

NORTH WALES FIRE AUTHORITY

EXECUTIVE PANEL

26 AUGUST 2004

POSSIBLE CHANGES TO STANDING ORDERS

Report by the Clerk

Purpose of Report

- 1** To consider whether the standing orders should be amended in respect of chairing of committees and to take account of the existence of the Standards Committee.

Background

- 2** In the review of the standing orders that was undertaken last year, the conflict between practice in chairing the Best Value committee and the requirements of standing order 14(5) was overlooked.
- 3** Standing order 14(5) provides “No member shall serve as chairman or vice chairman of more than one committee”. However practice is that the chair of the fire authority chairs both the Executive Panel (which is treated as a committee of the fire authority by virtue of standing order 12(1)(c)) and the Best Value committee. This seems to be at odds with the standing orders.
- 4** It is not stated but implied that the standing orders relating to committees apply to the Standards Committee. There are several provisions of standing orders that conflict with legislation on standards committees, for example the limit of four years on holding the chairmanship of a committee in standing order 14(6) and the quorum requirements in standing order 15. The legislation would take precedence but it is appropriate to consider what amendments should be made to the standing orders better to reflect the existence of the Standards Committee.

Advice

- 5** The options for dealing with the issue of chairing committees are:

- 5.1 do nothing. The chair could no longer serve as chair of the best value committee, although he or she could continue to be a member of the committee;
 - 5.2 amend standing order 12(1)(c) so that the Executive Panel is not treated as a committee of the fire authority for the purposes of standing order 14(5). This would permit the chair also to chair the Best Value Committee although, under standing order 14(1), the committee is meant to elect its own chair and vice chair. The practice has been that the chair ex officio is chair of the Best Value committee;
 - 5.3 adopt a more radical approach, by providing that, if the chair is a member of a committee of the fire authority, he or she is also to be chair of that committee. This reflects current practice. The provisions relating to a person not chairing more than one committee and not chairing a committee for more than 4 years could be deleted. Provision would still be required for a committee of which the chair was not a member to elect its own chair. I believe that this approach would be the most pragmatic.
- 6** The options for dealing with the Standards Committee are as follows:
- 6.1 identify what provisions of standing orders are to apply to the Standards Committee. This might be quite complex and could involve, in some cases, merely replicating what the legislation and regulations say and, in others, having to apply the standing orders with extensive modifications;
 - 6.2 adopt a simpler approach: exempt the Standards Committee from the provisions relating to committees of the fire authority, and leave it to regulate its own procedure while making clear that it must comply with relevant legal requirements (which would, for example, include public access to documents and meetings). I believe that this approach would be preferable.
- 7** I will draft amendments in the light of the Panel's conclusions. In order to save time, I suggest that the chair and vice chair should be authorised to agree the wording which will then be formally moved at the Fire Authority's meeting on 20 September prior to debate at the meeting on 20 December.

Recommendation

- 8** That the Panel considers what (if any) changes to standing orders it wishes to recommend to the Fire Authority in the light of this report; and authorises the chair and vice chair, in consultation with the Clerk, to finalise the wording of the proposed amendments.