

By: Clerk to the Authority

To: Kent and Medway Fire and Rescue Authority - 13 June 2013

Subject: CONSTITUTION OF COMMITTEES AND APPOINTMENT OF MEMBERS TO COMMITTEES AND OUTSIDE BODIES FOR 2013/14

Classification: Unrestricted

## **FOR DECISION**

### **SUMMARY**

- (a) To note the new political composition of the Authority and constitute the Authority's Committees in accordance with political proportionality as required by the Local Government and Housing Act 1989.
- (b) To appoint named Members to the Authority's Committees for 2013/14.
- (c) To confirm the Authority's membership of outside bodies and agree the allocation of the Authority's places and votes on the Local Government Association's (LGA) General Assembly.
- (d) To appoint named Members as the Authority's representatives on outside bodies for 2013/14.

### **RECOMMENDATIONS**

Members are requested to agree that:

1. The Authority's Committees be constituted as shown in the table in para 4 and, for the purposes of the statutory annual review of proportionality, the allocation of Committee places to the political groups, as shown in that table, be confirmed.
2. The allocation of places between the political groups on Hearings Panels, which do not have to be taken into account in the statutory review of proportionality, be confirmed (para 5 refers).

LEAD/CONTACT OFFICER: Clerk to the Authority - Stuart Ballard  
TELEPHONE NUMBER: 01622 692121 x8206  
EMAIL: stuart.ballard@kent.fire-uk.org  
BACKGROUND PAPERS: None

3. Members be appointed to serve on Committees for 2013/14, on the nomination of the political groups (to be reported at the meeting) and the appointment of Member Champions be deferred pending the outcome of the review of the Members' Allowances Scheme (para 6 refers).
4. The Authority continue in membership of the outside bodies to which it currently belongs and the allocation of places and voting rights on the LGA General Assembly between the political groups be changed for 2013/14 as shown to better reflect the new proportionality (paras 7-8 refer).
5. Members be appointed to serve on outside bodies for 2013/14, on the nomination of the political groups (to be reported at the meeting) (para 9 refers).

## COMMENTS

### Background

1. At its Annual Meeting each year the Authority needs to review political proportionality; reconstitute its Committees; review its membership of outside bodies and appoint Members to serve on them. This report deals with all these issues.

### Annual Review of Proportionality

2. The Authority is required by the Local Government and Housing Act 1989 to review its scheme of proportionality at its Annual Meeting each year. The Act requires places on Committees (both overall and within each Committee) to be allocated in proportion to the political composition of the Authority as a whole (subject to the majority group on the Authority being entitled to have a majority on every Committee) unless the Authority decides, without any Member voting against it, to adopt some other arrangement.
3. As a result of the Kent County Council election on 2 May the political composition of the Authority has changed to:-

Conservative:	15
Labour:	4
Liberal Democrat:	2
UK Independence Party:	4

4. The change in the political composition of the Authority means that the size and composition of the Authority's Committees will need to change in order to reflect the new proportionality. On the basis that Members approve the changes to the Committee structure proposed in the previous item on the agenda, the following table sets out a proposal for the size and composition of the Authority's Committees which is entirely proportional both across all Committees and within each Committee, and thus complies fully with the requirements of the Act.

<b>Committee</b>	<b>Total</b>	<b>Con</b>	<b>Lab</b>	<b>LD</b>	<b>UKIP</b>
<i>Authority</i>	25	15	4	2	4
General Purposes	13	8	2	1	2
Planning and Performance	13	8	2	1	2
Senior Officer Appointment and Conds	7	4	1	1	1
<b>Total Committee Places</b>	<b>33</b>	<b>20</b>	<b>5</b>	<b>3</b>	<b>5</b>

5. There is one other Member body which does not have to be taken into account in the statutory review of proportionality, and that is Hearings Panels. (The Terms of Reference of Hearings Panels can be found at Appendix 5 to Item B1 on the agenda.) Panels are called together on the infrequent occasions when they are required. Membership is not fixed and varies from Panel to Panel, but in recent times each Panel has comprised four Members (two Conservative, one Labour, one Liberal Democrat), with the Chairman being drawn from the Conservative Members. Panels have to consider cases affecting individual Members and officers and so it is important that they are small; that they are non-party political; but that all party groups are represented. It is therefore proposed that Panel Membership remain at four, with one Member drawn from each of the four party groups.

### **Appointment of Members to Serve on Committees and as Member Champions**

6. Members are appointed to serve on Committees, and as Member Champions (of which there are currently three: for Environment, Equality & Diversity and Safer Buildings) on the nomination of the political groups. Subject to the Authority's decision on the size and composition of its Committees (para 4 above), details will be reported at the meeting of the Members nominated by the political groups to serve on the Authority's Committees for 2013/14. However, it is suggested that the appointment of Member Champions be deferred pending the outcome of the review of the Members' Allowances Scheme which is proposed in a later item on the agenda.

