

## Committee Composition and Allocation of Seats to Political Groups

### Report of the Clerk

For further information about this report please contact Sharon Lloyd, Corporate Services Manager, on 01743 260210.

### 1 Purpose of Report

This report asks the Fire Authority to agree both the composition of its Committees and the allocations of seats on its committees to political groups.

### 2 Recommendations

The Fire Authority is asked to consider and agree:

- a) That the political balance requirements do not apply to the Fire Authority's representation on the West Midlands Regional Management Board or to the Authority's Pensions Panel;
- b) That the Retained Review Implementation Group be disbanded; and
- c) Committee composition and allocation of seats to political groups, as set out in the Appendix to this report.

### 3 Background

In accordance with the Fire Authority's Standing Order 7(2) (for the Regulation of Proceedings and Business), the Fire Authority is required to review at its Annual Meeting the constitution and composition of any committees or sub-committees, which have been appointed.

Under the Local Government and Housing Act 1989 and its Regulations, as amended by the Local Government Act 2000, seats on standing committees have to be balanced proportionately across all committee places (i.e. in aggregate) and, subject to that overriding requirement, each committee has to be politically balanced as far as reasonably practicable.

The Standards Committee is specifically exempted from the political balance rules. Working groups of the Fire Authority, such as the Budget Working Group and Strategic Risk and Planning Working Group, do not have any delegated powers and are not, therefore, subject to the political balance rules.

#### **4 West Midlands Regional Management Board**

For a number of years the Fire Authority has agreed that the political balance requirements do not apply to its representation on the West Midlands Regional Management Board and has appointed the Chair and Vice-Chair of the Authority and Leader of the Main Opposition Group to sit on the Board. In order for this arrangement to continue the Fire Authority must specifically agree the recommendation, with no Member voting against it.

#### **5 Pensions Panel**

At its June meeting the Fire Authority agreed that a Pensions Panel be established and that it comprise of the Chair and Vice-Chair of the Authority and Chair of the Human Resources Committee. If Members wish to continue with this arrangement, they will need to agree that the Panel is not subject to the political balance requirements.

#### **6 Retained Review Implementation Group**

This Group was originally set up to oversee the implementation of the recommendations, made as a result of the Best Value Review on the Retained Duty System within Shropshire Fire and Rescue Service. At its meeting in April 2007 the Fire Authority agreed that the Group would hold its final meeting in May 2007 and be mothballed until such time as it was required again. As it is now unlikely that the Group will be required again, the Fire Authority is asked to consider its disbandment. In any event the Group did not form part of the political balance calculations, as it was a working group with no delegated authority.

#### **7 Committee Composition and Allocation of Seats**

The proposed committee composition and allocation of seats is set out in the Appendix to this report, which Members are requested to consider and agree.

#### **8 Financial Implications**

There are no material direct costs arising out of the recommendations of this report, although many decisions of committees will impact on budgets and need financial approval.

## 9 Legal Comment

The Fire Authority must comply with the political balance requirements of the Local Government and Housing Act 1989 and its Regulations, as amended by the Local Government Act 2000, when allocating seats on its standing committees. The Authority is required under its Standing Orders to review at its Annual Meeting the constitution and composition of any of its committees or sub-committees.

Under the provisions of Section 17 of the Local Government and Housing Act 1989 the decision not to apply political balance requirements for the WMRMB and the Pensions Panel can only be implemented if no Members of the Authority vote against it.

## 10 Equality Impact Assessment

An Initial Equality Impact Assessment has been completed and is attached to this report.

## 11 Appendix

Allocation of Seats to Political Groups

## 12 Background Papers

The Local Government and Housing Act 1989 and Regulations made thereunder  
The Local Government Act 2000

Implications of all of the following have been considered and, where they are significant (i.e. marked with an asterisk), the implications are detailed within the report itself.

Business Continuity Planning		Legal	*
Capacity		Member Involvement	*
Civil Contingencies Act		National Framework	
Efficiency Savings		Operational Assurance	
Environmental		Retained	
Financial		Risk and Insurance	
Fire Control/Fire Link		Staff	
Information Communications and Technology		Strategic Planning	
Freedom of Information / Data Protection / Environmental Information		West Midlands Regional Management Board	
Integrated Risk Management Planning		Equality Impact Assessment	*
Efficiency Savings			

## Shropshire and Wrekin Fire and Rescue Authority Committee Composition and Allocation of Seats to Political Groups

### Key

- \* **Cons** – Conservative  
**Lib Dem** – Liberal Democrat  
**Lab** – Labour

- \*\* These rows indicate the actual number of Members each political group should have, based on the percentage of Members it has of the Fire Authority as a whole.

