

| MERSEYSIDE FIRE AND RESCUE AUTHORITY | | | |
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| MEETING OF THE: | ANNUAL GENERAL MEETING | | |
| DATE: | 11TH JUNE 2020 | REPORT NO: | CFO/031/20 |
| PRESENTING OFFICER | ACTING MONITORING OFFICER | | |
| RESPONSIBLE OFFICER: | RIA GROVES | REPORT AUTHOR: | KELLY KELLAWAY, GEMMA SUNG |
| OFFICERS CONSULTED: | STRATEGIC LEADERSHIP TEAM | | |
| TITLE OF REPORT: | STRUCTURE OF THE AUTHORITY 2020/21 | | |

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| APPENDICES: | APPENDIX A: | DRAFT COMMITTEE STRUCTURE 2020/21 |
| | APPENDIX B: | COMMITTEE MEMBERSHIP TEMPLATE |

Purpose of Report

1. To
 - (a) Inform Members of:-
 - (i) the minimum legal structure of the Authority
 - (ii) the existing decision making structure of the Authority; and
 - (iii) optional variations to the existing structure
 - (b) request that the Authority determines an appropriate decision making structure for 2020/21; and
 - (c) request that arrangements are made for the appointment of Committees, the nomination of Chairs, the determination of the powers and duties of Committees, the appointment of Members to Committees; and Special Responsibility Roles.

Recommendation

2. That Members determine an appropriate decision making structure for 2020/21 by:-
 - (a) Determining which Committees it wishes to establish.
 - (b) Determining the number of Voting Members to be appointed to each Committee.
 - (c) Determining the number of seats on each Committee to be allocated to each political group in accordance with the political balance regulations.

- (d) Determining that alternates from the relevant political group, can attend a Committee in the absence of the substantive Member.
- (e) Confirming the Members who are to be appointed to Committees; and roles attracting a Special Responsibility Allowance, in accordance with the wishes of the relevant political group in respect of those seats allocated to that group.
- (f) Confirming that Members will inform Democratic Services prior to the start of any meeting, of an alternate Member, if they are unable to attend.
- (g) Confirming whether it wishes to continue with the existing structure and/or whether it wishes to amend the structure.

Introduction and Background

- 3. This report confirms the political balance of the Authority as 14 Labour, 2 Liberal Democrat and 2 Conservative Member.
- 4. Based upon the balance of the Authority, Members are requested to consider and determine the appropriate decision making structure, appointment of Committees, nominate Chairs and Members to those Committees; and nominate Members to additional roles attracting a Special Responsibility Allowance.
- 5. Minimum Legal Requirement

5.1 The minimum statutory requirements for a decision making structure are:-

- (a) Authority Meetings – There is a statutory requirement to hold an Annual Meeting (before the end of June in each year) and to meet to determine the precept each year (by the end of February in each year). The Authority is also required to consider other miscellaneous matters including statutory reports of the Chief Finance Officer or Monitoring Officer and public interest reports, should they arise.

It is worth noting that The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020 ('Remote Meetings Regulations') were enacted under s.78 of Coronavirus Act 2020 and came into force on 4th April 2020. These Remote Meetings Regulations remove the requirement for authorities to hold an AGM in 2020; and permit appointments normally made at an Annual General Meeting (AGM) to continue until the next AGM or until a time as determined by an Authority.

- (b) It is recognised as good practice to have an Audit Committee, or a Committee that deals with audit matters. In MFRA's case this also serves as the Standards Committee - which is a legal requirement.

- 6. Existing Structure

6.1 At present, the Authority has appointed:-

6.1.1 A Community Safety and Protection Committee, a Policy and Resources Committee and a Scrutiny Committee, each consisting of 9 Members; and an Audit Committee consisting of 5 voting Members (all according to Political proportionality).

With the exception of the Chair and Vice Chair of the Authority, who should not attend meetings of the Scrutiny Committee, meetings of these Committees are open to all Members to attend, including the Independent Person (who does not have voting rights).

The Audit Committee will deal with Members Standards issues; and currently, also acts as the Investigating and Disciplinary Committee when considering any allegations against Relevant Officers .

The Community Safety and Protection Committee and the Policy and Resources Committee have delegated decision making powers in the circumstances where there is no opportunity for the Authority to meet in full.

A Rapid Review Panel feeds into the Scrutiny Committee and adopts the forward plan for Scrutiny and ensures a full and thorough scrutiny of the subject matter with the Membership consisting of members from the Scrutiny Committee.

6.1.2 An Appeals Committee and an Appointments Committee.

6.1.3 On 18th October 2018, following the withdrawal of the Police & Crime Commissioner for Merseyside from full voting Membership of MFRA, the Authority approved the re-establishment of a Joint Fire and Police Collaboration Committee. This is a none decision making Committee consisting of 5 Members – 3 Members representing Merseyside Fire & Rescue Authority (Chair and Vice-Chair's), plus 2 Co-Opted Members representing Merseyside Police (Police & Crime Commissioner and Deputy Police & Crime Commissioner).

