

## **THE COMPOSITION OF THE FIRE AUTHORITY 2017/18**

### SUMMARY

1. The composition of the Authority is determined in accordance with The Humberside Fire Services (Combination Scheme) Order 1995 and the Authority's Constitution having regard to the number of local government electors in each of the four constituent authorities' areas.
2. The size of the Humberside Fire Authority was agreed by the Constituent Authorities prior to 1995 as being 21 and resulted in an allocation of 7 seats to East Riding of Yorkshire Council; 6 seats to Hull City Council; 4 seats each to North Lincolnshire Council and North East Lincolnshire Council.
3. Following a report to the Fire Authority on 24 April 2009 providing an update of the number of Registered Electors in each of the Constituent Unitary Authority areas Members decided on the basis of that report to approve the option of increasing the size of the Authority to 22 Members.
4. This report provides an annual update to Members in respect to the impact upon its composition arising from any change in the Registered Local Government Electors as at 1 December 2016 as recently published by the Office for National Statistics.
5. The Policing and Crime Act 2017 makes provision, inter alia, for fire authorities upon a request from the Police and Crime Commissioner for their area to appoint the Commissioner as a Member of the Authority with full voting rights. However as explained at the meeting of the Authority on 20 March 2017 (Minute 5412 refers) the Home Office is considering the need for new legislation to amend the respective Combination Orders that established Combined Fire Authorities (such as Humberside Fire Authority) to clarify the legal position. This report does not therefore take this matter into account at this stage and a further report will be submitted to the Authority in due course.

### RECOMMENDATIONS

6. Members are asked to consider this report and approve the composition of the Fire Authority for 2017/18 in terms of appointments by the four constituent Unitary Authorities.

### BACKGROUND

7. Members will recall that the Combined Humberside Fire Authority was established by the Combination Order 1995, arising from local government reorganisation (leading to the creation of four unitary authorities from the former Humberside County Council). During the shadow phase during 1994/95, discussions took place which set the initial size of the Humberside Fire Authority at 21. The size was included in the Authority's Standing Orders revoked in 2008 and replaced by the Constitution.

8. The relevant parts of the Combination Order are:

*“PART III - CONSTITUTION OF COMBINED FIRE AUTHORITY*

*11.—(1) The Authority shall consist of not more than 25 members save that, where the minimum number of members of the Authority resulting from the operation of paragraph 12 would be greater than 25, the Authority shall consist of that number of members.*

*(2) Each member of the Authority shall be appointed by a constituent authority from its own members in accordance with this Part.*

*12. 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.*

*13. A member of the Authority shall come into office on the date of his appointment and shall, subject to paragraphs 14 to 16, hold office for such period or periods as shall be determined by the constituent authority which appoints him.”*

9. In April 2009, the Authority considered a number of options arising from a report providing an update on the numbers of registered local government electors. Firstly, to retain a Fire Authority of 21 Members (which would have meant proportionality as:

East Riding of Yorkshire Council	8
Hull City Council	5
North East Lincolnshire Council	4
North Lincolnshire Council	<u>4</u>
	21

Secondly, to increase the size to 22 as that most closely fitted the proportionality arising from changes in the number of Electors. Other options were also considered such as an Authority of a size of 11. The Authority decided to increase the size of the Authority to 22, resulting in proportionality of:

East Riding of Yorkshire Council	8
Hull City Council	6
North East Lincolnshire Council	4
North Lincolnshire Council	<u>4</u>
	22

**CHANGES IN THE NUMBER OF REGISTERED ELECTORS IN THE REGION**

10. The attention of Members is drawn to the changes in the number of registered local government electors at 1 December 2016 as set out in Table 1 below, and the number of electors in each constituent authority area as a proportion of the total number of electors in the Humberside Fire Authority area set out in Table 2 below.

Table 1 - Number of Electors in the Region at 1 December 2016

<u>Unitary Council Area</u>	<u>Total Local Government Electors</u>	
	<u>1 December 2015</u>	<u>1 December 2016</u>
East Riding of Yorkshire Council	256,254	260,403
Hull City Council	182,868	187,090
North East Lincolnshire Council	114,021	118,647
North Lincolnshire Council	123,224	126,410
	<hr/> 676,367	<hr/> 692,550

Table 2 - Number of Electors in each Unitary Council area at 1 December 2016 as a proportion of the total electors in the Humberside Fire Authority area

