

## Allocation of Seats on Committees to Political Groups and Increase of Membership of Standards Committee

### 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 advises the Fire Authority of the need to reallocate seats on its committees to political groups, following by-elections at Shropshire County Council. The report also asks the Fire Authority to agree the proposed increase in membership of its Standards Committee from 5 to 6 Members.

### 2 Recommendations

The Fire Authority is asked to agree:

- a) The proposed allocation of seats on its committees to political groups (as set out at the Appendix to this report), including a resolution that, under section 17 of the Local Government and Housing Act 1989, the political balance requirements of that Act do not apply to the Fire Authority's representation on the West Midlands Regional Management Board; and
- b) The increase in membership of its Standards Committee from 5 to 6 Members (as set out in section 6 of this report).

### 3 Background

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, Integrated Risk Management Planning Working Group and the Principal Officers' Employment Panel, do not have any delegated powers and are not, therefore, subject to the political balance rules.

#### 4 Shropshire County Council By-Elections

Following the death of Councillor Lloyd (an Independent Member) and the resignation of Councillor Benyon (a Conservative Member) Shropshire County Council held by-elections in its Whittington and Oswestry electoral divisions on 30 November 2006. The seats were won by a Liberal Democrat and a Conservative respectively. Consequently, the Liberal Democrats have increased their number of seats on the County Council from 11 to 12 and the Independents now have only 2 seats, whereas before they held 3. This change in the political balance at the County Council has in turn been reflected in its nominations to the Fire Authority.

The current and previous political balance of the Fire Authority (i.e. total membership from both constituent authorities) is shown in the table below.

##### Political Membership of the Fire Authority

Party	Members now		Members previously	
	SCC	BT&W	SCC	BT&W
Conservative	6	2	6	2
Labour	2	3	2	3
Liberal Democrat	3	0	2	0
Independent	0	1	1	1
<b>Totals</b>	<b>11</b>	<b>6</b>	<b>11</b>	<b>6</b>

SCC – Shropshire County Council  
 BT&W – Borough of Telford & Wrekin

#### 5 Allocation of Seats on Committees to Political Groups

As the political balance of the Fire Authority has now changed it is necessary to reflect this in the allocation of seats on committees to the political groups. The Fire Authority is, therefore, requested to agree the allocations set out at the Appendix to this report.

#### 6 Membership of Standards Committee

Currently the Fire Authority's Standards Committee has 3 elected Members and 2 non-elected Independent Members. Of the elected Members 2 are Shropshire County Council Members and 1 is a Member of Borough of Telford & Wrekin. The terms of reference of all of the Fire Authority's Committees (including the Standards Committee) state that the quorum must include at least one Member from each constituent authority.



If, as has arisen recently, the Member from Borough of Telford & Wrekin cannot attend a meeting, it cannot go ahead, as it would be inquorate. The Fire Authority is, therefore, asked to consider whether it should increase the number of elected Members on its Standards Committee from 3 to 4 (2 of whom would be County Council Members and 2 Members of Borough of Telford & Wrekin), thereby increasing the total membership from 5 to 6.

If the Fire Authority were to agree to the proposed increase, 33% of its Standards Committee Members, i.e. 2, would be non-elected, Independent Members. The membership would, therefore, still comply with the requirement that non-elected, Independent Members must represent at least 25% of the membership.

## **7 Financial Implications**

An increase in the number of Members of the Standards Committee could lead to a small increase in claims for travel and subsistence. This is, however, likely to be insignificant and could be contained within existing budgets.

## **8 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. Under section 17 Local Government and Housing Act 1989 the authority can determine that political balance requirements do not apply to its appointments to any body providing this resolution is passed by unanimous vote.

Under the Local Government Act 2000 and regulations made thereunder the Fire Authority must ensure that, if its Standards Committee has more than 3 Members, at least 25% are Independent Members.

## **9 Equality Impact Assessment**

This report has been assessed to ensure that any effect it might have would not result in discriminatory practice or differential impact upon specific groups.

Having considered the Service's Brigade Order on Equality Impact Assessments (Personnel 5 Part 2), Officers have concluded that the recommendation made within this report does not introduce or modify any policy, procedure or function within the organisation and an Initial Equality Impact Assessment is not, therefore, required.

## **10 Appendix**

Allocation of Seats on Committees to Political Groups



## 10 Background Papers

There are no background papers associated with this report.

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.

Balanced Score Card		Integrated Risk Management Planning	
Business Continuity Planning		Legal	*
Capacity		Member Involvement	*
Civil Contingencies Act		National Framework	
Comprehensive Performance Assessment		Operational Assurance	
Efficiency Savings		Retained	
Environmental		Risk and Insurance	
Financial	*	Staff	
Fire Control/Fire Link		Strategic Planning	
Information Communications and Technology		West Midlands Regional Management Board	
Freedom of Information / Data Protection / Environmental Information		Initial Equality Impact Assessment Form completed	No



## SHROPSHIRE AND WREKIN FIRE AUTHORITY PROPOSED ALLOCATION OF SEATS TO POLITICAL GROUPS

**Key**

- \* **Cons** – Conservative
- Lib Dem** – Liberal Democrat
- Ind** – Independent
- 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.

