

Report title

Agenda item

Reconstitution of committees and related matters**4**

Meeting

Extraordinary meeting of the Authority

Date

22 October 2009

Report by

Head of Legal and Democratic Services
19 October 2009

Document Number

FEP 1442

Public

Summary

In accordance with standing order 5(c) the Chairman of the Authority has called an extraordinary meeting of the Authority to take place at 12.00 noon on Thursday 22 October, to transact the business below:

1. Appointment of Vice-Chair of the Authority (to consider the appointment to this post for the remainder of the municipal year);
2. Reconstitution of committees and related matters (to review the Authority's committee structure, the allocation of seats on committees and their membership and the appointment of Deputy Chairs and Liaison Members for the remainder of the municipal year and related matters); and
3. Representation on negotiating and outside bodies (to review the Authority's representation on those bodies for the remainder of the municipal year).

This report is produced to support consideration by the Authority of item 2 above (item 4 on the agenda) and deals with the Authority's committee structure, the allocation of seats on committees, the membership of committees and the appointment of Deputy Chairs and Liaison Members for the rest of the municipal year and related matters. In particular, as a result of a change in political group membership, the Authority is under a duty to review as soon as practicable the allocation of seats on committees (except the Standards Committee) in accordance with the requirements of proportionality.

Recommendations

The Authority is recommended for the rest of the municipal year:

1. To decide whether and, if so how, to change the committee structure (including quorums);
2. To review and determine the allocation of seats on each committee in accordance with the requirements of proportionality;
3. To appoint members and alternate members to seats on committees which are allocated to political groups in accordance with the wishes of the respective groups [to be laid round the meeting] and to appoint to seats not allocated to a political group as the Authority decides;
4. To decide on the appointment of committee chairmen, chairs, vice-chairmen and vice-chairs;

5. To decide whether, and if so how, to vary: the role and position of Deputy Chair or Deputy Chairman; the positions of Liaison Member; and appointments to the positions of Deputy Chair, Deputy Chairman and Liaison Member.
6. To approve amendments to standing orders consequential on the above decisions.

Introduction

1. On 12 October the Head of Legal and Democratic Services received a formal notice dated the same day, signed by Councillor Evans-Jacas and, in his capacity as Leader of the Conservative group, Councillor Coleman, giving notification that Councillor Evans-Jacas had with immediate effect resigned from the Labour group and wished to join the Conservative group. Councillor Evans-Jacas became a member of the Conservative group on receipt of the notice on 12 October.
2. At the same time the Head of Legal and Democratic Services received a further notice, similarly dated and signed, asking for a review of the allocation of seats on the Authority's committees in accordance with the requirements of political proportionality. The Local Government (Committees and Political Groups) Regulations 1990 require the Authority, as soon as practicable, to carry out a review of the allocation of seats on its committees on receipt of such notices.
3. The Chairman has called this extraordinary meeting in the exercise of his right under standing order 5 (c), affording the Authority the opportunity to carry out its duty as soon as practicable to review the allocation of seats on committees. At the same time the Chairman has specified the other matters dealt with in this report to be brought before the extraordinary meeting. This report therefore deals with the Authority's committee structure, the allocation of seats on committees, the membership of committees and the appointment of Deputy Chairs and Liaison Members for the remainder of the municipal year and related matters. The recommendations at the beginning of this report are intended to incorporate these matters. Depending on the Authority's decisions standing orders will need to be amended to reflect them.
4. The Chairman has asked officers to present in this report his proposals on the matters dealt with in it to help the management of the extraordinary meeting. The Chairman's proposals, as presently understood, are set out in the relevant sections of this report. It is expected that the Chairman's final proposals will be incorporated in a motion which the Chairman will move at the meeting.

Committee structure

5. The current committees are: Appointments Committee; Audit Committee; Finance, Procurement and Property Committee; Special Appointments Committee; Standards Committee; and Urgency Committee. Details of those committees including their quorums are set in appendix 1. The terms of reference of those committees are set out in appendix 2.
6. The Chairman is proposing: the abolition of the Special Appointments Committee and the incorporation of its terms of reference in the Appointments Committee (which would meet on the date currently planned for the Special Appointments Committee and carry out the business planned for the Special Appointments Committee on that date); an increase in the size of the Finance, Procurement and Property Committee from six to seven members; a change in the quorum of the Appointments Committee from three to two members; and a change in the quorum of the Finance, Procurement and Property Committee so that any three members present may constitute a quorum.
7. The Authority is asked to decide whether and, if so, how, it wishes to change its committee structure, and the quorums, for the rest of the municipal year.

