

**LANCASHIRE
COMBINED FIRE AUTHORITY
SCHEME OF DELEGATION TO**

**THE CHIEF FIRE OFFICER
THE CLERK TO THE COMBINED FIRE AUTHORITY
THE COMBINED FIRE AUTHORITY TREASURER
REVISED SCHEME APPROVED BY AUDIT COMMITTEE 25TH
SEPTEMBER 2008**

The powers delegated will be exercised in accordance with:

- a) The Standing Orders, Financial Regulations and Personnel Code of the Combined Fire Authority (CFA) and any other conditions as the Combined Fire Authority, may from time to time prescribe.
- b) Any Codes of Practice relating to specific functions which may from time to time be adopted.
- c) Financial provision having been made in the approved annual revenue estimates.
- d) The appropriate national or other Condition of Service relating to the employees, and any scales of remuneration or schemes approved by the Combined Fire Authority.
- e) Details of the action taken under the delegated powers being recorded and being open to the inspection of the Chairman and members of the Combined Fire Authority.
- f) Action take in consultation with the Chairman of the Combined Fire Authority must be reported to the next meeting of the Combined Fire Authority, or Committee thereof.

DEFINITIONS

In this Scheme the following terms are defined as follows:

'The Authority'	Lancashire Combined Fire Authority
'Fire and Rescue Service'	Lancashire Fire and Rescue Service
'The Constituent Authorities'	Lancashire County Council, Blackburn with Darwen Borough Council and Blackpool Borough Council
'Employees'	Any employee of the Authority or Fire and Rescue Service whether uniformed or non-uniformed
'The Treasurer'	The Chief Financial Officer and Treasurer to the Authority
'The Clerk'	The Clerk to the Authority
'The Chairman'	The Chairman to the Authority

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1 LEGISLATIVE PROVISIONS

POWERS DELEGATED TO THE CHIEF FIRE OFFICER

Fire Safety Legislation

- 1.1 To authorise officers of the Fire and Rescue Service to act as Inspectors on behalf of the Authority's functions listed below:

Licensing Act 1964 S.46
Gaming Act 1968 S.43(9)
Theatres Act 1968 S.15
Local Government (Miscellaneous Provisions) Act 1982
14(1), 14(2) of Schedule

- 1.2 To respond to the appropriate Local Authority when consulted on licensing matters concerning the above Acts.
- 1.3 To issue authorisations under the Fire Services Act 1947 (Section 1(2)).
- 1.4 To respond to any requests from the Health and Safety Executive for officers of the Fire and Rescue Service to act as Inspectors under the appropriate legislation.

The Fire Precautions (Workplace) Regulations 1997

- 1.5 a) To appoint officers of the Fire and Rescue Service to act as Inspectors for the purpose of carrying out the enforcement of the workplace fire precautions legislation.
- 1.5 b) To issue enforcement notices or enforcement orders which may be necessary as a consequence of failure to observe the requirements of the regulations.

Fire Precautions Act 1971 (as amended by the Fire Safety and Safety of Places of Sport Act 1987)

- 1.6 a) To authorise officers of the Fire and Rescue Service to act as Inspectors for the purposes of the Act and to issue the appropriate certificates of appointment to them as Inspectors for the purposes of entering and inspecting premises.
- 1.6 b) To determine the circumstances under which fire certificates may not be required and to issue, amend, or withdraw fire certificates in accordance with the terms of the Act.

- 1.6 c) To take any legal action (including the serving of statutory notices) which may be necessary as a consequence of failure to observe the requirements of the Act.
- 1.6 d) To take the necessary steps to prevent the use of premises, where the risk to persons from fire is regarded as serious and to issue Prohibition or Restriction Notices under Section 10 of the Fire Precautions Act 1971 as amended by s.9 of the Fire Safety and Safety of Place of Sport Act 1987 and to authorise appropriate officers to issue such Notices.

