



## **EAST SUSSEX FIRE AUTHORITY**

### **EXTRAORDINARY MEETING**

**THURSDAY 30 OCTOBER 2003 AT 10.30 A.M.**

#### **MEMBERS**

##### **East Sussex County Council (12)**

Councillors Dyason, Gadd, Mrs Healy, Mrs. Leigh, Livings, Lock, Murphy, Neighbour, Reid, Scott, Skilton and Stevens.

##### **Brighton and Hove Council (6)**

Councillors Burgess, Carden, Hawkes, Kemble, Paskins and Theobald.

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**You are required to attend this extraordinary meeting to be held at East Sussex Fire & Rescue Service Headquarters, 20 Upperton Road, Eastbourne at 10.30 a.m.**

#### **AGENDA**

689. To (a) confirm all participating Members have undertaken to observe the Authority's Code of Conduct, (b) check if any wish to amend their written declarations of interests under Part 3 of the Code and (c), in relation to matters on the agenda, seek declarations of any personal or personal & prejudicial interests under Part 2 of the Code.
690. Apologies for absence.
691. Notification of items which the Chairman considers to be urgent and proposes to take at the end of the agenda and Chairman's business items.

(Any Members wishing to raise urgent items are asked, wherever possible, to notify the Chairman before the start of the meeting. In so doing they must state the special circumstances which they consider justify the matter being considered urgently).

692. To consider public questions, if any.
693. Minutes of the meeting held on 18 September 2003 (copy attached).
694. Integrated Risk Management (IRM) – Plans for Public Consultation – report of Chairman of the Urgency Panel (copy attached).
695. Urgency Panel meeting held on 6 October 2003 – non-confidential report of the Chairman (copy attached).
696. Review of Political Representation on the Panels of the Fire Authority - report of Monitoring Officer (copy attached).
697. Exclusion of the Press and Public.

To consider whether, in view of the business to be transacted or the nature of the proceedings, the press and public should be excluded from the remainder of the meeting on the grounds that, if the public and press were present, there would be disclosure to them of exempt information. **NOTE:** Any item appearing in the confidential part of the Agenda states in its heading the category under which the information disclosed in the report is confidential and therefore not available to the public. A list and description of the exempt categories are available for public inspection at East Sussex Fire & Rescue Service Headquarters, 20 Upperton Road, Eastbourne and at Brighton and Hove Town Halls.

698. Confidential minutes of the meeting held on 18 September 2003 (copy attached). (Exempt categories under paragraphs 1, 9 & 11 of the Local Government Act 1972)
699. Urgency Panel meeting held on 6 October 2003 – Confidential report of the Chairman (copy attached). (Exempt categories under paragraphs 1 & 11 of the Local Government Act 1972).

**ABRAHAM GHEBRE-GHIORGHIS**  
**Monitoring Officer**  
**East Sussex Fire Authority**  
**c/o Brighton & Hove City Council**

**EAST SUSSEX FIRE AUTHORITY**

**Minutes of the meeting of the East Sussex Fire Authority held at Fire Brigade Headquarters, 20 Upperton Road, Eastbourne at 10.30 a.m. on Thursday 18 September, 2003.**

**Councillors Burgess, Carden, Dyason, Gadd, Hawkes, Mrs Healy, Kemble, Mrs Leigh, Livings, Murphy (Chairman), Neighbour, Paskins, Reid, Scott, Skilton, Stevens and Theobald.**

Mrs Jennifer Redman, Independent Person, and Chair of the Standards Panel also attended the meeting.

658. **DECLARATIONS OF INTEREST**

- 658.1 a. It was noted that all participating Members had undertaken to observe the Authority's Code of Conduct;
- b. It was noted that no Member wished to amend their written declarations of interests under Part 3 of the Code; and
- c. It was noted that no Member wished to make any declarations of any personal or prejudicial interests under Part 2 of the Code.

659. **APOLOGIES FOR ABSENCE**

- 659.1 An apology for absence was received from Councillor Lock.

660. **ELECTION OF VICE-CHAIRMAN**

- 660.1 Following the resignation of Councillor Dyason as Vice-Chairman of the Authority, Members agreed to appoint a Vice-Chairman for the remainder of the term of office and nominations were sought.

