

8. Allocation of Seats to Political Groups and Appointments to Committees and Other Bodies

Purpose of report

1. To consider maintaining the current allocation of seats on Committees to political groups and retaining the current membership of Committees and other bodies until 28 September 2010, in light of the current Governance Review.
2. To determine appointments to outside bodies.

Recommendations

The Clerk recommends that:

- i) the current allocation of seats on Committees to political groups and the current membership of Committees and other bodies as set out in Appendix 1 to the report be retained until the Authority meeting on 28 September 2010. Any vacancies to be filled by the Clerk in consultation with Group Leaders;
- ii) appointments to the offices of Chair and Vice-Chair of the Authority's Committees be considered at the Authority meeting on 28 September 2010 with the exception of the Chair of the Best Value, Policy and Performance Committee, which is currently vacant;
- iii) the Clerk be authorised following consultation with Group Leaders to make amendments to the appointments to Committees and other bodies in accordance with the wishes of the Group Leaders, should the rules governing appointments require such changes to be made prior to 28 September 2010;
- iv) appointments to the Member Champion roles for Asset Management, Equality & Diversity and Risk Management be considered at the Authority meeting on 28 September 2010;
- v) 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.

- vi) **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;**
- vii) **the appointments to the Regional Management Board be confirmed; and**
- viii) **the appointment of Director to the West Midlands Fire and Rescue Services Regional Control Centre Company be confirmed.**

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 2007 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. However, in light of the ongoing Governance Review and as the political balance of the Authority remains unchanged since June 2009, it is recommended that the current allocation of seats on Committees to political groups and the current membership of Committees and other bodies is maintained until the next Authority meeting on 28 September.
6. It is planned that recommendations from the first tranche of the Governance Review, focussing on the Committee structure, will be considered by the Authority at its next meeting in September which will provide an opportunity for the Authority to further review the allocation of seats on the basis of political proportionality.
7. However, Members should note the following rules governing appointments that may become relevant should Group Leaders, the Chair and Vice-Chair to the Authority change:
 - Group Leaders or their nominees who have been working on policy development initiatives, should not serve on the Best Value, Policy and Performance Committee.
 - Group Leaders, the Chair and Vice-Chair of the Authority, should not serve on the Standards Committee.
 - Membership of the Audit Committee should exclude the Chair and Vice-Chair of the Authority as Chair and the Chair of the Budget Committee.
8. It is therefore recommended that the Clerk should be authorised following consultation with Group Leaders to make amendments to the appointments to Committees and other bodies should the rules governing appointments require such changes to be made.

Local Government Association Appointments

9. All Fire and Rescue Authorities are entitled to a place and a vote on the Local Government Association (LGA) Fire Services 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.
10. 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 26 June 2009 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.

Voting

11. 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).
12. On 26 June 2009 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.

West Midlands Regional Management Board

13. 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 2009 that the Conservative Group Leader, Liberal Democrat/Liberal Group Leader and Independent/Labour Group Leader should be appointed.
14. The Authority needs to confirm appointments to be made to the Regional Management Board.

West Midlands Fire and Rescue Services Regional Control Centre Company

15. 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 Chair of the Authority as a Director of the Local Authority Company.
16. The Authority needs to confirm an appointment to be made to the Control Centre Company.

Conclusion/Summary

17. In light of the current Governance Review, the Authority is asked to consider maintaining the current allocation of seats on Committees to political groups and thereby retaining the current membership of Committees and other bodies until the next meeting on 28 September 2010. However, should the rules governing appointments require amendments to be made to the membership of Committees and other bodies, the Authority is asked to authorise such changes in consultation with Group Leaders.
18. The Authority is also requested to determine representation and voting on the Local Government Association (LGA) Assembly and appointments to the LGA Fire Services Forum, the West Midlands Regional Management Board and to confirm the appointment of the Director to the West Midlands Fire and Rescue Services Regional Control Centre Company.

Corporate Considerations

19. 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 – Membership of Committees and Other Bodies

Appendix 2 – Business Impact Analysis Form

Background papers - None

Contact Officer

Anne Brown, Clerk to the Authority
Tel: (01432) 260000
Email: annebrown@herefordshire.gov.uk