Local Government (Miscellaneous Provisions) Act 1982

- 1.7 To serve, in appropriate cases, Counter Notices under Section 10(6) of the Local Government (Miscellaneous Provisions) Act 1982.

County of Lancashire Act 1984

- 1.8 a) To give responses to consultation by District Councils under Sections 31, 34 and 35 of the County of Lancashire Act 1984.
- 1.8 b) To serve Notices under Section 33(2) of the County of Lancashire Act 1984.
- 1.8 c) To respond to the Local Authority when consulted on matters related to Section 38 of the County of Lancashire Act 1984.
- 1.8 d) To authorise officers under Section 139 to enter premises for the purpose of Part VI of the County of Lancashire Act 1984 and to take samples for analysis under Section 40 of that Act.

The Dangerous Substances (Notification and Marking of Sites) Regulations 1990

- 1.9 To appoint officers of the Fire and Rescue Service of the rank of Station Officer or above as Inspectors under Section 19 of the Health and Safety at Work Act 1974, for the purposes of enforcing Regulations 5, 6 and 7 of the Dangerous Substances (Notifications and Marking of Sites) Regulations 1990.

The Construction (Health, Safety and Welfare) Regulations 1996

- 1.10 To appoint officers of the Fire and Rescue Service as Inspectors under Section 19 of the Health and Safety at Work Act 1974, for the purposes of enforcing Regulations 19, 20 and 21 of the Construction (Health, Safety and Welfare) Regulations 1996.

POWER DELEGATED TO THE CHIEF FIRE OFFICER IN CONSULTATION
WITH THE CHAIRMAN OF THE AUTHORITY

New Legislation

- 1.11 a) To authorise on behalf of the Authority the delegation as an interim arrangement of the powers and duties etc of the Authority under new legislation, to a Committee or officers in cases where action may be required to be taken by the Authority pending formal delegation of the legislation by the Authority to a Committee or officer.

- 1.11 b) To authorise action to protect the interests of the Authority in relation to any local or private Bill or Order deposited in Parliament.

2 TENDERS AND CONTRACTS

POWERS DELEGATED TO THE CHIEF FIRE OFFICER IN RESPECT OF ANY CONTRACT OR TENDER SUCH POWERS TO BE EXERCISED BY THE CHIEF FIRE OFFICER IN CONSULTATION WITH THE TREASURER AND THE CHAIRMAN OF THE AUTHORITY

Acceptance of Tenders

- 2.1 To accept the most economically advantageous tenders for the supply of goods or services or the execution of works and to accept the highest tender where payment is to be received by the Authority. Provided that:
- 2.1 a) The tender has been received and opened in accordance with Standing Orders and financial regulations.
- 2.1 b) The tender is within the approved estimate.
- 2.1 c) The total of the contract sum is in excess of £550,000 and does not exceed £2,750,000.

POWERS DELEGATED TO THE CHIEF FIRE OFFICER IN RESPECT OF ANY CONTRACT OR TENDER AND TO THE TREASURER IN RESPECT OF CONTRACTS OR TENDERS FOR FINANCIAL SERVICES

Acceptance of Tenders

- 2.2 a) To accept the most economically advantageous tender for any contract which exceeds £75,000 in value or amount but is below £250,000 and to accept the highest tender where payment is to be received by the Authority provided that the tender is within the approved estimate and any necessary approvals have been received.
- 2.2 b) Authority for the Seal of the Authority to be affixed to any contract or other document which may be necessary arising from 2.1 or 2.2 above.

Note - for joint procurements valued at more than £75,000 which are not EU contracts, no tenders are required as these are subject to the Request for Quotation procedure, hence the Chief Fire Officer may enter into these without further consultation.

Contracts - Rise and fall

2.3 To approve price variations justified under the Rise and Fall Clauses in any contract.

Increase in Contract Costs

- 2.4 To approve increases in contract costs due to delayed starts etc, where the cost can be contained within the original figure or by reductions in work or from within the contingency sum.
- 2.5 To approve contract variations of between 5% to 10% (£10,000 to £50,000 whichever is the lower) of the original contract sum. Any such approval to be retrospectively reported to the Authority for information.

