

REPORT OF THE CLERK

ALLOCATION OF SEATS TO POLITICAL GROUPS, APPOINTMENTS TO, AND CONSTITUTION OF, COMMITTEES

1 Purpose of Report

To advise Members of the proposed composition of committees, allocation of seats to political groups and the appointments to committees, to confirm Member Champions/Lead Members and to review committee terms of reference and delegations.

2 Recommendations

The Fire Authority is asked to agree:

- a) The committee composition and allocation of seats to political groups, as set out at Appendix A, 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;
- b) The appointment of Members to serve on committees, of Substitutes Members for the West Midlands Regional Management Board, and of Member Champions/Lead Members, as set out at Appendix B; and
- c) Committee terms of reference and delegations, as set out at Appendix C.

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, 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 Committee Composition and Allocation of Seats

The Authority is requested to approve the overall constitution of committees and the allocation of seats for the coming year, as set out at Appendix A. This is the allocation for committees agreed by the Authority at its meeting in October 2005. No changes in the political balance of the Authority have taken place since then, neither have any additional committees been established.

5 Appointment of Members, Substitute Members and Member Champions/ Lead Members

The Authority is requested to agree the appointment of Members to serve on committees, of Substitute Members for the West Midlands Regional Management Board and of Member Champions/Lead Members, as set out at Appendix B.

6 Committee Terms of Reference and Delegation

The Authority is requested to confirm committee terms of reference and quorum, as set out at Appendix C.

7 Financial Comment

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.

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. 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.



9 Appendices

Appendix A Composition of Committees and Proposed Allocation of Seats to Political Groups

Appendix B Appointment of Members to serve on committees, of Substitute Members for the West Midlands Regional Management Board and of Member Champions/Lead Members

Appendix C Committee Terms of Reference and Quorum

10 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.

Balanced Score Card		Integrated Risk Management Planning	
Business Continuity Planning		Legal	*
Capacity		Member Involvement	*
Civil Contingencies Act		National Framework	
Comprehensive Performance Assessment		Operational Assurance	
Equality and Diversity		Retained	
Efficiency Savings		Risk and Insurance	
Environmental		Staff	
Financial	*	Strategic Planning	
Fire Control/Fire Link		West Midlands Regional Management Board	*

For further information about this report please contact Sharon Lloyd, Corporate Services Manager, on 01743 260210 or Sue Kembrey, Clerk and Monitoring Officer to the Authority, on 01952 202461.



SHROPSHIRE AND WREKIN FIRE AUTHORITY

COMPOSITION OF COMMITTEES AND 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.

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

	Cons*	Lab*	Lib Dem*	Ind*	Total Seats
** West Midlands Regional Management Board Members: 3	1.41	0.88	0.35	0.35	2.99
Allocated	1	1	1	0	3

The Fire Authority has previously agreed that the three places on the Board should be taken by those holding the positions of Chair, Vice-Chair and Leader of the main Opposition Group of the Fire Authority. To date these positions have been held by Labour, Liberal Democrat and Conservative Members respectively. If the three places continue to be held by these groups, following election of a Chair and appointment of a Vice-Chair, the allocation would be as set out above.

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 the Fire Authority agreed at its meeting in October 2005, when the new committee structure was introduced.



PROPOSED ALLOCATION OF SEATS TO POLITICAL GROUPS

	Cons*	Lab*	Lib Dem*	Ind*	Total Seats
** Urgency Committee Members: 7	3.29	2.06	0.82	0.82	6.99
Allocated	3	2	1	1	7
** Strategy and Resources Committee Members: 7	3.29	2.06	0.82	0.82	6.99
Allocated	3	2	1	1	7
** Audit and Performance Management Committee Members: 7	3.29	2.06	0.82	0.82	6.99
Allocated	3	2	1	1	7
** Human Resources Committee Members: 7	3.29	2.06	0.82	0.82	6.99
Allocated	3	2	1	1	7
** Disciplinary Appeals Tribunal Members: 5	2.35	1.47	0.59	0.59	5
Allocated	2	1	1	1	5
** Health Panel Members: 3	1.41	0.88	0.35	0.35	2.99
Allocated	2	1	0	0	3
** Appeals Committee Members: 3	1.41	0.88	0.35	0.35	2.99
Allocated	2	1	0	0	3

