

# DEVON & SOMERSET FIRE & RESCUE AUTHORITY

18 December 2008

## Present:-

Councillors B. Hughes (Chairman), Button, Cann, Clatworthy, Dyke, Foggin, Ford, Fry, Gordon, Hannon, Healey, S. Hughes, Leaves, Lewis, Manning, Mochnacz, Parker, Mrs. Parsons, Viney, Wallace and Yeomans.

## Also in attendance:-

Messrs. Watson and Withers (Independent Members of the Standards Committee).

## Apologies:-

Councillors Mrs. Nicholson, Shadrick, Tully and Way

### \*DSFRA/61. Minutes

**RESOLVED** that the Minutes of the meeting held on 23 October 2008 be signed as a correct record.

### \*DSFRA/62. Declarations of Interest

Members of the Authority were asked to consider whether they had any **personal/personal and prejudicial interests** in items as set out on the agenda for this meeting and declare any such interests at this time.

No interests were declared.

### \*DSFRA/63. Minutes of Committees etc.

#### (a) Community Safety And Corporate Planning Committee

The Chair of the Committee (Cllr. Mrs. Fry) **MOVED** the Minutes of the meeting of the Community Safety and Corporate Planning Committee held on 6 November 2008 which had considered, amongst other things:-

- an update report on progress to date with operations and resilience activities as contained in the current Corporate and Departmental plans; and
- an update report on progress with the FiReControl (Regional Control Centre) project

**RESOLVED** that, in accordance with Standing Orders, the Minutes be adopted.

#### (b) Human Resources Management And Development Committee

The Chair of the Committee (Cllr. Cann) **MOVED** the Minutes of the meeting of the Human Resources Management and Development Committee held on 14 November 2008 which had considered, amongst other things:-

- a report on the initial results of the recently-undertaken staff survey and action proposed to address the issues raised;

- a report on absence management; and
- suggestions for a work-programme for the Committee

**RESOLVED** that, in accordance with Standing Orders, the Minutes be adopted.

**(c) Audit And Performance Review Committee**

The Chair of the Committee (Cllr. Wallace) **MOVED** the Minutes of the Audit and Performance Review Committee meeting held on 21 November 2008 which had considered a performance report for the Service from 1 April to 30 September 2008 against those activities and targets as contained in the current Corporate Plan.

**RESOLVED** that, in accordance with Standing Orders, the Minutes be adopted.

**(d) Resources Committee Minutes**

The Chair of the Committee (Cllr. Gordon) **MOVED** the Minutes of the meeting of the Resources Committee held on 8 December 2008 which had considered, amongst other things:-

- a monitoring report setting out projections of income and expenditure for the first seven months of the current financial year against the approved Revenue Budget;
- a report on proposed capital investment plans for 2009/10 to 2011/12; and
- information on the provisional grant settlement for 2009/10

**RESOLVED**

- (i) that the recommendation at Minute RC/14 (Revenue Budget Monitoring Report 2008/09) be approved;
- (ii) that, subject to (i) above and in accordance with Standing Orders, the Minutes be adopted.

**\*DSFRA/64. Communities in Control: Real People, Real Power. Code of Conduct for Local Authority Members and Employees - A Consultation**

The Authority considered a joint report of the Clerk and Head of Human Resources Management and Development (DSFRA/08/28) on a consultation by the Department for Communities and Local Government (CLG) on proposed revisions to the Members' Code of Conduct and the introduction of a Code of Conduct for local authority employees.

The report outlined the proposed revisions to the Members' Code (mainly linked to conduct in a "non-official" capacity). The proposed employees Code would feature "core values" to apply to all staff together with additional requirements to apply to "qualifying employees" (senior officers and those carrying delegated functions).

Responses to the consultation were invited by 24 December 2008 and appended to the report was an initial draft response on behalf of the Authority.

In debating the consultation and proposed draft response, Members commented:-

- that the draft response to the proposed revisions to the Members' Code should be amended to remove reference to minor motoring offences in response to the question on the definition of "criminal offence"; and

- that the draft response to the proposed employees Code should be amended to clarify the view of the Authority that – if introduced – the code should apply to all employees.

#### **RESOLVED**

(a) that, subject to incorporation of those amendments indicated above, the draft response to the Communities and Local Government (CLG) consultation document “Communities in Control: Real People, Real Power. Code of Conduct for Local Authority Members and Employees” as appended to report DSFRA/08/28 be approved and the Clerk authorised to submit it on behalf of the Authority;

(b) that, subject to (a) above, the report be noted.

(**NOTE:** In accordance with Standing Order 25(3), Councillor Mrs. Parsons asked that her vote be recorded against the decision to remove from the response reference to minor motoring offences which, when accumulated, equated to a criminal conviction).

