



**NOTTINGHAMSHIRE**  
**Fire & Rescue Service**  
*Creating Safer Communities*

Nottinghamshire and City of Nottingham  
Fire and Rescue Authority

# TRADING COMPANY

Report of the Chief Fire Officer

**Date:** 16 December 2016

**Purpose of Report:**

To request that a third Member is nominated to act as a Director of the Company, and consider commissioning a review of the Governance in place between the Authority and the Trading Company.

## CONTACT OFFICER

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## **1. BACKGROUND**

- 1.1 At its meeting on 18 December 2009, the Authority approved the creation of an arms-length company. The company is called Nottinghamshire Fire Safety Ltd.
- 1.2 At the point of creation, the Authority agreed that the number of Directors on the Board would be five. Three would be Elected Members nominated by the Authority, and two would be Officers nominated by the Chief Fire Officer.

## **2. REPORT**

- 2.1 Nottinghamshire Fire Safety Ltd (the Company) is an arms-length company limited by share, with a single shareholder being the Fire Authority. The current arrangements require that three Elected Members of the Fire Authority should be nominated as Directors of the Company. Currently there are only two Member Directors, and one of the recommendations within this report seeks to address this current vacancy.
- 2.2 Following a number of discussions involving Members, Directors and Officers, it has been brought to the attention of the Chief Fire Officer (CFO) that the Governance arrangements that have been in place for almost seven years are now outdated, and that the relationship between the Authority and the Company needs to be reviewed.
- 2.3 There are also issues regarding the Service Level Agreements that exist between the Company and Nottinghamshire Fire and Rescue Service (NFRS) that have been amplified due to the outdated Governance arrangements.
- 2.4 The CFO believes it is now appropriate to consider a review of the Governance arrangements that are in place, to reassure the Authority that the relationship with the Company is robust, and that any contracts that exist between the Company and NFRS can be appropriately managed.
- 2.5 The Independent Clerk to the Authority is well placed for this task, and if agreed by Members, it is proposed that the Clerk would undertake a review, in full consultation with the Directors of the Company and lead officers within NFRS and report back the outcomes to a future meeting of the Authority.

## **3. FINANCIAL IMPLICATIONS**

The review of governance will most likely be contained within the existing contractual arrangements with the City Council for the Clerk's services; however, should external support be required it is not envisaged that this would exceed £2k, and would be funded from the legal services budget.

#### **4. HUMAN RESOURCES AND LEARNING AND DEVELOPMENT IMPLICATIONS**

Dependent on the nominated Director, there may be a training need regarding the roles and responsibilities of directors. This will be dealt with on a case by case basis through the normal training processes.

#### **5. EQUALITIES IMPLICATIONS**

An equality impact assessment has not been undertaken as this does not represent a change to policy or service delivery.

#### **6. CRIME AND DISORDER IMPLICATIONS**

There are no crime and disorder implications arising directly from this report.

#### **7. LEGAL IMPLICATIONS**

There are no legal implications arising from this report.

#### **8. RISK MANAGEMENT IMPLICATIONS**

The Authority must ensure that a robust governance framework is in place to maintain the appropriate relationship with the Company, and at the same time ensure Directors are able to act solely in the interests of the Company.

#### **9. RECOMMENDATIONS**

It is recommended that Members:

- 9.1 Nominate an Elected Member of the Authority to the Board of Directors of the Company;
- 9.2 Task the Clerk to undertake a review of the governance that exists between the Authority and the Company and report back to a future meeting of the Authority on the outcomes.

<b>10. BACKGROUND PAPERS FOR INSPECTION (OTHER THAN PUBLISHED DOCUMENTS)</b>
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None.

John Buckley  
**CHIEF FIRE OFFICER**