If Members agree to the above proposals the figures would be as follows:					
** Aggregate Seats	18.33	11.47	4.57	4.57	38.94
Total Seats Allocated	18	11	5	5	39



Standards Committee

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

	Cons*	Lab*	Lib Dem*	Ind*	Total Seats
Elected Members: 3	1	1	1	0	3

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.

	Cons*	Lab*	Lib Dem*	Ind*	Total Seats
**					
Members: 7	3.29	2.06	0.82	0.82	6.99
Allocated	3	2	1	1	7

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 and 2 Conservative Members.

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

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



SHROPSHIRE AND WREKIN FIRE AUTHORITY

APPOINTMENT OF MEMBERS TO SERVE ON COMMITTEES AND OF SUBSTITUTE MEMBERS FOR THE WEST MIDLANDS REGIONAL MANAGEMENT BOARD

Key

Cons – Conservative

Lab – Labour

Lib Dem – Liberal Democrat

Ind - Independent

West Midlands Regional Management Board

Members – 3

Substitutes

Chair of the Fire Authority

Vice-Chair of the Fire Authority

Leader of the Main Opposition Group

Strategy and Resources Committee

Members - 7

P D Box (Lab)

A J Eade (Cons)

N J Hartin (Lib Dem)

A J Hussey (Ind)

D J Minnery (Cons)

D J Morgan (Lab)

S J West (Cons)

Audit and Performance Management Committee

Members – 7

Lt Col D G Allen (Cons)

Mrs Y K Holyoak (Cons)

J Hurst-Knight (Cons)

D J Lloyd (Ind)

C J Mellings (Lib Dem)

F R Picken (Lab)

J Tandy (Lab)

It is proposed that the Strategy and Resources Committee and the Audit and Performance Management Committee revert to their original membership, following the end of Councillor Holyoak's substitution for Councillor Eade on the former committee.



Human Resources Committee

Members – 7

R Davies (Cons)
Dr J Drummond (Cons)
N J Hartin (Lib Dem)
Mrs Y Holyoak (Cons)
D J Lloyd (Ind)
F R Picken (Lab)
Mrs E S Swift (Lab)

Standards Committee

Members – 3

Mrs Y K Holyoak (Cons)
C J Mellings (Lib Dem)
D J Morgan (Lab)

Independent Members – 2

M L Tebbutt
I O Webb

Health Panel

Members – 3

Mrs Y K Holyoak (Cons)
J Hurst-Knight (Cons)
D J Morgan (Lab)

Additional Members – 3

Lt Col D G Allen (Cons)
R Davies (Cons)
Mrs E S Swift (Lab)

Appeals Committee

Members – 3

Lt Col D G Allen (Cons)
J Hurst-Knight (Cons)
F R Picken (Lab)

Additional Members – 3

D J Minnery (Cons)
Mrs E Swift (Lab)
Mrs Y K Holyoak (Cons)

Disciplinary Appeals Tribunal

Members – 5

LT Col D G Allen (Cons)
Dr J Drummond (Cons)
N J Hartin (Lib Dem)
A J Hussey (Ind)
Mrs E S Swift (Lab)

Urgency Committee

Members – 7

P D Box (Lab)
R Davies (Cons)
Dr J Drummond (Cons)
N J Hartin (Lib Dem)
Mrs Y K Holyoak (Cons)
A Hussey (Ind)
D J Morgan (Lab)



Working Groups

The following are working groups of the Fire Authority:

Integrated Risk Management Planning Members' Working Group

Members – 7

P D Box (Lab)
R Davies (Cons)
N J Hartin (Lib Dem)
A Hussey (Ind)
D J Minnery (Cons)
D J Morgan (Lab)
S J West (Cons)

Budget Working Group

Members – 7

The membership of this group is the same as that of the Strategy and Resources Committee.

