uk) or on 0151 296 4236

**The completed form along with the related documents should be emailed to the ED&I Team at: [DiversityTeam@merseyfire.gov.uk](mailto:DiversityTeam@merseyfire.gov.uk)**

# Proposed Long Lane Site Station Profile



Primarily made up of the wards of: Warbreck, Fazakerley, Molyneux, Clubmoor, West Derby, Norris Green, Croxteth

Has a population of 108857 residents, equivalent to 6.5% of Merseyside's total population

Has 16645 residents above the age of 65. Equivalent to 15.2% of the station's population

6.1% of residents are Black, Asian, Minority Ethnicity (including: non English, Welsh, Scottish and Northern Irish White population)

49585 homes

2528 places of work

Overall the Proposed Long Lane Site station area is within the 10-20% most deprived areas of England

The Proposed Long Lane Site station area is within the 30-40% most deprived areas of England for **Education, Skills and Training**

The Proposed Long Lane Site station area is within the 0-10% most deprived areas of England for **Health Deprivation & Disability**



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<b>MERSEYSIDE FIRE AND RESCUE AUTHORITY</b>			
<b>MEETING OF THE:</b>	<b>AUTHORITY (ANNUAL GENERAL MEETING)</b>		
<b>DATE:</b>	<b>9 JUNE 2022</b>	<b>REPORT NO:</b>	<b>CFO/030/022</b>
<b>PRESENTING OFFICER</b>	<b>DCFO NICK SEARLE</b>		
<b>RESPONSIBLE OFFICER:</b>	<b>PAUL MURPHY AREA MANAGER</b>	<b>REPORT AUTHOR:</b>	<b>HYWYN PRITCHARD</b>
<b>OFFICERS CONSULTED:</b>	<b>IAN CUMMINS, DIRECTOR OF FINANCE AND PROCUREMENT PAUL MURPHY, TRACEY GANLY</b>		
<b>TITLE OF REPORT:</b>	<b>AWARD OF CONTRACT TO PROCURE A NEW FLEET OF VAN FOR USE BY NATIONAL RESILIENCE</b>		

<b>APPENDICES:</b>	<b>NONE</b>
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### **Purpose of Report**

1. The Service acts on behalf of the Home Office (HO) as the national resilience lead authority and as part of that role the Service procures national resilience assets. The Service has worked with HO and other FRA colleagues to source vans to carry equipment and supplies for the DIM (detection, identification and monitoring) capability. As the contract exceeds £250,000 and is being arranged by the Service the Authority's standing orders require Members to approve the contract award, although all costs are being funded by HO. Therefore the report requests that Members approve the award of a contract for the purchase of 18 vans at a cost of £911,648, with Northern Commercials Ltd.

### **Recommendation**

2. It is recommended that Members approve the award of a contract to Northern Commercials Limited acting on behalf of Iveco Limited, for the supply of a fleet of 18 vans for the purposes of National Resilience's Detection, Identification and Monitoring capability.

### **Introduction and Background**

3. The DIM Working Group (WG) consisting of representative from West Midlands Police, National Resilience, Home Office and MFRS has met regularly to progress how the DIM capability can be updated in in terms of its delivery.
4. The suite of scientific equipment used by the DIM capability is due for asset refresh to bring the technology up to date. Similarly the current fleet of vehicles used to transport the equipment has reached the end of its operational life and needs to be replaced.

5. Following the recent successive lockdowns in response to the Covid-19 pandemic, vehicle deliveries have been adversely affected. Primarily, the delays have been caused by shortages of integrated circuits (silicon chips) used in vehicle manufacture. The invasion of Ukraine by Russia has also made matters worse in terms of supply chains e.g. rubber, wiring looms.
6. Having considered the extremely challenging market conditions the WG decided (4<sup>th</sup> of April 2022) to adopt the approach of procuring a van similar to that procured by London Fire Brigade (LFB) for the same purpose that could later be configured as a DIM vehicle. Furthermore the WG agreed that the procurement process was to be expedited so as to minimise the effect of delayed delivery. The alternative approach of going to market with a fully modified vehicle specification was discounted due to delays in vehicle delivery.
7. The market approach was to use Crown Commercial Services' (CCS) Vehicle Purchase framework agreement (RM6060), having also considered the YPO framework and as well as the Devon and Somerset framework for vehicles. RM6060 has an easy access vehicle purchase portal as well as a direct award facility in Lot 2: Light to medium commercial vehicles up to but not including 7.5 tonnes.
8. Technical advice was provided by the Long Term Capability Management contract's Fleet Manager (LTCM) as to which DIM vehicles options were to be selected. These options were then used in conjunction with the LFB vehicle type and model to generate an initial quotation from the CCS portal on the 12<sup>th</sup> of April.
9. The specification and quotation price was shared with the DIM WG to secure agreement to proceed accordingly which was received on the 28<sup>th</sup> of April.
10. The supplier was visited at their premises in Irlam by the Head of Procurement on the 6<sup>th</sup> of May to confirm and value engineer the vehicle specification. A further meeting was arranged for the 11<sup>th</sup> of May which was held virtually and included the LTCM Fleet Manager, supplier representatives and MFRS officers.
11. During the meeting the supplier reiterated that deliveries were taking 12 months from confirmation by the factory of order receipt. Deliveries were to be staggered at 6 vans per month for 3 months so that they could be converted to the DIM specification at the LTCM contractor's premises under the LTCM contract.
12. Following the meeting the supplier provided a quotation (13<sup>th</sup> May 2022) for the vehicles, reference NCM 6450.

