

## SCHEDULE

### THE DEVON AND SOMERSET FIRE AND RESCUE AUTHORITY COMBINATION SCHEME

#### PART 3

#### COMPOSITION AND PROCEEDINGS OF THE COMBINED FIRE AND RESCUE AUTHORITY

**6.—**(1) Subject to sub-paragraph (2), the Authority shall consist of not more than 25 members.

(2) Where the minimum number of members of the Authority resulting from the operation of paragraph 7 would be greater than 25, the Authority shall consist of that number of members.

(3) Each member of the Authority shall be appointed by a constituent authority from its own members in accordance with this Part.

**7.** Each constituent authority shall, so far as it practicable, appoint such number of persons to be members of the Authority as is proportionate to the number of local government electors in its area in relation to the number of such electors in each of the other constituent authorities' areas.

**8.** A member of the Authority shall come into office on the date of his appointment and shall, subject to paragraphs 9 to 11, hold office for such period or periods as shall be determined by the constituent authority which appoints him.

**9.** A member of the Authority may resign his membership by giving notice in writing to that effect to the officer of the Authority whose function it is to receive such notice.

**10.—**(1) A member of the Authority who ceases to be a member of the constituent authority which appointed him shall cease to be a member of the Authority.

(2) A person shall be disqualified from being a member of the Authority if he holds any paid office or employment (other than the office of chairperson or vice-chairperson), appointments to which are or may be made or confirmed by the Authority, by any committee or sub-committee of the Authority, or by a joint committee or board on which the Authority are represented.

**11.—**(1) Subject to sub-paragraphs (3) and (4), if a member of the Authority resigns, becomes disqualified or otherwise ceases to be a member of the Authority before the expiry of his period of office, the constituent authority which appointed him shall appoint a one of its members to replace him.

(2) A member so appointed shall—

(a) come into office on the date of his appointment and,

(b) unless he resigns, becomes disqualified or otherwise ceases to be a member of the Authority, hold office for the remainder of the period for which his predecessor would have held office had he not resigned, become disqualified or otherwise ceased to be a member of the Authority.

(3) If a member of the Authority resigns, becomes disqualified or otherwise ceases to be a member of the Authority within six months before the end of his period of office, the constituent authority which appointed him shall not be required to appoint a member to replace him for the remainder of such period unless sub-paragraph (4) applies.

(4) This sub-paragraph applies where, on the occurrence of the vacancy (or in the case of a number of simultaneous vacancies, the occurrence of the vacancies) the total number of unfilled

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vacancies in the membership of the Authority exceeds one third of the number of members of the Authority referred to in paragraph 6.

**12.—**(1) The Authority shall elect a chairperson, and may elect a vice-chairperson, from among its members.

(2) The chairperson or vice-chairperson, if elected, shall, subject to paragraphs 9 to 11, hold office for such period not exceeding one year as the Authority shall determine and shall remain in office until his successor becomes entitled to act as chairperson or vice-chairperson.

(3) Sub-paragraph (2) shall not prevent a person who holds or has held office as chairperson or vice-chairperson, as the case may be, from being elected or re-elected to either of those offices.

(4) On a casual vacancy occurring in the office of chairperson or vice-chairperson, the Authority shall elect from its members a person to replace the chairperson, and may so elect a person to replace the vice-chairperson, as the case may be.

(5) The election of a chairperson under sub-paragraph (4) shall take place not later than the next ordinary meeting of the Authority following the occurrence of the casual vacancy.

**13.** The first meeting of the Authority shall be held as soon as it is practicable to do so and shall be convened by the Secretary to the Devon Fire Authority, and subsequent meetings shall be convened in such a manner as the Authority shall determine.

**14.** At a meeting of the Authority the quorum shall be one third of the total number of members of the Authority, or such greater number of members as the Authority may determine.

**15.** Sections 82(1), 99, 101 to 104, 106, 120, 121, and 123 and Part 6 of Schedule 12 of the Local Government Act 1972(1) shall apply to the Authority and its members as if references in those provisions to a principal council or a local authority, other than references to a parish council, were references to the Authority.

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(1) 1972 c. 70.