



**HAMPSHIRE
FIRE AND
RESCUE
AUTHORITY**

Purpose: Approval

Date **3 June 2020**

Title **Appointments Report**

Report of the Clerk

SUMMARY

1. This report asks the Authority to note the new Regulations allowing Authority meetings to be held virtually, seeks approval to the proportional allocation of members to the Authority's Standards and Governance Committee and to the Stakeholder Committee for 3SFire; to the appointment of members and the respective Chairman and Vice-Chairman to serve on those Committees. It also seeks appointments to the Hampshire Firefighters' Pension Board; and to various other appointments.

BACKGROUND

2. The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Meetings and Police and Crime Panel Meetings) (England and Wales) Regulations 2020

2.1 As part of its response to the Covid-19 pandemic, the Government introduced emergency legislation in April 2020 to temporarily allow local authorities (including fire and rescue authorities) to hold virtual member meetings. The Regulations came into force on 4 April 2020 and apply to any meetings held before 7 May 2021.

2.2 Under the Regulations, not all members of a local authority now need to be in the same place for public meetings, and members can attend by remote means. "Remote attendance" is allowed, as long as those members who are remotely attending can:

- (a) Hear (and where practicable, see) other members in attendance; and be heard (and where practicable be seen) by the other members in attendance; and
- (b) Hear (and where practicable, see) any member of the public who is exercising a right to speak; and be heard (and where practicable be seen) by any member of the public who is exercising a right to speak (e.g. deputations); and
- (c) Be heard (and where practicable be seen) by any other members of the public who are attending the meeting.

2.3 The rules set out in the Regulations override anything in an authority's standing orders or other rules that prohibit remote attendance at meetings. Therefore, the

Authority is legitimately able to hold virtual meetings from 4 April 2020 until 7 May 2021.

3. Size and Political Composition of Committees

- 3.1 At its meeting of 7 September 2016, the Hampshire Fire and Rescue Authority agreed a new composition for the Authority of 10 Councillor Members, comprising 8 from Hampshire County Council and one from each of Portsmouth and Southampton City Councils, with effect from the annual meeting of the Authority in June 2017.
- 3.2 Due to local elections being delayed as a result of the Covid-19 outbreak, and following annual meetings of the constituent authorities, the political composition of the Hampshire Fire and Rescue Authority (HFRA) remains the same as 2019-20 and may be found at appendix 1.
- 3.3 The political proportionality provisions of the Local Government and Housing Act 1989 apply to the Authority. These require, inter alia, that where one political group has an overall majority, that group must have a majority on any Committee. The proposed proportionality table for 2020/21 appears as appendix 2. The Authority is asked to review and confirm the appointment of Members to the Standards and Governance Committee and to the Stakeholder Committee.
- 3.4 Following confirmation from the Secretary of State that the Combined Fire Authority (CFA) will be formed in 2021, a Shadow Authority will be in place for 2020/21 and will run alongside the Hampshire Fire and Rescue Authority. The Shadow Authority will assist in the setting up of the CFA, making essential decisions around governance and finance. Hampshire, Isle of Wight, Portsmouth and Southampton Councils have appointed Members to the Shadow Authority for 2020/21 and the first meeting will take place following the Hampshire Fire and Rescue Authority meeting on the 3 June 2020. The Shadow Authority consists of all the Members that are currently on Hampshire Fire and Rescue Authority, with the inclusion of Councillor Dave Stewart from the Isle of Wight Council.

4. Pension Board Members

- 4.1 At its meeting of 20 February 2015, the Authority agreed the formation of a Pension Board, to meet the requirements of the Public Service Pension Scheme Act 2013, consisting of three employer representatives and three scheme members to be appointed by the Fire Authority for a four year term. The Terms of Reference for the Pension Board make provision for the Board to elect its own Chairman and Vice-Chairman and therefore this responsibility does not fall to the Fire Authority. Scheme management of the Fire Fighters Pension Scheme is delegated to the Standards and Governance (S&G) Committee. At the AGM in 2018, it was acknowledged that it could be considered a conflict of interest for a Member of the S&G Committee to also be appointed to the Pension Board. This was something that could be overcome by a Member declaring an interest and not taking part in discussions should such a conflict arise.

- 4.2 At its meeting of 5 June 2019, the Authority appointed Malcolm Eastwood as a Scheme Member to the Pension Board for a further 10 month term in accordance with the Board's Terms of Reference. Following the retirement of Malcolm Eastwood on 31 March 2020, a Scheme Member vacancy exists on the Pension Board. A recruitment process is currently underway and upon conclusion of this a recommended appointment will be brought before the Authority.
- 4.3 At its meeting of the 9 June 2016, the Authority appointed Cllr Price and Stew Adamson as Employer Representatives to the Pension Board for a four year term in accordance with the Board's Terms of Reference. In accordance with the Terms of Reference, membership on the Board can be extended for a further period of four years after the initial four year term. Cllr Price and Stew Adamson have indicated that they are willing to extend their membership for a further four year period, and the Authority is asked to approve this.

