

## **8. Allocation of Seats to Political Groups, Appointments to Committees and Minor Amendments to Terms of Reference**

### **Purpose of report**

1. To consider the allocation of seats on Committees to political groups and to authorise the Clerk following consultation with Group Leaders to make appointments to Committees and other bodies.
2. To consider minor amendments to Committee Terms of Reference.

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### **Recommendations**

#### ***The Clerk recommends that:***

- i) the Authority considers appointments to the offices of Chairman and Vice-Chairman of the Authority's Committees;*
- ii) two Members be appointed the Authority's representatives on the Standards Committee and two Members appointed as named substitutes;*
- iii) Members be appointed to the Member Champion roles for Asset Management, Equality & Diversity and Risk Management;*
- iv) one representative from each political group be nominated as a Member Development Champion;*
- v) the Clerk be authorised following consultation with Group Leaders to take any necessary action to give effect to proportionality requirements, determine the numbers of seats on Committees and make appointments to those Committees and other bodies in accordance with the wishes of the Group Leaders;*
- vi) the Authority determines whether it wishes to adhere to its previous view that representation and voting on the Local Government Association be 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.*
- vii) the Authority determines whether it wishes the Chairman or his nominee to hold the place and vote available to the Authority on the LGA's Fire Commission;*

- viii) the Authority determines whether it wishes to appoint the Chair, Vice-Chair or other nominee to the Worcestershire Partnership Board;*
- ix) the Authority determines whether it wishes to appoint the Chair, Vice-Chair or other nominee to Herefordshire Partnership Board;*
- x) the terms of reference for the Audit Committee to include a responsibility to “consider proposals of government departments and other national or regional bodies which would affect the role of the Audit Committee and approve responses to such proposals where possible”; and*
- xi) the constitution of the Appointments Committee and Sub-Committee to include the Authority Chair, Policy & Resources Committee Chair and Audit Committee Chair.*

## **Introduction and Background**

- 3. In accordance with the Hereford & Worcester Fire Services (Combination Scheme) Order 1997 the Authority’s membership comprises 25 Councillors, 19 from Worcestershire County Council and 6 from Herefordshire Council.
- 4. Both Herefordshire Council’s appointments and Worcestershire County Council’s appointments were made for the life of their respective Councils. (The Herefordshire Councillors were appointed in May 2011 for a four year term and the Worcestershire County Councillors were appointed on 25 June 2009, also for a four year term.)
- 5. The Local Government and Housing Act 1989 requires that where “a Council” holds an Annual Meeting it shall review the allocation of seats to political groups either at that meeting or as soon as practical thereafter.

## **Committee Appointments**

- 6. Following the results of the Local Elections in Herefordshire in May the Authority is requested to review the allocation of seats on the basis of political proportionality.
- 7. The Authority has established the following Committees:
  - i. **Appointments Committee**  
(11 seats – political balance to be confirmed)
  - ii. **Audit Committee**  
(10 seats – political balance to be confirmed)
  - iii. **Policy & Resources Committee**  
(15 seats – political balance to be confirmed)
  - iv. **Standards Committee**  
(5 Independent Members, 2 Authority seats)
- 8. The Authority has generally appointed the Chairmen and Vice-Chairmen of Committees (with the exception of Standards Committee) at its Annual General Meeting and therefore is recommended to do so at this meeting.

9. The Authority also appoints a Standards Committee comprising five independent persons, (Mr C Emeny, Mr R Gething, Dr M Mylechreest, Mr R Rogers and Mr D Stevens); and two Members of the Authority: (previously Mr J Goodwin and Mrs G Hopkins), each of whom it was agreed should have a named substitute.
10. Members should note the following rules governing Committee appointments:
  - i. The Chair, Vice-Chair, out-going Chair of the Authority and Chair of the Policy & Resources Committee are not eligible to serve on the Audit Committee.
  - ii. Group Leaders, the Chair and Vice-Chair of the Authority are not eligible to serve on the Standards Committee.

