

CHESHIRE FIRE AUTHORITY

MEETING OF: GOVERNANCE AND CONSTITUTION COMMITTEE
DATE: 29TH JULY 2020
REPORT OF: DIRECTOR OF GOVERNANCE AND COMMISSIONING
AUTHOR: ANDREW LEADBETTER

SUBJECT: ALLOCATION OF SEATS ON CHESHIRE FIRE AUTHORITY

Purpose of Report

1. To allow Members to consider how to deal with requests from Warrington Borough Council concerned with the allocation of seats on Cheshire Fire Authority.

Recommended: That Members

- [1] consider the information in the report and provide guidance to officers.

Background

2. The Cheshire Fire Services Combination Scheme (the Scheme) was created by secondary legislation in 1998. The Scheme includes a part which is concerned with the governance of Cheshire Fire Authority.
3. Paragraph 12 of the Scheme states:

Each constituent authority shall, so far as is practicable, appoint such number of representatives to be members of the Authority as is proportionate to the number of local government electors in its area in relation to the number of such electors in each of the other constituent authorities' areas.

4. Paragraph 11 of the Scheme restricts the number of Fire Authority members to 25 unless a greater number results from the operation of Paragraph 12 of the Scheme. In other words, there can be more than 25 members if they are required in order to satisfy the requirements in Paragraph 12 of the Scheme.
5. Each year the constituent authorities are asked to confirm the number of local government electors in their area. These figures are used to determine the allocation of seats on the Fire Authority. The calculation has, on occasion, led to changes in the number of seats available to the constituent authorities. When this happens, the constituent authorities that are impacted are notified and given an opportunity to comment on the calculation and the outcome.

The overall number of seats on the Fire Authority has never been altered as a result of the calculations.

Information

6. The following tables illustrate the calculations, described in paragraph 5 of this report, for last year (2019-20) and the current year (2020-21).

Number of Electors - Proportion of Seats 2019-20	Local Government Electors	Percentage	Proportions	Seats
Cheshire East Council	306203	36.71124646	8.443586685	8
Cheshire West and Chester Council	271030	32.49429015	7.473686735	7
Halton Borough Council	94207	11.29465222	2.597770011	3
Warrington Borough Council	162645	19.49981117	4.484956569	5
Total	834085	100		23

Number of Electors - Proportion of Seats 2020-21	Local Government Electors	Percentage	Proportions	Seats
Cheshire East Council	304821	36.14329688	8.312958282	8
Cheshire West and Chester Council	277319	32.8823242	7.562934567	8
Halton Borough Council	97051	11.50755068	2.646736656	3
Warrington Borough Council	164177	19.46682824	4.477370495	4
Total	843368	100		23

7. This year has been like no other due to Coronavirus. However, the usual calculation was carried out for 2020-21 and Cheshire West and Chester Borough Council (CWACBC) and Warrington Borough Council (WBC) were provided with details. The calculation led to a change in seat allocations with CWACBC entitled to appoint an extra member and WBC entitled to appoint one less member.
8. Due to Coronavirus many local authorities, including CWACBC and WBC, decided that they would roll-forward their appointments from 2019-20 into 2020-21. The change to the Fire Authority seat allocations was, therefore, unhelpful.
9. WBC's Monitoring Officer has submitted the following requests:
1. *That the Fire Authority undertake a full review of the apportioning of seats, the calculations used and the formula relied upon to ensure that the allocation provides an equitable representation from the constituent authorities. WBC wish to be a formal consultee as part of this review including at a formative stage when terms of reference for the review are being finalised.*

2. *For future, any proposed changes to the allocation of seats on the Fire Authority are made to the constituent authorities on a formal basis at the earliest opportunity and no action is undertaken as a result of any proposals until a formal response is received from all constituent authorities.*
10. WBC has been asked to expand upon these requests and further information will be provided to Members in due course.
11. Officers have also approached the other combined authorities with a view to establishing how they deal with seat allocations.
12. At this point it would be useful to understand what the Committee's expectations are in relation to the requests made by WBC.
13. Information from WBC and the other combined authorities together with the views of the Committee will help frame the work that is necessary as a result of the requests from WBC.

Financial Implications

14. There could be financial implications if a decision were to lead to an increase in the number of members of the Fire Authority.

Legal Implications

15. The methodology for the allocation of seats is described in the Scheme and therefore new legislation would be required to change it. The Scheme is the same as the schemes of the other combined authorities.

Equality and Diversity Implications

16. There are no equality and diversity implications associated with this report.

Environmental Implications

17. There are no environmental implications associated with this report.

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BACKGROUND PAPERS: The Cheshire Fire Services (Combination Scheme) Order 1997