

**Report No:** RMB/13/07  
**Meeting Date:** 4<sup>th</sup> April 2007  
**Agenda Item No:** 7

## **REPORT TO THE SOUTH EAST FIRE AND RESCUE SERVICES REGIONAL MANAGEMENT BOARD**

### **Review of RMB Constitution**

#### **KEY ISSUE/DECISION**

To consider whether any amendments are needed in respect of the Constitution of the SE RMB.

#### **CONSULTATION**

The constituent authorities and the other seven Regional Management Boards (RMBs) have been consulted.

#### **RECOMMENDATION**

Officers have been able to provide information for the Board on arrangements for other RMBs in England and provide constitutional options to be considered by Members. As a result of this analysis, it is recommended that members consider changing the RMB constitution either to reflect the method already agreed for the forthcoming LACC or an alternative option.

#### **REASONS FOR RECOMMENDATION**

Officers were asked by the RMB to bring a further report for consideration arising from RMB meeting of 12<sup>th</sup> July 2006.

LEAD/ CONTACT OFFICER: Martin Burrell- Clerk to RMB  
TELEPHONE NUMBER: 01243 752401/mobile: 07836 600740  
EMAIL: [martin.burrell@westsussex.gov.uk](mailto:martin.burrell@westsussex.gov.uk)

#### **BACKGROUND PAPERS:**

1. Fire & Rescue Services Act 2004
2. National Framework Document
3. SE Regional Fire & Rescue Services RMB Constitutional Documents
4. Other RMBs' Constitutional Documents

## **INTRODUCTION**

At their meeting on 12<sup>th</sup> July 2006, Members of the Regional Management Board (RMB) resolved that a report on the RMB constitution be noted but that no action be taken at the time to amend the constitution of the South East Regional Management Board. However, a further report reviewing it should be considered at the Annual General Meeting of the RMB.

The resolution came as a result of requests from both Hampshire and Kent & Medway Fire Authorities to consider increasing the size of the Board from nine to fifteen, with the additional positions reflecting proportionality. This report seeks to stimulate further debate and for the RMB to consider alternative constitutional models.

## **BACKGROUND**

The South East Fire & Rescue Services Regional Management Board was set up on 1 April 2004, with each of the nine constituent Fire Authorities appointing one of its elected Members as its representative to the Board.

## **ANALYSIS AND COMMENTARY**

The details given in the 12<sup>th</sup> July report remains, fundamentally, the same (see Appendices 1&2). There are a number of 'generic' constitutional options that Members may wish to consider.

The number of members sitting on the RMB and representing their authority could be based on:

- a) 1 Member/1 Authority/1 Vote
- b) 1 Member/1 Authority/Weighted Vote (Political/taxbase/population/calls etc.)
- c) Weighted Members (Political/taxbase/population/calls etc.)/1 Authority/1 Vote (or weighted votes)

Members are reminded that they have already agreed to Option B in respect of the Local Authority Controlled Company (LACC) and that this could be replicated within the RMB.

The problem, identified within Hampshire and Kent, involves concerns from some Members of those authorities, that there was a lack of political proportionality at the Regional Management Board.

Discussions within the RMB focussed upon the need to restrict the number of Members within the Board to manageable levels so as to allow true representation and debate, whilst at the same time reflecting the views of their host authorities.

The LACC model, may be the best option for the RMB in that, it reflects the principle of 1 Member/1 Vote but also allows for the wider question of 'proportionality' in whatever form i.e. political, authority size.

Representatives could then decide on how they cast their vote based on the decisions or guidance of their host authorities.

For instance, the LACC model allows the following votes for each Authority:

<u>Authority</u>	<u>Number of Votes</u>
Berkshire	2
Buckinghamshire	2
East Sussex	2
Hampshire	4
Isle of Wight	1
Kent	4
Oxfordshire	2
Surrey	3
West Sussex	2

Looking at Hampshire, as an example, they have four votes based on population. The authority representative could then decide how best to reflect Hampshire needs within the RMB. This could be achieved either through a mechanism whereby all votes are cast for Hampshire's majority party, a reflection of the political balance or some other alternative. It would, however, be for Hampshire to decide.