- 660.2 Members also considered an addition to Section C paragraph 10 (10.3) of Standing Orders:

'The Authority, when deciding to elect a Vice-Chairman, should consider an appropriate representative balance between the two constituent authorities such that the Vice-Chairman, unless the Fire Authority specifically determines otherwise, should be a Member from the other constituent authority to that of the newly elected Chairman.'

- 660.3 **RESOLVED** – That:

- 1) Councillor Carden be elected Vice-Chairman of the Authority;
- 2) the Vice-Chairman's preferred title be Vice-Chair;
- 3) an addition to Section C paragraph 10 of Standing Orders as set out in paragraph 1.7 of the report be approved; and
- 4) the Authority records its thanks to Councillor Dyason for his work as Vice-Chairman.

661. **URGENT ITEMS AND CHAIRMAN'S BUSINESS**

661.1 The Chief Fire Officer & Chief Executive reported that Acting SDO Jon Hall of East Sussex Fire Brigade had been appointed to the post of Director of Policy Support, and Divisional Officer Gary Walsh, of Merseyside Fire Brigade had been appointed as the Director of Community Protection, both positions having the rank of Senior Divisional Officers.

661.2 This item was taken at the end of the Agenda, with the agreement of the Chairman of the Fire Authority.

662. **TO CONSIDER PUBLIC QUESTIONS, IF ANY**

662.1 There were none.

663. **MINUTES**

663.1 **RESOLVED** – That the non-confidential Minutes of the meeting held on 5 June 2003 be approved and signed by the Chairman.

664. **STANDARDS PANEL**

664.1 The Fire Authority considered a report of the Chair of the Standards Panel relating to matters considered by the Standards Panel at its meeting on 28 August 2003. (See minute book). Members were advised to contact the Clerk if they wished to view the 'Code in Practice' video produced by the Standards Board for England.

664.2 **RESOLVED** – That:

- 1) the report be noted; and
- 2) the minor amendments to the Codes of Conduct for Members and Employees and the Anti Fraud and Corruption Strategy, arising from updating the Members' Handbook, as set out in paragraph 3.4 of the report, be approved.

665. **URGENCY PANEL**

665.1 The Fire Authority considered a non-confidential report of the Chairman of the Urgency Panel relating to matters considered by the Panel at its meeting on 28 August 2003 including responses to both the Government White Paper 'Our Fire and Rescue Service' and the draft Civil Contingencies Bill. (See also Confidential Minutes for this item). (See minute book).

665.2 In relation to the proposals contained in the White Paper, the Chief Fire Officer & Chief Executive updated Members on the Minister's speech at the recent Fire 2003 Conference that highlighted the Government's increased recognition of the life-saving potential of sprinklers in domestic fires.

665.3 Members also supported the recommendation of the Urgency Panel to change the title of the Brigade to 'East Sussex Fire and Rescue Service' in order to better reflect the services accepting the reassurances of the Chief Fire Officer & Chief Executive that this could be delivered within the existing Revenue Budget provision and would be phased in as equipment and appliances were replaced.

665.4 **RESOLVED** - That:

- 1) the report be noted; and
- 2) the change of title of the Brigade to 'East Sussex Fire and Rescue Service' be approved.

666. **WHITE PAPER 'OUR FIRE AND RESCUE SERVICE'**

666.1 The Fire Authority considered the full report of the Chief Fire Officer & Chief Executive as previously considered by the Urgency Panel (see previous item) on the main proposals contained in the Government White Paper 'Our Fire and Rescue Service'. (See minute book).

666.2 The Chief Fire Officer & Chief Executive summarised the most significant issues contained in the White Paper including the Government's proposals for regionalisation and the Government's desire to see a change in fire service structures. The Chief Fire Officer & Chief Executive also advised Members that the latest draft CIPFA statistics for Fire provided further evidence to suggest that larger organisations were not always cheaper to run than their smaller counterparts. He also suggested that a business case should be established before any move towards regionalisation.