Allocation of seats on committees

8. The Authority is under a duty to review the allocation of seats on its committees to the different political groups as soon as practicable (see paragraph 2). Having determined the allocation of seats on committees the Authority is under a further duty to give effect to the allocation as soon as practicable after the determination. The Authority is invited to comply with both these duties at its extraordinary meeting.
9. The Authority must review the allocation of seats on its committees, except for the Standards Committee, having regard to the proportionality requirements of the Local Government and Housing Act 1989 which are set out in appendix 3.
10. The Authority can determine arrangements which do not reflect the political composition of the Authority provided that at the meeting the arrangements are approved with no member of the Authority voting against them.
11. It is for the Authority to determine, as part of its committee structure, how many seats each committee should have and the total number of seats on committees overall which are to be allocated to the political groups on the basis of the requirements of proportionality.
12. The current allocation of seats on the Authority's committees is based on a Conservative group of six, a Labour group of six and a Liberal Democrat group of two, leaving three members who are not in a political group. As a result of that political composition, of the twenty-two seats in the Authority's current committee structure (excluding the Standards Committee), 35.3% (eight seats) are allocated to the Conservative group, 35.3% (eight seats) to the Labour group and 11.76% (three seats) to the Liberal Democrat group, leaving three seats not allocated to a political group (available to be filled by one of the Mayoral appointees or the Green Party member).
13. The change in group membership which took effect on 12 October gives a Conservative group of seven and a Labour group of five. If the Authority's committee structure remained the same, of the twenty-two seats, 41.18% (nine seats) would be allocated to the Conservative group, 29.41% (six seats) to the Labour group and 11.76% (three seats) to the Liberal Democrat group, leaving four seats not allocated to a political group. This information is set out in greater detail in appendix 3. Appendix 3 includes a table showing the allocation of seats on each committee assuming no change in the current committee structure and taking account of the change in group membership.
14. If the Chairman's proposals for the Authority's committee structure, as presently understood and described in paragraph 6, are approved there would be 18 seats to be allocated, of which 41.18% (seven seats) would be allocated to the Conservative group, 29.41% (five seats) to the Labour group, 11.76% (two seats) to the Liberal Democrat group, leaving four seats not allocated to a political group. If this proposed committee structure is approved the allocation of seats on each committee would be as set out in the table below:

	Conservative Group	Labour Group	Liberal Democrat Group	Unallocated	Total
Appointments (3 members)	1 (1.23)	1 (0.88)	0 (0.35)	1	3
Audit (3 members)	1 (1.23)	1 (0.88)	0 (0.35)	1	3
Finance, Procurement and Property (7 members)	3 (2.88)	2 (2.06)	1 (0.82)	1	7
Urgency (5 members)	2 (2.06)	1 (1.47)	1 (0.59)	1	5
Total	7	5	2	4	18

15. Subject to the decision of the Authority on its committee structure for the rest of the year the Authority is invited to determine the allocation of seats on each committee (excluding the Standards Committee) and appoint members to those seats allocated to political groups in accordance with the wishes of the respective groups and to appoint members to seats not allocated to a political group as the Authority may decide.
16. The allocation of seats will have to be recalculated if a proposed political structure is moved at the extraordinary meeting which is different from that on which the calculations set out in paragraph 14 are based or is different from the current structure, the calculations for which are set out in appendix 3. Members are requested to let the interim Clerk know in advance of the meeting whether any changes to the existing structure or that proposed by the Chairman (as presently understood) are likely to be moved, in order that the allocation of seats can be calculated in advance and put before the Authority. In the absence of this the Authority will have to adjourn to allow the allocation of seats to be calculated.

Membership of committees

17. The current membership of committees (including chairmen, chairs, vice-chairmen and vice-chairs) is set out in appendix 1. Before the extraordinary meeting the party groups and members not in a group will be provided with a schedule of committees and panels on which they can record their nominations for seats on committees and panels. Nominations will be invited whether or not they represent a change in, or a continuation of, the current committee and panel membership.

Deputy Chairs and Liaison Members

18. Standing orders provide that the Authority can appoint one or more Deputy Chairs from among its members. Deputy Chairs take a special interest and responsibility for specific subjects within the Authority's functions. The Authority can also appoint one or more Liaison Members from among its members. Liaison Members also take a special interest for specific subjects within the Authority's functions. Such Deputy Chairs or Liaison Members have no executive powers.
19. Deputy Chairs or Liaison Members can join together and invite other members of the Authority, and the staff sides where appropriate, to join them in forming a panel to consider matters within their collective subject areas. These panels can establish appropriate sub-groups to consider a particular subject area within their remit. Executive instructions cannot be given by a Deputy Chair, Liaison Member, panel or sub-group. The requirements of political proportionality do not apply to the appointment of Deputy Chairs and Liaison Members, although it has been the Authority's practice in making appointments to seek to reflect (so far as reasonably practicable) the prevailing balance of the parties on the Authority.
20. The current Deputy Chair and Liaison Members and their roles are as follows:
 - (a) Community Outreach – Councillor Liaquat Ali (Deputy Chair).
Deputises for the Vice Chair on occasions when the Vice Chair is not able to represent the Authority at events and ceremonial activities associated with community outreach only (and does not deputise for the Chairman of the Authority).
 - (b) Corporate Policy and Business Management - Councillor Navin Shah (Liaison Member).
To oversee the development of the Authority's corporate policies and initiatives (other than those specified within the terms of reference of any Committee or Panel and to monitor forthcoming business of the Authority with the help of the forward planning programme. (The post shall not attract a special responsibility allowance under the Authority's Members' Allowances Scheme).
 - (c) Finance and Procurement – Councillor Ed Butcher (Liaison Member).
Budget development and monitoring (excluding internal and external audit) and negotiation with the GLA and major procurement projects including public/private partnerships.