For reference: current appointments to the Pension Board are as follows:

Employer Representatives:		Scheme Members:	
	Date appointed		Date appointed
Stew Adamson	9 June 2016	Richard North	7 Sept 2016
Cllr Price	9 June 2016	Richard Scarth	25 Sept 2019
Dan Tasker	3 April 2019	Vacancy	

5. Other Authority Appointments

- (a) APAG – The Group meets as a preliminary sounding board with senior officers to develop policies, plans and recommendations for subsequent presentation to the Authority. It is informal and was originally established to make progress with the Authority's Integrated Risk Management Plan. It has also been used as a useful cross-party group to discuss and deal with matters of urgency. At the June 2019 AGM, the Authority agreed to appoint all Members of the Hampshire Fire and Rescue Authority and new Shadow Authority to APAG and it is proposed that all Members are re-appointed for 2020/21.
- (b) Principal Officer Pay Review Group – The Authority is asked to appoint three Members, and identify one of these as Chairman, to an informal working group which may be called upon when required (normally on an annual basis) to conduct a review of any proposed changes to principal officer pay and to make recommendations accordingly to the Authority. Councillors Fairhurst (Chairman), Price and Vaughan were appointed to this Group for one year in June 2019/20.
- (c) Member Development Liaison Champion – The Authority is asked to consider the appointment of a Member to the role of Member Development Liaison Champion for the year 2020/21
- (d) Minority Group Spokespersons – A Minority Group Spokesperson's position is set out in the Members' Allowances Scheme. The Liberal Democrat Group is

asked to confirm their appointment to this position and to inform the Clerk accordingly.

- (e) 3SFire Ltd. Shareholder Representative – Pursuant to Article 39 of the Articles of Association of 3SFire Ltd, the Authority is asked to appoint a Shareholder Representative, which is proposed to be the Chairman of the Stakeholder Committee as detailed in paragraph 2.3.
- (f) 3SFire Ltd. Directors - Articles 18 and 19 of the Articles of Association require that the company shall have between three and seven directors and that all Executive Directors be appointed by the Stakeholder Committee. Pursuant to these Articles, the Stakeholder Committee approved the appointment of Robert Goldsmith, along with Steve Apter and Matt Robertson at its meeting on the 25 September 2019.

PEOPLE IMPACT ASSESSMENT

- 6. The proposals in this report are considered compatible with the provisions of equality and human rights legislation.

OPTIONS

- 7. The Authority is asked to make the appointments for the reasons outlined in the report above.

8. RECOMMENDATIONS

- 8.1 That the Authority notes the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Meetings and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 and their effects in enabling the Authority to hold virtual meetings, as set out in section 2 above.
- 8.2 That, for the purposes of Part 1 of the Local Government and Housing Act 1989, the allocation of seats on the Standards and Governance and the Stakeholder Committee of the Authority be as set out in Appendix 2 of the report.
- 8.3 That the Authority appoint members of the Standards and Governance and the Stakeholder Committee and their respective Chairmen and Vice-Chairmen following the agreed allocation of seats at paragraph 8.2 (above), until the Combined Fire Authority is formally established in 2021.
- 8.4 That, with regards to the Pension Board, the Authority consider the position as set out in section 4 of the report and confirm the appointment of Councillor Roger Price and Stew Adamson in accordance with the Board's Terms of Reference, with the vacancy to be appointed to at a future date.
- 8.5 That APAG include all appointed Shadow Authority Members as set out in paragraph 5a of the report, until the inaugural meeting of the Combined Fire Authority in 2021.
- 8.6 That the Authority appoint three Members, and identify one of these as Chairman, to an informal working group for the review of principal officer pay, as detailed in paragraph 5b of the report, until the inaugural meeting of the Combined Fire Authority in 2021.
- 8.7 That a Member Development Liaison Champion be appointed as set out in paragraph 5c of the report, until the inaugural meeting of the Combined Fire Authority in 2021.
- 8.8 That the Minority Group Spokespersons for the Liberal Democrat Party Group until the inaugural meeting of the Combined Fire Authority in 2021 is confirmed, as set out in paragraph 5d of the report.
- 8.9 That the Chairman of the Stakeholder Committee be appointed as the Shareholder Representative for 3SFire Ltd pursuant to Article 39 of the Articles of Association of 3SFire Ltd as set out in paragraph 5e of the report, until the inaugural meeting of the Combined Fire Authority in 2021.

APPENDICES ATTACHED

Appendix 1: Membership and political composition of Hampshire Fire and Rescue Authority, following local elections and subsequent Hampshire, Portsmouth and Southampton annual Council meetings in May 2019

Appendix 2: Proposed HFRA Proportionality from June 2020

Contact:

Katy Sherwood, on behalf of the Clerk to the Authority,
katy.sherwood@hants.gov.uk