

**M. Pearson
CLERK TO THE AUTHORITY**

**To: The Chair and Members of the
Devon and Somerset Fire and
Rescue Authority**

(see below)

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DEVON & SOMERSET FIRE & RESCUE AUTHORITY
(Annual Meeting)

Friday 27 May 2011

The Annual Meeting of the Devon & Somerset Fire & Rescue Authority will be held on the above date, **commencing at 10:00 hours in the Conference Rooms in Somerset House, Service Headquarters** to consider the following matters.

M. Pearson
Clerk to the Authority

PLEASE NOTE THAT A LARGE-PRINT VERSION OF THIS AGENDA IS AVAILABLE ON REQUEST

A G E N D A

1. **Election of Chairman**
2. **Apologies**
3. **Minutes** of the budget meeting of the Authority held on 14 February 2010 attached (Page 1).
4. **Items Requiring Urgent Attention**

Items which, in the opinion of the Chair, should be considered at the meeting as matters of urgency.

5. **Election of Vice-Chairman**

6. **Declarations of Interest**

Members are asked to consider whether they have 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. *Please refer to the Note 2 at the end of this agenda for guidance on interests.*

PART 1 – OPEN COMMITTEE

7. **Review of Constitutional Governance Framework Documents**

Report of the Clerk to the Authority (DSFRA/11/8) attached (Page 15)

8. **Schedule of Appointments to Committees, Working Parties Etc. and Appointments to Outside Bodies**

Paper DSFRA/11/9 attached (Page 18)

9. **Devon & Somerset Fire & Rescue Authority Draft Calendar of Meetings 2011/12 Municipal Year**

Paper DSFRA/11/10 attached (Page 28)

PART 2 – ITEMS WHICH MAY BE TAKEN IN THE ABSENCE OF THE PRESS AND PUBLIC

Nil

MEMBERS ARE REQUESTED TO SIGN THE ATTENDANCE REGISTER

Membership:-

Devon County Council Appointments (subject to confirmation at its Annual Meeting on 26 May 2011)

Councillors Boyd, Cann, Eastman, Foggin, Fry, Gribble, Hughes OBE, Radford, Randall Johnson, Smith and Way.

Somerset County Council Appointments (subject to confirmation at its Annual Meeting on 25 May 2011)

Councillors Bakewell, Bown, Burrige-Clayton, Dyke, Healey (Chairman), Horsfall, Woodman and Yeomans.

Plymouth City Council Appointments (subject to confirmation at its Annual Meeting on 20 May 2011)

Councillors Drean, Gordon, Leaves and Wright.

Torbay Council Appointments (subject to confirmation at its Annual Meeting on 24 May 2011)

Councillors Brooksbank and Mills.

NOTES

1. ACCESS TO INFORMATION

Any person wishing to inspect any minutes, reports or lists of background papers relating to any item on this agenda should contact Steve Yates on the telephone number shown at the top of this agenda.

2. DECLARATIONS OF INTERESTS BY MEMBERS

What Interests do I need to declare in a meeting?

As a first step you need to declare any personal interests you have in a matter. You will then need to decide if you have a prejudicial interest in a matter.

What is a personal interest?

You have a personal interest in a matter if it relates to any interests which you must register, as defined in Paragraph 8(1) of the Code.

You also have a personal interest in any matter likely to affect the well-being or financial position of:-

- (a) you, members of your family, or people with whom you have a close association;
- (b) any person/body who employs/has employed the persons referred to in (a) above, or any firm in which they are a partner or company of which they are a director;
- (c) any person/body in whom the persons referred to in (a) above have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
- (d) any body of which you are a Member or in a position of general control or management and which:-
 - you have been appointed or nominated to by the Authority; or
 - exercises functions of a public nature (e.g. a constituent authority; a Police Authority); or
 - is directed to charitable purposes; or
 - one of the principal purposes includes the influence of public opinion or policy (including any political party or trade union)

more than it would affect **the majority** of other people in the Authority's area.

Anything that could affect the quality of your life (or that of those persons/bodies listed in (b) to (d) above) either positively or negatively, is likely to affect your/their "well being". If you (or any of those persons/bodies listed in (b) to (d) above) have the potential to gain or lose from a matter under consideration – to a **greater extent** than **the majority** of other people in the Authority's area - you should declare a personal interest.

