

SOUTH WEST REGIONAL MANAGEMENT BOARD

23 March 2009

Present:-

Councillors B. Hughes (Chairman)(Devon & Somerset), Walker (Avon), Yeo (Cornwall), Gordon and Healey (Devon & Somerset), Fox OBE DL (Dorset), Parsons (vice Windsor-Clive)(Gloucestershire) and Wilmott (Wiltshire).

Apologies:-

Councillor Roberts (Avon) and Windsor-Clive (Gloucestershire).

RMB/38. Minutes

RESOLVED that the Minutes of the meeting held on 28 January 2009 be signed as a correct record.

RMB/39. Declarations of Interest

Board Members were asked to consider items to be discussed as part of this meeting and to declare any **personal/personal and prejudicial interests** they might have in any item(s) in accordance with their respective appointing constituent authority's approved Code of Conduct.

No interests were declared.

RMB/40. Highlight Report

The Board considered a report of the Chair, South West Chief Fire Officers Association (CFO Standing – Interim Chief Fire Officer, Cornwall Fire & Rescue Service) (RMB/09/8) covering:

- progress since the last meeting of the Board on those projects being supported by the South West Regional Improvement and Efficiency Partnership, specifically:
 - an extension of the regional benchmarking/equality and diversity project;
 - a survey to determine lessons learned from the 2008 Local Area Agreement round;
 - development of a regional website;
 - a regional fleet options review; and
 - a regional Operational Policies review;
- a summary, with contributions from those Workstream Member Champions present at the meeting, of progress made since the last meeting of the Board by those workstreams addressing the following issues on a regional basis:
 - Community Safety;
 - Equality and Diversity;
 - Finance and Procurement;

- Human Resources Management and Development;
- Regional Control Centre;
- Strategic Planning (Performance Management); and
- Service Operations and Resilience.

The report summarised milestones for each of the workstreams showing “red” status and indicated action initiated by the South West Chief Fire Officers’ Association Executive Management Group to resolve those issues. Reference was also made to the Regional Climate Change strategy which formed the basis of a more detailed report elsewhere on the agenda for the meeting.

In debating the progress of the Human Resources Management and Development workstream, the Board commented on the potential detrimental effect on fire and rescue services within the region – and particularly on the retained duty system upon which many services in the region were heavily reliant – should the current opt-out from the Working Time Directive be removed. The Board considered that there would be considerable benefit in undertaking work at a regional level to seek to assess the impact on fire and rescue services should the current opt-out be removed and also in lobbying for retention of the current opt-out provision.

In this context the Chairman referred to the e-petition, posted by Devon County Councillor Stuart Hughes on the Prime Minister’s official website, as set out below:

“We the undersigned petition the Prime Minister to do everything within his power to prevent or exclude retained firefighters from falling within the EU law which limits working to no more than 48 hours per week”

The closing date for signatories to the petition was 1 July 2009.

In debating progress by the Regional Control Centre workstream, the Board commented on the delays to the project already announced by central government; the potential implications should there be further delays; and the continued uncertainty over the publication date for the final FiReControl Business Case. It was noted that the next meeting of the Board was scheduled for 23 June 2009 (by which time the final Business Case should have been issued). It was considered, however, that there may be merit in holding a special meeting of the Board prior to the local government elections on 4 June 2009 to consider and respond to the final Business Case (if issued) and to assist individual fire and rescue services in the region in formulating their responses.