666.3 The Authority agreed that it would be appropriate for the Chairman to seek a preliminary meeting with the Chairman of West Sussex County Council to discuss the potential regional implications of the White Paper and the extent to which both organisations could work together to achieve mutual objectives.

666.4 Meanwhile, it was also agreed that the Authority should continue to concentrate on maintaining and further developing its partnership working activities with other local authorities and community organisations.

666.5 **RESOLVED** – That:

- 1) it be noted that the report had been considered by the Urgency Panel;
- 2) the Chairman be asked to make preliminary contact with the Chairman of West Sussex County Council to discuss the implications of the Government's regionalisation agenda with regard to local Fire Service matters; and
- 3) it be noted that the Urgency Panel had recommended a change of title of the Brigade.

667. **DRAFT CIVIL CONTINGENCIES BILL**

667.1 The Fire Authority considered the full report of the Chief Fire Officer & Chief Executive, as previously considered by the Urgency Panel (see previous item) setting out the main proposals contained in the draft Civil Contingencies Bill to amend the current arrangements for emergency planning. (See minute book).

667.2 **RESOLVED** – That it be noted that the report and response to the consultation exercise had been approved by the Urgency Panel.

668. **BUDGET PANEL**

668.1 The Fire Authority considered a report of the Chairman of the Budget Panel relating to matters considered by the Budget Panel at its meeting on 28 August 2003. (See also Confidential Minutes for this item). (See minute book).

668.2 It was noted that the Local Government Bill which contained the proposals for precepting for Combined Fire Authorities was due to receive Royal Assent by the end of the week.

668.3 **RESOLVED** – That:

- 1) the report be noted; and
- 2) the resolution at paragraph 6.5 of the report in relation to a draft Members Allowance Scheme be noted.

669. **DRAFT SCHEME FOR MEMBERS ALLOWANCES**

669.1 The Fire Authority considered a joint report of the Chief Fire Officer & Chief Executive, Treasurer and Monitoring Officer that sought approval to a Member Allowance Scheme based upon the latest Regulations. (See minute book).

669.2 The Fire Authority considered further information tabled at the meeting in relation to the latest Member Allowance recommendations made by the respective Independent Remuneration Panels of both constituent authorities and a summary of the latest information available on the levels of Member Allowances being introduced in other Combined Fire Authorities.

669.3 **RESOLVED** – That the report and accompanying draft Member Allowance Scheme be approved, the Scheme to be backdated to 1 May 2003, the date on which the regulations came into force.

670. **AUDIT AND PERFORMANCE REVIEW PANEL.**

670.1 The Fire Authority considered a report of the Chairman of the Audit and Performance Review Panel relating to matters considered by the Panel at its meeting on 28 August 2003. (See minute book).

670.2 **RESOLVED** – That the following recommendations set out in paragraph 2.7 of the report be approved:

- 1) That capital payments totalling £0.974m be financed as follows:

	£'000
Borrowing	174
Revenue Contribution	70
Capital Receipts	<u>730</u>
	<u>974</u>

- 2) That £108,000 be set aside from revenue as a provision to repay capital debt in accordance with the requirements of the Local Government and Housing Act 1989.

671. **FIRE AUTHORITY PERFORMANCE INDICATORS – 2002/03 YEAR END RESULTS**

671.1 The Fire Authority considered a report and accompanying document of the Chief Fire Officer & Chief Executive on the latest performance indicator results for 2002/03. (See minute book).

671.2 **RESOLVED** – That the performance indicator results for 2002/03 be noted, the outcomes of which will be considered as part of East Sussex Fire & Rescue Service's performance monitoring activities for 2003/04 as well as the service planning processes for 2004/05 which will be presented to the appropriate Panel meetings in November 2003.

672. **PROGRESS REVIEW OF FALSE ALARMS FROM AUTOMATIC FIRE DETECTION SYSTEMS 2002/03**

672.1 The Fire Authority considered a report of the Chief Fire Officer & Chief Executive on the annual results for the period 2002/03. (See minute book).

672.2 **RESOLVED** – That:

- 1) The latest progress on monitoring false alarm calls in relation to the activities being taken by the Brigade to reduce them be noted;
- 2) Those further actions taken in conjunction with relevant organisations to continue to tackle the problems created by false alarm calls be noted; and
- 3) It be noted that further progress reports will be submitted on an annual basis.

