

ROYAL BERKSHIRE FIRE AUTHORITY REPORT



COMMITTEE	FIRE AUTHORITY
DATE OF MEETING	24 JUNE 2024
SUBJECT	APPOINTMENT OF COMMITTEES, LEAD MEMBER, MEMBER CHAMPIONS, WORKING PARTIES AND OUTSIDE BODIES
LEAD OFFICER	GRAHAM BRITTEN, MONITORING OFFICER
LEAD MEMBER	N/A
EXEMPT INFORMATION	NONE
ACTION	FOR DECISION

1. EXECUTIVE SUMMARY

- 1.1 To approve amended Fire Authority Terms of Reference and appoint Member nominations received for Royal Berkshire Fire Authority Committees (Table 5) in accordance with the Group Leaders' wishes, Constitution and the rules relating to political balance, and to agree nominations for Member Roles outlined in Tables 6 – 10.
- 1.2 Nominations for appointments in Table 6 - 10 will be tabled during the meeting and Members will be requested to vote on each position where more than one nomination is received for a position.

2. RECOMMENDATION

That the Fire Authority:

- 2.1 **APPROVE** the amended Fire Authority Terms of Reference (Appendix A);
- 2.2 **APPROVE** the Equality, Diversity, Inclusion and Cultural Development Lead Member role is effective from **1 July 2024**, in line with the Member Scheme of Allowance approved by the Fire Authority on 8 November 2023.
- 2.3 **APPOINT** nominations received from the Group Leaders onto the Audit and Governance Committee and Management Committee (**Table 5**);
- 2.4 **APPOINT** ungrouped Members (Green and Independent Member) onto the ninth seat of Audit and Governance Committee, and eleventh seat of Management Committee (**Table 5**)

- 2.5 **AGREE** nominations received for Special Responsibility Allowance roles in **Table 6**;
- 2.6 **AGREE** nominations received for the appointments listed in **Tables 7 – 10**; and
- 2.7 **AGREE** amended Role Descriptions for Royal Berkshire Fire Authority Members (attached as Appendix B).

3. REPORT

- 3.1 The Fire Authority reviews its constitution / Members handbook on a regular basis and make amendments to reflect business need or legislative changes. The Fire Authority Terms of Reference (Appendix A) and Table 6 reflect the proposed change to two Member roles receiving special responsibility allowances. The proposed changes are:
- Finance Lead – (change of name) previously Budget and Income Generation Lead))
 - Equality, Diversity, Inclusion (EDI) and Cultural Development Lead)) – (previously EDI Champion)
 - Removal of Health, Safety, Fitness and Wellbeing Champion and Member Development Champion roles.
- 3.2 Appendix B sets out the role description of the Finance Lead and EDI and Cultural Development Lead in detail. All Member roles have been reviewed and streamlined to clearly define responsibilities, which are highlighted in yellow (Appendix B). The removal of Health, Safety, Fitness and Wellbeing Champion and Member Development Champion is due to those areas have become embedded as business as usual. Due to economic, budgetary and cultural challenges UK Fire and Rescue Services (FRSs) has seen in recent years, the Finance Lead and EDI and Cultural Development roles have been expanded in response.
- 3.3 Although the Member Development Champion role has been disbanded it is recommended Group Leaders and ungrouped Members will continue to ensure Member Development courses are attended throughout the year.
- 3.4 On an annual basis, Unitary Authorities confirm their Member appointments onto the Fire Authority. Table 1 shows the number of Fire Authority seats per Unitary Authority.
- 3.5 The Fire Authority has 20 Members and this year are comprised of 7 Liberal Democrats, 6 Labour, 5 Conservative, 1 Green and 1 Independent.
- 3.6 In March 2024, each Berkshire Unitary Authority was asked to nominate the number of Councillors outlined in the table below, based on data received from the number of registered local government electors as of 1 December 2023.