	Cons*	Lab*	Lib Dem*	Total Seats
<b>Shropshire Council</b>	<b>8</b>	<b>1</b>	<b>2</b>	<b>11</b>
<b>Telford &amp; Wrekin Council</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>6</b>
<b>Total</b>	<b>11</b>	<b>3</b>	<b>3</b>	<b>17</b>

	Cons*	Lab*	Lib Dem*	Total Seats
** <b>West Midlands Regional Management Board</b> <b>Members: 3</b>				
<b>Allocation to be decided</b>				<b>3</b>
<p>The Fire Authority has previously agreed that the three places on the West Midlands Regional Management Board should be taken by those holding the positions of Chair, Vice-Chair and Leader of the Main Opposition Group of the Authority. Members need to consider and decide whether they wish this arrangement to continue.</p> <p>Under section 17 of the Local Government and Housing Act 1989 the Fire Authority can agree that the political balance requirements do not apply to the Board, provided no Member votes against the motion. In this case allocation of these seats would <b>not</b> need to be taken into account in the overall political balance calculations, which would then be as shown on the following page. This is the approach, which the Fire Authority has agreed since October 2005, when the new committee structure was introduced.</p>				
** <b>Pensions Panel</b> <b>Members: 3</b>				
<b>Allocation to be decided</b>				<b>3</b>
<p>The Fire Authority established this Panel at its meeting in June 2010 and agreed that it would be made up of the Chair and Vice-Chair of the Authority and Chair of the Human Resources Committee. In light of this Members are asked to consider whether or not they wish the political balance requirements to apply to this Panel.</p>				

The following allocation of seats on the Fire Authority's committees is proposed.

	Cons*	Lab*	Lib Dem*	Total Seats
** <b>Urgency Committee Members: 7</b>	4.53	1.24	1.24	7.01
<b>Allocation</b>	5	1	1	7
** <b>Strategy and Resources Committee Members: 7</b>	4.53	1.24	1.24	7.01
<b>Allocation</b>	5	1	1	7
** <b>Audit and Performance Management Committee Members: 7</b>	4.53	1.24	1.24	7.01
<b>Allocation</b>	4	2	1	7
** <b>Human Resources Committee Members: 7</b>	4.53	1.24	1.24	7.01
<b>Allocation</b>	4	1	2	7
** <b>Appeals Committee Members: 7</b>	4.53	1.24	1.24	7.01
Although Membership of this Committee is 7, the number of Members participating in any hearing will be limited to 3. Steps will be taken to ensure that, wherever practicable, political balance is achieved (i.e. 2 Conservative Members and 1 Labour or Liberal Democrat Member).				
<b>Allocation</b>	5	1	1	7
** <b>Brigade Managers Employment Panel Members: 6</b>	3.88	1.06	1.06	6
<b>Allocation</b>	4	1	1	6
	Cons*	Lab*	Lib Dem*	Total Seats
** <b>Aggregate Seats</b>	26.53	7.26	7.26	41.05
<b>Total Seats Allocation</b>	27	7	7	41

## Standards Committee

This is not required to be politically balanced and does not, therefore, form part of the political balance calculations. The following allocation is, therefore, proposed.

	Cons*	Lab*	Lib Dem*	Total Seats
<b>Elected Members: 4</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>4</b>

## Strategic Risk and Planning Working Group

Although Members agreed that this Group should be politically balanced, it does not form part of the political balance calculations, as, being a Working Group, it is not a fully constituted committee of the Fire Authority.

	Cons*	Lab*	Lib Dem/ Indep*	Total Seats
** <b>Members: 7</b>	<b>4.53</b>	<b>1.24</b>	<b>1.24</b>	<b>7.01</b>
<b>Allocation</b>	<b>5</b>	<b>1</b>	<b>1</b>	<b>7</b>

## Budget Working Group

As this Group is not a fully constituted committee, it does not form part of the political balance calculations. Currently, it has the same membership as the Strategy and Resources Committee.