What do I need to do if I have a personal interest in a matter?

Where you are aware of, **or ought reasonably to be aware of**, a personal interest in a matter you must declare it when you get to the item headed "Declarations of Interest" on the agenda, or otherwise as soon as the personal interest becomes apparent to you, **UNLESS** the matter relates to or is likely to affect:-

- (a) any other body to which you were appointed or nominated by the Authority; or
- (b) any other body exercising functions of a public nature (e.g. membership of a constituent authority; other Authority such as a Police Authority);

of which you are a Member or in a position of general control or management. In such cases, provided you do not have a prejudicial interest, you need only declare your personal interest if and when you speak on the matter.

Can I stay in a meeting if I have a personal interest?

You can still take part in the meeting and vote on the matter unless your personal interest is also a prejudicial interest.

What is a prejudicial interest?

Your personal interest will also be a **prejudicial** interest if **all** of the following conditions are met:-

- (a) the matter is not covered by one of the following exemptions to prejudicial interests in relation to the following functions of the Authority:-
 - statutory sick pay (if you are receiving or entitled to this);
 - an allowance, payment or indemnity for members;
 - any ceremonial honour given to members;

- setting council tax or a precept; **AND**
- (b) the matter affects your financial position (or that of any of the persons/bodies as described in Paragraph 8 of the Code) or concerns a regulatory/licensing matter relating to you or any of the persons/bodies as described in Paragraph 8 of the Code); **AND**
- (c) a member of the public who knows the relevant facts would reasonably think your personal interest is so significant that it is likely to prejudice your judgement of the public interest.

What do I need to do if I have a prejudicial interest?

If you have a prejudicial interest in a matter being discussed at a meeting, you must declare that you have a prejudicial interest (and the nature of that interest) as soon as it becomes apparent to you. You should then leave the room unless members of the public are allowed to make representations, give evidence or answer questions about the matter by statutory right or otherwise. If that is the case, you can also attend the meeting for that purpose.

You must, however, leave the room **immediately after you have finished speaking (or sooner if the meeting so decides)** and you cannot remain in the public gallery to observe the vote on the matter. Additionally, you must not seek to **improperly influence** a decision in which you have a prejudicial interest.

What do I do if I require further guidance or clarification on declarations of interest?

If you feel you may have an interest in a matter that will need to be declared but require further guidance on this, please contact the Clerk to the Authority – preferably before the date of the meeting at which you may need to declare the interest. Similarly, please contact the Clerk if you require guidance/advice on any other aspect of the Code of Conduct.

DEVON & SOMERSET FIRE & RESCUE AUTHORITY
(Budget Meeting)

14 February 2011

Present:-

Councillors Healey (Chairman), Bown, Boyd, Burridge-Clayton, Cann, Drean, Dyke, Eastman, Foggin, Gribble, Horsfall, Hughes OBE, Leaves, Mills, Mrs. Nicholson, Radford, Randall Johnson, Smith, Turner, Woodman and Yeomans.

Apologies:-

Councillors Fry, Gordon and Way

DSFRA/50. Minutes

RESOLVED that the Minutes of the meeting of the Authority held on 16 December 2010 be signed as a correct record.

DSFRA/51. Declarations of Interest

Members of the Authority were invited 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.

Councillor Woodman declared a **personal** but **non-prejudicial** interest in those items relating to South West Fire Control Ltd., the Local Authority Controlled Company (LACC) with overall governance responsibility for the South West Regional Control Centre, by virtue of his being the Authority-appointed Director on the Company.

(SEE ALSO MINUTES DSFRA/55, 60 AND 61 BELOW)

DSFRA/52. Address By The Fire Brigades Union

In accordance with Standing Order 13, the Authority received an address from the Fire Brigades Union on the setting of the 2011/12 budget and budgetary issues facing the Authority in future years. The FBU commented on the outcome of the recent Government Comprehensive Spending Review and the government proposal to reduce grants by 25% by 2014/15. The FBU expressed concerns as to the effect of this on all public services. The FBU indicated that it supported meaningful and progressive change and would work in co-operation with the Service and Authority in delivering this.