673. **PROGRESS REVIEW OF EQUALITY ISSUES 2002/03**

673.1 The Fire Authority considered a report of the Chief Fire Officer & Chief Executive which sought endorsement of the work taking place on equality issues. (See minute book).

673.2 **RESOLVED** – That

- 1) the report be noted and continued support be given to the work being undertaken by officers;
- 2) the options for increasing the current resources provided by the Authority for implementing the legal and national Government requirements, as well as the expectations of the Fire Service nationally, be explored further; and
- 3) the appointment of Councillor Mrs Leigh as the Fire Authority's representative on the Equality and Fairness Advisory Group and the Equality Diversity and Cultural Change Project Team for a further year be endorsed and both be designated as approved duties.
- 4) Councillor Mrs Leigh be thanked for her contribution to the Equality and Fairness Advisory Group and the Equality Diversity and Cultural Change Project Team.

674. **PROGRESS REVIEW OF HEALTH AND SAFETY ISSUES 2002/03**

674.1 The Fire Authority considered a report of the Chief Fire Officer & Chief Executive on the progress being made in relation to health and safety activities. (See minute book).

674.2 **RESOLVED** – That

- 1) the report be noted; and
- 2) ADO Dave Sutton be congratulated on being awarded the NEBOSH Diploma Part 1 with Distinction.

675. **PROGRESS REVIEW OF FIRE SAFETY EDUCATION PROGRAMME IN SCHOOLS 2002/03**

675.1 The Fire Authority considered a report of the Chief Fire Officer & Chief Executive which assessed the quality of the fire safety education service that East Sussex Fire & Rescue Service provides to infant and junior schools. (See minute book).

675.2 **RESOLVED** – That

- 1) the report be noted.
- 2) the Chief Fire Officer and Chief Executive be asked to pass on the Fire Authority's Members formal thanks to the Community Fire Safety staff for the excellent quality of the services provided to our local schools.

676. **SERVICE DELEGATIONS FOR THE CHIEF FIRE OFFICER & CHIEF EXECUTIVE**

676.1 The Fire Authority considered a report of the Chief Fire Officer & Chief Executive on proposed amendments to service delegations. (See minute book).

676.2 **RESOLVED** - That the service delegation to the Chief Fire Officer & Chief Executive set out in paragraph 3, as set out below, of the report be approved:

Fire Services

To exercise the powers of the Authority as Fire Authority in relation to: the issue and transfer of licenses; the issue, serving and enforcement of prohibition and improvement notices; the granting, or refusal to grant, exemptions; and the institution of proceedings under the following enactments:

- (i) The Water Industry Act 1991;
- (ii) The East Sussex Act 1981.

677. **MARITIME FIREFIGHTING**

677.1 The Fire Authority considered a report of the Chief Fire Officer & Chief Executive which advised of the changes to the Fire Services Act 1947 allowing Fire Authorities to charge for firefighting at sea. (See Minute Book).

677.2 **RESOLVED** – That the report be noted.

678. **THE REGULATORY REFORM (FIRE SAFETY) ORDER 2003**

678.1 The Fire Authority considered a report of the Chief Fire Officer & Chief Executive on the progress of the reform of fire safety legislation. (See Minute Book).

678.2 **RESOLVED** - That the report be noted.

679. **PROVIDING INDEMNITY TO RELEVANT OFFICERS AND MEMBERS**

679.1 The Fire Authority considered a report of the Chief Fire Officer & Chief Executive on the contents of a recent consultation paper on providing Indemnity to Relevant Officers and Members. (See Minute Book).

679.2 **RESOLVED** – That:

- 1) the implications of the consultation paper as set out in the report be noted;
- 2) the proposals be welcomed; and
- 3) the suggested response to the consultation paper as set out in Appendix B to the report be approved.

680. **PROGRESS UPDATE ON CURRENT FIRE AUTHORITY BUSINESS ISSUES**

680.1 The Fire Authority considered a report of the Chief Fire Officer & Chief Executive on a number of issues that were impacting upon the fire service generally and also those relating to the Authority specifically. (See Minute Book).