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### **Equality and Diversity Implications**

13. There are no equality and diversity implications associated with the purchase of vehicles. However all options to accommodate the various heights of drivers have been selected.



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**Staff Implications**

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14. In addition to selecting options to accommodate height, all health and safety options were selected. All options as well as vehicle type were discussed and agreed at the DIM WG which included officers from National Resilience.

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**Legal Implications**

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15. The route to market is compliant with the Public Contracts Regulations 2015.
16. A call-off contract based on the vehicle purchase framework agreement (RM6060) will be signed with the supplier subject to Authority approval.

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**Financial Implications & Value for Money**

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17. The price of the vehicles as quoted will be £911,648, which does not include VAT, and is inclusive of road fund license and vehicle first registration fee.
18. Funds for this procurement have already been allocated by Home Office National Resilience purposes.
19. Having a fleet of new vehicle on order in 2022 will ensure that from approximately September 2023 more reliable vehicles will be available to deliver the service of detecting, identifying and monitoring hazardous materials.

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**Risk Management, Health & Safety, and Environmental Implications**

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20. Risk has been managed by consulting with the DIM WG and engaging the expertise of the LCTM Fleet Manager. Commercial risks are to be managed through the call-off contract.
21. As stated above (Staff Implications) all health and safety options for the vehicles have been selected.
22. The vans are to be supplied with the ultra low emissions option as part of their Euro 6E Heavy Duty truck engines.

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**Contribution to Our Vision: *To be the best Fire & Rescue Service in the UK.***

Our Purpose: *Here to serve, Here to protect, Here to keep you safe.*

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23. By replacing the fleet with up to date vehicles a more reliable and responsive service can be delivered that will better protect communities from incidents involving hazardous materials and from potentially more serious incidents such as the recent attack at Liverpool Women's Hospital.

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**BACKGROUND PAPERS**

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**NONE**

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## GLOSSARY OF TERMS

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<b>MFRA</b>	<b>M</b> erseyside <b>F</b> ire and <b>R</b> escue <b>A</b> uthority is the physical and legal entity. When writing reports MFRA is the “object”.
<b>MFRS</b>	<b>M</b> erseyside <b>F</b> ire and <b>R</b> escue <b>S</b> ervice is the service provided by MFRA. When writing reports MFRS is the “action”
<b>CCS</b>	Crown Commercial Services
<b>DIM</b>	Detection, Identification and Monitoring
<b>LTCM</b>	Long Term Capability Management

<b>MERSEYSIDE FIRE &amp; RESCUE AUTHORITY</b>			
<b>MEETING OF THE:</b>	<b>AUTHORITY MEETING (ANNUAL GENERAL MEETING)</b>		
<b>DATE:</b>	<b>9<sup>TH</sup> JUNE 2022</b>		<b>CFO/032/022</b>
<b>PRESENTING OFFICER</b>	<b>CHIEF FIRE OFFICER</b>		
<b>RESPONSIBLE OFFICER:</b>	<b>DCFO NICK SEARLE</b>	<b>REPORT AUTHOR:</b>	<b>D SEASMAN</b>
<b>OFFICERS CONSULTED:</b>	<b>STRATEGIC LEADERSHIP TEAM PHIL ION, HYWYN PRITCHARD, STEWART MARTIN,</b>		
<b>TITLE OF REPORT:</b>	<b>PURCHASE OF A 45M BRONTO COMBINED PLATFORM LADDER (CPL)</b>		
<b>APPENDICES:</b>	<b>NONE</b>		

### **Purpose of Report**

1. To inform Members on the proposal to purchase of a 45m Bronto Combined Platform Ladder (CPL) as per the Authority's proposals and contained within the Authority's Integrated Risk Management (IRMP).

### **Recommendation**

2. It is recommended that the Members:
  - a) approve the purchase of the immediately available demonstration 45m Bronto CPL. Delivery time 4-5 months; and

### **Introduction and Background**

3. As contained within the Transport Asset Management Plan, the MFRS fleet currently operates four Aerial Appliances. The current Aerial appliances are all CPLs, however this will change to include a High Reach Extending Turret fire appliance in the future, to reflect the 2021/24 IRMP proposals.
4. The Authority currently have two CPL's with a maximum working height of 28m and two which have a maximum working height of 34m.
5. The Aerial appliances have a replacement programme set at 15 years.
6. The replacement programme is set at 15 years to enable the Authority to achieve value for money from its financial outlay along with ensuring that the Authority complies with its duties in meeting operational procedures, legal requirements, Transport and Operator Legislation.
7. Currently the two 28m CPLs that are in service are mounted on 2009 and 2010 chassis. The aerial equipment on the vehicles is however is now 30 years old due

to being refitted on to a new chassis.

8. This old technology is now becoming problematic and is in need of replacement slightly earlier than the 15 year replacement programme for the vehicle.