Contracts

- 2.6 To enter into contracts valued at £75,000 or below in accordance with Standing Orders and Financial Regulations.

POWERS DELEGATED TO THE CHIEF FIRE OFFICER IN CONSULTATION WITH THE TREASURER TO THE AUTHORITY

Exemption to Contract Standing Orders

- 2.7 To approve exemptions to Contract Standing Orders in respect of contracts valued at less than £75,000, where appropriate.

Tender Lists

- 2.8 a) To add firms to rotational tender lists.
- 2.8 b) To add firms to approved lists of tender.

Amended Tenders

- 2.9 To approve the acceptance of an amended tender where an arithmetical error is noted in the lowest tender originally submitted if it still remains the lowest after amendment.

Increase in Contract Costs

- 2.10 To approve contract variations in excess of 10% (£50,000 whichever is the lower) of the original contract sum, where in their opinion the delay incurred in seeking Authority approval would be impractical. Any approval to be retrospectively reported to the Authority for information.

3 LEGAL ACTION

POWERS DELEGATED TO THE CHIEF FIRE OFFICER IN RELATION TO LEGAL ACTION SAVE FOR THAT WHICH ARISES OUT OF THE CONSTITUTION OR ADMINISTRATION OF THE AUTHORITY IN WHICH CASE SUCH POWERS ARE DELEGATED TO THE CLERK

Recovery of Property and debts

- 3.1 a) To institute legal proceedings for the recovery of property and debts.
- 3.1b) To incur any necessary expenditure in relation to these legal proceedings.

Claims

- 3.2 a) To defend or arrange for the defence of any actions, claims or proceedings brought against the Fire and Rescue Services, settle claims for damages up to £50,000 (including making payments into court where necessary) and incur necessary expenditure in relation to legal processes involved including (but not limited to) expenditure in relation to the retention of external advisers including counsel, experts and external legal advisers.
- 3.2 b) In respect of insurance claims which exceed £50,000 the Authority insurers will take over dealing with the claim and will agree appropriate payments, these will be reported retrospectively to the Authority.

Payment of Damages

- 3.3 To authorise the payment of damages and legal costs arising as a result of a Court Order against the Authority to the sum or sums specified in the Court Order.

Ex Gratia Payments

- 3.4 To approve ex gratia payments to a maximum of £5,000 in the case of loss or damage to an employee's clothing and equipment or in relation to incidental expenditure arising from assault/serious injury to employees at work.

Legal Costs

- 3.5 To settle the amount of vendors' legal costs based on the Solicitors Remuneration Order 1972.

Retention of Counsel

- 3.6 To seek Counsel's opinion or other expert advice and to retain Counsel wherever this is in the interest of the Authority or the Fire and Rescue Service.

Indemnities

- 3.7 To sign indemnities where they are required to enable the Authority to exercise any of its functions provided that where the giving of an indemnity could have considerable financial implications the matter shall in consultation with the Treasurer be referred to the Chairman of the Authority.

Affidavits and Statements

- 3.8 To authorise employees to swear Affirmation or Statements in any legal proceedings or matters relating to the Authority or Fire and Rescue Service.

Local Government (Miscellaneous Provisions) Act 1982

- 3.9 To Commence proceedings against offenders under Section 40(6) of the local Government (Miscellaneous Provisions) Act 1982, in appropriate circumstances.

POWERS DELEGATED TO THE CLERK

Assaults on Employees

- 3.10 a) To determine whether assistance should be given to an employee to pursue a private prosecution or to institute civil proceedings following an assault on the employee in the course of employment duties.
- 3.10 b) To determine the total amount of legal costs than the Authority will reimburse in any particular matter.

4 FINANCE

POWERS DELEGATED TO THE CHIEF FIRE OFFICER

Civil Emergency

- 4.1 To authorise expenditure in the event of a civil emergency, where emergency action is necessary. Any action taken under this provision must be reported to the Chairman as soon as is reasonably practicable.