RESOLVED

- (a) that the Human Resource Management and Development Workstream be asked to undertake as a matter of urgency work to assess regionally the impact on delivery of fire and rescue services – and particularly on the Retained Duty System – should the current opt-out provision from the Working Time Directive be removed;
- (b) that each individual fire and rescue authority in the region be asked to encourage the signing of the e-petition currently posted on the official website of the Prime Minister and advocating continued disapplication of the Directive to the retained duty system;

- (c) that the Chairman be authorised to make representations on behalf of the Board to central government encouraging support for the continued disapplication of the Directive to the retained duty system and that the correspondence be copied to all South West Members of Parliament and all existing and prospective South West Members of the European Parliament;
- (d) that the representations referred to at (c) above be copied to the Local Government Association political assistants to seek to encourage Association support for continued disapplication of the Directive;
- (e) that, pending release of the final Business Case and subject to the Executive Management Group having sufficient time to consider its contents, the Clerk to the Board be asked to canvas availability with a view to holding a special meeting of the Board prior to the local government elections on 4 June 2009;
- (f) that, subject to (a) to (e) above, the progress of workstreams and the programme of work supported by the South West Regional Improvement and Efficiency Partnership, as identified in report RMB/09/8, be noted.

(SEE ALSO MINUTES RMB/42 AND RMB/43 BELOW).

RMB/41. Revised Regional Business Plan 2009 - 11

The Board considered a report of the Secretary, South West Chief Fire Officers' Association (CFO Gunter – Dorset) (RMB/09/9) on a revised Regional Business Plan 2009 – 11. The report detailed proposed revisions to the Plan approved by the Board at its meeting on 19 September 2008 (Minute RMB/22 refers) and which, in summary:

- aligned the Plan to the requirements and expectations as contained in the current National Framework (including limiting the duration of the Plan to a two rather than three year rolling period to make this consistent with both the Framework and the 2007 Comprehensive Spending Review); and
- modified the governance role of the Board in light of the National Framework requirements.

RESOLVED

- (a) that the updated Regional Business Plan as enclosed with the agenda for the meeting and including, amongst other things, a redefinition (at Annex D/1 to the Plan) of the Programme Management role of the Board, be approved;
- (b) that the updated Plan be circulated to workstreams as a working document;
- (c) that production of the updated Plan be publicised in the regional newsletter;
- (d) that the Plan be subject to review in March of each year following approval by the Board of its budget for the forthcoming financial year in question.

RMB/42. Regional Newsletter

The Board considered a report of the Regional Programme Manager (Graham Saunders) (RMB/09/10) to which was appended the third edition of the regional newsletter - a quarterly publication aimed at increasing amongst the south west fire and rescue services the awareness and take up of products of the regional programme of collaboration. A copy of the newsletter was also sent to key stakeholders such as the Government Office South West, the South West Regional Efficiency Improvement Programme, IDeA and the Audit Commission.

The third edition of the Newsletter featured, amongst other things:

- an introduction from the Chairman of the South West Regional Management Board (Councillor Bernard Hughes – Devon & Somerset);
- an article on the Chief Fire Officers' Association climate change conference held in Manchester on 10 February 2009;
- an article on transfers between retained duty systems and wholetime duty systems;
- an article on fire safety and the fire investigation training procurement project; and
- an article on the new equalities framework for local government.

RESOLVED that publication of the third edition of the Regional Newsletter be noted.

(SEE ALSO MINUTES RMB/40 ABOVE AND RMB/43 BELOW)

RMB/43. Regional Climate Change Strategy

The Board considered a report of the Secretary, South West Chief Fire Officers' Association (CFO Gunter – Dorset) (RMB/09/11) on progress in relation to the development of a regional Climate Change Strategy. Since the last meeting the Carbon Trust had confirmed that the regional application for inclusion in the 2009 Carbon Management Programme had been successful. Additionally, the Regional Climate Change Strategy Project Board had met on 9 March 2009 and at that meeting had agreed that the scope of the Strategy should feature:

- co-ordination work on the Carbon Trust's carbon management programme;
- the production of a framework for use by each individual fire and rescue authority in formulating their own carbon management plans;
- benchmarking energy use and carbon footprints; and
- facilitating best practice sharing on mitigating and adapting to climate change.

In considering this item the Board also received a presentation by the Carbon Trust on the work of the Trust.