#### CPL Operational needs and use

9. Aerial appliances are used as a water tower and are also used for the rescue of persons from high rise properties or incidents below ground level, such as docks.
10. The current MFRA Integrated Risk Management Plan (IRMP) outlines our commitment to protect our communities, including the purchase of vehicles, assets, kit and equipment which is capable of responding to 'all reasonably foreseeable risk'.
11. Following the Grenfell tower fire Merseyside Fire & Rescue Service has reviewed its risk methodology and associated capabilities.
12. Fires in large buildings (High Rise) was identified as one of the six high impact incident types that MFRS should focus on.
13. As a result of this, MFRS made a commitment to procure a 45m Aerial Appliance to be based at City Centre Community Fire Station. This location was chosen due to its close proximity to the City Centre which is densely populated with high rise buildings.

#### Vehicle selection process

14. In 2021 a specialist appliance review was carried out with a view to determine the most appropriate Aerial appliance for MFRS. Nominated staff from all directorates formed a specialist appliance review group.
15. As part of the review, demonstrations of UK available aerial appliances took place, delivered by the country's leading manufacturers in this field. Emergency One, Rosenbauer and Angloco.
16. A mixture of CPLs and Turntable Ladders were demonstrated to a range of operational staff including firefighters and officers, Transport, Training department, Response, Protection and station based personnel.
17. Feedback was given post demonstration and along with the detailed MFRS specification requirement criteria, the 45m CPL was deemed the most suitable Aerial for MFRS.
18. The outcome of the review was presented at Operations Board where the decision was made to move forward with the purchase of a 45m CPL.
19. Due to an existing contract in place for the purchase of an Aerial appliances, there

is an opportunity to procure directly through Angloco. This is to be the chosen route to Market. See paragraphs 25-28

20. A detailed specification was produced and delivered to Angloco for a full costing analysis via a Request for Quote (RFQ) for a 45m Bronto CPL. The quote was received and evaluated. For full financial details See Paragraph 38.
21. During the above process the Transport Manager became aware of the possibility to purchase a Demonstration 45m CPL. This vehicle is being used for demonstration purposes only and is not operational.
22. This vehicle is of a higher specification to that submitted for a RFQ. It has a number of additional technical and engineering enhancements that will benefit MFRS crews operationally. These items include, wireless remote control for boom operations, emergency backup engine, intelligent rescue lifting system and a wireless remote control for jacking system.
23. A demonstration of the vehicle took place at Workshops for the Principal Officer team, senior officers, operational crews, operational equipment team and the Transport department. This was followed by a demonstration at City Centre Fire Station with crews, CPL operators, Training department and response officers.
24. Both demonstrations allowed MFRS staff to have a hands on approach in using the equipment, ask questions and observe its capabilities. The feedback from all departments was very positive in all aspects of functionality and quality of build.

#### Timescales

25. The estimated lead time for delivery into service of the MFRS specified 45m vehicle is around 18-24 months from date of order.
26. The estimated lead time for delivery into service of the 45m Demonstration vehicle is 3-5 months.

#### Additional information

27. If MFRA approve the procurement of the Demonstration vehicle there will be some additional systems that will need to be retrospectively fitted and some modifications to suit MFRS needs. Modifications have been included in the base price of the vehicle but additional systems will need financing. These include radio/MDT installation, RSG telematics. Financial implications are detailed in Paragraph 38.
28. Included in the purchase price there are conditions for warranties, the length of which vary for different elements of the complete build. Training for Aerial Instructors who will then deliver Operator Training to operational staff is included along with training for workshop engineering staff in the maintenance and operation of the appliance.

#### Procurement route to market

29. It is possible to simplify the procurement process by adopting a negotiated procedure with the previous supplier under Section 3 regulation 32 of the Public Contracts Regulations 2015 to award a recurrent contract.
30. This provision permits additional deliveries by the original supplier as the extension of existing supplies where a change of supplier would oblige the contracting authority to acquire supplies having different technical characteristics which would result in incompatibility or disproportionate technical difficulties in operation and maintenance.
31. To purchase an appliance other than that proposed would result in 250 additional driver operator training days which qualifies as presenting disproportionate technical difficulty in bringing a different vehicle into operational service, as confirmed by the Driver Training Manager.
32. Reliance on the provisions of regulation 32 in this manner requires the recurrent contract to be completed by 31/12/2022 at the latest.”

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#### **Equality and Diversity Implications**

33. The demonstration vehicle and the MFRA specified vehicle will both have a Scania low level entry cab. This will make access and egress of the vehicle much easier for all MFRS staff.
34. The proposed stowage layout of the vehicle has been designed to be compliant with body space standards to ensure equipment is stored in accordance with the allowable lifting capabilities of all firefighters.
35. In view of the measures outlined above, it is not anticipated that there will be any adverse impact on equality and diversity arising from this procurement exercise.

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#### **Staff Implications**

36. The decision to purchase the Scania Chassis and Bronto CPL will greatly reduce the initial training needs and ongoing competencies due to the makeup of the MFRA fleet.
37. The MFRA fire appliance fleet is composed of all Scania vehicles and the Aerial fleet is all Bronto CPLs. MFRS drivers, operators and engineering staff already have in-depth knowledge of both Scania Fire appliances and Bronto CPLs. This will enable the vehicle to be introduced into Service much quicker and will also minimise the training resource needed.

