

CHESHIRE FIRE AUTHORITY

MEETING OF: GOVERNANCE AND CONSTITUTION COMMITTEE
DATE: 27TH JANUARY 2021
REPORT OF: DIRECTOR OF GOVERNANCE AND COMMISSIONING
AUTHOR: ANDREW LEADBETTER

SUBJECT: REVIEW INTO THE WAY THAT SEATS ON
CHESHIRE FIRE AUTHORITY ARE ALLOCATED
TO THE CONSTITUENT AUTHORITIES

Purpose of Report

1. To provide Members with information about the review.

Recommended: That Members

[1] note the report.

Background

2. This Committee received an initial report about this matter on 29th July 2020. The Minute appears below:

The Director of Governance and Commissioning introduced a report which required Members to consider how to deal with requests from Warrington Borough Council concerned with the allocation of seats on the Fire Authority. He explained the current process for the allocation of seats and requirements contained in paragraphs 11 and 12 of the Cheshire Fire Service's (Combination Scheme). He advised that changing the approach to seat allocation could require secondary legislation. The Director gave an example of how different total seat numbers impacted upon seat allocations.

A Member queried why the current total number of seats was 23. The Director of Governance and Commissioning advised that the Fire Authority had been made up of 23 seats since local government reorganisation in 2009. The Combination Scheme did not state a specific total number of seats. However, it was drafted in such a way that suggested that having more than 25 seats would be exceptional.

Members were reminded that a few fire authorities had reduced their total seat numbers and that the current model for fire governance involving Police and Crime Commissioners was being reviewed.

Members agreed that the Director of Governance and Commissioning should take into account the requests by Warrington Borough Council during the

review. They stated that it was important to consult all of the constituent authorities at the appropriate time.

RESOLVED: That

[1] the Director of Governance and Commissioning proceed with the review and report back in due course.

Information

3. Since July, there has been further engagement with all of the constituent authorities, which has allowed the terms of reference of the review to be finalised.
4. The terms of reference are set out below:
 - The independent reviewer will consider the existing method for allocating seats on Cheshire Fire Authority taking into account the relevant paragraphs of the [Combination] Scheme.
 - The independent reviewer is encouraged to indicate if there is an alternative method which could deliver a better result, bearing in mind the representations made on behalf of the constituent authorities.
 - The independent reviewer is asked to provide guidance on the process.

The review is not concerned with a change to the [Combination] Scheme.

5. Members will note the reference to an independent reviewer. A Monitoring Officer from a fire and rescue service has agreed to carry out the review.
6. The outcome of the review will be available in good time for the next meeting of this Committee. This will allow Members to decide whether to make recommendations to the Fire Authority which is due to consider this matter on 28th April 2021.

Financial Implications

7. There could be financial implications if a decision were to lead to an increase in the number of members of the Fire Authority. However, the sum involved will be small.

Legal Implications

8. The Fire Authority's Combination Scheme describes the method for allocating seats on the Fire Authority. 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.

9. The Scheme is the same as the schemes of other combined authorities. The Scheme could only be changed through secondary legislation.

Equality and Diversity Implications

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

Environmental Implications

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

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BACKGROUND PAPERS:

The Cheshire Fire Services (Combination Scheme) Order 1997 [as amended on
Local Government Reorganisation in 2008]