

ROYAL BERKSHIRE FIRE AUTHORITY REPORT



COMMITTEE	EXTRAORDINARY FIRE AUTHORITY
DATE OF MEETING	12 SEPTEMBER 2024
SUBJECT	APPOINTMENTS TO COMMITTEES, LEAD MEMBER VACANCY, AND BUDGET WORKING PARTY
LEAD OFFICER	GRAHAM BRITTEN, MONITORING OFFICER
LEAD MEMBER	N/A
EXEMPT INFORMATION	NONE
ACTION	FOR DECISION

1. EXECUTIVE SUMMARY

- 1.1 To appoint Member nominations received for Royal Berkshire Fire Authority Committees (Table 5) in accordance with Group Leaders' wishes, Constitution and the rules relating to political balance.
- 1.2 Since the annual meeting on 24 June 2024, changes to Fire Authority nominations have been made by two Unitary Authorities. Royal Borough of Windsor and Maidenhead (RBWM) has made a change following the election of Joshua Reynolds MP following the General Election on 4 July, and Slough Borough Council on 25 July 2024 due to changes to its political balance.
- 1.3 This report is for Members to welcome new Member nominations from Slough Borough Council, Councillors Gahir and Nazir; and from RBWM, Councillor Blundell and appoint them onto the Committees listed in Table 5; and to appoint a replacement Member into the Lead Member role for Finance (Members will be required to vote where more than one nomination is received for that Lead Member position).

2. RECOMMENDATION

That the Fire Authority:

- 2.1 **APPOINT** nominations received from the Group Leaders onto the Audit and Governance Committee and Management Committee; (**Table 5**);
- 2.2 **APPOINT** ungrouped Member Cllr McElroy (Green) onto the Management Committee;(**Table 5**);

- 2.3 **APPOINT** one ungrouped Member Cllr Mohammed Nazir (Independent) onto the Audit and Governance Committee;
- 2.4 **APPOINT** a Liberal Democrat member onto the Budget Working Party to replace Joshua Reynolds MP;
- 2.5 **APPOINT** a Finance Lead Member to replace Joshua Reynolds MP and **APPROVE** the special responsibility allowance to be effective from 1 September 2024 (if applicable);
- 2.6 **APPROVE** Councillors Gahir and Nazir basic allowance is backdated from 1 August 2024.
- 2.7 **APPROVE** Councillor Blundell’s basic allowance is backdated from 1 September 2024.
- 2.8 **NOTE** Councillor Neel Rana stepped down from the Authority and his membership ended on 31 July 2024;
- 2.9 **NOTE** Joshua Reynolds MP stepped down from the Authority and his membership ended on 31 August 2024.

3. REPORT

- 3.1 Since the Fire Authority Annual meeting on 24 June 2024, Joshua Reynolds was elected as Member of Parliament (MP) following the General Election on 4 July 2024. In addition, the political balance of Slough Borough Council changed following its Council meeting on 25 July 2024. The change in the political balance of Berkshire Councils has affected the political make-up of the Fire Authority. This report is seeking the Authority to appoint Members onto the Audit and Governance and Management Committees.
- 3.2 Councillor Neel Rana (Conservative) has stepped down from the Fire Authority and two new Members have been nominated from Slough Borough Council, Councillors Gahir (Labour) and Nazir (Slough Independent Member). They will join Councillor Zafar Satti (Conservative) from Slough Borough Council.
- 3.3 Councillor Blundell has been nominated by RBWM to replace Joshua Reynolds MP. Table 1 shows the number of Fire Authority seats per Unitary Authority. The Fire Authority has 20 Members and as from 25 July 2024 are comprised of 7 Liberal Democrats, 6 Labour, 4 Conservative, 2 Independents (ungrouped) and 1 Green Member. Due to the political balance change in Slough Borough Council, the Conservative Group has lost one seat on the Fire Authority.

Table 1

Unitary Authority	Seats
Bracknell	3
Reading	3
Slough	3
RBWM	3

West Berks	4
Wokingham	4
Total	20

- 3.5 **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.”
- 3.6 **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. ”
- 3.7 **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.”
- 3.8 **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.”
- 3.9 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 and assuming that the Green and Independent Members remain 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	4	20%
Independent (s) (ungrouped)	2	
Green (ungrouped)	1	
	20	

3.10 Table 2 reflects the revised political make up of Royal Berkshire Fire Authority.

Table 3

Total number of places on Management Committee

	Number of seats on RBFA	% of seats on RBF A	unrounded	Seats Management Committee
Liberal Democrats	7	35%	3.85	4
Labour	6	30%	3.3	3
Conservative	4	20%	2.2	2
Independent (s)	2			1
Green	1			1
	20			11

3.11 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 seat going to the Liberal Democrats). It is recommended that the tenth and eleventh seats go to an Independent and the Green Member (ungrouped).

3.12 Table 4 – (below) There are 9 seats on Audit and Governance Committee (A&GC). First cut of the figures gives an entitlement of seats to 3 Liberal Democrats, 2 Labour, and 1 to Conservative Member. Entitlement to the seventh and eighth seat goes to Labour and Conservative Members. The ninth seat goes to the Independent Member.

Table 4

Total number of places on Audit and Governance Committee

	Number of seats on RBFA	% of seats on RBFA	unrounded	Number of seats Audit and Governance Committee
Liberal Democrats	7	35%	3.15	3

Labour	6	30%	2.7	3
Conservative	4	20%	1.8	2
Independent (s)	2			1
Green	1			0
	20			9

Table 5

Audit and Governance Committee (9 seats)	<ol style="list-style-type: none"> 1. Cllr Owen Jeffery (LD) 2. Cllr Lou Timlin (LD) 3. Cllr Billy Drumound (LD) 4. Cllr Tricia Brown (Lab) 5. Cllr Greg Bello (Lab) 6. Cllr Harjinder Gahir (Lab) 7. Cllr Dennis Benneyworth (Con) 8. Cllr Zafar Satti (Con) 9. Cllr Mohammed Nazir (Independent)
Management Committee (11 seats)	<ol style="list-style-type: none"> 1. Cllr Jeff Brooks (Lib Dem) 2. Cllr George Blundell (Lib Dem) 3. Cllr Rachelle Shepherd-DuBey (Lib Dem) 4. Cllr Simon Werner (Lib Dem) 5. Cllr Paul Gittings (Lab) 6. Cllr Wendy Griffith (Lab) 7. Cllr Peter Frewer (Lab) 8. Cllr McKenzie-Boyle (Con) 9. Cllr Wayne Smith (Con) 10. Cllr Helen Taylor (Independent) 11. Cllr Dave McElroy (Green)

- 3.13 Table 5 shows highlighted in bold and yellow nominations received for vacant seats available on each committee per political group.
- 3.14 The report is requesting approval to backdate Councillors Nazir and Gahir basic allowance be effective from 1 August 2024 and Councillor Blundell basic allowance be effective from 1 September 2024, following their nominations received from Slough Borough Council and RBWM respectively. The Scheme of Allowances is attached as Appendix A.
- 3.15 A Member Induction course (aimed at the newly appointed Members, via Microsoft TEAMS) will be held on Thursday 19 September 2024 at 5.30pm and all Members will be encouraged to book onto relevant Member Development courses during the municipal year. Democratic Support will contact Fire Authority Members to book Members onto courses.

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 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 - 2024

12. APPENDICES

12.1 Member Scheme of Allowance – Appendix A

13. CONTACT DETAILS

13.1 Fayth Rowe (Democratic Support Lead) 07500 991975