- (d) Firelink and Fire Control – Ms Valerie Shawcross (Liaison Member).
To support the Firelink and Fire Control projects.
- (e) Health and Safety – Councillor Maurice Heaster (Liaison Member).
Health and safety activities including, where appropriate, assisting in promoting best practice and liaison with the Health and Safety Executive.
- (f) Human Resources and Equalities – Councillor Rebekah Gilbert (Liaison Member).
Human resources issues (excluding Industrial Relations matters) and the equalities policy and equality initiatives and activities.
- (g) Performance Management and Community Safety – Councillor Betty Evans-Jacas (Liaison Member).
Continuous improvement of services, including the promotion of prevention rather than intervention, management of performance against performance indicators, external assessment (excluding audit) and local partnerships to promote community safety.
- (h) Property and Energy Efficiency – Ms Valerie Shawcross (Liaison Member).
The Asset Management Plan and energy efficiency initiatives within the Authority's estate.

21. It is for the Deputy Chair or Liaison Members to decide whether to form panels. Three panels have been formed by Liaison Members – the Corporate Policy and Business Management Panel; the Human Resources, Equalities and Health and Safety Panel; and the Performance Management and Community Safety Panel. Details are set out in appendix 1, with their terms of reference set out in appendix 2. If the positions of any Liaison Members forming the current three panels are abolished the panels will cease to exist. The Chairman's proposals, as presently understood, are to abolish all of the positions set out in paragraph 20 above, with the exception of the Deputy Chair and the following Liaison Members: for Health and Safety; for Human Resources and Equalities; and for Performance Management and Community Safety. It is also understood that the Chairman will propose that the ceremonial role associated with community outreach attached to the position of Vice-Chair be transferred to the position of Deputy Chair.

22. The Authority is invited to decide whether it wishes to vary, and if so, how the role of Deputy Chair, the positions of Deputy Chair or Liaison Member and appointments to them, for the rest of the municipal year. The schedule referred to in paragraph 17 will allow party groups and members to record their nominations to the positions of Deputy Chair and Liaison Member.

Members' allowances

23. The current members' allowances scheme was approved by the Authority on 20 March 2008 and is attached as appendix 4. It permits allowances to be increased each year (by the same "percentage increase in pay agreed by the NJC Local Government Services settlement") up until the end of the year 1 April 2011 to 31 March 2012. For the purposes of special responsibility allowances the scheme reflects the Authority's current political appointments. If those appointments are changed in a way which establishes a position of special responsibility not recognised by the scheme, but comparable to positions eligible for a special responsibility allowance under the scheme, the Authority will need to revise the scheme to allow the payment of a special responsibility allowance. It is expected that the Authority's decisions at the extraordinary meeting will have little effect on the cost of members' allowances which will be capable of being managed within the existing budget.

Authority's strategic objectives

24. Any review of the Authority's political structure is an opportunity to ensure that the Authority's decision making is best suited to meeting the aims set out in the London Safety Plan 2009-2012.

Head of Legal and Democratic Services comments

25. Incorporated into the body of the report.

Head of Finance comments

26. The Head of Finance has reviewed this report and has no comments other than to note that any variations in the payment of members' allowances flowing from the Authority's decisions are expected to be managed within the existing budget.

Environmental implications

27. Any review of the Authority's political structure is an opportunity to ensure that the Authority's environmental policies feature adequately in the Authority's decision making. The current arrangements include a Liaison Member for Property and Energy Efficiency.

Equalities implications

28. Any review of the Authority's political structure is an opportunity to ensure that Equalities feature adequately in the Authority's decision making. The current arrangements include a Liaison Member for Human Resources and Equalities and a Panel with specific orders of reference for Equalities.

List of appendices to this report:

1. Appendix 1 - Current committees and panels and their composition.
2. Appendix 2 - Terms of reference - committees and panels.
3. Appendix 3 - Proportionality requirements and their application.
4. Appendix 4 - Members' allowance scheme.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985	
List of background documents	
1. The Authority's standing orders.	
2. Report FEP 1372 entitled "Reconstitution of Committees – 2009-20010", considered by the Authority at its meeting on 25 June 2009.	
Proper officer	Keith Minear, Head of Legal and Democratic Services
Contact officer	David Atkinson, interim Clerk to the Authority
Telephone	020 8555 1200 30081
Email	david.atkinson@london-fire.gov.uk

APPENDIX 1

CURRENT COMMITTEES AND PANELS AND THEIR COMPOSITION

Appointments Committee – 3 members (1 Conservative seat, 1 Labour seat, 1 seat not allocated to a political group).

Quorum: 3 members.

