

# CHESHIRE EAST COUNCIL

## COUNCIL

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<b>Date of Meeting:</b>	27 May 2015
<b>Report of:</b>	Head of Governance and Democratic Services
<b>Subject/Title:</b>	Appointments to Cheshire Fire Authority, the Cheshire Police and Crime Panel and Burland Parish Council.

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### **1.0 Report Summary**

- 1.1 The report invites Council to make Appointments to Cheshire Fire Authority, the Cheshire Police and Crime Panel and Burland Parish Council.

### **2.0 Recommendations**

- 2.1 Council is asked to appoint: –
- (a) Three Councillors and a nominated substitute to the Cheshire Police and Crime Panel;
  - (b) Eight Councillors to Cheshire Fire Authority;
  - (c) Councillor S Davies to Burland Parish Council, until such time as the Parish Council has successfully co-opted one or more additional members.

### **3.0 Reasons for Recommendations**

- 3.1 These bodies carry out statutory functions and appointments are needed to ensure that the Council meets its obligations.

### **4.0 Background and Options**

#### **Cheshire Police and Crime Panel**

- 4.1 In accordance with the Police Reform and Social Responsibility Act 2011 arrangements were made for the election of a Police Commissioner to replace the Cheshire Police Authority in November 2012.
- 4.2 Section 28 of the Act required each Police area to establish a Police and Crime Panel.
- 4.3 The Cheshire Police and Crime Panel comprises 10 Councillors appointed by the constituent Councils and the allocation of seats to Cheshire East Council is 3. The Council is also requested to nominate a substitute Member.

- 4.4 The members for the 2014/15 municipal year were Councillors H Murray and P Findlow and former Councillor L Brown, with Councillor G Walton as nominated substitute.

#### **Cheshire Fire Authority**

- 4.5 The Fire Authority is the Combined Fire Authority of Cheshire West and Chester, Cheshire East, Halton and Warrington Councils and it has a membership of 23:-

Halton - 3 Members

Warrington - 5 Members

Cheshire West and Chester - 7 Members

Cheshire East - 8 Members

- 4.6 The members for the 2014/15 municipal year were Councillors M Simon, J Weatherill, G Merry, D Flude and former Councillors D Brickhill, W Livesley, C Thorley and D Topping.

#### **Vacancy in the Office of Parish Councillor – Burland Parish Council**

- 4.7 Burland Parish Council has nine seats, but has received only two nominations. The quorum for the Council is three. Therefore, the Parish Council cannot make decisions at this time.
- 4.8 It is understood that a third individual has expressed the wish to be co-opted onto the Parish Council but in order for the Parish Council to approve the co-option it would have to be quorate. The annual parish council meeting at which the co-option would be approved is scheduled to be held on 1<sup>st</sup> June 2015.
- 4.9 Section 91 of the Local Government Act 1972 provides that where there are so many vacancies on a parish council that it is unable to act, the Borough Council may by order appoint persons to fill all or any of the vacancies until other councillors can be elected or co-opted to the parish council. It is the normal practice for such appointments to be made from among the local Borough ward councillors for the area covered by the parish. Burland parish is situated wholly within the Borough ward of Wrenbury. The Borough Councillor for that ward is Councillor S Davies.
- 4.10 It is, therefore, recommended that Councillor S Davies be appointed to Burland Parish Council, until such time as the Parish Council has successfully co-opted one or more additional members, thereby making it quorate.

#### **5.0 Access to Information**

The background papers relating to this report can be inspected by contacting the report writer.

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