



**HAMPSHIRE  
FIRE AND  
RESCUE  
AUTHORITY**

Purpose: Decision

Date: 12 July 2018

Title: MINOR AMENDMENTS TO THE CONSTITUTION AND APPOINTMENT  
OF A MEMBER DEVELOPMENT LIAISON CHAMPION

Report of Clerk

### EXECUTIVE SUMMARY

1. This report sets out some minor proposed changes to HFRA's Constitution for approval by the Authority, and also asks the Authority to consider the appointment of a Member to the role of Member Development Liaison Champion now Councillor Roz Chadd is the Vice Chairman of the Fire Authority.

### BACKGROUND

2. The Authority adopted a new Constitution at its meeting in June 2017. The new Constitution was designed to reflect the operation of the smaller Authority, following the outcome of the Governance Review.
3. The smaller Authority has been operating under the Constitution since June 2017. In light of the experiences of the first year, together with some other changes that have occurred, a number of minor amendments to the Constitution are now proposed.
4. An explanation of the proposed amendments to the Constitution and reasons for them are set out below. A track changed version of the Constitution is attached at Appendix 1 to this paper.

## PROPOSED CHANGES TO CONSTITUTION

5. The proposed changes are as follows:

- (a) References to the “Chief Officer” have been replaced throughout the Constitution with “Chief Fire Officer”, to reflect the full role title.
- (b) Two changes to the financial levels of authority required for approval of the sale and purchase of land or buildings with a value greater than £250,000, or the disposal of land or buildings by way of lease or license for a period greater than 10 years are proposed:
  - (i) The first is to ensure that the Chief Fire Officer is able to act quickly to secure land opportunities. This will be achieved by enabling the Chief Officer, in consultation with the Chairman and the Chief Financial Officer, to approve the payment of a deposit up to £250,000 in order to preserve the Authority’s interest in land transactions. This should enable the Authority to act in a more agile way in the commercial property market, whilst at the same time ensuring the Authority retains decision making over completion of high value land transactions. The proposed changes are in the Authority’s Terms of Reference at page 8 and Financial Regulations at page 45.
  - (ii) The second proposed change is to increase the value above which the disposal of land or buildings through leases or licenses need to come to the full Authority for approval. The current value is £25,000. It is proposed that this should be increased to £100,000, with a requirement to report to the Authority any leases or licenses that are approved by the Chief Fire Officer.
- (c) A number of changes have been made to Financial Regulations and Contract Standing Orders to reflect changes in the Senior Management Structures. References to “Director of Professional Services” have been replaced by references to the “Chief Fire Officer” (see Financial Reg D, page 58, and Contract Standing Orders, page 75). This effectively transfers existing delegations to the Chief Fire Officer. This should create more flexibility as it will enable the Chief Fire Officer to create a Scheme of Authorisation to authorise other members of the Senior Management Team to take decisions on specific matters as required.
- (d) The Member Allowance Scheme at page 81 has been updated with the new version.

- (e) A minor variation to the Authority's Terms of Reference and [FINANCIAL REGS] have been made to clarify the Authority's role in respect of 3SFire Ltd has been made (see pages ).
- 6. Changes have not yet been made in respect of Corporate Management Team (CMT). This will be discussed further by members later in July 2018 and changes will be made to the Constitution to reflect changes to CMT in due course.

#### SUPPORTING OUR SERVICE PLAN AND PRIORITIES

- 7. An effective and up to date Constitution supports efficient and effective decision making which in turn supports the Authority's Service Plan and priorities.

#### LEGAL IMPLICATIONS

- 8. The proposed amendments to the Constitution have been developed with input from the Monitoring Officer and Authority's legal adviser. There are not considered to be any significant legal implications.

#### PEOPLE IMPACT ASSESSMENT

- 9. The proposed minor variations to the Constitution contained in this report are considered compatible with the provisions of the equality and human rights legislation. No people impacts are anticipated by the proposed changes.

#### RISK ANALYSIS

- 10. Increasing the levels of financial authority in respect of property/land transactions does mean that the Authority has less control or direct decision making over lower value transactions. Additionally, delegating authority to the Chief Fire Officer to authorise the payment of deposits of up to £250,000 in respect of land investments does expose the Authority to some risks (e.g. of deposits not being refundable if the Authority decides not to proceed with a transaction). However, this risk is mitigated by the need for consultation with the Chairman and also by the need to report to the Authority on the exercise of this delegation. In the circumstances, the increased agility and ability to take advantage of opportunities is considered to outweigh the risks.

#### CONCLUSION

- 11. It is important that the Authority's Constitution is regularly reviewed and amended where this is required. The proposed amendments set out in this report are intended to ensure that the Constitution properly reflects the practices of the Authority, and enables effective and efficient decision making and governance.

## RECOMMENDATION

12. The Authority approves the amended version of the Constitution at Appendix 1; and
13. The Authority delegates authority to the Clerk to make minor changes to the Constitution to reflect the agreed position regarding CMT, once agreed by Members; and
14. The Authority delegates authority to the Clerk to finalise the version of the Constitution at Appendix 1 and arrange for this to be published on the Authority's website.
15. That a Member Development Liaison Champion be appointed until the Annual meeting of the Authority in 2019

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