MEMBER	Alternate(1)	Alternate(2)	Alternate(3)	Alternate(4)
Councillor Brian Coleman <i>Chairman</i>	Councillor Maurice Heaster	Councillor Roger Evans	Councillor Rebekah Gilbert	Councillor Bertha Joseph
Councillor Navin Shah <i>Vice-Chair</i>	Ms Valerie Shawcross	Mr Murad Qureshi	Councillor Liaquat Ali	Councillor Betty Evans-Jacas
Mr David Cartwright				

Audit Committee – 3 members (1 Conservative seat, 1 Labour seat, 1 seat not allocated to a political group).

Quorum: 3 members.

MEMBER	Alternate(1)	Alternate(2)	Alternate(3)	Alternate(4)
Councillor Bertha Joseph	Councillor Roger Evans	Councillor Rebekah Gilbert	Councillor Tony Arbour	Councillor Brian Coleman
Mr Murad Qureshi <i>Vice-Chair</i>	Councillor Betty Evans-Jacas	Ms Valerie Shawcross	Councillor Navin Shah	Councillor Liaquat Ali
Alderman Simon Walsh <i>Chairman</i>				

Finance, Procurement and Property Committee – 6 members (2 Conservative seats, 2 Labour seats, 1 Liberal Democrat seat, 1 seat not allocated to a political group).

Quorum: 3 members, but must include representatives from more than one political group.

MEMBER	Alternate(1)	Alternate(2)	Alternate(3)	Alternate(4)
Councillor Maurice Heaster	Councillor Tony Arbour	Councillor Rebekah Gilbert	Councillor Roger Evans	Councillor Bertha Joseph
Councillor Brian Coleman	Councillor Tony Arbour	Councillor Rebekah Gilbert	Councillor Roger Evans	Councillor Bertha Joseph
Ms Valerie Shawcross	Mr Murad Qureshi	Councillor Liaquat Ali	Councillor Colin Aherne	Councillor Betty Evans-Jacas
Councillor Navin Shah <i>Vice-Chair</i>	Mr Murad Qureshi	Councillor Liaquat Ali	Councillor Colin Aherne	Councillor Betty Evans-Jacas
Councillor Ed Butcher <i>Chair</i>	Councillor Caroline Pidgeon			
Councillor Darren Johnson				

Special Appointments – 5 members (2 Conservative seats, 2 Labour seats , 1 Liberal Democrat seat).

Member	Alternate(1)	Alternate(2)	Alternate(3)	Alternate(4)
Councillor Brian Coleman <i>Chairman</i>	Councillor Tony Arbour	Councillor Bertha Joseph		
Councillor Maurice Heaster	Councillor Rebekah Gilbert	Councillor Roger Evans		
Councillor Navin Shah <i>Vice-Chair</i>	Ms Valerie Shawcross			
Councillor Betty Evans-Jacas	Councillor Colin Aherne			
Councillor Ed Butcher				

Standards Committee – 7 members (3 independent members and 4 Authority members).

Quorum: 3 members, including one independent member.

MEMBER	Alternate(1)	Alternate(2)	Alternate(3)	Alternate(4)
Ms Anne Dickens <i>Chair</i>	Independent member (term of office expires in June 2010)			
Mr Alan Simcock <i>Vice-Chair</i>	Independent member (term of office expires in June 2012)			
Mr Ian Pocock	Independent member (term of office expires in July 2012)			
Councillor Maurice Heaster	Councillor Roger Evans	Councillor Rebekah Gilbert	Councillor Tony Arbour	Councillor Bertha Joseph
Councillor Colin Aherne	Mr Murad Qureshi	Councillor Liaquat Ali	Ms Valerie Shawcross	Councillor Betty Evans-Jacas
Councillor Ed Butcher	Councillor Caroline Pidgeon			
Alderman Simon Walsh				

Urgency Committee – 5 members (2 Conservative seats, 2 Labour seats, 1 Liberal Democrat seat).

Quorum: 3 members.

MEMBER	Alternate(1)	Alternate(2)	Alternate(3)	Alternate(4)
Councillor Brian Coleman <i>Chairman</i>	Councillor Roger Evans	Councillor Rebekah Gilbert	Councillor Bertha Joseph	Councillor Tony Arbour
Councillor Maurice Heaster	Councillor Roger Evans	Councillor Rebekah Gilbert	Councillor Bertha Joseph	Councillor Tony Arbour
Councillor Navin Shah <i>Vice-Chair</i>	Ms Valerie Shawcross	Councillor Betty Evans-Jacas	Councillor Colin Aherne	Mr Murad Qureshi
Councillor Liaquat Ali	Ms Valerie Shawcross	Councillor Betty Evans-Jacas	Councillor Colin Aherne	Mr Murad Qureshi
Councillor Ed Butcher	Councillor Caroline Pidgeon			

Corporate Policy and Business Management Panel - 5 members

MEMBER
Councillor Navin Shah <i>Chair</i>
Ms Valerie Shawcross
Councillor Ed Butcher
Vacancy
Vacancy

Human Resources, Equalities and Health and Safety Panel - 5 members

MEMBER
Councillor Rebekah Gilbert <i>Chairman</i>
Councillor Colin Aherne
Councillor Liaquat Ali
Mr David Cartwright
Councillor Maurice Heaster

Performance Management and Community Safety Panel - 6 members

MEMBER
Councillor Betty Evans Jacas <i>Chair</i>
Councillor Liaquat Ali
Councillor Roger Evans
Councillor Bertha Joseph
Councillor Caroline Pidgeon
Vacancy

TERMS OF REFERENCE - COMMITTEES AND PANELS

This appendix sets out the currently approved terms of reference as contained in Appendix A to the Authority's standing orders.