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#### **Legal Implications**

38. The Authority has a duty to ensure compliance with UK and EU procurement legislation.
39. As the value of the contract is anticipated to be in excess of £250,000 this must be approved by the Authority pursuant to Article 21, paragraph 13.1 of the Authority's Constitution.
40. The Authority must comply with its' duties in meeting operational procedures, legal requirements of Health and Safety to its employees, Transport Legislation and Operator Legislation

### **Financial Implications & Value for Money**

41. Within the 5 year vehicle capital replacement programme there is a budget of £780,000 for the replacement of an Aerial appliance.
42. The vehicle costing for both the MFRS Specified vehicle and demonstration vehicle is set out below.

	45m MFRS Specification	45m Demonstration Vehicle
Base vehicle cost	£728,153	£725,000
Back up engine	£10,440	Included in base vehicle cost
Intelligent lifting system	£3,658	Included in base vehicle cost
Remote control with screen	£12,400	Included in base vehicle cost
Thermal image camera system	£19,062	£19062
Hydraulic axle lock	£11,188	Included in base vehicle cost
RSG telematics	Included in base vehicle cost	£1225
Radio and MDT fit	Included in base vehicle cost	£5400
Training	£3,700	Included in the base vehicle cost
<b>Total estimated cost</b>	<b>£788,601</b>	<b>£750,687</b>

43. Value for money will be optimised by procuring the demonstration Bronto 45m CPL due to the additional systems being included in the base vehicle cost.
44. If the MFRS specification Vehicle is purchased then there will be three stage payments throughout the vehicle build.
45. The purchase of the Scania and Bronto CPL will have a major reduction in initial and on-going training costs due to the existing competencies within MFRS operational and maintenance staff, in comparison to other aerial appliances on the market.
46. The supplier has also offered a buy back option for the 28m CPL that will be removed from service. The offer is £37,000 and will be paid once the New CPL is operational.

### **Risk Management, Health & Safety, and Environmental Implications**

47. MFRA must ensure the purchase of vehicles is carried out within the correct procurement regulations. As described in paragraphs 25-28, MFRS are complying with this.
48. The vehicle will be specified in line with the relevant BS EN Standards to ensure safety and build quality
49. The design for the stowage of equipment is done in such a way to reduce the risk of manual handling injuries and fall from height injuries.
50. The vehicle emission system is compliant to Euro 6. At present there are no Ultra Low Emission vehicles on the market available of this type.

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**Contribution to Our Mission: *Safer Stronger Communities – Safe Effective Firefighters***

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51. As detailed within the current IRMP, fires in large buildings are one of six high impact incident types that MFRS should focus on.
52. The introduction of a 45m Bronto CPL into the service will enhance and improve MFRS capabilities when dealing with fires in large buildings, this in turn will help to keep our communities safer.
53. The high specification of the vehicle will assist the firefighters to carry out their duties safely due to the enhanced capabilities of the CPL.

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**BACKGROUND PAPERS**

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Note any previous reports or updates

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**GLOSSARY OF TERMS**

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<b>CPL</b>	COMBINED PLATFORM LADDER
<b>MFRA</b>	MERSEYSIDE FIRE AND RESCUE AUTHORITY
<b>MFRS</b>	MERSEYSIDE FIRE AND RESCUE SERVICE
<b>IRMP</b>	INTEGRATED RISK MANAGEMENT PLAN
<b>RFQ</b>	REQUEST FOR QUOTE



<b>MERSEYSIDE FIRE AND RESCUE AUTHORITY</b>			
<b>MEETING OF THE:</b>	<b>AUTHORITY (ANNUAL GENERAL MEETING)</b>		
<b>DATE:</b>	<b>9<sup>TH</sup> JUNE 2022</b>	<b>REPORT NO:</b>	<b>CFO/029/022</b>
<b>PRESENTING OFFICER</b>	<b>CHIEF FIRE OFFICER PHIL GARRIGAN</b>		
<b>RESPONSIBLE OFFICER:</b>	<b>DEB APPLETON</b>	<b>REPORT AUTHOR:</b>	<b>MARK RICE ED FRANKLIN</b>
<b>OFFICERS CONSULTED:</b>	<b>STEWART MARTIN TOM HIRONS HYWYN PRITCHARD BERNIE KENNY TONY STRETCH</b>		
<b>TITLE OF REPORT:</b>	<b>MULT-FUNCTION DEVICE CONTRATCT RENEWAL 2022</b>		
<b>APPENDICES:</b>	<b>APPENDIX A:</b>	<b>EQUALITY IMPACT ASSESSMENT</b>	
	<b>APPENDIX B:</b>	<b>TENDER EVALUATION</b>	

### **Purpose of Report**

1. To request that Members approve the award of the Authority's Multi-Functional Device (MFD) Contract.

### **Recommendation**

2. It is recommended that Members approve the award of a five year contract to Hewell Packard ('HP') for provision and support of the Authority's MFDs.

### **Introduction and Background**

3. In its 2022-2027 ICT Asset Management Plan, the Authority approved the policy of using shared MFDs; having one MFD per Function as an alternative to printers.
4. The existing contract with Konica Minolta, for provision and support of MFDs and support software (PaperCut), commenced in July 2017, for a period of five years. The MFD contract printer rationalisation has contributed significantly to budget savings.
5. To continue this rationalisation and to have continued access to MFDs – which typically consist of combined printing, photocopying and scanning facilities – along with the provision of consumables and support by the MFD supplier, Merseyside Fire and Rescue Authority (MFRA) will need to a contract for the provision of MFD , with the current contract expiring on 29th July 2022.