DSFRA/53. Minutes Of Committees

(a) Community Safety And Corporate Planning Committee

The Chair of the Committee, Councillor Leaves, **moved** the Minutes of the meeting of the Committee held on 13 January 2011 which had considered, amongst other things:

- a report on future community safety (prevention and protection) strategy principles; and
- the Devon & Somerset Fire & Rescue Authority Draft Corporate Plan 2011/12 to 2013/14.

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

(b) Human Resources Management And Development Committee

The Chair of the Committee, Councillor Cann, **moved** the Minutes of the meeting of the Committee held on 21 January 2011 which had considered, amongst other things:

- a report on absence management;
- a report on compensation for compulsory and voluntary redundancies.

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

(SEE ALSO MINUTES DSFRA/60 AND DSFRA/61 BELOW)

(c) Resources Committee

The Vice-Chair of the Committee, Councillor Yeomans, **moved** the Minutes of the meeting of the Committee held on 28 January 2011 which had considered, amongst other things:

- a report on financial performance against approved budgets for 2011/12/
- a report on the proposed 2011/12 revenue budget and council tax levels;
- a report on the proposed Capital Programme 2011/12 to 2013/14; and
- a update report on treasury management activities for the third quarter of 2010/11.

RESOLVED

- (i) that the recommendations at Minutes RC/22 (2011/12 Revenue Budget and Council Tax Levels) and RC/23 (Capital Programme 2011/12 to 2013/14) be considered in conjunction with the reports on those matters elsewhere on the agenda for this meeting;
- (ii) that, subject to (a) above and in accordance with Standing Orders, the Minutes be adopted.

(SEE ALSO MINUTES DSFRA/54(a), (b) and (c) below).

(d) Audit And Performance Review Committee

The Chair of the Committee, Councillor Dyke, **moved** the Minutes of the meeting of the Committee held on 2 February 2011 which had considered, amongst other things:

- a report on Service performance during April to November 2010 against approved Corporate Plan goals, activities and targets;
- an Audit Commission progress report;
- a report on progress to date in the introduction of the International Finance Reporting Standards (IFRS);
- an internal audit and review progress report; and
- the Service's self-assessment report against the Key Lines of Enquiry (KLOEs) contained within the Department for Community and Local Government's (CLGs) Operational Assessment Toolkit.

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

DSFRA/54. Revenue and Capital Budgets 2011/12

(a) Capital Programme 2011/12 To 2013/14

The Authority considered a report of the Director of Service Support and the Treasurer (DSFRA/11/1) on the proposed Capital Programme for the Devon & Somerset Fire & Rescue Service for the period 2011/12 to 2013/14 and addressing both Service estate needs and fleet and equipment needs. Of particular note were proposals to:

- enhance training facilities at Exeter Airport (this would require a contribution from revenue funding);
- the receipt of land gifted to the Authority from both the Hartland Playing Field Association and Tarka Homes Ltd. which would enable improvement to Hartland fire station to take place; and
- a proposed pilot for the introduction of Light Rescue Pumps (LRPs).

A similar report had been presented to the Resources Committee at its meeting on 28 January 2011 which had approved the recommendations as set out.

Since that time, however, the Department for Communities and Local Government (CLG) had confirmed to the Authority award of an additional £2.02m of capital grant for 2011/12. Given the late notification, the proposed Capital Programme did not reflect this additional funding and it was intended that a further report be presented during the next committee cycle on how the sum might be utilised.

RESOLVED

- (i) that, in accordance with Financial Regulations, a contribution of £1.5million from the Revenue Budget be approved to part fund the proposed enhancement to the training facilities at Exeter Airport;
- (ii) that, subject to (i) above and (iii) below, the revised Capital Programme 2011/12 to 2013/14 as set out in report DSFRA/11/1 and summarised at Appendix A to these Minutes, be approved;
- (iii) that, as proposed in paragraph 1.9 of the report and indicated above, the Capital Programme for 2011/12 to 2013/14 be subject to a further report in the next committee cycle to determine utilisation of the additional capital grant allocation of £2.020m;
- (iv) that, in accordance with Financial Regulations, the acquisition (gifted) of land at Hartland, as outlined in paragraph 3.3 of this report, be approved.