COMMITTEES

Appointments Committee

- (1) All matters relating to the filling of the posts of the Director of Resources, the Director of Corporate Services, the Director of Operational Policy and Training, all Assistant Commissioners, the Head of Legal and Democratic Services, the Head of Finance, the Head of Human Resources, the Head of Communications, the Head of Strategy and Performance, the Head of Equalities and the Head of Health & Safety Services.
- (2) To be responsible for annual appraisals of the Commissioner and Directors.

Audit Committee

- (1) On behalf of the Authority to agree the planned internal audit activities for the year and to undertake an annual review of internal audit activity.
- (2) To review summary internal audit reports and the main issues arising and seek assurance that action has been taken where necessary.
- (3) To review and monitor the effectiveness of the Authority's policies on fraud, irregularity and corruption.
- (4) To consider the external auditors audit and inspection plan and their Annual Governance report.
- (5) To monitor the Authority's risk management system, framework and its control environment to ensure that it is fit for purpose, noting that management and implementation of specific risk controls remain with the relevant committee/panel and/or Authority.
- (6) To monitor the framework for business continuity and disaster recovery arrangements to ensure they are fit for purpose.

Finance, Procurement and Property Committee

As an executive body:

In accordance with existing policies –

- (1) to make decisions on capital and revenue building, property and energy schemes which are beyond officers' delegated authorities provided that the cost of any individual project is within 10% of the estimate contained within the approved capital or revenue budget;
- (2) to make decisions on proposals to draw from the approved reserve for new developments foreseen or other reserve;

- (3) to make any other decision in relation to expenditure on capital or revenue account, including approval to virements and the letting of contracts, provided that the expenditure does not cause the Authority's approved budget to be exceeded; and
- (4) to submit views to Government or other bodies, on behalf of the Authority, on matters relating to finance, procurement and property, providing those views are in accordance with existing policy.

As an advisory body:

- (5) to consider and, as appropriate, advise the Authority on matters relating to its capital and revenue budgets and budget development;
- (6) to regularly monitor the Authority's budget and expenditure and treasury management activities; and
- (7) as appropriate, to monitor regularly the Authority's contracts and procurement policies.

Special Appointments Committee

All matters relating to the filling of the post of Deputy Commissioner for Fire and Emergency Planning.

Standards Committee

- (1) The promotion and maintenance of high standards of conduct by members of the Authority and its committees;
- (2) The provision of assistance to members to observe the Authority's Code of Conduct;
- (3) The provision of advice to the Authority on the adoption or revision of a code of conduct;
- (4) The monitoring of the operation of the Authority's code of conduct and of the maintenance of the Monitoring Officer's register of members' interests;
- (5) The provision or advice or arrangements to train members on matters relating to the Authority's code of conduct;
- (6) In accordance with the approved procedures, to receive, assess and investigate complaints which allege breaches of the Authority's Code of Conduct and impose sanctions as appropriate against members of the Authority.
- (7) To consider and determine requests to grant a member a dispensation in the following circumstances:
 - A The transaction of business of the Authority would, on each occasion on which the dispensation would apply, otherwise be impeded by the mandatory provisions of the Code of Conduct because:
 - (i) the number of members of the Authority that are prohibited from participating in the business of the Authority exceeds 50% of those members that are entitled or required to so participate; or
 - (ii) the Authority is not able to comply with any duty which applies to it under section 15(4) of the Local Government and Housing Act 1989
 - B The member has submitted to the Standards Committee a written request for a dispensation explaining why it is desirable;

(Unless the committee has specified a shorter duration, any dispensation so granted shall lapse after four years).

- (8) To advise the Authority on corporate governance issues and performance indicators relevant to the Code of Conduct.
- (9) To determine (under section 3A of the Local Government and Housing Act 1989) applications by Authority employees for exemption from political restriction;
- (10) Any matters relating to the operation of the Authority's members' allowances or dependent care allowances scheme which fall to be considered by the Standards Committee; and
- (11) Any other functions which by law fall to be discharged by the Standards Committee.

Urgency Committee

Notwithstanding any standing order made by the Authority, to deal with any matters (except those reserved to the Authority by law) which will not admit of delay.