## Mini Competition

6. In March 2022, a mini competition was published under Crown Commercial Services (CCS) Framework RM6174 Lot 2. The Provision of MFDs and Print Management Software and Services was the subject and there were nine possible suppliers who could have replied to the 'Request for Quote' (RFQ).
7. After a review by the ICT team and consultation with users, the number of MFDs in the organisation will be reduced from 66 devices to 63, and it is on *this* basis the RFQ was issued.
8. Four suppliers responded, including HP Inc. (UK) Ltd. A full list of the four respondents is provided in Appendix B, with HP being the preferred bidder having received the highest score from the tender evaluation..
9. When considering costs for MFDs there are distinct categories:
  - **Lease (rental) cost for each MFD:** This is the per annum cost to rent the device over the life of the contract.
  - **The 'Click Charge' for each MFD:** This is the estimated costs for printing on the MFD. A click can be defined as a rotation of the printing cylinder. For example, if we printed 50 pages one sided, the printer would pay a set fee based on 50 impressions or 'clicks'.
  - **The cost of paper:** Greater use of paper increases costs. At the same time as prompts and warnings were introduced regarding colour printing, similar techniques were implemented to promote double-sided (duplex) printing.
  - **Whether the printing is in black and white or in colour:** Following a Print Audit Review in November 2016 it was indicated the 'very high colour output' as an area that the Authority could dramatically reduce costs, if appropriate controls were put in place. Controls *were* put in place at the start of the previous contract (2017), in the form of on-screen warning prompts prior to printing and on-screen requests for written justifications for printing in colour (see 'PaperCut', below). These controls will continue with the new contract.
10. In addition to MFD provision, the current tender states the requirement for the use of our existing print management software – PaperCut – to be carried over to the new contract.
11. Of the four suppliers replying to the RFQ, it is recommend to award the contract for MFD provision and support to HP. The respective quality and price scores resulting from the evaluation are provided in Appendix B.
12. HP's Lease and Click costs of £269,000 (over five years) and a score of 74.05 has been chosen over the other three respondents.

13. When compared to the revenue budget allocation for 2022/23 (£314,500) this represents a potential reduction of £45,000 over five years. However, MFRA usage of MFDs and the incurred click charges could vary year on year, meaning the full reduction cannot be guaranteed.

#### PaperCut

14. Managing a print fleet can be time consuming and an expensive overhead for ICT and finance resources. PaperCut gives MFRA total control of the print fleet, with management able to overlay everything from performance monitoring and cost allocation, to secure printing and strategic policy enforcement. Continued procurement of PaperCut will enable the Authority to sustain the print cost savings which this solution has already achieved.
15. Cost savings are achieved by tracking employee usage by individual, office or department. PaperCut also provides comprehensive reports on usage costs, budgeting and environmental impacts.
16. PaperCut's main features are:
  - Tracking of print and associated costs by individual user, office or department
  - Implement print policy rules: Stop mistakes such as printing a document 100 times instead of once.
  - Enforcing double sided printing
  - Warning users when they are about to print emails in colour
  - Routing large jobs to the most cost effective devices
  - Printing monitoring reports to analyse and audit printer usage
  - Quick on screen overviews
  - Auto-deletion can be configured to a specified time
17. Continued use of PaperCut will sustain the following benefits:
  - Encourage responsible use of Authority resources
  - Reduce overall printing costs
  - All defaults set to mono and duplex as standard specifically reducing the cost of colour printer and paper
  - Help create an environmentally aware workplace
  - Submit and securely retrieve print job from any device using either name/password, PIN or access card reader.

#### Project Plan and Roll Out

18. HP provided an outline project plan and named a dedicated manager for the installation phase. The project plan will be further developed for sign off after award of the contract.
19. As Konica is the incumbent supplier, there will be a period of mobilisation, where MFRA's MFDs will be removed by Konica and replaced by HP.

## Equality and Diversity Implications

20. The Equality Impact Assessment (EIA) has been completed and submitted. Approval is pending, (Appendix A).
21. Equality and diversity implications were fully considered during the initial MFD contract (of 2017). The current proposal is for a *continuation* of the MFD contract; the devices are the same or better in terms of Equality, Diversity and Inclusion (EDI). This is evidenced by the attached EIA.

## Staff Implications

22. In early 2022 key users of the current MFD estate were asked to put forward their views on the current fleet of MFD's, including fitness for purpose and any additional requirements/suggestions they had. No concerns were raised.
23. Key users will be kept updated with progress once the contract is awarded and dates/times of decommissions and installations agreed, to ensure minimal disruption.
24. Training will be supplied, if necessary, and the training schedule will form part of the project plan.

## Legal Implications

25. The procurement process has been carried out under a compliant national framework in place with CCS.
26. As the total cost will exceed £250,000 this contract will require Authority approval.