Principal Officers' Employment Panel

Members – 5

Chair of the Fire Authority
Chair of the Human Resources Committee
Leader of the Main Opposition Group
Vice-Chair of the Fire Authority
A J Hussey (Ind)

Retained Review Implementation Group

This is a joint Member / Officer Panel.

Members – 3

P D Box (Lab)
N J Hartin (Lib Dem)
S J West (Cons)

Community Liaison Panel

Members – 9

Borough of Telford and Wrekin
Bridgnorth District Council
North Shropshire District Council
Oswestry Borough Council
Shrewsbury and Atcham Borough Council
South Shropshire District Council
Fire Authority's Older People's Champion
Fire Authority's Younger People's Champion

Lt Col D G Allen and F R Picken
J Hurst-Knight
C J Mellings
D J Lloyd
J Tandy
N J Hartin
Mrs E S Swift
Dr J Drummond



SHROPSHIRE AND WREKIN FIRE AUTHORITY

MEMBER CHAMPIONS / LEAD MEMBERS

The Fire Authority is asked to confirm the following Member Champions / Lead Members:

Procurement and Asset Management Champion

Lt Col D G Allen

Lead Member for Information Technology and Implementing Electronic Government

P D Box

Learning and Development Champion

R Davies

Young People's Champion

Dr J Drummond

Lead Member for Civil Resilience

F R Picken

Older People's Champion

Mrs E S Swift

Business Risk Management and Audit Champion

J Tandy



SHROPSHIRE AND WREKIN FIRE AUTHORITY COMMITTEE TERMS OF REFERENCE AND QUORUM

STRATEGY AND RESOURCES COMMITTEE

Quorum – 4

The quorum must include at least one Member from each constituent authority.

Members - 7

Members of the Fire Authority's Audit and Performance Management Committee are precluded from sitting on the Strategy and Resources Committee and vice versa.

Terms of Reference

To consider and make recommendations to the Authority on its strategic direction

To consider, monitor and make recommendations to the Authority on its capital and revenue budgets

To consider national, regional and local procurement strategies

To monitor compliance with procurement strategies

To receive and consider any exemptions under the Authority's Standing Orders relating to Contracts and advise as appropriate

To consider value for money issues

To oversee, review, and make recommendations to the Authority on, the management of all financial and physical resources

To review the Treasury Policy Statement and monitor the performance of the treasury management function in accordance with policy

To ensure that the financial management of the Fire Authority is adequate and effective and includes a sound system of internal control and arrangements for the management of risk

To present a statement on internal control with any recommendations to the Authority, at least once a year

To receive the Statement of Accounts and, following approval, to ensure that it is signed in accordance with the Accounts and Audit Regulations 2003

To investigate and report upon any other matter specifically referred to the Committee by the Authority



AUDIT AND PERFORMANCE MANAGEMENT COMMITTEE

Quorum – 4

The quorum must include at least one Member from each constituent authority.

Chair

The Chair of the Committee shall be elected from a member of the largest opposition group.

Members – 7

Members of the Fire Authority's Strategy and Resources Committee are precluded from sitting on the Audit and Performance Management Committee and vice versa.

Terms of Reference

To monitor the Fire Authority's involvement in the West Midlands Regional Management Board and implementation of the Board's objectives

To monitor implementation of the Comprehensive Performance Assessment Improvement Plan

To monitor implementation of Best Value Reviews

To monitor and review the Brigade Service Objectives

To monitor Brigade performance indicators

To consider customer relations issues and monitor complaints and compliments

To review the effectiveness of the system on internal control

To monitor corporate governance issues and specifically the Authority's Code of Corporate Governance

To approve the contents of the Annual Report

To investigate and report upon any other matter specifically referred to the Committee by the Authority