680.2 **RESOLVED** – That the report be noted.

681. **QUARTERLY REPORT FOR APRIL TO JUNE 2003**

681.1 The Fire Authority considered a report of the Chief Fire Officer & Chief Executive on the quarterly results for the period. (See Minute Book).

681.2 **RESOLVED** – That the report be noted.

682. **MEMBERSHIP OF PANELS**

682.1 The Fire Authority considered a report of the Clerk to the Fire Authority setting out the membership of the Authority's Panels. (See Minute Book).

682.2 **RESOLVED** – That the report be noted.

683. **FIRE AUTHORITY AND PANEL MEETINGS**

683.1 The Fire Authority considered a report of the Clerk to the Fire Authority setting out the proposed dates for future meetings of the Authority and its Panels.

683.2 Members who would be unable to attend the extraordinary meeting of the CFA to look at IRMP issues on 30 October 2003 were invited to let the Chief Fire Officer & Chief Executive have any comments prior to the meeting and/or to meet informally with him, if they so wished.

683.3 **RESOLVED** – That the following dates be approved:

- 1) Fire Authority meetings be held on the following dates, at 10.30 hours at Fire Brigade Headquarters, Eastbourne:  
Thursday 30 October 2003;  
Friday 12 December 2003;  
Friday 13 February 2004  
Thursday 3 June 2004 ( to be reviewed)  
Thursday 16 September 2004; and  
Thursday 9 December 2004
- 2) Audit and Performance Review, Budget and Standards Panel Meetings be held on the following dates:  
  
21 November 2003;  
15 January 2004;  
18 May 2004; and  
26 August 2004.
- 3) Budget Panel –3 November 2003.

684. **EXCLUSION OF PRESS AND PUBLIC.**

684.1 **RESOLVED** – That item 685 be exempt under Paragraphs 1, 9 & 11, and items 686, 687 and 688 be exempt under Paragraph 11 of the Local Government Act 1972 as amended in that they relate to matters that include information relating to a particular employee of the Authority, proposed negotiations for contracts for the supply of goods and services acquisition and labour relations matters arising between the Authority and its employees.

Part 2 Confidential Minutes can be found in the pink papers included as Agenda Item 698.

The meeting concluded at 13.10 hours.

Signed

Chairman

Dated this

Day of

2003.

## Agenda Item No. 694

### EAST SUSSEX FIRE AUTHORITY

Date: **30 October 2003**

Title: **Integrated Risk Management (IRM) – Plans for Public Consultation**

By: **Chairman of the Urgency Panel**

Purpose of Report: **To advise the Fire Authority on the contents of the Strategic and Annual Integrated Risk Management Plans**

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**RECOMMENDATION:** The Fire Authority is asked to:

- 1) Note and adopt the attached Strategic and Annual Action IRM plans, and approve the recommendations from the Urgency Panel contained within the Plans, with regard to calls to Automatic Fire Detection Systems (AFDs), Road Traffic Collisions (RTCs), use of Aerial Appliances and related initiatives.
  - 2) Consider the other matters outlined in Section 2
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### MAIN ISSUES

1. The Authority is required to commence a public consultation exercise with regard to its Integrated Risk Management Plans. As this is the first year of this process, it is necessary to agree a Strategic Plan (covering the next three years), and an Annual Action Plan covering the financial year 2004/05.
2. The Way Forward Group have been delegated the responsibility by the Fire Authority (Agenda Items 622 & 652) to consider the issues regarding IRM and by the related ODPM guidance, reporting via the Urgency Panel. The Way Forward Group have held a series of meetings, and have produced the attached Plans.
3. The Urgency Panel has considered the work of the Way Forward Group, and at its meeting on 6 October 2003 (Agenda Items 10 & 11) it has recommended the options outlined within the attached Annual Action Plan. [Click here for Part 1.](#) [Click here for Part 2.](#) The Panel has also recommended the adoption of the Strategic Plan. [Click here for copy.](#)