## Financial Implications & Value for Money

27. Five-year lease period. This shows HP only. For the full comparison of all respondents, please see Appendix B:

		Revenue Budget Allocation 2022/2023	HP one-year costs
<b>Copy Charges</b>			
MFD: Annual Click Charges: 66* Devices	£25,200.00	£25,200.00	£15,367.52
<b>Lease Charges</b>			
MFD: PaperCut Print Management Solution: 1100 Licences: 4 Quarters: £1,729.98 Per Quarter	£6,919.92		£3,806.04
MFD: Lease: 66* Devices: 4 Quarters: £7,564.29 Per Quarter	£30,257.16		£34,683.69
<b>Total Lease Charges</b>	<b>£37,177.08</b>	<b>£37,700.00</b>	<b>£38,489.73</b>
Annual Total		£62,900.00	£53,857.26
Five Year Total		£314,500.00	£269,286.28
* Reduced to 63 devices for new contract			

28. Although the HP one-year costs exceed the one-year costs of another respondent, as the tender was also scored on compliance with our requirements, (see paragraph 12), HP have submitted the most economically advantageous tender and highest scoring tender overall.
29. Compared to the revenue budget allocation 2022/23, the award of the contract to HP represents a potential reduction of £45,000 over five years. However, MFRA usage of MFDs and the incurred click charges could vary year on year, meaning the full reduction cannot be guaranteed.

### **Risk Management, Health & Safety, and Environmental Implications**

30. HP confirm they will adhere to all MFRA Health and Safety requirements. All field staff are vetted, instructed and trained to ensure that MFRA's security, safety and confidentiality requirements are met in full by HP staff at all times.
31. HP's "Planet Partners Programme (PPP)" is designed to protect the environment and provides MFRA with a simple process to return and recycle used HP consumables (toner bottles, Cartridges and imaging units), free of charge.
32. MFD's are pre-configured to minimise environmental impact.
33. HP fulfil the mandatory sustainability and environmental requirements stated in CCS framework RM6174 Schedule 5.

**Contribution to Our Vision:** *To be the best Fire & Rescue Service in the UK.*

**Our Purpose:** *Here to serve, Here to protect, Here to keep you safe.*

34. The continued use of MFDs will serve our communities in two main ways. The first is that it will allow for efficient and secure printing, scanning and copying of important documents. The second is that costs will be minimised, allowing the allocation of valuable resources to other projects and actions which benefit our communities.

### **BACKGROUND PAPERS**

**CFO/111/11** None.

### **GLOSSARY OF TERMS**

<b>CCS</b>	Crown Commercial Services
<b>EDI</b>	Equality Diversity and Inclusion
<b>EIA</b>	Equality Impact Assessment
<b>MFD</b>	Multi-Functional (or Function) Device

- MFRA** Merseyside **F**ire and **R**escue **A**uthority is the physical and legal entity. When writing reports MFRA is the “object”.
- MFRS** Merseyside **F**ire and **R**escue **S**ervice is the service provided by MFRA. When writing reports MFRS is the “action”
- RFQ** Request for Quote

## EQUALITY IMPACT ANALYSIS

### Overview Details

<b>Function /Department</b>	<b>ICT</b>	<b>Date Of analysis</b>	16.05.2022
<b>Title and overview of what is being assessed / considered</b>	The Renewal of the existing contract for Estate-wide MFDs (i.e. combined printers, scanners and photocopiers).	<b>Review Date</b>	
<b>Who will be affected by this activity?</b> (Please tick) Station Managers and above		Staff <input checked="" type="checkbox"/>	Public <input type="checkbox"/>
<b>Author of Equality Impact Analysis</b>	Mark Rice	<b>Equality Analysis quality assured by (Member of the POD team)</b>	

The purpose of undertaking an equality impact analysis and assessment is to understand the potential and/or actual impact that a service or policy may have on protected groups within the Equality Act (2010). The protected groups are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion and / or belief
- Sex (gender)
- Sexual orientation
- Socio-economic Disadvantage (Although not one of the 9 protected groups M&RA recognise that Socio-economic disadvantage affects many deprived communities within Merseyside.)

People who are protected from discrimination on the basis of any of these characteristics are described in this document as belonging to one or other “protected group”. In addition, equality analysis can be applied to groups of people not afforded protection by the Equality Act, but who often face disadvantage and stigma in life in general and when trying to access services & employment opportunities. Such groups include homeless people, sex workers, people who misuse drugs and other groups who experience

socio economic disadvantage & others. This template has been developed following consultation with staff and other external stakeholders including reference to the National Fire Chiefs Councils (NFCC) [equality impact assessment toolkit](#) as well as the [Maturity Models and Workforce Good Practice Frameworks](#) developed by the NFCC which MFRS will use to underpin EIAs as wider work on improvement.