PANELS

Corporate Policy and Business Management Panel

- (1) Review the officers recommendations for the forward plan for meetings of the Authority, its Committees and its Panels; to request early consideration of any programmed issues and to suggest new issues for Member consideration.
- (2) Review intended responses to key external consultations, including Mayoral Strategies, Government and Audit commission consultations, etc.
- (3) Commission briefings, reports or presentations on matters of a corporate or strategic policy nature and to provide feedback to officers on those matters.
- (4) Receive regular update reports on the main projects which are corporate or strategic because they impact on multiple Directorates, have a significant business impact, or present high level risks (i.e. those projects which, within the Authority's established project management structure, require a Director as sponsor).

Human Resources, Equalities and Health and Safety Panel

To review and monitor general personnel, equalities and health and safety policies including:

- (1) the Authority's policies in relation to the employment of staff.
- (2) the delivery of the Authority's Human Resources Strategy.
- (3) the arrangements for recruitment, health and safety at work and staff welfare and well-being.
- (4) the effectiveness of the Authority's training strategy.
- (5) progress in achieving the Equality Standard and in delivering the Equality Action plan and race/gender equalities schemes.
- (6) progress made in performance against local and best value indicators relating to human resources, equalities and health and safety.

Performance Management and Community Safety Panel

To ensure the Authority is continuously improving its services:

- (1) except as provided for in the terms of reference to the Human Resources, Equalities and Health and Safety Panel and the Finance, Procurement and Property Committee, to monitor performance and progress made against local and best value indicators.
- (2) to receive and review thematic and fundamental review reports concerning the delivery of the Authority's service and how well it is achieving its targets and indicators.
- (3) to monitor and review the results of the external assessment process except in so far as it deals with matters which are the responsibility of the Finance, Procurement and Property Committee, or the Human Resources, Equalities and Health and Safety Panel.
- (4) by reviewing the effectiveness of the Authority's services to its external customers through user satisfaction arrangements (including compliments and complaints).

To promote prevention rather than intervention through:

- (5) reviewing the effectiveness of the various community safety programmes.
- (6) the promotion of local partnerships to promote community safety.
- (7) reviewing statutory fire safety.

PROPORTIONALITY REQUIREMENTS AND THEIR APPLICATION

1. Under the Local Government and Housing Act 1989 and associated regulations the Authority must review representation of different political groups on its committees at various times, including as soon as practicable after the receipt of formal notices to the effect that a member has changed groups and that a review of the allocation of seats on committees is requested. Whenever the Authority reviews such representation it must also as soon as practicable after the review allocate committee seats to the political groups.

2. Following allocation of seats to political groups the Head of Legal and Democratic Services must notify the leaders of the respective political groups of the allocation. The Authority must fill the allocated seats in accordance with the wishes of the relevant group (unless the group fails to express its wish within 3 weeks). The names of those members so nominated, and of alternate members under standing order 40, will be laid on the table for agreement by the Authority at its extraordinary meeting.

3. The Authority can determine the composition of all or any of its committees without reference to the political composition of the Authority provided that at the meeting the arrangements are agreed with no member of the Authority voting against them.

4. The allocation of seats to political groups must give effect so far as reasonably practicable to the following proportionality principles and their order of priority –

- (a) That not all seats on a committee are allocated to the same group;
- (b) That the majority of the seats on a committee is allocated to one group if that group is a majority of the Authority's current membership;
- (c) Subject to (a) and (b) above, that the relative size of each group's membership of the Authority is reflected in –
 - (i) the total of all committee seats allocated to that group; and
 - (ii) subject to (i) the number of seats on each committee allocated to that group.

5. With effect from 12 October 2009 the political composition of the Authority is:

Conservative Group	7 members [previously 6]	41.18% of the membership [previously 35.3%]
Labour Group	5 members [previously 6]	29.41% of the membership [previously 35.3%]
Liberal Democrat Group	2 members	11.76% of the membership

In addition there are three members who are not in a political group, representing 17.65% of the membership.

6. Compliance with principle (a) above excludes a single party committee. Principle (b) provides for a political group to have a majority of seats on a committee only if that group is a majority of the Authority's current membership. No political group meets that condition. There is then a need to calculate the seats in accordance with principle (c).

Calculating seats on committees

7. The calculations are made by adding together the total number of seats on all committees and then multiplying that total by the percentage of each group's membership of the Authority. The number of seats on committees is a matter for the Authority to decide. However it is only those seats on bodies with executive responsibilities that are totalled. Therefore the panels are not included. This gives the initial total number of seats on all committees which are to be allocated to each group. The figures are then rounded to the nearest whole number. Any seats unallocated can only be filled by a member not of a political group.

8. The number of seats allocated to each political group is then distributed between the committees. Principle (c) (ii) requires that distribution to be proportionate (subject to what is reasonably practicable). In practice this entails rounding numbers up or down.

9. The current structure provides for an Appointments Committee of 3 members, an Audit Committee of 3 members, a Finance, Procurement and Property Committee of 6 members, a Special Appointments Committee of 5 members and an Urgency Committee of 5 members giving a total of 22 seats.

