

By: Anna Taylor – Research Officer to the Cabinet Scrutiny Committee

To: Cabinet Scrutiny Committee – 21 July 2009

Subject: Kent and Medway Fire and Rescue Authority – Allocation of KCC places

Classification: Unrestricted

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Summary: The Chairman and Spokespeople of the Cabinet Scrutiny Committee have requested that this item be called in as an urgent item for scrutiny by the Committee.

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### Introduction

- (1) The Constitution states that the Cabinet Scrutiny Committee may resolve (or the Chairman and spokesmen may agree) to consider any decision taken by an officer or by a Committee exercising functions delegated to it by the Council. It (or they) may request, but not require, that implementation of any such decision be postponed.
- (2) Following such consideration, the Cabinet Scrutiny Committee may:
  - a. comment to the Chief Executive and the relevant Managing Director
  - b. report to the Council
  - c. refer any issues arising from its debate for consideration by a Policy Overview Committee or the Cabinet.

### Background

- (3) At its meeting on 25 June, the County Council agreed the size and proportionality for each of the various Committees, Sub Committees and Panels in accordance with the following proportionality calculations:

<b>Political Group</b>	<b>Number of seats</b>	<b>Proportion of seats</b>
Conservative	74	88% (88.10%)
Liberal Democrat	7	8% (8.33%)
Labour	2	3% (2.38%)
Other	1	1% (1.19%)
<b>Total</b>	<b>84</b>	<b>100%</b>

- (4) The County Council also agreed on 25 June 2009 to delegate authority to the Selection and Member Services Committee to make appointments to the various other authorities, joint committees and partnership bodies set out in paragraph 4 of the report to the County Council, which included the Kent and Medway Fire and Rescue Authority (KMFRA) and to which the proportionality principles also apply.

- (5) As mentioned in the attached papers, KCC appoints 21 Members to the KMFRA, which must be divided between the three political groups proportionately. However, the proportionality calculations are very close in relation to whether the Conservative Group is entitled to 19 seats (instead of 18), or whether the Labour Group is entitled to one seat or no seats.
- (6) At its meeting on 8 July, the Selection and Member Services Committee agreed to delegate authority to the Head of Democratic Services and Local Leadership, in consultation with the Chairman of the Committee, to resolve the issue of whether the final seat on the KMFRA should go to the Conservative Group or the Labour Group.
- (7) In exercising his delegated authority, the Head of Democratic Services and Local Leadership applied the same calculations agreed by the Selection and Member Services Committee on 23 June and the County Council on 25 June in order to calculate the KMFRA proportionality. The effect of using these calculations produces an entitlement for the additional seat to be given to the Conservative Group, as shown below:

Political Group	Proportionality calculation	Number of seats
Conservative	88.10% x 21= 18.501	19 seats
Liberal Democrat Group	8.33% x 21= 1.749	2 seats
Labour Group	2.38% x 21= 0.499	0 seats

- (8) It is accepted that there are other methods of calculation, using more decimal places that would alter the number of KMFRA between the political groups, as the document from Mr Christie shows, but the decision to apply the same methodology as had already been applied to the various committees and other outside body appointments made by the Selection and Member Services Committee was seen as the most rational and impartial.

#### Recommendation

- (9) The Committee is invited to examine this matter accordingly
- (10) Background documents attached:
- a. Report setting out final figures for allocation of KCC places on Kent and Medway
  - b. Report from Mr Christie setting out alternative figures
  - c. Report to Selection and Member Services Committee 23 June 2009
  - d. Report to Selection and Member Services Committee 8 July 2009

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