Table 1

Unitary Authority	Seats
Bracknell	3
Reading	3
Slough	3
RBWM	3
West Berks	4
Wokingham	4
Total	20

- 3.7 **Local Government and Housing Act 1989, Section 15(3)** Duty to allocate seats to political groups: “Where at any time the representation of different political groups on a body to which this section applies falls to be reviewed under this section by any relevant authority or committee of a relevant authority, it shall be the duty of that authority or committee, as soon as practicable after the review, to determine the allocation to the different political groups into which the members of the authority are divided of all the seats which fall to be filled by appointments made from time to time by that authority or committee.”
- 3.8 **Local Government and Housing Act 1989, Section 16(1)** Duty to give effect to allocations: “Where any relevant authority or any committee of a relevant authority have determined the allocation to different political groups of the seats on a body to which section 15 above applies, it shall be the duty of that authority or committee so to exercise their power to make appointments to that body as to give effect—(a) ...as soon as practicable after the determination... to such wishes about who is to be appointed to the seats on that body which are allocated to a particular political group as are expressed by that group. ”
- 3.9 **Local Government and Housing Act 1989, Schedule 1, paragraph 3(2)** “Regulations under this paragraph may make provision modifying the provisions of sections 15 and 16 of this Act in relation to any case in which some of the members of a relevant authority fall to be treated as members of one or more political groups and the others do not.”
- 3.10 **Local Government (Committees and Political Groups) Regulations 1990 (SI 1990/1553), Regulation 16(1)** “In relation to any such case as is described in paragraph 3(2) of Schedule 1 to the 1989 Act, the provisions of sections 15 and 16 of the 1989 Act shall be modified as mentioned in paragraphs (2) and (3).
- “(2) Section 15(3) of the 1989 Act shall have effect as if for the words from "to determine" to the end there were substituted the words "to determine the allocation to each of those groups of such of the seats which fall to be filled by appointments made from time to time by that authority or committee as bear to the total of all of those seats the same proportion as is borne by the number of members of that group to the membership of the authority."
- “(3) Section 16 of the 1989 Act shall have effect as if, after subsection (2), there were inserted the following subsection-"(2A) Where appointments fall to be made to seats on a body to which section 15 applies otherwise than in accordance with a determination under that section, it shall be the duty of the authority or the committee, as the case may be, so to exercise their power to

make appointments as to secure that the persons appointed to those seats are not members of any political group."

- 3.11 Set out below are tables which indicate the overall allocation of Fire Authority places per Political Group and the total number of places, each group would be allocated subject to confirmation that all of the political groupings remaining affiliated by political party alone and thereby the Green and Independent Member remains ungrouped.

Table 2

Total number of Royal Berkshire Fire Authority Members

	Number of seats on RBFA	% of seats on RBFA
Liberal Democrats	7	35%
Labour	6	30%
Conservative	5	25%
Green (ungrouped)	1	
Independent (ungrouped)	1	
	20	

Table 3

Total number of places on Management Committee

	Number of seats on RBFA	% of seats on RBFA		Seats Management Committee
Liberal Democrats	7	35%	3.85	4
Labour	6	30%	3.3	3
Conservative	5	25%	2.75	3
Green	1			0/1
Independent	1			1/0
	20			11

- 3.12 **Table 3:** (above) There are 11 seats on the Management Committee. The first cut of figures gives an entitlement of seats to 3 Liberal Democrats, 3 Labour and 2 Conservative (with the ninth and tenth seats going to the Liberal Democrats and Conservatives respectively). The eleventh seat goes to either the Green or Independent Member not appointed to Audit and Governance Committee.

- 3.13 **Table 4:** There are 9 seats on Audit and Governance Committee (A&GC). (below) first cut of the figures gives an entitlement of seats to 3 Liberal Democrats, 2 Labour, and 2 to Conservatives. Entitlement to the eight seat goes to Labour. The ninth seat goes to the Green or Independent Member not appointed to the Management Committee.

Table 4**Total number of places on Audit and Governance Committee**

	Number of seats on RBFA	% of seats on RBFA		Number of seats Audit and Governance Committee
Liberal Democrats	7	35%	3.15	3
Labour	6	30%	2.7	3
Conservative	5	25%	2.25	2
Green	1			0/1
Independent	1			1/0
	20			9

3.14 Unitary Authority Council annual meetings were held following local elections in May 2024 and made nominations to the Fire Authority to reflect their respective political balance. This year, due to the results of local elections in Berkshire, the political balance of the Fire Authority has changed. Table 2 reflects the political make up of Royal Berkshire Fire Authority to date. Five new Members have been appointed from Berkshire Unitary Authorities. Councillors Greg Bello, Wayne Smith and Lou Timlin from Wokingham Borough Council and Councillors Neel Rana and Zafar Satti from Slough Borough Council.

