

Report of Head of Legal Services

9. Allocation of Seats to Political Groups and Appointments to Committees

Purpose of report

1. To consider the allocation of seats on Committees to political groups and to authorise the Head of Legal Services following consultation with Group Leaders to make appointments to Committees and other bodies.

Recommendations

It is recommended that the Authority:

- i) notes that the number of seats on each Committee are as follows and determines the allocation of those seats to political groups [political balance to be confirmed following notification of FRA political groups]:*
 - a. Appointments Committee: 7*
 - b. Audit and Standards Committee: 13*
 - c. Policy and Resources Committee: 13;*
- ii) appoints the Chairman and Vice-Chairman of the following Committees:*
 - a. Appointments Committee*
 - b. Audit and Standards Committee*
 - c. Policy and Resources Committee;*
- iii) authorises the Head of Legal Services to make appointments to Committees in accordance with the wishes notified by the Group Leaders;*
- iv) determines any appointments of non-aligned Members to seats on committees*
- v) appoints two Members to the Equality and Diversity Advisory Group;*
- vi) appoints one Member to the Health and Safety Committee;*
- vii) appoints one Member from each political group to the Member Development Working Group;*
- viii) continues with the previous practice for representation and voting on the Local Government Association, as follows:*
 - a. that the Authority's representatives on the Local Government Association should be the Group Leaders or their nominees;*

- b. that the 13 Service votes on the Local Government Association Assembly be allocated between its representatives on a politically proportionate basis; and*
- c. the corporate vote on the Local Government Association Assembly be exercised by the Chairman or his nominee; and*
- ix) the place and vote available to the Authority on the Local Government Association Fire Commission be exercised by the Chairman of the Authority.*

Introduction and Background

2. In accordance with the Hereford & Worcester Fire Services (Combination Scheme) Order 1997 the Authority's membership comprises up to 25 Councillors, 19 from Worcestershire County Council and 6 from Herefordshire Council.
3. The Local Government and Housing Act 1989 requires that:
 - i. the Authority reviews the allocation of seats to political groups either at its annual meeting or as soon as practical thereafter;
 - ii. seats on committees are allocated so that:
 - (a) if there is a majority political group on the Authority overall, that group must have a majority of the seats on each committee; and
 - (b) subject to (a) above, the total number of committee seats allocated to each group overall is proportionate to the size of that group as a proportion of the total membership of the authority; and
 - (c) subject to (a) and (b) above, the number of seats allocated to each group on each individual committee is proportionate to the size of that group overall
 - iii. appointment of any non-aligned members to seats on committees is determined by the Authority

Committee Appointments

4. The Authority has generally appointed the Chairmen and Vice-Chairmen of Committees at its Annual General Meeting and therefore is recommended to do so at this meeting.
5. Members should note the following rules governing Committee appointments:
 - i. Group Leaders, the Chairman, Vice-Chairman, out-going Chairman of the Authority and Chairman of the Policy and Resources Committee are not eligible to serve on the Audit and Standards Committee.
 - ii. Subject to the rules on political balance, the Authority Chairman, the Policy and Resources Committee Chairman and the Audit and Standards Committee Chairman will serve on the Appointments Committee.

Local Government Association Appointments

6. All Fire and Rescue Authorities are entitled to a place and a vote on the Local Government Association (LGA) Fire Commission. The Authority needs to determine whether it wishes to appoint the Chairman or his nominee to the Commission and exercise the vote on behalf of this Authority.
7. This Authority is also in corporate membership of the LGA. The Authority is entitled to appoint up to 4 representatives to serve on the General Assembly. The rules relating to political balance do not apply to LGA appointments but the Association encourages those authorities entitled to 3 or 4 representatives to allocate one of these positions to minority group leaders on their authorities.
8. Arrangements determined by the Authority on 20 June 2012 allocated places on the General Assembly to the Leaders of the Political Groups on the Authority or their nominees. The Authority needs to determine if it wishes to confirm its decision on how many places it wishes to take up and how those places should be allocated.
9. The LGA constitution provides that Authorities in corporate membership shall be entitled to vote only as follows:
 - a) On the election of a Chairman, Vice-Chairman and Deputy Chairmen and on questions of estimated expenditure and subscriptions each corporate member shall have one vote; and
 - b) On issues of direct relevance to the statutory duties and responsibilities of corporate members of their class (as determined by the Chairman of the meeting) each corporate member shall be entitled to the same number of votes as a unitary authority within their population band (meaning that this Authority has 13 votes).
10. On 20 June 2012 the Authority allocated the corporate vote to the Chairman (or his nominee) and divided the 13 Service votes on the basis of proportionality. The Authority needs to determine whether it wishes to adhere to this decision. [Number of votes to be confirmed once notification of political groups has been received.]
11. The Authority needs to determine if it wishes to confirm its decision on how many places it wishes to take up and how those places should be allocated. The next meeting of the LGA General Assembly and LGA Annual Conference will take place on 2-4 July 2013 in Manchester.

Conclusion/Summary

12. The above arrangements have proven to be effective for the appointment of Committees to carry out the functions of the Authority, as specified in the Terms of Reference, and for appointments to outside bodies, and it is recommended that the Authority continue this practice, as set out above.

Corporate Considerations

Resource Implications (identify any financial, legal, property or human resources issues)	Each Committee Chairman is entitled to a Special Responsibility Allowance of £1,355 per year
Strategic Policy Links (identify how proposals link in with current priorities and policy framework and if they do not, identify any potential implications).	None directly.
Risk Management / Health & Safety (identify any risks, the proposed control measures and risk evaluation scores).	None directly.
Consultation (identify any public or other consultation that has been carried out on this matter)	None.
Equalities (has an Equalities Impact Assessment been completed? If not, why not?)	An Equalities Impact Assessment has not been carried out as the report does not contain a recommendation to approve a policy.

Background Papers

Committee Terms of Reference (see agenda item 8)

Local Government Association Constitution <http://www.local.gov.uk/general-assembly>

Hereford & Worcester Fire Services (Combination Scheme) Order 1997

Local Government and Housing Act 1989

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