6.1.4 Each Committee has certain delegated powers which are contained within its Terms of Reference.

6.2 The Authority has also:

(a) Appointed Lead Members with responsibility for certain activities; and Chairing the Scrutiny Committee on a rotational basis.

(b) Appointed a Member Development and Engagement Group with approved Terms of Reference, consisting of Officers from Democratic Services and People & Organisational Development; and Members from each political group.

7. Determination of a Structure For 2020/21

7.1 A draft structure is attached to this report as Appendix A. This incorporates Lead Member roles and proposes that:

- (a) The Authority Committee Structure continues to include a Policy and Resources Committee; a Community Safety and Protection Committee, a Scrutiny Committee, an Audit Committee, plus an Appeals Committee and Appointments Committee; and a Member Development and Engagement Group.
- (b) The “Audit Committee” will consist of 5 Members plus the Independent Person in a non-voting capacity. It will continue to deal with Members Standards issues; act as the Investigating and Disciplinary Committee when considering any allegations against Relevant Officers
- (c) There are two Lead Member Roles, who Chair the Scrutiny Committee on a rotational basis.
- (d) It is proposed to continue with the establishment of a Rapid Review Panel which undertakes more in depth scrutiny reviews consisting of up to 6 voting members of the Scrutiny Committee as well as the Independent Member which will serve to feed into the Scrutiny Committee.

7.2 The proposed Terms of Reference and powers of each Committee and Panel are contained within the Constitution for 2020/21, which is the subject of another report on this agenda.

7.3 In making their decision on a structure, Members are also requested to take into account the following matters:

- (a) The requirement for each political group to complete a notice in writing to the Monitoring Officer, detailing their Membership and a Group leader where appropriate.
- (b) The requirement for political balance on any Committees which are appointed; unless the Authority has resolved otherwise and no Member has voted against such resolution.
- (c) The requirement to appoint Members to Committees in accordance with the wishes of the political group to whom the seat has been allocated. In this respect it will assist the Clerk if all such nominations can be determined at, or before the Annual Meeting.
- (d) The appointment of Chairs of Committees.
- (e) The appointment of Lead Members.

- (f) The requirement for approval of the Powers and Duties of each appointed Committee.

8. Number of Seats & Political Balance/ Membership of Committees

8.1 The Authority is required to make appointments to its Committees in a manner which, so far as practicable reflects the political balance of the Authority unless the Authority has resolved otherwise and no Member has voted against such resolution.

8.2 Following the local elections this year, the representation of each political group on the Authority will be as follows:

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| Labour | 14 Members |
| Liberal Democrat | 2 Members |
| Conservative | 2 Member |

8.3 In order to comply with political balance requirements, where practicable, it is therefore appropriate that the proportion of seats on Committees allocated to political groups, is as follows:

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| Labour | 77.78% |
| Liberal Democrat | 11.11% |
| Conservative | 11.11% |

8.4 Having decided which Committees the Authority is to establish; and the number of Voting Members to be appointed to each Committee, it is then appropriate for each political group to submit nominations for membership of those Committees in accordance with the allocation of seats to that political group.

8.5 Members are requested to consider their nominations in advance of the meeting, so that the information can be provided; and appointments confirmed at the Annual Meeting.

8.6 A template has been drafted for Members, attached as Appendix B to this report. This template has been drafted on the basis that the Committee Structure; and appointments to roles and Committees, will remain as it is at present, with the exception of Cllr Edna Finneran replacing Cllr Del Arnall on the Committees to which she was previously appointed. Members are requested to confirm if they are happy to continue with these appointments for 2020/21 or if not, advise of any such changes they wish to implement.

9. Chairs of Committees

9.1 Having determined which Members are to be appointed to the Committees, it is appropriate for the Authority to consider proposals for the appointment of Chairs to Committees.

9.2 Members are requested to consider this issue prior to the Annual Meeting, with a view to the Authority being in a position to appoint Chairs of Committees at the Annual Meeting.

10. Dates of Meetings

There is a separate report on this agenda dealing with a draft schedule of dates of meetings. This has been prepared on the basis of the draft Committee structure being approved, although alternative meeting dates will be provided if necessary.

Equality and Diversity Implications

11. There are no equality and/ or diversity implications directly related to this report.

Staff Implications

12. There are no direct staff implications contained within this report.

Legal Implications

13. The Authority is required by law to set a minimum structure and this report addresses that requirement.

Financial Implications & Value for Money

14. Costs associated with Members Allowances are detailed in another report on this agenda.

Risk Management, Health & Safety, and Environmental Implications

15. There are no direct risk management or health and safety implications contained within this report.

Contribution to Our Mission: *Safer Stronger Communities – Safe Effective Firefighters*

16. Communities are stronger in the knowledge that the Authority has its structure in place.

BACKGROUND PAPERS

GLOSSARY OF TERMS