### Impact Analysis

1	<p><b>What evidence have you used to think about any potential impact on particular groups?</b> (Please highlight any evidence that you have considered to help you address what the potential impact may be)</p> <p><b>Example evidence:</b></p> <ul style="list-style-type: none"> <li>• ONS Census data</li> <li>• Regional or local demographic information</li> <li>• MFRS reports &amp; data</li> <li>• NFCC Reports/Guidance</li> <li>• Home office/Local government Reports</li> <li>• Risk Assessments</li> <li>• Staff survey results</li> <li>• Research / epidemiology studies</li> <li>• Updates to legislation</li> <li>• Engagement records or analysis</li> </ul> <p><b>NFCC Equality of Access documents</b> – We encourage you to click on the following <a href="#">link</a> to access a series of ‘equality of access documents’, developed by the National Fire Service Council (NFCC) &amp; reference the data and information highlighted.</p> <p>Some aspects of these documents will help you provide information, awareness, and data to support:</p> <ul style="list-style-type: none"> <li>• Integrated Risk Management Plans</li> </ul>	<p>Equality and diversity implications were fully considered during the <i>initial</i> MFD contract (of 2017). The current proposal is for a <i>continuation</i> of the MFD contract; the devices are the same or better in terms of Equality, Diversity and Inclusion (EDI).</p>
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	<ul style="list-style-type: none"> <li>• Service delivery strategies</li> <li>• Positive action and recruitment plans</li> <li>• Workforce improvement plans</li> <li>• Community engagement activities</li> <li>• and, will prompt conversations within the workplace.</li> </ul> <p>Each document provides a significant amount of data and information, including research undertaken and risk-based evidence, and then goes into some ideas for actions which Services can use based on the information and their individual circumstances</p>		
2	<p><b>Do you have all the evidence you need in order to make an informed decisions about the potential impact?</b> (Please tick)</p>	<p><b>Yes</b> <input checked="" type="checkbox"/></p> <p>If you feel that you have enough evidence, then you will <b>not</b> need to undertake any engagement activity</p>	<p><b>No</b> <input type="checkbox"/></p> <p>If you feel that you do not have enough evidence to make an informed decision then you <b>will need to</b> undertake engagement activity with the staff or members of the public as applicable</p>

<p><b>3</b></p>	<p><b>What engagement is taking place or has already been undertaken to understand any potential impact on staff or members of the public?</b></p> <p>Examples include:</p> <p><u>Public</u></p> <ul style="list-style-type: none"> <li>• Interviews</li> <li>• Focus groups</li> <li>• Public Forums</li> <li>• Complaints, comments, compliments</li> </ul> <p><u>Staff</u></p> <ul style="list-style-type: none"> <li>• Staff events / workshop</li> <li>• Existing staff meetings / committees</li> <li>• Staff Networks</li> <li>• Representative Bodies</li> <li>• Annual Staff Survey questions</li> </ul>	<p>Equality and diversity implications were fully considered during the initial MFD contract (of 2017). The current proposal is for a <i>continuation</i> of the MFD contract; the devices are the same or better in terms of Equality, Diversity and Inclusion (EDI).</p>	
<p><b>4</b></p>	<p><b>Will there be an impact against the protected groups as described in the Equality Act (2010)?</b></p> <p>Summarise what impact there may be against each of the protected groups. Embed or provide a hyperlink to any reports or electronic files to which you are referring.</p> <p>Please remember when considering any possible impacts, these may be positive or negative and that there may be different impacts for our own staff when compared to those possible impacts on members of the community. Please detail clearly if the impacts are for staff or the wider community.</p> <p>It is also important to note that there may not be an impact on some of the protected groups if this</p>	<p>What is the <b>actual</b> or <b>potential</b> impact on <b>age</b>?</p>	<p><b>Not applicable</b> <input checked="" type="checkbox"/></p>
		<p>What is the <b>actual</b> or <b>potential</b> impact on <b>disability</b>?</p> <p><b>Positive, continuing the positive impact of the introduction of MFDs for those with disabilities (particularly physical).</b></p>	<p><b>Not applicable</b> <input type="checkbox"/></p>
		<p>What is the <b>actual</b> or <b>potential</b> impact on <b>gender reassignment</b>?</p>	<p><b>Not applicable</b> <input checked="" type="checkbox"/></p>
		<p>What is the <b>actual</b> or <b>potential</b> impact on <b>marriage and civil partnership</b>?</p>	<p><b>Not applicable</b> <input checked="" type="checkbox"/></p>
		<p>What is the <b>actual</b> or <b>potential</b> impact on <b>pregnancy and maternity</b>?</p>	<p><b>Not applicable</b> <input checked="" type="checkbox"/></p>

<p>should be the case please tick the not applicable box.</p> <p>If there is <b>no impact</b>, please state that there is no impact.</p>	<p>What is the <b>actual</b> or <b>potential</b> impact on <b>race</b>?</p>	<p><b>Not applicable</b> <input checked="" type="checkbox"/></p>
	<p>What is the <b>actual</b> or <b>potential</b> impact on <b>religion and / or belief</b>?</p>	<p><b>Not applicable</b> <input checked="" type="checkbox"/></p>
	<p>What is the <b>actual</b> or <b>potential</b> impact on <b>sex (gender)</b>?</p>	<p><b>Not applicable</b> <input checked="" type="checkbox"/></p>
	<p>What is the <b>actual</b> or <b>potential</b> impact on <b>sexual orientation</b>?</p>	<p><b>Not applicable</b> <input checked="" type="checkbox"/></p>

DRAFT

## **ACTION PLAN**

**What actions need to be taken in order to mitigate the impacts identified in sections 3,4 and 5?**

Impact	Action Required	Integrated existing work (yes/no) outline	Target Date	Responsibility
Age				
Disability -				
Pregnancy and Maternity -				
Race				
Gender reassignment				
Marriage and civil partnership				
Religion and / or belief				
Sex (gender)				
Sexual orientation				
Carers				
Other				
Deprived communities/socio economic				