(The current Committee membership is attached at Appendix 1 for Members' information)

### **Member Champions**

11. The Authority currently has several Members that have previously been nominated as Lead Members (Member Champions) for various areas of Authority business.
12. The following Members were previously nominated:
  - i. Asset Management Champion - Cllr Derek Prodger
  - ii. Equality & Diversity Champion – Cllr Richard Udall
  - iii. Risk Management Champion – Cllr Peter Watts
13. It is further proposed to appoint a Member Development Champion from each political group to promote the training and development amongst their Groups and the Authority.
14. Further information regarding the role of Member Champions is attached at Appendix 2. It is advised that the Risk Management Champion also has a seat on the Audit Committee to help strengthen the role of the Committee in respect of its role in risk management and assurance.

### **Outside Bodies to which the Authority makes Appointments**

#### **Local Government Association Appointments**

15. All Fire and Rescue Authorities are entitled to a place and a vote on the Local Government Association (LGA) Fire Commission (previously known as the Fire Services Forum). 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.
16. 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 Association encourages those authorities entitled to 3 or 4 representatives to allocate one of these positions to minority group leaders on their authorities.

17. Arrangements determined by the Authority on 25 June 2010 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.
18. The LGA constitution provides that Authorities in corporate membership shall be entitled to vote only as follows:
  - a) On the election of a Chair, Vice-Chair and Deputy Chairs 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 Chair 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).
19. On 25 June 2010 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. The Conservative Group currently has 9 votes, the Liberal Democrat/Liberal Group has 2 votes and the Independent/Labour Group has 2 votes.
20. 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 will take place on 28 June in Birmingham.

### **Partnership Boards**

21. The Authority is entitled to appoint a Member to the Boards of Herefordshire and Worcestershire Partnerships. The Terms of Reference of the Partnerships recommend the appointment of the Authority Chair or Vice-Chair.

### **Committee Terms of Reference**

22. The Authority approved the new Committee structure and new Terms of Reference for each Committee in September 2010. Since then, the Clerk has continually monitored the effectiveness of the new structure and where necessary has recommended minor changes to the Terms of Reference as practical issues come to light.
23. One issue that has been highlighted by the Clerk is that the Audit Committee does not currently consider proposals by government departments and other national or regional bodies which may affect the role of the Committee. The Authority is recommended to include this role in the Terms of Reference of the Audit Committee and to agree delegated authority to the Committee to approve responses on such proposals where possible.
24. A second issue is the constitution of the Appointments Committee. This Committee makes recommendations to the Authority on the appointment, terms and conditions, suspension or dismissal of the Chief Fire Officer, Deputy Chief Fire Officer, Section 151 Officer and Monitoring Officer. In addition, the Appointments Committee can set up a Sub-Committee to carry out an annual performance appraisal for the statutory officers.

25. Due to the nature of Appointments Committee business, it is important that leading Authority Members are involved in the Appointments process. Therefore the Clerk recommends that the Authority Chair, Policy & Resources Committee Chair and Audit Committee Chair are included in the membership of the Appointments Committee and its Sub-Committee.

### Conclusion/Summary

26. 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 the Clerk recommends that the Authority continue this practice, as set out above.

### Financial Considerations

Consideration	Yes/No	Reference in Report i.e. paragraph no.
There are financial issues that require consideration	N	

### Legal Considerations

Consideration	Yes/No	Reference in Report i.e. paragraph no.
There are legal issues e.g. contractual and procurement, reputational issues that require consideration	Y	Whole report

### Additional Considerations

27. The table below sets out any additional issues arising from the proposals contained in this report and identifies the relevant paragraphs in the report where such issues are addressed.

Consideration	Yes/No	Reference in Report i.e. paragraph no.
<b>Resources</b> (e.g. Assets, ICT, Human Resources, Training & Development, Sustainability).	Y	Need to ensure Members appointed can properly fulfil the roles – whole Report
<b>Strategic Policy Links</b> (e.g. IRMP, Authority Plan, Equality & Diversity, Partnerships, Environmental Impact).	N	
<b>Risk Management / Health &amp; Safety</b> (e.g. risk management and control measures, risk register score).	Y	Members appointed should be able to fulfil the duties of their roles –whole Report
<b>Consultation with Representative Bodies</b>	N	

### Supporting Information

Appendix 1 – Committees and membership as currently constituted.

Appendix 2 – The Role of the Member Champion

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