RESOLVED

- (a) that the Chairman of the South West Regional Management Board be nominated as Regional Climate Change Strategy Champion;
- (b) that individual South West Fire and Rescue Authorities be encouraged to nominate their own Member champion for climate change;

- (c) that, subject to (a) and (b) above, the report and in particular the emerging terms of reference of the project board, as indicated above, be noted.

(SEE ALSO MINUTES RMB/40 AND RMB/42 ABOVE).

RMB/44. Issues Associated with Approval of the Board's 2008/09 Accounts

The Board considered a report of the Clerk to the Board (Mike Pearson – Devon & Somerset) (RMB/09/12) advising that, with effect from this year and largely as a result of grants received from the Department for Communities and Local Government, it would be necessary to produce a full Statement of Accounts and associated Annual Governance Statement for approval by the Board by no later than 30 June 2009.

The report highlighted that, although a meeting of the Board was scheduled for 23 June 2009 at which the Statement of Accounts and Annual Governance Statement might be submitted, there were a number of issues to be considered including:

- whether the scheduled meeting of the Board would be quorate given the potential impact on membership of the outcome of the local government elections to be held on 4 June 2009; and
- the approach to be taken in producing the Annual Governance Statement given that this was a requirement aimed more at principal authorities rather than joint committees such as the Board.

The Clerk reported that the Audit Commission had advised the Treasurer to the Board at a recent meeting that, should the meeting of the Board not be quorate on 23 July 2009, then there would be a period of 20 working days during which a meeting could be held to approve the Statement of Accounts. The Audit Commission had also confirmed that, as certain governance elements did not apply to the Board (as a joint committee), for example its own ethical regime (Standards Committee), then a “light touch” could be adopted in relation to the production of an Annual Governance Statement.

RESOLVED

- (a) that, in light of the views expressed by the Audit Commission, the scheduled meeting of the Board on 23 July 2009 – at which the Annual Statement of Accounts and associated Annual Governance Statement will, amongst other things, be submitted – be retained but that, in the event of this meeting being inquorate, the Clerk seek to arrange a special meeting within 20 working days of that date for the purpose of approving the Statement of Accounts and Annual Governance Statement;
- (b) that, subject to (a) above, the report be noted.

RMB/45. Treasury Management Policy

The Board considered a report of the Treasurer to the Board (Kevin Woodward – Devon & Somerset) (RMB/09/13) to which was appended a proposed Treasury Management Policy. As designated “lead authority”, the Devon & Somerset Fire & Rescue Authority had invested New Burdens grant monies received from the Department for Communities and Local Government for the FiReControl Project until such a time as it would be necessary to distribute this funding for use by the individual fire and rescue authorities within the region.

Legal advice had been sought which indicated that, while there were no legal issues with the current position, it would be advisable for the Board to instruct the Treasurer to make investments in its behalf and to adopt a Strategy governing the making of such investments. To this end, it was proposed that the Board might wish to adopt the Treasury Management Strategy for the Devon & Somerset Fire & Rescue Authority which had been formulated with external treasury management advisors and was based upon agreed criteria used to assess credit worthiness.

The Clerk reported that, subsequent to issuing the document, the Devon & Somerset Fire & Rescue Authority's Treasury Management Policy had kept the number of days for payment of creditors (Treasury Management Practice 8) as 30 days rather than 20 days as stipulated in the document. This would still allow for a 20 day target to be applied (as it would be within 30 days) in line with central Government's expectations of public authorities as part of the measures to support industry during the economic downturn.

RESOLVED

- (a) That, subject to the amendment indicated above in relation to the number of days for payment of creditors, the Devon & Somerset Fire & Rescue Authority Treasury Management Policy, as enclosed with the agenda for the meeting, be adopted by the Board in so far as it applies to the Board's treasury management activities;
- (b) that, specifically, the Treasurer to the Board be delegated authority to create and maintain an investment counterparty list, based upon agreed criteria for the assessment of credit worthiness.

The meeting started at 11.00hours and finished at 12.35hours.