Grants to Voluntary Organisations

- 4.2 To make grants to voluntary organisations up to a limit of £5,000 in total per annum from within the approved Revenue Budget.

Special Services

- 4.3 a) To determine the rechargeable rates for Special Services carried out by the Fire and Rescue Service.
- 4.3 b) To waive or modify charges for Special Services.

Routine Expenditure

- 4.4 To incur revenue expenditure in line with budgetary provision in accordance with standing orders and financial regulations.

Virement

- 4.5 To approve transfers of expenditure between DFM Schemes up to £100,000.

Partnerships/External Funding

- 4.6 To enter, arrange, terminate and invest in partnership/external funding arrangements with such other bodies where they contribute to the aims and objectives of the Authority.

POWERS DELEGATED TO THE TREASURER TO THE COMBINED AUTHORITY IN CONSULTATION WITH THE CHIEF FIRE OFFICER

Combined Fire Authority Fund

- 4.7 a) To make all necessary payments out of the Combined Fire Authority Fund and other official funds maintained by the Authority
- 4.7 b) To make payments from the Combined Fire Authority Fund without prior approval of the Authority or Committee concerned irrespective of whether or not provision has been made in the Budget in respect of:
- i) payments required by statute;
 - ii) payments ordered by a Court;
 - iii) payments due under Agreements entered into or on behalf of the Authority;
 - iv) the implementation of decisions of recognised National Negotiating Bodies in relation to staff under the control of the Authority.

Authentication of Cheques

- 4.8 To authenticate cheques bearing lithograph signatures where such authentication is required under the Authority's banking arrangements.

Renewal of Insurance Policies

- 4.9 To arrange the annual renewal of insurance policies where the present insurers offer either continuation of existing or reduced terms which in accordance with long term agreements must be accepted.

Excusal of Debt

- 4.10 To writing off debts between £2,500 and £5,000 in any one case.
- 4.11 To approve the writing off of debts where the debtor is a company in liquidation and the liquidator or receiver has confirmed that there are insufficient assets to pay the outstanding debts due to the Authority or the Fire and Rescue Service in full or in part. Any cases which the Treasurer to the Authority feels unable to approve will be referred to the Authority

POWERS DELEGATED TO THE CHIEF FIRE OFFICER JOINTLY WITH THE TREASURER AND/OR THE CLERK TO THE AUTHORITY

Financial Limits

- 4.12 To review the financial limits in Standing Orders, Financial Regulations on a regular basis in the light of any changes in monetary values.

Virement

- 4.13 To approve transfers between DFM Schemes of between £100,000 and £150,000.

POWERS DELEGATED TO TREASURER

Treasury Management

- 4.14 The execution and administration of the CFAs Treasury Management decisions, in accordance with Treasury Management Policies and CIPFAs Standards of Professional Practice on Treasury Management, including setting up and operating bank accounts and effecting borrowing and investment in the name of the Authority.

- 4.15 To enter into leasing/rental agreements on behalf of the Authority.

Year End Balances

- 4.16 To agree the carry forward of year end balances for specific items of expenditure up to an individual value of £100,000, such sum to be included in earmarked reserves, included in the Statement of Accounts and reported to the Authority.

Excusal of Debt

- 4.17 To writing off debts up to the value of £2,500 in any one case.

5 PERSONNEL

POWERS DELEGATED TO THE CHIEF FIRE OFFICER

Travel outside the UK

- 5.1 To approve staff travelling overseas where any costs involved can be contained within the existing revenue budget.

Staffing Proposals

- 5.2 To approve in any financial year:

- ◆ The disestablishment, transfer or extension of up to twenty five posts and
- ◆ the creation of up to twenty five posts or part posts and
- ◆ the regrading of up to twenty five posts, the cost of any single post to be not more than the maximum of Lower Special 1.

The above being subject to:

- a) *the action being within budgetary provision; and*
- b) *total costs in any 12 month period not exceeding £250,000*

Removal Allowances

- 5.3 To extend the period for payments in relation to removal allowances.