<u>Area</u>	<u>2016/17</u>			<u>2017/18</u>		
	<u>Total Electors (1/12/15)</u>	<u>Proportion Against 22 Seats</u>	<u>Allocation of Seats 2016/17</u>	<u>Total Electors (1/12/16)</u>	<u>Proportion Against 22 Seats</u>	<u>Allocation of Seats 2017/18</u>
ERYC	37.89%	8.3358	8	37.60%	8.2721	8
HULL	27.04%	5.9488	6	27.01%	5.9432	6
NEL	16.85%	3.707	4	17.13%	3.7690	4
NL	18.22%	4.0084	4	18.25%	4.0156	4
	100.00%	22	22	100.00%	22	22

**APPOINTMENTS TO THE FIRE AUTHORITY BY THE CONSTITUENT UNITARY AUTHORITIES**

11. Members are formally appointed to the Humberside Fire Authority by each of the four constituent authorities at their respective annual general meetings, according to rules of political proportionality (or by any local agreement).
12. Subject to the Authority confirming the allocation of seats in respect to 2017/18 as set out in Table 2 above, each constituent authority is allowed to appoint the following number of Members:

East Riding of Yorkshire Council	:	8
Kingston upon Hull City Council	:	6
North Lincolnshire Council	:	4
North East Lincolnshire Council	:	4

13. As reported to the meeting of the Authority on 20 March 2017 (Minute 5412 refers) the Chairperson of the Authority and the Chief Fire Officer & Chief Executive attended a meeting of the Leaders of the 4 Unitary Authorities in the Authority's area on 9 March 2017 and they had unanimously rejected changing the composition of the Authority and gave a strong steer that the Authority should remain the same size as now.
14. Political proportionality is a matter for the nominating Authority. For 2016/17 the political make-up of the Authority was as follows:

East Riding of Yorkshire Council	:	6 x Conservative 1 x Labour 1 x Independent
Hull City Council	:	4 x Labour 2 x Liberal Democrat
North East Lincolnshire Council	:	2 x Conservative 2 x Labour
North Lincolnshire Council	:	3 x Conservative 1 x Labour

15. Details of the appointments made by the constituent authorities for 2017/18 will be submitted to the Fire Authority (AGM) on 5 June 2017.

## APPOINTMENT OF THE POLICING AND CRIME COMMISSIONER AS A MEMBER OF THE FIRE AUTHORITY

16. The Policing and Crime Act 2017 makes provision, inter alia, for fire authorities upon a request from the Police and Crime Commissioner for their area to appoint the Commissioner as a Member of the Authority with full voting rights. However as explained at the meeting of the Authority on 20 March 2017 (Minute 5412 refers) the Home Office is considering the need for new legislation to amend the respective Combination Orders that established Combined Fire Authorities (such as Humberside Fire Authority) to clarify the legal position. This report does not therefore take this matter into account at this stage and a further report will be submitted to the Authority in due course.

### STRATEGIC PLAN COMPATIBILITY

17. One of the agreed current strategic workstreams is in respect to corporate governance. This report reflects the robustness of those arrangements and proposed options for strengthening these arrangements further.

### FINANCIAL/RESOURCES/VALUE FOR MONEY IMPLICATIONS

18. None arising directly.

### LEGAL IMPLICATIONS

19. As set out above.

### EQUALITY IMPACT ASSESSMENT/HR IMPLICATIONS

20. None arising directly.

### CORPORATE RISK MANAGEMENT IMPLICATIONS

21. This report is designed to further enhance the governance arrangements of the Authority, while ensuring that the Authority is compliant with the Combination Order.

### HEALTH AND SAFETY IMPLICATIONS

22. None arising directly.

### COMMUNICATION ACTIONS ARISING

23. Depending upon the decision of the Fire Authority, the Constituent Authorities will need to be notified of the number of seats to which they are entitled to nominate Members.

### DETAILS OF CONSULTATION

24. Chief Fire Officer/Chief Executive and Statutory S.151 Officer.

### BACKGROUND PAPERS AVAILABLE FOR ACCESS

25. UK Electoral Statistics 2016 – Published by the Office for National Statistics.

### RECOMMENDATIONS RESTATED

26. Members are asked to consider this report and approve the composition of the Fire Authority for 2017/18 in terms of appointments by the four constituent Unitary Authorities.

**M BUCKLEY**

Officer Contact: Mathew Buckley ☎ 01482 567174  
Monitoring Officer/Secretary

Humberside Fire & Rescue Service  
Summergroves Way  
Kingston upon Hull

JS  
10 April 2017