**How will these actions be monitored and where will the outcomes be reported?**

(Please describe below)

<b>Completed by</b> (Please print name /Designation)	Mark Rice	<b>Signature</b> <b>Date</b>	16.05.2022
<b>Quality Assured by</b> (Please print name /Designation)		<b>Signature</b> <b>Date</b>	

<b>Name of responsible SLT member</b> (Please print name /Designation)		<b>Signature</b> <b>Date</b>	
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## Bibliography and Guidance documents

This bibliography provides details of all the documents and reports included within this EIA or the EIA guidance. The bibliography will also include Hyperlinks to other useful documents, reports, data, and webinars on our portal page or links direct to the websites which you may find helpful when completing your EIA. **Please note, that this is a live document, do not use an old copy of this form to complete a new EIA. Please ensure that you download a new copy from the portal, as the bibliography and links will be updated regularly to ensure you have access to the most recent data, articles and training.**

### Documents referenced and hyperlinked within the form

National Fire Chiefs Councils (NFCC) [equality impact assessment template](#)

National Fire Chiefs Councils (NFCC) [Equality Impact Assessment Toolkit](#)

National Fire Chiefs Councils (NFCC) [Maturity Models and Workforce Good Practice Frameworks](#)

This document provides insight into the NFCC Maturity model and provides guidance on the following areas:

- Leadership Development
- Recruitment
- Learning Organisation
- Blended Learning
- Performance Management
- Employee Recognition
- Talent Management
- EDI
- Well Being
- HR Analytics

### [Equality Diversity & Inclusion Resource Library](#)

The ED&I resources Library is located on the ED&I portal page and provides a suite of documents (detailed below) from a wide variety of sources, they may be internally produced reports or guidance, toolkits or data produced by the NFCC or partners. A list of the documents can be found below or you can access the complete library [here](#).

Disability related support including:

- [AFSA - Lets talk workplace disability](#)

Gender Related Resources including:

- [Fast Facts for patients – Menopause](#)

Pregnancy and Maternity Related Resources

Religion and Belief related resources including:

- [AFSA – 2021 Workforce Religion and belief Toolkit](#)

Sexual Orientation Related Resources

[AFSA Workforce Positive Action Toolkit](#)

[Dementia Friendly Emergency Services Guidance](#)

[NFCC Equality of Access to Services and Employment](#) which includes:

- NFCC Equality of Access to Services and Actions for the Vulnerable Rehoused Homeless
- NFCC Equality of Access to Services and Employment for Black Communities
- NFCC Equality of Access to Services and Employment for Neurodiversity
- NFCC Equality of Access to Services and Employment for LGBT Communities
- NFCC Equality of Access to Services and Employment for People from Asian Communities
- NFCC Equality of Access to Services and Employment for the Roma Communities
- NFCC Equality of Access to Services and Employment for People Living with Dementia
- NFCC Equality of Access to Services and Employment for People Living in Rural Communities
- NFCC Equality of Access to Services and Employment for Emerging Migrant Communities

These can also be found on the [NFCC website](#)

### **NFCC Toolkits**

The NFCC have also created a number of toolkits to provide help and guidance these can be found here on the [NFCC website](#) or via the links below in the ED&I Resource Library

The toolkits currently available include:

- [Collecting and Disseminating of Equality, Diversity and Inclusion Data Toolkit](#)
- [Gender Diversity Toolkit](#)



- [Neurodiversity Toolkit](#)
- [Undertaking an Equality Impact Assessment Toolkit](#)
- [Staff Networks Toolkit](#)

### **Webinars**

[NFCC Lunch and Learns](#) which include

- Neurodiversity
- Trans Visibility in FRS
- Racial Equality
- Bite Size techniques to avoid burnout
- Being part of the LGBT Community

### **Other useful Links and documents**

[ED&I Annual Report](#) this report included our Staffing data, Gender and BAME Pay Gap analysis and recent reporting against our 5 Equality Objectives

[Diversity Events Calendar](#) the diversity calendar is helpful to understand what key dates are taking place throughout the year to assist with community engagement

[Knowing our Communities Data](#) this is a suite of documents, which provides data within each of the local Authorities, by different protected groups which include Age, Disability, Religion and Ethnicity.

### **[Service Instruction 0877 Resources to support managers and staff to implement the Equality & Diversity Policy](#)**

- [Appendix 1 - Disability in the workplace information for staff and managers](#)
- [Appendix 2 - Reasonable Adjustments Support for staff & managers in the workplace](#)
- [Appendix 3 - Access to Work Support for staff and managers in the workplace](#)
- [Appendix 4 - Supporting people with Dyslexia in the workplace](#)
- [Appendix 5 - Supporting Staff during the Menopause](#)
- [Appendix 6 - Guidance for supporting employees returning from maternity; breastfeeding in the workplace Operational Firefighters](#)
- [Appendix 7 - Supporting Lesbian, Gay, Bisexual and Transgender \(LGBT\) staff in the Workplace](#)
- [Appendix 8 - Supporting Transgender staff in the Workplace](#)
- [Appendix 9 - Neurodiversity in the workplace](#)

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