10. Taking account of the change in group membership the allocation of seats under the current structure is set out below:

Conservative Group	41.18% of 22	9 seats [previously 8 (7.76)]
Labour Group	29.41% of 22	6 seats [previously 8 (7.76)]
Liberal Democrat Group	11.76% of 22	3 seats [previously 3 (2.59)]

This leaves four seats [previously three] not allocated which must be filled by members not in a political group.

11. The following table sets out the allocation of seats on the 5 current committees as currently constituted (showing in square brackets the allocation of seats immediately before the change in group membership):

	Conservative Group	Labour Group	Liberal Democrat Group	Unallocated	Total
Appointments (3 members)	1 seat (1.23) [1 seat (1.05)]	1 seat (0.88) [1 seat (1.05)]	0 seat (0.35) [no change]	1 seat [no change]	3
Audit (3 members)	1 seat (1.23) [1 seat (1.05)]	1 seat (0.88) [1 seat (1.05)]	0 seat (0.35) [no change]	1 seat [no change]	3
Finance, Procurement and Property (6 members)	3 seats (2.47) [2 seats (2.1)]	2 seats (1.76) [2 seats (2.1)]	1 seat (0.7) [no change]	0 seat [1 seat]	6
Special Appointments (5 Members)	2 seats (2.06) [2 seats (1.76)]	1 seat (1.47) [2 seats (1.76)]	1 seat (0.58) [no change]	1 seat [no seat]	5
Urgency (5 Members)	2 seats (2.06) [2 seats (1.76)]	1 seat (1.47) [2 seats (1.76)]	1 seat (0.58) [no change]	1 seat [no seat]	5
Total	9	6	3	4	22

THE LOCAL AUTHORITIES (MEMBERS' ALLOWANCES) (ENGLAND) REGULATIONS 2003

1. The London Fire and Emergency Planning Authority scheme for members' allowances pursuant to the Local Authorities (Members' Allowances) (England) Regulations 2003 is set out below.
2. Basic Allowance
 - 2.1 With effect from 1st April 2008 a basic allowance of £7,587.06 per year is payable to each borough and Mayoral representative.
3. Special Responsibility Allowance
 - 3.1 With effect from 1st April 2008 special responsibility allowances are payable at the rates indicated to borough or Mayoral representatives who hold the following positions of special responsibility. Also with effect from 1st April 2008 special responsibility allowances are payable at the rates indicated to those London Assembly representatives who hold the position of Chair and Vice Chair. No other special responsibility allowances are payable to London Assembly representatives.

Position	Annual Amount
	(£)
Chair	25,687.50
Vice Chair	15,412.50
Deputy Chair	11,923.11
Chair of Finance, Procurement and Property Committee	11,923.11
Liaison Member	8,672.10
Chair of Audit Committee	5,137.50
Chair of Standards Committee	1,208.34

Director of Firebuy Ltd	4,000
Leader of largest political group	7,706.25
Leader of second largest political group	5,137.50
Leader of third largest political group	2,568.75

Provided that a member who falls within more than one of the above categories shall be entitled to one special responsibility allowance only, equal to the greater, or greatest, of the special responsibility allowances arising under the positions of responsibility which the member holds.

4. Co-optees' Allowance

4.1 With effect from 1st April 2008 the Independent members of the Standards Committee may claim a co-optees' allowance of £573.35 per year in respect of attendance at conferences and meetings.

5. Payment of allowances

5.1 Basic, co-optees' and (subject to paragraph 5.2 below) special responsibility allowances will be paid monthly at a rate per month of one twelfth of the annual amount. Payment will be made on the last day of each calendar month, but when the last day is a Thursday, Friday, Saturday, Sunday or Bank Holiday, payment will be made on the preceding Wednesday.

5.2 If a member so requests, in writing to the Head of Legal and Democratic Services, payment of the member's special responsibility allowance will be made in one lump sum at the end of the financial year, on the first payment day after the end of the financial year concerned.

6. Adjustment of allowances

6.1 Where the period for which a person is a borough or Mayoral representative, or the holder of a position of special responsibility, or a co-opted member, is less than a whole financial year, the basic, special responsibility or co-optees' allowance (as the case may be) will be reduced to be proportionate to the number of days in the year in which she/he held the office or position concerned.

7. Travel and Subsistence Allowance

7.1 With effect from 1 October 2003 members of the Authority and the Independent Member of the Standards Committee may claim travel and subsistence allowances in respect of travelling and subsistence (including an allowance in respect of travel by bicycle or by any other non-motorised form of transport) undertaken in connection with or relating to the duties set out in the Annex to this scheme.

7.2 Subject to 7.3 to 7.8 below, the rates of travel and subsistence allowances shall be those from time to time applicable to LFEPA main grade/PO staff.

7.3 The rate of travel allowance for travel by bicycle or any other non-motorised form of transport is at the rate of the lower motor cycle rate payable from time to time to LFEPA main grade/PO staff.

7.4 The rate of travel allowance for travel by public transport is expenditure necessarily incurred (including seat reservations, luggage deposit, sleepers, and similar associated costs) except that first class travel is payable only for journeys outside Greater London. Taxi fares may be paid only if the taxi was used in a case of urgency, or if there was no public transport reasonably available or if taxi use was justified by the nature of the business on which the member was engaged.