Additional Employment

Non-uniformed staff

- 5.4 a) To allow staff on the Senior Officer and above to undertake additional paid employment provided that it does not conflict in any way with the interests of the Authority or the Fire and Rescue Service. In the event of the request being refused an appeal against the decision can be submitted to the Authority.

Uniformed staff

- 5.4 b) To approve or disapprove applications from uniformed staff to take up employment outside their normal duties.

Appointments and Promotion of Staff

- 5.5 To make appointments and promotions within the authorised staff establishment for uniformed and non-uniformed posts except for the post of Chief Fire Officer, Deputy Chief Fire Officer and Assistant Chief Fire Officers.

- 5.6 a) Non-uniformed posts only

- i) To fix starting salaries at any point within the grade or grades of a post having regard to qualifications and experience.
- ii) To approve progression beyond the qualification bar on a salary scale which includes a limiting factor.

- 5.6 b) Temporary staff

- a) To engage temporary or casual staff for the temporary replacement of existing staff absent on long term sickness, maternity leave, etc.
- b) To engage temporary or casual staff additional to the authorised establishment to meet exceptional needs, for a period of up to 24 months.

(a) and (b) are subject to there being budgetary provision.

- c) To approve the creation and extension of temporary posts which are fully funded by external agencies, e.g. Government Departments, Health Authorities, Local Authorities, Local Strategic Partnership.

Payment for Additional Duties - Non-Uniformed staff undertaking the duties of a higher graded post

- 5.7 a) To approve, where staff are formally requested by their Departmental Manager to undertake the full duties of a higher graded post of either a payment applicable to the post temporarily occupied or an increment. The undertaking of higher graded duties is related to the absence of the normal/permanent post holder and cannot be utilised to provide cover for annual leave.

The manager can split the duties of the post between two or more members of staff when appropriate honorarium payments will be made.

This procedure has to be instigated by the departmental manager and would not normally be used for short duration absences.

Leave

- 5.8 a) To grant leave, special leave with pay and special leave without pay in accordance with the Authority's Personnel Code.
- 5.8b) To authorise staff to carry forward more than four days annual leave from one year to the next.
- 5.8 c) To grant time off in lieu of payment for additional hours.
- 5.8 d) To grant leave for examination studies and for extraneous duties such as acting as a Justice of the Peace.

Special Daily Training Duties

- 5.9 To approve increases in the Special Daily Training allowances payable to Fire and Rescue Service Instructors for off-centre training duties.

Discipline

- 5.10 To suspend an employee from duty in accordance with the appropriate disciplinary procedures.

Special Merit or Ability Non-Uniformed Staff

- 5.11 In an exceptional case of special merit or ability to assist in the retention of able professional or other staff, to award a maximum of two increments within the scale in any one year to any non-uniformed employee.

Disturbance Allowance

- 5.12 To authorise the payment of disturbance allowance in accordance with the provisions of the Disturbance and Travelling Allowance Scheme.

Courses and Post Entry Training

- 5.13 a) To authorise the attendance of employees on courses of study in the UK of up to 12 months duration and to authorise the payment of course fees etc. subject to compliance with the provisions of the Personnel Code and the meeting of costs from within the approved Revenue Budget. Courses of longer than 12 months duration will be reviewed on an annual basis.
- 5.13 b) To approve the payment of additional costs related to family responsibilities eg for child care where a member of the uniformed staff has to attend a residential training course. This provision does not apply to Wholetime and Retained recruit training courses.

Conferences

- 5.14 To authorise the attendance of employees at conferences within the UK provided that the cost including fees, travelling and subsistence expenses amount to no more than £2,000 in any one case.

Car Categorisation

- 5.15 To approve car categorisations provided that the cost can be met from existing budgetary provision.