3.15 One additional nomination was made by Slough Borough Council, however the political affiliation of the Member subsequently changed. Until Slough Borough Council has reviewed its political proportionality at its Council meeting on 25 July 2024, Royal Berkshire Fire Authority political balance will remain as stated in Table 2, until further notice.

3.16 Table 5 below shows the number of seats available on each committee per political group. Table 6 shows Special Responsibility Allowance (SRA) positions available.

Table 5

Audit and Governance Committee (9 seats)	1. (Lib Dem) 2. (Lib Dem) 3. (Lib Dem) 4. (Lab) 5. (Lab) 6. (Lab) 7. (Con) 8. (Con) 9. (Green or Independent)
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Management Committee (11 seats)	1. (Lib Dem) 2. (Lib Dem) 3. (Lib Dem) 4. (Lib Dem) 5. (Lab) 6. (Lab) 7. (Lab) 8. (Con) 9. (Con) 10. (Con) 11. (Green or Independent)
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Table 6 – Special Responsibility Allowance Roles¹

Position Chair of Authority Vice-Chair of Authority Audit and Governance Chair Thames Valley Fire Control Service (TVFCS) Joint Committee Chair Opposition Leader (s) Finance Lead Collaboration Lead Community Risk Management Plan Lead Strategic Assets and Sustainability Lead Equality, Diversity, Inclusion and Cultural Development Lead Community Safety Champion

3.17 Thames Valley Fire Control Service (TVFCS) Joint Committee has representation from each Fire Authority and County Council partner: Royal Berkshire Fire Authority (RBFA), Buckinghamshire and Milton Keynes Fire Authority (BMKFA) and Oxfordshire County Council (OCC). Meetings are held on rotation at Fire and Rescue Service Headquarters hosting for the year. This year, TVFCS Joint Committee meetings will be held at Royal Berkshire Fire and Rescue Service (RBFRS) Headquarters, Newsham Court, Pincents Kiln, Calcot, Reading RG31 7SD.

¹ Member Scheme of Allowance April 2024 - MA9. A Member may not receive more than one Special Responsibility Allowance (SRA) at any one time. Therefore, a Member holding more than one of the positions of special responsibility must notify the Monitoring Officer to the Authority in writing which Special Responsibility Allowance he/she wishes to be paid.

No more than 10 SRAs are payable '1-SRA only' rule.

3.18 Table 7 shows two seats for RBFA Member representation on TVFCS Joint Committee and two substitute Members. The appointment of TVFCS Joint Committee Chair is made on an annual rotational basis between appointed Members of RBFA, BMKFA and OCC. This year, a RBFA Member will be elected as Chair of TVFCS Joint Committee at its annual meeting on 8 July 2024, and therefore are entitled to receive an SRA (subject to the 10 SRA cap rule). The TVFCS Joint Committee Chair, will also Chair the Thames Valley Collaboration Steering Group meetings, which are usually held on the same date as Joint Committee meetings.

Table 7 – Thames Valley Fire Control Joint Committee appointments²

Position
TVFCS Joint Committee (2 seats)
Two substitute Members for TVFCS Joint Committee

3.19 The quorum for Working Groups is three. Members may wish to nominate between five to seven cross party Members on to the Working Groups listed in table 8. It is also at the discretion of the Chair, subject to business need to establish additional Working Groups during the year.

Table 8- Working Group appointments

Position
Budget Working Party – minimum three Members
Estates Development and Sustainability Working Group - minimum three Members

3.20 The Fire Authority are required to appoint a representative onto its Outside Body, Local Government Association (LGA) Fire Commission meetings. This report is seeking the appointment of one representative and one substitute representative to attend LGA Fire Commission meetings, twice a year in London. LGA representative and substitute LGA representative do not attract a special responsibility allowance.

Table 9 – Local Government Association (LGA) Fire Commission representative³

Position
Local Government Association (LGA) Fire Commission representative (1 seat)
Substitute Local Government Association (LGA) Fire Commission representative (1 seat)

3.21 Outlined in Table 10 shows Armed Forces Honorary Member Champion do not attract a SRA. Appendix A provides further detail to the Member roles outlined in this report.

² Appointments to the Thames Valley Fire Control Service Joint Committee are exempt from the political balance rules under section 15 of the Local Government and Housing Act 1989. It is a joint committee constituted by two or more authorities under section 102 of the Local Government Act 1972 but to which the Authority appoints fewer than three members.