Audit Functions

To provide independent assurance of the adequacy of the risk management framework and the associated control environment, independent scrutiny of the Authority's financial and non-financial performance to the extent that it affects the Authority's exposure to risk and weakens the control environment, and to oversee the financial reporting process

To approve, but not direct, the internal audit strategy and audit plan and monitor performance against the plan



To review summary internal audit reports and the main issues arising, and seek assurance that action has been taken where necessary

To consider the reports of internal and external audit and inspection agencies and monitor management action in response to the issues raised

To consider the effectiveness of the Authority's risk management arrangements, the control environment and associated anti-fraud and anti-corruption arrangements and to seek assurances that action is being taken on risk related issues identified by auditors and inspectors

To ensure that there are effective relationships between external and internal audit and other relevant bodies and that the value of the audit process is actively promoted



HUMAN RESOURCES COMMITTEE

Quorum - 4

The quorum must include at least one Member from each constituent authority.

Members – 7

Terms of Reference

To consider human resource strategies and make recommendations to the Authority

To consider reports on the progress of regional and national human resource activities and make recommendations to the Authority, where appropriate

To consider and monitor staffing requirements, the establishment scheme and human resource policies for the Authority and make recommendations to the Authority

To consider fundamental amendments to locally determined conditions of service and make recommendations to the Authority

To consider reports regarding the induction, training and development needs of Members and officers, regularly review those needs and make recommendations to the Authority

To make recommendations to the Authority on the process for appointments to the posts of Chief Fire Officer, Deputy Chief Fire Officer, Treasurer, Monitoring Officer, Deputy Monitoring Officer and Clerk, as necessary

To undertake the following functions which apply to those employees who come within the jurisdiction of the Fire Authority:

- To ensure that equality of opportunity and diversity at work issues are promoted, implemented and monitored by the Authority and the Service
- To consider and determine applications by uniformed personnel for permission to undertake outside employment, and to set conditions under which approval might be granted
- To consider and determine appeals against grading and market factor supplement decisions (including rank to role)
- To consider and determine grievances in accordance with the Grievance Procedure, except where that grievance relates to a decision of the Chief Fire Officer on level of sick pay; ill-health retirement or dismissal for health related reasons; or powers exercised under the Firemen's Pension Scheme and related legislation in respect of ill-health retirements
- To consider and determine appeals against the application or interpretation of conditions of service, except where that appeal relates to a decision of the Chief Fire Officer on level of sick pay



- To consider and determine appeals against dispute in accordance with the Collective Disputes Procedure
- To consider reports on employee pension schemes and make recommendations to the Authority

To receive minutes from the Health Panel



STANDARDS COMMITTEE

Quorum - 3

The quorum must include at least two Members of the Authority (one from each constituent authority) and one Independent Member.

Members - 5

3 Members of the Fire Authority and 2 Independent Members

Terms of Reference

To promote and maintain a high standard of conduct by Members, to oversee the Register of Members' Interests and to oversee the effectiveness of the Authority's procedures for investigating and responding to complaints about Members

To advise the Authority on the adoption or revision of the Members' Code of Conduct

To assist Members to observe the Members' Code of Conduct

To advise, train, or arrange to train Members on matters relating to the Members' Code of Conduct

To develop, maintain and monitor the operation of such Code

To issue advice to Members on the treatment of personal interests and on conduct matters generally

To consider and grant, or otherwise, dispensations in respect of Members interests

To consider and act on any report from the Monitoring Officer on any matter which is referred to the Monitoring Officer

To exercise such functions as are required under the Fire Authority's procedures for local investigation of referred complaints and for the local determination of allegations of misconduct

To exercise such other functions as the Authority considers appropriate



HEALTH PANEL

Quorum - 3

The quorum must include at least one Member from each constituent authority.