Retirements and Pensions - Ill Health Retirement Local Government Scheme Members

- 5.16 a) To authorise the payment of any statutory pensions, gratuities, grants etc under the provision of the Superannuation and Pension Act and Regulations and any local Acts.
- 5.16 b) To approve application for the reinstatement of Widows Pensions on the termination of a second marriage because of the death of a second husband, divorce, etc.
- 5.16 c) To determine the actual injury allowance payable on each individual qualifying case of injury or disease both retrospectively and for the future.
- 5.16 d) To approve the retirement/dismissal of non-uniformed staff on the grounds of permanent ill health provided that it is supported by medical opinion.

- 5.16 e) To review annually the actual amounts of injury allowances payable under the Local Government Superannuation Regulations as amended to employees who have sustained injuries or contracted diseases as a result of anything they were required to do in carrying out their work and to make any changes appropriate to reflect changes in the relevant circumstances of the payee.

Retirements and Pensions - The Firemen's Pension Scheme

- 5.17 To approve subject to the provisions of and in accordance with the Firemen's Pension Regulations:
- 5.17 a) The retirement of members of the Fire and Rescue Service on the grounds of ill health and the payment of gratuities, ordinary and ill health pensions as appropriate, subject to the member of the Fire and Rescue Service concerned having the usual right of appeal.
- 5.17 b) The counting of past service.
- 5.17 c) The extension of service by not more than six months for the purpose of securing the payment of an improved pension.
- 5.17 d) The re-assessment of an injury pension beyond the five year period depending on the circumstances of the case.
- 5.17 e) To approve the early payment of preserved pension benefits on compassionate grounds.
- 5.17 f) To approve applications for the reinstatement of Widows Pensions.
- 5.17 g) To determine the actual injury allowance payable on each individual qualifying case of injury or disease both retrospectively and for the future.

Payment of gratuities to dependants of employees (National Joint Council for Local Government Services)

- 5.18 To approve the payment of gratuities to dependants of employees based on the provisions of the County of Lancashire Act 1984.

Planned overtime Non-Uniformed Staff

- 5.19 To approve in advance and in exceptional circumstances the working of planned overtime by non-uniformed staff who do not qualify for overtime payment. The cost must be met from within existing budgetary provision.

Protective Clothing

- 5.20 To approve where necessary protective clothing issues for employees subject to the cost being contained within existing budgetary provision.

Staff Suggestion Scheme

- 5.21 To approve awards under the Staff Suggestion Scheme. The maximum amount being given for any individual suggestion being £200 and the total amount spent during a financial year being limited to £1000.

Additional Travelling Expenses

- 5.22 To review annually the rates of additional travelling expenses payable to members of the Fire and Rescue Service in accordance with Section VI Paragraph 7 of the Scheme of Conditions of Service for Local Authorities' Fire Brigades.

Day Crewing Allowance

- 5.23 To review annually the Day Crewing Allowance.

First Aiders and First Aid Allowance

- 5.24 To approve the number of designated first aiders and the payment of the appropriate first aid allowance.

Personnel Code – Non Uniformed Staff

- 5.25 To make amendments to the Personnel Code (applicable to non-uniformed staff) subject to consultation with the non-uniformed Trade Unions. (This excludes changes to the allowances listed in Paragraph 5.27 which are agreed by the Chief Fire Officer in consultation with the Treasurer to the Authority).

Sick Pay

- 5.26 To extend employee's period of sick leave on full or half pay in accordance with the scale and conditions set out in Service Orders.

POWERS DELEGATED TO THE CHIEF FIRE OFFICER IN CONSULTATION WITH THE TREASURER TO THE AUTHORITY

Amendments to allowances in the Personnel Code

5.27 To review and amend local allowances, as appropriate.

Local Government Pension Scheme Early Retirement

5.28 To take decisions on discretionary early retirements providing they are within the guidelines approved by the Authority.