³ Meetings are held twice a year in London, (Bevan Hall, Ground Floor, 18 Smith Square, London SW1P 3HZ)

Table 10 – Honorary Champion roles (non-Special Responsibility Allowance)

Position
Honorary Armed Forces Champion

- 3.22 Every four years, an independent review is held on the Scheme of Allowances. The last review was held in September 2023 and on 8 November 2023, the Fire Authority agreed South-East Employers recommendation with effect from 1 April 2024 (minute reference 31). The Fire Authority also approved South-East Employers recommendation of ‘the one Special Responsibility Allowance (SRA) only rule be maintained and specified in the RBFA Members’ Allowances scheme’⁴.
- 3.23 In addition to Appendix A (Fire Authority Terms of Reference), appendices B-E has been attached for ease of reference: Member Role Description, Calendar of meetings in 2024/25 (approved by the Fire Authority on 22 April 2024, minute reference 64), scheduled Member Development training courses and Members Scheme of Allowance.
- 3.24 A Member Induction course (aimed at the six newly appointed Members, in-person at Headquarters) will be held on Monday 24 June 2024 at 5pm and all Members appointed onto Audit and Governance Committee are strongly advised to attend Data and Performance Course via Microsoft TEAMS on Monday 15 July 2024 at 5.30pm. Democratic Support will contact Fire Authority Members to book Members onto courses.
- 3.25 The election and nominations for appointments of the Chair and Vice-Chair of Management Committee and Audit and Governance Committee will be held at their inaugural meetings in July 2024.

4. CONTRIBUTION TO STRATEGIC COMMITMENTS

- 4.1 Not applicable.

5. FINANCIAL IMPLICATIONS

- 5.1 This is in accordance with Members Scheme of Allowances.

6. LEGAL IMPLICATIONS

- 6.1 Local Government and Housing Act 1989 and Local Government (Committees and Political Groups) Regulations 1990.

The Authority is required by the above Regulations to review the basis of allocation of seats amongst the Political Groups either at its Annual Meeting, or as soon as practicable thereafter, or following a change in its Membership. In

⁴ [RBFA MA Review 2023](#)

making its review, the Authority is required, so far as reasonably practicable, to comply with the following principles:

- (i) Not all seats on each Committee are to be allocated to the same Group.
- (ii) The majority of seats is to be allocated to a particular Group if the number of persons belonging to that Group is a majority on the Authority.
- (iii) Subject to the above paragraphs, the number of seats on the Committees allocated to each Group should bear the same proportion to the total of all the seats on the Committees as that borne by the number of Members of that Group to the Membership of the Authority.
- (iv) Subject to paragraphs (i) to (iii) above, that the number of the seats on the body which are allocated to different political groups bears the same proportion to the number of all the seats on that body as is borne by the number of members of that group to the membership of the authority.

6.2 The modifications to these principles in respect of the presence of ungrouped Members is set out in the body of the report.

6.3 Appointments to the TVFCS Joint Committee are exempt the political balance rules under section 15 of the Local Government and Housing Act 1989 as it is a joint committee appointed by two or more authorities under section 102 of the Local Government Act 1972 but to which the Authority appoints fewer than three members.

6.4 The Authority is required to make appointments to committees and outside bodies in accordance with the wishes of the respective Political Groups.

7. EQUALITY AND DIVERSITY IMPLICATIONS

7.1 There are no equality and diversity implications.

8. RISK IMPLICATIONS

8.1 There are no risk management implications.

9. CONSISTENCY WITH DUTY TO COLLABORATE

9.1 Not applicable.

10. PRINCIPAL CONSULTATION

10.1 Chief Fire Officer

The Chief Fire Officer was consulted during the preparation of this report.

10.2 Chief Finance Officer

The Chief Finance Officer was consulted during the preparation of this report.

10.3 **Monitoring Officer**

Report sponsor.

11. **BACKGROUND PAPERS**

11.1 RBFA Member Allowance Review - 2023

12. **APPENDICES**

12.1 Fire Authority Terms of Reference – Appendix A

12.2 Member Role Descriptions - Appendix B

12.3 Calendar of meetings 2024/25 – Appendix C

12.4 Calendar of Member Development courses – Appendix D

12.5 Member Scheme of Allowance – Appendix E

13. **CONTACT DETAILS**

13.1 Fayth Rowe (Democratic Support Lead) 07500 991975