**Councillor Mike Murphy**  
**CHAIRMAN OF URGENCY PANEL**

15 October 2003

## Previous Reports

Fire Authority February 2003, June 2003 and September 2003

## Background Papers

Fire Service Circular 7/2003

### 1. **INTRODUCTION**

- 1.1 The ODPM issued guidance to all Fire Authorities in England and Wales with regard to the Integrated Risk Management process within Fire Service Circular 7/2003. This guidance has since been supplemented and clarified by a series of IRM Guidance Notes, following a consultation exercise by ODPM.
- 1.2 FSC 7/2003 advises each Authority to carry out the following steps:
  - Appoint an IRM Practitioner, and nominate a Principal Officer to oversee the IRM process
  - To prepare an Annual Action Plan each year, by the end of October
  - To prepare a Strategic Plan
  - To commence a public consultation exercise on the contents of each Plan
  - To consider the response to the public consultation, to adjust the Plans as they see fit in the light of comments received, and adopt each Plan
  - To implement the Plans, commencing in April
- 1.3 East Sussex Fire Authority, at its meetings on 6 February 2003 and 5 June 2003 (Agenda Items 622 & 652) agreed to delegate this work to the Way Forward Group, reporting back via the Urgency Panel.
- 1.4 The Way Forward Group agreed to co-opt officers of the Service, and that joint Member/Officer Group has met regularly to progress the issues.
- 1.5 The Urgency Panel has received reports from the Way Forward Group, and has considered a wide variety of issues in relation to IRM.
- 1.6 The attached Strategic Plan, and Annual Action Plan were adopted by the Urgency Panel at its last meeting.
- 1.7 The Urgency Panel also agreed to recommend that the Authority adopt the preferred options highlighted in the Annual Action Plan, and the contents of the Strategic Plan.

### 2. **OTHER ISSUES FOR CONSIDERATION**

- 2.1 ODPM advise that the public consultation phase should be completed by the end of February. Allowing for the results of the consultation to be collated and analysed, the Authority may wish to consider how best to receive the results of the consultation.
- 2.2 The Authority will need to allow time for collation and analysis of the responses received, and preparation of an appropriate report. ODPM guidance recommends implementing final decisions from April 2004, therefore the Authority may wish to hold a further extra-ordinary meeting in mid-March 2004. Although the timescales will be tight, this will allow a report to be considered, and any amendments to the consultation Plans to be made, prior to April 2004.
- 2.3 The Authority may also wish to consider reducing the consultation phase slightly, to allow for proper consideration of responses to be given prior to any meeting that may be held in March. If the consultation process was to end on Sunday 15 February 2004, rather than the 28 February

2004, this will still allow a 15-week period. Cabinet Office recommendations state a 12-week period as a suitable minimum timescale.

- 2.4 The Authority should note and consider the recommendation on Page 7 of the draft 2004/05 action plan with regard to seeking to change the current position with respect to charging for excessive unwanted fire signals from AFD systems.

## **Agenda Item No. 695**

### **EAST SUSSEX FIRE AUTHORITY**

Date: **30 October 2003**

Title: **Report of the meeting of the Urgency Panel held on 6 October 2003**

By: **Chairman of the Urgency Panel**

Purpose of the Report: **To report on matters considered by the Urgency Panel at its meeting on 6 October 2003.**

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**RECOMMENDATION:** The Fire Authority is asked to note the report.

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### **URGENCY PANEL MEETING 6 October 2003**

**Members Present: Councillors Carden, Dyason, Murphy (Chairman) and Skilton.**

#### **1. CHANGES TO FIREMAN'S PENSION SCHEME**

- 1.1 The East Sussex Fire & Rescue Service had received a consultation paper proposing a number of amendments to the Fireman's Pension Scheme which brought the rules of the Scheme into line with other public sector schemes.
- 1.2 Two of the pension issues highlighted in the White Paper were addressed by these proposals as follows:
- 1.2.1 a change in the definition of 'firefighter' which enables an employer to continue to draw on the experience of trained firefighters who may no longer undertake firefighting duties and enables the firefighter to stay in the scheme and receive the benefits that it offers; and
- 1.2.2 an obligation on Fire Authorities to use independent medical assessment before approving applications for early retirement on ill-health grounds.
- 1.3 The other amendments covered a range of issues including those around maternity, adoption and paternity leave and benefits paid to dependants; the introduction of part-time regular firefighters into the service; clarification of pensionable pay; and a revision in the responsibilities of Medical Appeal Boards and the apportionment of costs.
- 1.4 In view of the short consultation period, it had been necessary for the Chief Fire Officer & Chief Executive to send a response to the ODPM on behalf of the Fire Authority, and following consultation with the Chairman, prior to this meeting. Members subsequently endorsed the response.