	<b>Cons*</b>	<b>Lab*</b>	<b>Lib Dem*</b>	<b>Ind*</b>	<b>Total Seats</b>
<b>Shropshire County Council</b>	<b>6</b>	<b>2</b>	<b>3</b>	<b>0</b>	<b>11</b>
<b>Borough of Telford &amp; Wrekin</b>	<b>2</b>	<b>3</b>	<b>0</b>	<b>1</b>	<b>6</b>
<b>Total</b>	<b>8</b>	<b>5</b>	<b>3</b>	<b>1</b>	<b>17</b>

	<b>Cons*</b>	<b>Lab*</b>	<b>Lib Dem*</b>	<b>Ind*</b>	<b>Total Seats</b>
** <b>West Midlands Regional Management Board Members: 3</b>	<b>1.41</b>	<b>0.88</b>	<b>0.53</b>	<b>0.18</b>	<b>3</b>
<b>Allocated</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>3</b>

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 Fire Authority. These positions are currently held by Liberal Democrat, Labour and Conservative Members respectively.

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 not 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.



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

	Cons*	Lab*	Lib Dem*	Ind*	Total Seats
** <b>Urgency Committee Members: 7</b>	<b>3.29</b>	<b>2.06</b>	<b>1.24</b>	<b>0.41</b>	<b>7</b>
<b>Allocation</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>7</b>
** <b>Strategy and Resources Committee Members: 7</b>	<b>3.29</b>	<b>2.06</b>	<b>1.24</b>	<b>0.41</b>	<b>7</b>
<b>Allocation</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>7</b>
** <b>Audit and Performance Management Committee Members: 7</b>	<b>3.29</b>	<b>2.06</b>	<b>1.24</b>	<b>0.41</b>	<b>7</b>
<b>Allocation</b>	<b>4</b>	<b>2</b>	<b>1</b>	<b>0</b>	<b>7</b>
** <b>Human Resources Committee Members: 7</b>	<b>3.29</b>	<b>2.06</b>	<b>1.24</b>	<b>0.41</b>	<b>7</b>
<b>Allocation</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>7</b>
** <b>Disciplinary Appeals Tribunal Members: 5</b>	<b>2.35</b>	<b>1.47</b>	<b>0.88</b>	<b>0.29</b>	<b>4.99</b>
<b>Allocation</b>	<b>3</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>5</b>
** <b>Health Panel Members: 3</b>	<b>1.41</b>	<b>0.88</b>	<b>0.53</b>	<b>0.18</b>	<b>3</b>
<b>Allocation</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>3</b>
** <b>Appeals Committee Members: 3</b>	<b>1.41</b>	<b>0.88</b>	<b>0.53</b>	<b>0.18</b>	<b>3</b>
<b>Allocation</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>3</b>

Under the Fire Authority's committee terms of reference any Member, who sits on the Strategy and Resources Committee, is precluded from sitting on the Audit and Performance Management Committee. As there is now only 1 Independent Member on the Fire Authority it is not possible for that party to be represented on both committees.



If Members agree to the proposals on the previous page the figures would be as follows:					
<b>**</b>					
<b>Aggregate Seats</b>	<b>18.33</b>	<b>11.47</b>	<b>6.9</b>	<b>2.29</b>	<b>38.99</b>
<b>Total Seats Allocation</b>	<b>18</b>	<b>11</b>	<b>7</b>	<b>3</b>	<b>39</b>

### Standards Committee

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

	<b>Cons*</b>	<b>Lab*</b>	<b>Lib Dem*</b>	<b>Ind*</b>	<b>Total Seats</b>
<b>Elected Members: 3</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>3</b>

If the Fire Authority agrees to increase the number of elected Members on the Standards Committee, as proposed in the report, the above number would rise to 4. Members would then need to decide, who from the Borough of Telford & Wrekin sits on this Committee.

### Integrated Risk Management Planning (IRMP) Members' 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.

	<b>Cons*</b>	<b>Lab*</b>	<b>Lib Dem*</b>	<b>Ind*</b>	<b>Total Seats</b>
<b>**</b>					
<b>Members: 7</b>	<b>3.29</b>	<b>2.06</b>	<b>1.24</b>	<b>0.41</b>	<b>7</b>
<b>Allocation</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>7</b>

### Principal Officers' Employment Panel

Members agreed that this Panel should not be politically balanced but should comprise of the Chair, Vice-Chair, Leader of the Main Opposition Group and Chair of the Personnel Committee. It was subsequently agreed that Cllr Hussey, an Independent Member, be included in the Panel. In any event, this Panel is not a fully constituted committee of the Fire Authority and does not, therefore, form part of the political balance calculations.



### **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.

### **Retained Review Implementation Group**

As this Group is not a fully constituted committee, it does not form part of the political balance calculations. Currently it has 1 Labour Member, 1 Conservative Member and 1 Liberal Democrat Member.

### **Community Liaison Panel**

As this Group is not a fully constituted committee, it does not form part of the political balance calculations. The Fire Authority has agreed that it should be made up as follows:

Members from:

Borough of Telford & Wrekin (x 2)  
Bridgnorth District Council  
North Shropshire District Council  
Oswestry Borough Council  
Shrewsbury and Atcham Borough Council  
South Shropshire District Council

Although Shropshire County Council is not included in the above list, a number of members sit on both the County Council and a Borough or District Council and will, therefore, provide representation for the former.

The membership will also include the Fire Authority's:

Older People's Champion; and  
Fire Authority's Younger People's Champion