Members – 3 plus 3 additional Members

When abolishing substitutes for its Committees in October 2005, the Fire Authority agreed that it would retain a pool of Members for the Health Panel to ensure a quorum for all of its meetings

Terms of Reference

To consider and determine any appeal against a decision of the Chief Fire Officer relating to:

- Individual cases of long-term sickness, and the appropriate level of sick pay
- The ill-health retirement or dismissal for health-related reasons of any employee
- Powers exercised under the Firemen's Pension Scheme and related legislation in respect of ill-health retirements

except where that appeal is against a medical opinion.



APPEALS COMMITTEE

Quorum - 3

The quorum must include at least one Member from each constituent authority.

Members – 3 plus 3 additional Members

When abolishing substitutes for its Committees in October 2005, the Fire Authority agreed that it would retain a pool of Members for the Appeals Committee to ensure a quorum for all of its meetings.

Terms of Reference

To consider and determine any appeal against a decision of the Health Panel relating to:

- The ill-health retirement or dismissal for health related reasons of any employee
- Powers exercised under the Firemen's Pension Scheme and related legislation in respect of ill-health retirements

except where that appeal is against a medical opinion.



DISCIPLINARY APPEALS TRIBUNAL

Quorum - 3

The quorum must include at least one Member from each constituent authority.

Members - 5

Terms of Reference

To consider appeals against disciplinary actions



URGENCY COMMITTEE

Quorum – 7

The quorum is all Members of the Committee and must include at least one Member from each constituent authority.

Members – 7

Terms of Reference

In case of urgency a committee of seven Members shall have the power to exercise any powers and duties of the Authority only in so far as it is required to deal with matters of the West Midlands Regional Management Board.

The first item on the agenda of all meetings of the Urgency Committee shall be to consider whether the items included on the agenda are of sufficient urgency to be considered by the Urgency Committee rather than waiting for the next appropriate Committee or Authority meeting.

The Urgency Committee shall have the following roles and functions:

To consider and endorse recommendations of the WMRMB from time to time.

Delegation of Powers

The Urgency Committee has full delegated power to act within its defined role and function.



WORKING GROUPS

Budget Working Group

Quorum – 4

The quorum must include at least one Member from each constituent authority.

Members - 7

This Group is currently made up of the same membership as the Strategy and Resources Committee.

Terms of Reference

The Group meets on an ad hoc basis to consider all aspects of the budget setting process and its recommendations are reported to the Strategy and Resources Committee.

Integrated Risk Management Planning Members' Working Group

Quorum – 4

The quorum must include at least one Member from each constituent authority.

Members - 7

This is a politically balanced group.

Terms of Reference

The Group meets on an ad hoc basis to consider all aspects of Integrated Risk Management Planning (IRMP) and its recommendations are reported to the Fire Authority. Its Members also participate in the extensive IRMP consultation process.

Retained Review Implementation Group

Member Involvement - 3

This is a joint Member / Officer Panel

Terms of Reference

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

Principal Officers' Employment Panel

Members – 5

This is made up of the Chair and Vice-Chair of the Fire Authority, the leader of the main opposition group, the Chair of the Human Resources Committee and Cllr A Hussey.

Terms of Reference

The Panel meets on an “ad hoc” basis to deal with all issues associated with the pay and conditions of service of Principal Officers and to make recommendations thereon to the full Fire Authority.



Community Liaison Panel

Members - 9

This is a joint Member / Officer Panel.

Aim

To deliver community safety across Shropshire's communities effectively through close connections with people at local level

Terms of Reference

- To monitor the effectiveness of Fire Authority engagement in Local Strategic Partnerships, Local Public Service Agreements, Local Area Agreements, community strategies and other local partnership initiatives
- To share best practice on community engagement from around the area
- To consider and recommend the best methods of local communication and engagement
- To act as joint Member/ officer fire safety 'Champions' at local level, ensuring that local democracy is seen to work for the benefit of the community

Delegated Powers

The Panel will have no delegated powers other than those specifically delegated to it by the Fire Authority from time to time.

Reporting to

The Panel will report to the Fire Authority and its various committees, whichever is appropriate.