### **RECOMMENDATION**

Officers have reviewed the current governance model for the RMB and investigated the concerns raised by Members. As a result, it is recommended that members consider changing the RMB governance arrangements to one of the three models outlined in this report. If the LACC model was the preferred option, the RMB constitution could be amended to the following:-

"It is the intention of the Authorities that the voting rights of the Authorities in their capacity as Members shall be determined on the basis of one vote for every 500,000 of population plus one vote for any balance if the population is not an integral multiple of 500,000. How each Authority determines how to cast the totality of their votes is a decision for that individual Authority".

Whatever option, except for status quo, that receives Member agreement, will need to be referred to both legal and individual authorities for approval prior to final agreement.

## Appendix 1

### OTHER RMBs CONSTITUTIONAL ARRANGEMENTS

	East of England	South West England	Yorkshire & Humberside	East Midlands	North West England	West Midlands	North East England
No of constituent authorities	6	7	4	5	5	5	4
No of Councillors on RMB	12	9	11	10	20	15	16
No of Councillors per authority	2	5 have 1 each 2 have 2 each on basis of population	4,3,2,2 on basis of population	2	8 Gtr Manch 4 Mersey 4 Lancs 3 Cheshire 1 Cumbria - according to size	3 each – in practise according to proportionality	4 (+ 4 nominated subs)
One vote each?	Yes	Yes	Yes	Yes – 1 per CFA	Yes	Yes	Yes
Voting rules, if not one vote each	-	-	-	-	-	-	-
Any non-Councillor votes?	No	No	No	No	No	No	No
Requirement for unanimity or no dissent?	Simple majority	Majority - Chair's casting vote – for 'Fundamental Decision' able to request deferment to next meeting to enable consideration by a member authority	No	Majority – Chair's casting vote	No, but been unanimous so far	Majority – Chair's casting vote	No
Plans for change?	No	Officers would like change because of issue over what constitutes a 'fundamental decision' but not sure there's political appetite for change at moment	No	No	No		Was changed in Nov 05 to facilitate political balance
Working well?	Yes			Yes	Yes		

## Appendix 2

# CONSTITUENT AUTHORITIES

	POLITICAL MAKE-UP	POPULATION	EMPLOYEES	REVENUE BUDGET 2005/06	PERCENTAGE ACCORDING TO POPULATION, EMPLOYEES AND BUDGET
Buckinghamshire	10 Conservatives 5 Lib Dems 2 Labour	693,700	692	£24,149,000	8% 1 member
East Sussex	9 Conservatives 4 Lib Dems 4 Labour 1 Green	756,600	841	£34,698,000	10% 1/2 members
Hampshire	14 Conservatives 7 Lib Dems 4 Labour	1,675,100	1,720	£60,265,000	20% 3 members
Isle of Wight	36 Conservatives 5 Lib Dems 2 Labour 5 Independents [Cabinet : 7 members - all Cons]	139,000	269	£7,500,000	2% 1 member
Kent	16 Conservatives 3 Lib Dems 6 Labour	1,599,912	1,869	£63,584,000	21% 3 members
Oxfordshire	4 Conservatives 1 Lib Dem 2 Labour	625,600	659	£19,767,000	7% 1 member
Royal Berkshire	13 Conservatives 6 Lib Dem 5 Labour 1 Independent	805,000	738	£29,477,000	9% 1 member
Surrey	58 Conservatives 12 Lib Dem 2 Labour 8 'other' [FA Executive : 10 members – all Cons]	1,064,600	967	£40,000,000	12% 2 members
West Sussex	8 Conservatives 3 Lib Dems 1 Labour	766,200	942	£32,930,000	10% 1/2 members
TOTALS	91 Conservatives 63% 29 Lib Dems 20% 24 Labour 17% (1 Green) (1 Independent) <hr/> 144 (146)				15 members