**Councillor Murphy**  
**CHAIRMAN OF THE URGENCY PANEL**

13 October 2003



**EAST SUSSEX FIRE AUTHORITY**

Date: **30 October 2003**

Title: **Review of Political Representation on the Panels of the Fire Authority.**

By: **Monitoring Officer**

Purpose of Report: **To secure political balance on Panels in accordance with the Local Government (Committees and Political Groups) Regulations 1990 and agree the resultant membership to the Panels of the Fire Authority, following the change in the political makeup of the Authority.**

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**RECOMMENDATIONS:** The Fire Authority is asked to:

- (a) consider whether it wishes to confirm or amend the current Panel membership of six for the Appointments Panel, Budget Panel and the Audit & Performance Review Panel;
- (b) confirm that the size of the other Panels and the group allocation to them remains the same; and
- (c) agree that Leader of each Political Party notify the Clerk of changes to the Panels' membership.

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**MAIN ISSUES**

1. Under the provisions of the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990, the Fire Authority must keep under review the allocation of seats on Committees and other bodies to ensure, so far as practicable, that they reflect the political groups on the Authority.
2. The rules governing representation on Panels are set out overleaf.
3. Following the move of Councillor Stevens from the Labour Group to the Liberal Democrats Group, the Fire Authority is required to review the allocation of Panel seats to political groups for the remainder of the civic year.

**Abraham Ghebre-Ghiorghis**  
**MONITORING OFFICER**  
14 October 2003

Previous Reports

Fire Brigade Joint Committee 9 September 1996 (Minutes 9 and 10)  
Fire Authority 9 December 1996, 19 June 1997 (Minute 47), 13 May 1998, 10 December 1998 (Minute 192,) 17 June 1999, 15 June 2000; 7 December 2000 (Minute 371); 28 June 2001 (Minute 411); 6 June 2002 (Minute 524); 5 June 2003 (Minute 633)

Background Papers

East Sussex Combination Order

1. **BACKGROUND**

- 1.1 The Monitoring Officer has received notification from the Liberal Democrat Group that Councillor Stevens has become a member of their group, after his resignation from the Labour group and requesting the Authority to review the arrangements that it has made for the allocation of seats to political groups on its Panels. These Panels are the Authority's committees set up in accordance with Standing Order 57.
- 1.2 Under the provisions of the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990, the Fire Authority must ensure, so far as practicable, that the allocation of seats reflects the numbers in political groups on the Authority. As no one group is in the majority, the guiding principles which can be drawn from the 1989 Act and which need to be particularly borne in mind in carrying out the review are
- (a) that no party has a majority on any of the Panels
  - (b) that the overall number of Panel places allocated to each group should be proportionate to the numbers of each group on the Authority and
  - (c) subject to (a) & (b), the number of seats on each panel should be proportionate to the numbers of each group on the Authority
- 1.3 There are three political groups: Conservative, Labour and Liberal Democrat. Roughly they are in 2:1:1 proportion. It should be noted that although Councillor Paskins represents the Green Party, as an individual, she cannot form a political group under the 1990 Regulations.

2. **PANELS**

- 2.1 The Authority has set up a number of committees, all referred to as Panels. The current Panel membership numbers, agreed in June 2003, are as follows:

Appointments Panel	6
Audit and Performance Review Panel	6 (3 from Budget Panel)
Budget Panel	6
Discipline Panel	4
Grievance Panel	4
Standards Panel	(5) (excluding Leaders of Political Parties but including 2 Independent Persons)
Urgency Panel	4
TOTAL (excluding Standards Panel)	24

3. **POLITICAL BALANCE**

- 3.1 Following the move of Councillor Stevens from the Labour Group to the Liberal Democrat Group political affiliation of the 18 Members of the Fire Authority is now:

