

## **7. Allocation of Seats to Political Groups and Appointments to Committees and Other Bodies**

### **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.
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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;
- iii) 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;
- iv) 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.
- v) 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 Service Forum;
- vi) the appointments to the Regional Management Board be confirmed; and
- vii) the appointment of Director to the West Midlands Fire and Rescue Services Regional Control Centre Company be confirmed.

### **Background**

2. 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.

3. 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 2007 for a four year term and the Worcestershire County Councillors were appointed on 25 June 2009, also for a four year term.)
4. 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. It is, therefore, necessary to confirm the appointments to Committees. It is proposed that the Clerk be authorised to take any necessary action to give effect to the requirement that seats be allocated on the basis of political proportionality.
5. The Authority has established the following Committees:
  - Urgent Decisions Committee (11 Seats)
  - Appointments Committee (11 seats)
  - Audit Committee (5 seats)
  - Best Value Policy and Performance Committee (7 seats)
  - Budget Committee (11 seats)
6. The Authority has generally appointed the Chairmen and Vice-Chairmen of these Committees at its annual meeting.
7. 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: (formerly Mr RJ Farmer and Mr J R Webb), each of whom it was agreed should have a named substitute.
8. A Members Steering Group has also previously been appointed as an informal advisory body to work with Officers on the development of the Integrated Risk Management Plan, comprising Group Leaders and Committee Chairs.
9. The terms of reference of the Authority's Committees are attached at Appendix 1 for Members information.

## **Rules Governing Appointments**

10. The Committee agreed in reviewing its Committee Structure in September 2004 that to enhance accountability Group Leaders (who it would be expected would include the Chairman and Vice-Chairman of the Authority), or their nominees who had been working on policy development initiatives, should not serve on the Best Value, Policy and Performance Committee.
11. The Authority confirmed in June 2005 that Group Leaders, the Chairman and Vice-Chairman of the Authority, should not serve on the Standards Committee.
12. In appointing the Audit Committee in February 2006, the Authority agreed that Membership of the Audit Committee should exclude the Chairman and Vice-Chairman of the Authority, the Chairman of the Authority's predecessor as Chairman and the Chairman of the Budget Committee.

## **Local Government Association Appointments**

13. All Fire and Rescue Authorities are entitled to a place and a vote on the Local Government Association (LGA) Fire Service Forum. The Authority needs to determine whether it wishes to appoint the Chairman or his nominee to the Forum and exercise the vote on behalf of this Authority.
14. 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. Arrangements determined by the Authority on 16 June 2008 allocated places on the General Assembly to the Leaders of the Political Groups on the Authority. 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.

## **Voting**

15. 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).
16. On 16 June 2008 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.

## **West Midlands Regional Management Board**

17. In December 2003 the Authority agreed to participate in the establishment of the West Midlands Regional Management Board. The Authority is entitled to make three appointments. The Authority agreed in June 2008 that the Group Leaders should be appointed.
18. The Authority needs to confirm appointments to be made to the Regional Management Board.

## **West Midlands Fire and Rescue Services Regional Control Centre Company**

19. The Fire and Rescue Authority agreed in December 2006 to participate in the Local Authority Company established to run the Regional Control Centre. It agreed to appoint the then Chairman of the Authority as a Director of the Local Authority Company.
20. The Authority needs to confirm an appointment to be made to the Control Centre Company.

## **Conclusion / Summary**

21. 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.

## **Corporate Considerations**

22. A Business Impact Analysis form is attached at Appendix 2 to measure and address the proposals contained in this report. The form contains information on the potential resource implications, legal issues, strategic policy links, equality / ethical issues and risk management implications.

## **Supporting Information**

Appendix 1 – Committee Terms of Reference

Appendix 2 – Business Impact Analysis Form

Background papers - None

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