- 7.5 For travel by car the rate of allowance shall be increased to include car parking and congestion charges.
- 7.6 The rates of subsistence and travel allowances for duties outside the United Kingdom shall be decided in each case by the Head of Legal and Democratic Services, to reflect actual expenditure reasonably incurred.
- 7.7 Where expenditure is necessarily incurred by a member on overnight accommodation the maximum reclaimable amount (excluding meals) is £115.
- 7.8 Where the period of duty entitles a member to subsistence for more than one meal the member may aggregate the allowances to spend on one meal only provided a receipt is supplied.
- 7.9 In respect of travel and subsistence in the United Kingdom, receipts are required for reimbursement of subsistence expenses and for first class travel outside London, car parking, congestion charges, taxi fares, seat reservations, luggage deposit, sleepers and other similar associated costs. Where no receipt is available, reimbursement will only be made if an explanation is provided with the claim form.
8. Indexation
- 8.1 The rates of basic, special responsibility and co-optees' allowances will be increased with effect from 1st April 2009, 1st April 2010 and 1st April 2011 by the same percentage as the percentage increase in pay agreed by the NJC Local Government Services settlement.
9. Waiving Allowances
- 9.1 A member may elect to forgo all or any of her/his entitlement to an allowance under this scheme by giving notice in writing to the Head of Legal and Democratic Services.
10. Claims
- 10.1 Claims for travel, subsistence and co-optees' allowances should be made within 2 months of the date on which the relevant duty was performed. Payment of late claims may be made if the Head of Legal and Democratic Services, in consultation with the 3 Party Group Leaders, considers that the lateness of the claim is justified.
11. Amendment to the Scheme
- 11.1 An amendment to this Scheme which affects an allowance payable for the year in which the amendment is made may be effective from the beginning of that year.
12. Membership of another Authority
- 12.1 A member of LFEPA who is also a member of another authority to which the 2003 regulations apply shall not claim an allowance from more than one authority in respect of the same duty. When claiming an allowance from LFEPA every member shall be required to certify that no allowance has been, or will be, claimed from any other authority or to give details of any such other allowance.
13. Withholding and Reclaiming of Allowances
- 13.1 The Standards Committee of the Authority can withhold all or part of an allowance payable to a member in respect of responsibilities or duties from which the member is suspended or partially suspended in accordance with Part III of the Local Government Act 2000 or regulations thereunder.
- 13.2.1. Where payment of any allowance has already been made in respect of any period during which a member-

a) is suspended or partially suspended from his or her responsibilities or duties as a member of the Authority in accordance with Part III of the Local Government Act 2000 or regulations thereunder;

b) ceases to be a member of the Authority; or

c) is in any other way not entitled to receive the allowance in respect of that period, the Standards Committee may require that such part of the allowance as relates to any such period be repaid to the Authority.

ANNEXE TO THE LFEPA MEMBERS' ALLOWANCES SCHEME - APPROVED DUTIES FOR TRAVEL AND SUBSISTENCE ALLOWANCES

1. Meetings of the Authority and its committees.
2. Meetings of the Chair's Co-ordinating Group
3. Meetings of Panels and Task Groups established by the Chair's Co-ordinating Group or Deputy Chairs.
4. Any other meeting the holding of which is authorised by the Authority or an Authority committee provided members of at least two political groups are invited to the meeting.
5.
 - (a) Meetings of any body (or any committee or sub-committee of any body) to which the Authority makes appointments or nominations.
 - (b) Attendance by official Authority representatives (or their nominees) at meetings, briefings and seminars arranged by any body to which the Authority makes appointments or nominations.
6. Meetings of any association of authorities of which the Authority is a member.
7. Meetings with any external body for the purpose of discussing matters within the responsibilities of the Authority.
8. Attendance at one group meeting per party for each meeting of a committee or the Authority called to give preliminary consideration to matters coming before the Authority or Committee provided that appropriate records as to attendance, duration and matters discussed (being identifiable to matters coming before the relevant meeting) are maintained.
9. Seminars, training courses, launches and briefing events organised by the Authority and external training courses.
10. Attendance by official Authority representatives (or their nominees) at external conferences and attendance at conferences or meetings, or official and courtesy visits outside the UK subject to the prior agreement of the Head of Legal and Democratic Services, following consultation with the three Party Group Leaders.
11. Visits to fire stations.
12. Long Service and Good Conduct Awards ceremonies hosted by the Authority.
13. Meetings with the Authority's principal officers and/or members of another group for the purpose of discussing matters within the responsibilities of the Authority.
14. Interviews required as part of a formal investigation of a complaint by the Commission for Local Administration.
15. Attendance at proceedings of the Greater London Assembly and subsidiary bodies to discuss matters within the responsibilities of the Authority.

16. Occasions when the Chair or Vice-Chair of the Authority and/or other members represent the Authority or act as hosts or speak at social or ceremonial functions.

CS/DS/1199175