	May 2003	October 2003
Conservative	9	9
Labour	5	4
Liberal Democrat	3	4
Green	1	1

- 3.2 Under the political balance rules, the three political groups on the Authority would now be entitled to seats in the following patterns for Panels with from between 3 to 6 seats:

	Conservative	Labour	Liberal Democrat
Six Seats	3	2/1	1/2
Five Seats	2	2/1	1/2
Four Seats	2	1	1
Three Seats	2	1/0	0/1

- 3.3 Political proportionality rules need not apply to Panels of Authorities provided that due notice to adopt alternative arrangements is given to all Members and no Member votes against the proposals when they are considered and approved.
- 3.4 In relation to the Standards Panel, the proportionality rules do not apply and it is recommended that the three political groups continue to be represented on the Standards Panel with one seat each in addition to the two independent persons.
- 3.5 In relation to the Discipline, Grievance and Urgency Panels, there are currently four Members on each: the Conservative Group has two seats, the Labour Group has one and the Liberal Democrat Group has one. These Panels are politically balanced and it is recommended that no changes be made.
- 3.6 In relation to the Appointments, Audit & Performance Review and Budget Panels, there are currently six Members on each: the Conservative Group has three seats, the Labour Group has two and the Liberal Democrat Group has one. To become politically balanced there are many options possible, and four possibilities are set out below:
- 3.7 **Maintain the Status Quo for these 3 Panels**
- 3.7.1 The Conservative Group would continue to have three seats and the Labour and Liberal Democrat Groups would agree to share their second seat, e.g. Labour could have two seats and the Liberal Democrats one seat on one Panel, and Labour then have one seat and the Liberal Democrats two on another Panel. As there are 9 seats across 3 Panels, one of the minority parties would have 5 of these and the other 4. [Total membership of all Panels, including these 3, in proportion = 15:8:7 or 15:7:8]
- 3.8 **Reduce Panel Size to Four Members for these 3 Panels**
- 3.8.1 Alternatively, Members may wish to consider reducing the size of these three Panels to four Members. This could reduce the cost to the Authority but would have fewer Members involved. Each Panel would have 2 conservative members, one Labour and one Liberal Democrat. [Total membership of all Panels, including these 3, in proportion = 12:6:6]

**3.9 Increase Panel Size to Eight Members for these 3 Panels**

3.9.1 A third option would be to increase the size of these three Panels to eight Members: the Conservative Group would have four seats, and Labour and the Liberal Democrats two seats each. It has sometimes proved difficult to get all six Members to attend their respective Panel meetings due to pressures in relation to their attendance at meetings of other authorities. In addition, this option would cost the Fire Authority an additional £2,000 per annum in allowances (for a full year, at the current rate). This option would, however, enable more Members to participate in the detail of the Fire Authority's business in relation to service planning and performance review issues. [Total membership of all Panels, including these 3, in proportion = 18:9:9]

**3.10 Leave the 2 regular Panels the same size but reduce the Appointments Panel to Four Members**

3.10.1 Under this proposal the Audit & Performance Review Panel would have 6 Members, 3 being Conservative, and the other 3 seats would be shared between the two smaller parties. The Budget Panel would be the same, but the smaller party which had two seats on the Audit & Performance Review panel would only have one seat on the Budget Panel and the other smaller party would have two. The Appointments Panel would have 2 Conservative seats and one each for the two smaller parties. [Total membership of all Panels, including these 3, in proportion = 14:7:7]

3.10.2 If this option were to be adopted, it would be possible to keep continuity of Panel membership on the two regular Panels – Councillor Stevens could remain on the Audit & Performance Review Panel, which would then have 3 Conservatives, two Liberal Democrats and one Labour member. The Budget Panel (which he does not serve on) would have 3 Conservatives, two Labour members and one Liberal Democrat. This arrangement would have the added value of retaining 4 East Sussex members and 2 from Brighton & Hove on each of these important Panels.

3.11 Members are requested to consider these, or any other options which appear to them to be appropriate, and make a choice. It is proposed that group leaders then notify the Clerk the names of the Members who will be representing their groups in future.