### **Representation on Outside Bodies**

7. The Authority currently appoints representatives to serve on the outside bodies listed in the following paragraphs and is recommended to continue in membership of both of them.
8. The Authority has a longstanding formula for the allocation of its places on outside bodies. Application of the new proportionality to the formula will result in some changes which are described below.

#### Local Government Association (LGA)

The LGA is the national voice of local government. It works with local authorities to support, promote and improve local government.

As a result of its membership of the LGA, the Authority is entitled to representation on the General Assembly (which meets once a year as part of the LGA's Annual Conference and acts as the 'parliament' for local government), and Fire Services Commission (a forum for member fire and rescue authorities (FRAs) to come together to discuss matters of common interest and concern; exchange good practice; and influence the priorities and activities of the LGA).

Representation arrangements are as follows:-

General Assembly - 4 Places, 1 Corporate Vote, 17 'Fire' Votes

There is a proposal in item B3 on this agenda that the Authority should cease to attend the LGA Annual Conference each year. If this proposal is accepted, then the Authority will not be represented at the General Assembly meeting, because this always forms part of the Annual Conference. However, the Authority may still wish to formally appoint its General Assembly representatives and decide how its votes should be allocated, even though these appointments and voting rights will be notional.

Under the formula previously adopted by the Authority the four General Assembly places have been allocated to the Chairman plus one Member from each of the (then) three political groups. It is suggested that for 2013/14, given the change in the political composition of the Authority, the four places should be allocated to the Chairman plus one Member from each of the other three groups.

At meetings of the LGA General Assembly, the Authority is entitled to one (corporate) vote on general issues and 17 votes on fire and rescue service issues. Past practice has been to allocate the one corporate vote to the Chairman and to divide the 17 fire votes between the other three Members on a politically proportional basis. It is suggested that for 2013/14 the one corporate vote should again be allocated to the Chairman, but the 17 fire votes should be divided between the four representatives on a proportional basis giving an allocation of the 17 votes as follows:

Chairman (Con) 10; Lab 3, LD 1; UKIP 3.

LGA Fire Services Commission - 1 Place, 1 Vote

In the past this one place (with one vote) has been allocated to the Chairman or another Member nominated by the controlling group. It is suggested that this allocation remains appropriate for 2013/14.

South East Fire Improvement Partnership Board (SEFIP) - 1 Place, 1 Vote

SEFIP is an informal meeting of the Chairmen and Chief Executives/Chief Fire Officers of the nine FRAs in the South East (Kent & Medway, East Sussex, West Sussex, Surrey, Hampshire, Oxfordshire, Buckinghamshire, Royal Berkshire and Isle of Wight). It generally meets quarterly to discuss progress being made against its published business plan, or to discuss thematic issues affecting all FRAs in the region.

In the past the Authority's one place (with one vote) on SEFIP has been allocated to the Chairman of the Authority. It is suggested that this allocation remains appropriate for 2013/14.

### **Appointment of Members to Serve on Outside Bodies**

9. Members are appointed to serve on outside bodies on the nomination of the political groups. Subject to the Authority's decision on the composition of its outside body representation (paragraph 8 above), details will be reported at the meeting of the Members nominated by the political groups to represent the Authority on outside bodies for 2013/14.

### **IMPACT ASSESSMENT**

10. There are no resource implications arising from this report but it is important that the Authority complies with the statutory political proportionality requirements.

### **RECOMMENDATIONS**

11. Members are requested to agree that:
  - 11.1 The Authority's Committees be constituted as shown in the table in para 4 and, for the purposes of the statutory annual review of proportionality, the allocation of Committee places to the political groups, as shown in that table, be confirmed.
  - 11.2 The allocation of places between the political groups on Hearings Panels, which do not have to be taken into account in the statutory review of proportionality, be confirmed (para 5 refers).
  - 11.3 Members be appointed to serve on Committees for 2013/14, on the nomination of the political groups (to be reported at the meeting), and the appointment of Member Champions be deferred pending the outcome of the review of the Members' Allowances Scheme (para 6 refers).
  - 11.4 The Authority continue in membership of the outside bodies to which it currently belongs and the allocation of places and voting rights on the LGA General Assembly between the political groups be changed for 2013/14 as shown in paragraph 8 to better reflect the new proportionality (paras 7-8 refer).
  - 11.5 Members be appointed to serve on outside bodies for 2013/14, on the nomination of the political groups (to be reported at the meeting) (para 9 refers).