#### **\*DSFRA/65. Devon & Somerset Fire & Rescue Authority Annual Meeting 2009 - Proposal For Change Of Date**

The Authority considered a proposal to change the date of its 2009 Annual Meeting in light of decision to change the forthcoming elections in 2009 from the first Thursday in May to Thursday 4 June 2009 (to coincide with the date of the European Parliamentary general election).

#### **RESOLVED**

(a) that the Annual Meeting of the Devon & Somerset Fire & Rescue Authority in 2009 be held **Tuesday 14 July 2009, commencing at 10.00hours at Service Headquarters;**

(b) that the May 2009 meeting of the Authority be re-arranged to take place **at 10.00hours on Wednesday 6 May 2009 at Service Headquarters.**

#### **\*DSFRA/66. South West Regional Management Board Minutes 7 November 2008**

The Authority received for information the Minutes of the meeting of the Board held on 7 November 2008 which had considered, amongst other things:-

- a highlight report on progress in relation to the South West Regional Improvement and Efficiency Partnership (SW REIP) projects and in relation to other workstreams (e.g. community safety; Regional Control Centre) being addressed on a regional basis;
- a report on the new Incident Recording System (IRS) and the potential financial burden of this on South West fire and rescue services; and
- a proposed regional response to the Department for Communities and Local Government (CLG) consultation on the National Procurement Strategy for the fire and rescue service 2008-11.

#### **\*DSFRA/67. Chairman's Announcements**

The Authority received, for information, a Schedule on activities undertaken by the Chairman on behalf of the Authority since its last meeting.

Additionally, the Vice-Chairman (Cllr. Healey) reported attendance at:

- the Passing Out Parade held at the Service Training Centre, Plymstock, on 4 December 2008;
- a visit to Retained Duty System (RDS) staff at Chard Fire and Rescue Station, Somerset, accompanied by the Chief Fire Officer, on 8 December 2008; and
- the Firebreak passing out ceremonies held at Martock Fire and Rescue Station, Somerset, on 11 December 2008.

**\*DSFRA/68. Chief Fire Officer's Announcements**

The Chief Fire Officer reported on:-

- the announcement by the Department for Communities and Local Government (CLG) of the Capital Grant Allocation for the Authority for 2009/10 and 2010/11 (£2.063m in total);
- the recently-published Audit Commission national study on Fire Modernisation. Although the study did not directly refer to the Devon & Somerset Fire & Rescue Authority, it would nonetheless still be necessary for the Authority in due course to assess the implications of the report and its response to it;
- an acknowledgement from the Department of Communities and Local Government (CLG) to representations made by the Authority to the FiReControl Part 1 Business Case. CLG had indicated that a composite response to all representations received would be issued in due course, although it was considered that this was now unlikely given recent publication of the Part 2 Business Case. The Part 2 Business Case was currently being studied and the Authority would in due course be afforded the opportunity to respond to it;
- A fatality in Yeovil on 3 December 2008. The cause of death was still to be confirmed;
- response by the Service to the widespread flooding in both Devon and Somerset over the weekend of 12 – 15 December 2008. There had been 99 rescues in total (69 from vehicles and 30 from flooded properties), with one fatality. The Service had been assisted by Avon Fire and Rescue Service (provision of a boat) and by Police and Search and Rescue helicopters.

The Chief also reported that this would be his final Authority meeting in light of his impending retirement on 31 December 2008. The Chief asked to have placed on record his thanks for the considerable support afforded him by the Members and Chairmen of both the Devon and Somerset fire and rescue authorities prior to combination and of this Authority since combination.

**\*DSFRA/69. Exclusion of the Press and Public**

**RESOLVED** that, in accordance with Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs 1 and 2 of Part 1 of Schedule 12A (as amended) to the Act, namely information relating to an individual and which is likely to reveal the identity of

that individual.

**\*DSFRA/70. Appointment of A New Chief Fire Officer - Further Considerations**

(An item taken in accordance with Section 100A(4) of the Local Government Act 1972 during which the press and public were excluded from the meeting.

The Authority considered a report of the Chief Fire Officer (DSFRA/08/29) outlining:-

- his retirement with effect from 31 December 2008;
- commencement in post of the new Chief Fire Officer with effect from 12 January 2009; and
- a proposal for an Acting Chief Fire Officer to serve during the period 1 to 11 January inclusive.

**RESOLVED**

That, subject to there being no consequential temporary promotions and to the associated costs being contained from within the approved revenue budget 2008/09, the Deputy Chief Fire Officer be designated to serve as Acting Chief Fire Officer from 1 to 11 January 2009 inclusive (the period between the retirement of the current Chief Fire Officer and the commencement of employment of the Chief Fire Officer (Designate)) and authorised to exercise all powers and duties associated with the post of Chief Fire Officer, with his salary adjusted to be commensurate with this post during this period.

The meeting started at 10.00hours and finished at 11.10hours.