

Lancashire Combined Fire Authority

Audit Committee

Meeting to be held on 18 August 2026

New Constitution

Appendix 1 – Final draft of the constitution

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Executive Summary

A refreshed and updated constitution has been drafted for Lancashire Combined Fire Authority which sets out how the Authority carries out its governance and scrutiny roles. This has been drafted by officers in conjunction with a working group of members and been externally assured by an experienced monitoring officer from another fire authority. A summary of the most significant parts of the constitution is set out below.

Recommendation(s)

The committee is asked to review the final draft of the constitution and make any necessary recommendations for further amendments (if any) before it is sent to the full authority meeting on 21 September 2026 for approval and adoption by the authority.

Information

It is good practice to publish a comprehensive constitution which sets out how the fire authority manages its business. The final draft attached at appendix 1 broadly comprises 3 sections: a scheme of delegation; terms of reference for the various committees which have been set up; and standing orders which set out the technical details about how matters are dealt with. There are also a number of other miscellaneous documents which complete the picture.

It should be noted that, as this is a major revision of what is a large piece of work, it is anticipated that further changes may be required in due course once it has been implemented and worked with. It is in any event good practice to review constitutions regularly, at least on an annual basis. Local Government Reorganisation will also mean that certain sections will need to be re-visited once the new unitary authorities are in place.

Below are highlighted sections of the constitution which are particularly significant or have undergone major revision.

Scheme of delegation

National guidance on what should be in a fire authority's scheme of delegation, and also legislation about operational independence of Chief Fire Officers is potentially forthcoming at some stage in the future. However, this is not currently available and there is no clarity as to when it will be finalised. The new scheme of delegation has been drafted so far as possible to take into account anticipated requirements of any such guidance, and schemes of delegation from a number of other authorities have been looked at in order to distill best practice.

Paragraph 6 (page 5 of the constitution) sets out the matters that are reserved to the authority (or its committees). These are the high level, strategic matters such as budget setting and overall direction of the fire service. All other matters are delegated to one of the three statutory officers (Chief Fire Officer; Treasurer and Monitoring Officer). It will be seen by comparing paragraphs 6 and 16 for example that once the authority sets the strategic direction, discharging these duties at an operational level is then delegated to the Chief Fire Officer.

It is not intended that this revised scheme of delegation makes any significant change to the current split of decision-making abilities between the authority and the service, but rather it simplifies and clarifies what was previously a lengthy and technical document. Of note, paragraphs 8 to 12 set out general principles of delegation which should ensure that no issue which really should be considered by the authority is able to by-pass that crucial oversight and governance.

Committee and working group terms of reference

In the main, these have not changed significantly. Key changes are as follows:-

Audit Committee. Re-naming to Audit, Risk and Governance; addition of function determining member complaints and the addition of an independent person (which will in due course be a legislative requirement).

Resources Committee. Addition of approval of severance payments above £100,000; removal of appointments to the Executive Board (appointments of statutory officers will be dealt with by an appointments committee formed by authority members, all other appointments are now delegated to the Chief Fire Officer).

Appeals Committee. Addition of pensions appeals (Internal Disputes Resolution Procedures (IDRP) 2). These were previously heard in Resources. Addition of hearing appeals from Audit relating to member complaint matters.

Appointments Committee. This is new and will deal with the appointment of the three statutory officers (note there is also now a Standing Order which deals with disciplinary action including dismissal of the statutory officers).

Capital building projects working group. This has been streamlined and clarified that it will make recommendations into the relevant decision-making body.

Standing Orders

Standing orders (SOs) 1 – 8 as listed deal with the specifics of how meetings will run. These have been revised to reflect best practice and legislation where that applies.

SO 3 relating to replacement and temporary members is new as is SO8 - urgent business procedure. The other SOs are re-worked and amended versions of SOs that were already in place.

Miscellaneous

The member complaints procedure is new and sets out a detailed procedure for dealing with any complaints that come in.

The member's allowance scheme has been amended to add a dependents' carers' allowance and also an allowance for the Audit committee independent person. A special responsibility allowance has been added for the leader of the ruling group if they are not also chair or vice chair of the authority and it has been clarified in paragraph 5.1 that it is possible to have more than one Special Responsibility Allowance (SRA).

Business risk

A lack of a comprehensive and up to date constitution would hinder good governance of the Authority.

Sustainability or Environmental Impact

None.

Equality and Diversity Implications

None.

Data Protection (GDPR)

Will the proposal(s) involve the processing of personal data? N

If the answer is yes, please contact a member of the Democratic Services Team to assist with the appropriate exemption clause for confidential consideration under part 2 of the agenda.

HR implications

None.

Financial implications

Addition to member's allowance scheme. The £1,500 for the Audit Independent Person will definitely be incurred. The SRA for the leader of the ruling group and dependents' carers' allowances may or may not be incurred in any given year.

Legal implications

None.

Local Government (Access to Information) Act 1985

List of background papers

Paper:

Date:

Contact:

Reason for inclusion in Part 2 if appropriate: Insert Exemption Clause

Glossary

IDRP – Internal Disputes Resolution Procedures

SO – Standing Order

SRA – Special Responsibility Allowance