Partial Performance

5.29 i) It is the policy of the Fire Authority that in the event of any industrial action being taken by employees involving partial performance of their employment contract the Fire Authority shall withhold all pay in respect of the shift on which the partial performance takes place. In addition, in circumstances where employees refuse to undertake the full range of duties of their post they shall be warned of the consequences of their action and if their refusal to work normally persists they may be sent home without pay and instructed not to return to work until they are prepared to provide a written undertaking that they will fulfil the full range of duties associated with their post. In circumstances of partial performance any work undertaken by the employee will be regarded as voluntary work which will not attract payment.

5.29 ii) The Chief Fire Officer/Deputy Chief Fire Officer will make a judgement in liaison with the Director of People and Development as to whether the situation highlighted is one of partial performance of the Employment Contract and/or should be dealt with in another way.

Disciplinary Procedures

5.30 The suspension or dismissal of an employee under the provision of disciplinary procedure.

6 LAND AND BUILDINGS

POWERS DELEGATED TO THE CHIEF FIRE OFFICER IN CONSULTATION WITH THE CLERK, TREASURER AND CHAIRMAN OF THE AUTHORITY

Acquisition of Land and Buildings

- 6.1 To approve the acquisition of land and buildings subject to the:
- a) Acquisition being in the approved Sites Acquisition Programme
 - b) Total value of payment in any one case not to exceed £250,000

POWERS DELEGATED TO THE CHIEF FIRE OFFICER

Hire of additional buildings and facilities

- 6.2 To approve the hire or use of additional buildings or facilities for the purpose of the Authority or the Fire and Rescue Service.

Use of Premises by Members

- 6.3 To approve any requests for the free use of premises by Members of the Constituent Authorities for use as surgeries subject to any cost to the Authority being kept within reasonable limits.

Disposal of Land and Buildings

- 6.4 To approve the disposal of land and buildings including Day Crewed houses, no longer required for the Authority or the Fire and Rescue Service. This is subject to prior confirmation by the Authority that the property concerned is surplus to requirements. An annual report on disposals under this delegated power is to be submitted to the Authority.
- 6.5 To authorise the sale of land to statutory undertakers for the purposes of their statutory functions.
- 6.6 To approve the disposal of property by public auction and where appropriate to set the reserve price.
- 6.7 To accept the highest tender of offer received for the sale of land and buildings following the evaluation of bids.

Dilapidation Claims

- 6.8 To settle dilapidation claims and compensation payments at the termination or surrender of hirings or lettings up to the sum of £20,000 in any one case.

Leases

- 6.9 To grant and accept leases and licences of land and premises (including acceptance of the surrender of these) for the purposes of the Authority subject to:
- a) the period of the lease not exceeding ten years
 - b) the annual payment or receipt exclusive of rates and similar charges not exceeding £50,000 for both land premises

Use of Premises by outside organisations or individuals

- 6.10 To approve the use of Fire and Rescue Service buildings, premises and facilities being used by outside organisations subject to the policy from time to time laid down by the Authority. The policy currently is:

Use by Community and Voluntary Groups

Groups will be allowed to use the rooms free of charge subject to them adhering to the guidance laid down by the Station Commander.

Use by Political Parties

Definition of a political party. A group whose aim is to represent the public as elected members in either Parliament or at a local level or to promote a particular ethos.

The charge for political parties will be the full market rate for hire of premises, plus any additional staff costs involved in providing entrance to and exit from the station.

However, where such meetings could generate a disturbance which would adversely affect the efficient operation of the Fire Station, the Chief Fire Officer would retain the right to refuse permission.

Use by other Organisations

Other organisations will be charged for the use of premises. Such charge to be determined by the Chief Fire Officer.

Residential Tenancies

- 6.11 To approve the letting or the changes of terms of an existing tenancy of residential premises.

Planning Permission

- 6.12 To seek Planning Permission under Regulation 3 of the Town and Country Planning Regulations 1992 and to obtain Building Regulations Approval as appropriate.

Surplus Land and Buildings

- 6.13 To declare land and buildings surplus to requirement provided.
- a) The land and buildings do not exceed £1m in value in any one case.
 - b) An appropriate appraisal of the land and buildings has been carried out.

