

**AGENDA ITEM:**

<b>REPORT TO:</b> Meeting of the	<b>MERSEYSIDE FIRE &amp; RESCUE AUTHORITY ANNUAL MEETING</b>
<b>DATE:</b>	<b>11<sup>TH</sup> JUNE 2013</b>
<b>REPORT NO.</b>	<b>CFO/058/13</b>
<b>REPORTING OFFICER:</b>	<b>JANET HENSHAW – CLERK TO THE AUTHORITY</b>
<b>CONTACT OFFICER:</b>	<b>JANET HENSHAW – CLERK TO THE AUTHORITY, EXTN: 4301</b>
<b>OFFICERS CONSULTED:</b>	<b>KELLY JOHNSON – ACTING DEMOCRATIC SERVICES MANAGER</b>
<b>SUBJECT:</b>	<b>STRUCTURE OF THE AUTHORITY 2013/14</b>

**THERE ARE APPENDICES TO THIS REPORT:**

<b>APPENDIX A</b>	<b>TITLE</b>	<b>DRAFT AUTHORITY STRUCTURE FOR 2013/4</b>
<b>APPENDIX B</b>		<b>TEMPLATE</b>
<b>APPENDIX C</b>		<b>ROLE OF LEAD MEMBERS</b>

**ATTACHED – HARD COPY**

Purpose of Report

1. To :-

- (a) inform Members of:-
  - (i) the minimum legal structure;
  - (ii) the existing decision-making structure of the Authority; and
  - (iii) optional variations to the existing structure.
- (b) request that the Authority determine an appropriate decision-making structure for 2013/14; 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 and the appointment of Members.

## Recommendation

2. That the Authority determines an appropriate decision making structure for 2013/14 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 are to be appointed from the relevant political group, who can attend a Committee in the absence of the substantive Member.
  - (e) Confirming the Members who are to be appointed to Committees 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 in accordance with the draft structure at Appendix A or in any other way.

## Executive Summary

This report confirms the political balance of the Authority as 15 Labour, 2 Liberal Democrat and 1 Conservative Member.

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.

## Introduction & Background

### Information

#### 3. Minimum Legal Requirement

3.1. 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 of District Audit should they arise.

- (b) It is recognised as good practise to have an Audit Committee or a Committee that deals with audit matters.

#### 4. Existing Structure

4.2. At present, the Authority has appointed:-

- (a) A Community Safety and Protection Committee a Policy and Resources Committee and a Performance and Scrutiny Committee each consisting of 8 Members. The Community Safety and Protection Committee and the Policy and Resources Committee have delegated decision making powers,
- (b) An Appeals Committee and an Appointments Committee,
- (c) A Social Growth and Localism sub Committee and a Task and Finish sub Committee, and
- (d) A Consultation and Negotiation Committee consisting of 4 Members.

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

4.3. The Authority resolved to abolish its Executive Leadership Board on 22 October 2012.

4.4. The Authority also:

- (a) appointed Scrutiny Members with additional responsibility for certain services and
- (b) appointed a Member Development Group with approved terms of reference, consisting of Strategy & Member Development Officers and one Member from each political group.

4.5. The Authority appointed a Consultation and Negotiation Committee with approved terms of reference comprising four Members.

#### 5. Determination of a Structure

5.1 A revised draft structure is attached to this report as Appendix A. This incorporates revised Committees and sub committees and proposes that:

- (a) The Community Safety and Protection Committee and the Policy and Resources Committee continue, with the same Terms of Reference,

- (b) The Performance and Scrutiny Committee Terms of Reference are revised to incorporate Task and Finish Terms of Reference as the Task and Finish Sub Committee is abolished (both this and the audit sub Committee below would report to the Policy and Resources Committee),
- (c) The Social Growth and Localism sub Committee has had very little business in the past year so would be abolished,
- (d) The audit sub Committee will continue but with revised Terms of Reference to incorporate Standards issues since the Standards Regime was abolished by the Localism Act 2011,
- (e) The Consultation and Negotiation Committee will become a sub Committee,
- (f) The Appeals Committee and the Appointments Committee will continue with the former having revised Terms of Reference to incorporate appeals and sanctions regarding any Members complaints.

5.2 It is also proposed that the Performance and Scrutiny Committee be reduced to 5 Members (according to political proportionality) and that this is open to all Members (with the exception of the Chair and Vice Chairs of the Authority) without a requirement for specified Scrutiny Members to sit on this Committee.

5.3 Instead it is proposed that there are Lead Members for each of the areas of work currently covered by the scrutiny Members. The new list is attached as Appendix B and Members are asked to complete this. Appendix C provides an overview of the Role and Function of Lead Members.

5.4 The proposed Terms of Reference and powers of each Committee and Sub Committee are contained within the Constitution for 2013/14 which is the subject of another report on this Agenda.

5.5 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 Clerk detailing their Membership and a Group Leader;
- (b) the requirement for political balance on any Committees which are appointed (except in the case of the Standards Committee and its Sub Committees) and 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 on, or before the Annual Meeting;

- (d) the appointment of Chairs of Committees; and
- (e) the requirement for approval of the Powers and Duties of each appointed Committee.

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

- 6.1. 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.
- 6.2. There have been no elections this year for the District Councils. Therefore, (subject to receipt of formal notification of political groups) the representation of each political group on the Authority will be as follows:-

Labour	15 Members
Liberal Democrat	2 Members
Conservative	1 Member

- 6.3. 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 :-

Labour	83.33%
Liberal Democrat	11.11%
Conservative	5.56%

- 6.4. 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.
- 6.5. Members are requested to consider their nominations in advance of the meeting, so that the information can be provided at the Annual Meeting, to enable the Authority to confirm the appointments at the Annual Meeting.
- 6.6. A template for Members to complete is attached as Appendix B to this report.

7. Chairs and Vice Chairs of Committees

- 7.1. 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 of Committees.
- 7.2. 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.

## 8. Dates of Meetings

- 8.1. The separate report on this agenda dealing with a draft schedule of dates of meetings has been prepared on the basis of the draft Committee structure being approved, although alternative meeting dates will be provided if necessary. If the draft structure is not approved then amendments or addition to the draft schedule of meetings will be required.

## Equality & Diversity Implications

9. None arising directly from the report.

## Staff Implications

10. There may be some staff implications in that the number of Committees/Sub Committees may reduce overall and this will impact upon Officer time.

## Legal Implications

11. The Authority is legally required to have certain meetings as set out in paragraph 3 above. The Authority is also required under the Local Government and Housing Act 1989 to have political balance across its Committees and sub Committees.

## Financial Implications & Value for Money

12. There may be some savings related to a reduced number of Committees and also related to Members' Allowances - which is the subject of another report on this Agenda.

## Risk Management, Health & Safety, and Environmental Implications

13. None arising directly from this report.

## Contribution to Our Mission – To Achieve; Safer Stronger Communities – Safe Effective Firefighters”

14. Membership and structure of the Fire Authority will provide a framework to ensure decisions are made to best reflect the Fire Authority, Service, and the Community it serves.

## **BACKGROUND PAPERS**

Constitution 2012/13