Local Plans

- 6.14 To lodge objections and submit proposals regarding local plans/issues which affect CFA land or buildings.

POWERS DELEGATED TO THE CHIEF FIRE OFFICER IN CONSULTATION WITH THE CLERK AND TREASURER TO THE AUTHORITY

Wayleaves and Easements

- 6.15 To grant and accept Wayleaves and Easements and to approve the consideration payable to or by the Authority.

7 FURNITURE, EQUIPMENT AND VEHICLES

POWERS DELEGATED TO THE CHIEF FIRE OFFICER

Telephone Installations and Radio

- 7.1 a) To arrange for the provision of telephones, radio communications and other technical services for operational purposes.
- 7.1 b) To enter into Line Rental Agreements for facilities required for Fire and Rescue Service purposes.

Subject to the costs of 7.1(a) being met from existing budgetary provision.

Raising of charges for lost/damaged uniform or equipment

- 7.2 To raise charges for any item of equipment lost or damaged through negligence or carelessness on the part of the Fire and Rescue Service employee to a degree insufficient to warrant formal disciplinary action, where the individual concerned is willing to accept this method of dealing with the matter. The amount of any charge raised will take into account the age and condition of the article at the time of the loss, damage or replacement.

Replacement Vehicles

- 7.3 To select vehicles to be replaced under the agreed Replacement Programme and within the approved Revenue Budget and Capital Programme.

Use of Vehicles

- 7.4 a) To approve the use of officers employed on the "flexible" system of duty, of cars provided for them for official duties, and to approve such use for private purposes whilst on restricted journeys within the officers area of operation whilst the officer remains available for immediate call.
- 7.4 b) To agree to official vehicles being used to provide transport for members of the Fire and Rescue Service participating in local or national events.

Processions and Displays

- 7.5 To determine the occasions and conditions under which fire appliances, officers and equipment may be used to participate in processions, displays or other events organised by Local Authorities or other bodies.

Hiring out of Equipment

- 7.6 To approve the hiring out of vehicles, plant and equipment subject to an economic charge being made and subject to appropriate contractual provisions relating to insurance etc being agreed.

POWERS DELEGATED TO THE TREASURER OF THE AUTHORITY

Lost, damaged, obsolete and surplus items of furniture, equipment, stocks and stores

- 7.7 a) To write off and dispose of furniture, equipment, stocks and stores found to be lost, damaged or obsolete; to a maximum value per individual item of £5,000.
- 7.7 b) To dispose of any surplus furniture, vehicle, equipment, stocks and stores in accordance with policies approved from time to time by the Authority.
- 7.7 c) To dispose of Fire and Rescue Service vehicles due for auction to other Fire and Rescue Services and organisations where there is a quasi Fire Service relationship. The price must be commensurate with that which would be anticipated at public auction.

POWERS DELEGATED TO THE CHIEF FIRE OFFICER IN CONSULTATION WITH THE TREASURER AND THE CHAIR OF THE AUTHORITY

- 7.8 To dispose of Fire and Rescue Service vehicles and equipment for below market value for humanitarian purposes, linked to the organisational objectives, priorities and values of the Service.

8 MISCELLANEOUS

POWERS DELEGATED TO THE MONITORING OFFICER TO THE AUTHORITY

(NB - *The Clerk to the CFA is also the Monitoring Officer*)

Local Government and Housing Act 1989

- 8.1 To issue certificates sought by employees seeking exemption from political restriction under the Local Government and Housing Act 1989 where the Monitoring Officer is of the opinion that the duties of their posts do not fall within Section 2(3) of that Act.

POWERS DELEGATED TO THE CLERK TO THE AUTHORITY

Copyright and Access to Information

- 8.2 To authorise the making and supply to the public of copies of background papers.

POWERS DELEGATED TO THE CHIEF FIRE OFFICER AND/OR CLERK TO THE AUTHORITY

Common Seal

- 8.3 To affix the Seal of the Authority to any relevant document.