(SEE ALSO MINUTE DSFRA/53(c) ABOVE AND DSFRA/54(b) BELOW)

(b) Treasury Management Strategy (Including Prudential and Treasury Indicators Report 2011/12 To 2013/14)

The Authority considered a report of the Treasurer (DSFRA/11/2) on the Treasury Management and Investment Strategy for 2011/12 and the Prudential Indicators associated with the proposed Capital Programme 2011/12 to 2013/14. A Minimum Revenue Provision Statement for 2011/12, as required by statute, was also included for approval.

RESOLVED

- (i) the Treasury Management Strategy and the Annual Investment Strategy as set out in report DSFRA/11/2 be approved;

- (ii) the prudential indicators and limits as set out in the report and summarised in Appendix B to these Minutes be approved;
- (iii) the Minimum Revenue Provision (MRP) statement for 2011/2012, as set out in Appendix C to these Minutes, be approved;
- (iv) that the Treasurer be delegated authority to effect movements between the separately agreed prudential limits for borrowing;
- (v) that the statement at paragraph 5.6 of the report that borrowing limits and the debt management strategy have been set to ensure that net borrowing remains below the capital financing requirement for 2011/2012 to 2013/2014, in line with the requirements of the CIPFA Prudential Code, be noted.

(SEE ALSO MINUTES DSFRA/53(c) AND DSFRA/54(a) ABOVE)

(c) 2011/12 Revenue Budget and Council Tax Levels

The Authority considered a report of the Treasurer and Chief Fire Officer (DSFRA/11/3) on the proposed revenue budget and associated Council Tax levels for 2011/12. The backdrop to the proposed budget was the 2010 Comprehensive Spending Review (CSR) when the government announced reductions in grants for fire and rescue authorities of 25% by 2014/15, representing a real term reduction of 13%. This reduction had been “backloaded” for fire and rescue authorities to provide time to implement changes without affecting the quality and breadth of service to communities.

The final Local Government Grant Settlement for the Devon & Somerset Fire & Rescue Authority represented, for 2011/12, a 1.1% reduction on the grant for the previous financial year but an increase of 1.9% in 2012/13 over 2011/12. These figures had changed only marginally from the provisional allocations announced in December 2010 which, on average, had seen reductions of 5.8% in 2011/12 and a further 0.7% in 2012/13.

In relation to capping, the government had recently undertaken a consultation on proposals to abolish the current system from 2012/13. For the forthcoming financial year, however, it would remain in place although precise capping criteria had still to be announced. The government had announced, however, its expectations for local authorities to set a zero percent Council Tax increase in 2011/12 and as an incentive to do this had introduced a Council Tax Reward Grant equivalent to a 2.5% increase in Council Tax in 2011/12.

It was likely that this would be used as the benchmark for capping considerations and consequently two budget options were proposed:

- Option A – increasing the Council Tax for a Band D property in 2011/12 by 2.5% over 2010/11; or
- Accept the Council Tax Reward Grant and freeze the Council Tax for a Band D property at the 2010/11 level.

Both options would afford the Authority the same level of spending power for 2011/12 but Option A would result in an increase in base budget which would be available to the Authority in future financial years. While Option B did carry some risk, particularly in relation to the 2015/16 financial year, it nevertheless represented a quite favourable settlement and would enable the Authority to meet its responsibility to contain Council Tax increases wherever possible.

Freezing the Band D Council Tax at the 2010/11 level (£71.77) would result in a 2011/12 revenue budget requirement of £76.240m, a 1.47% (£1.105) increase on the 2010/11 approved revenue budget. The report summarised the core revenue budget requirements for 2011/12 and also identified plans to achieve budget reductions both from 2011/12 to 2014/15 which were based on the principles of:

- improving efficiency;
- reducing costs/ and
- generating income.

Medium Term Financial Plan modelling had been undertaken to assess best and worst case scenarios for the scale of reductions required by 2014/15, indicating reductions of between £4.5m (best case) and £9.2m (worst case).

In accordance with the requirements of the Local Government Finance Act 1992, the Authority was required to consult local non-domestic rate payers on its proposals for expenditure. The report detailed the scale of the consultation undertaken in relation to the 2011/12 budget proposals together with the responses received as a result of that consultation, of which one of the main top line results was that the majority of respondents (77%) agreed, in response to the government's request, that Council Tax should not be increased.

The report also provided a statement on the robustness of the budget estimates and the adequacy of the levels of reserves and balances as required by the Local Government Act 2003.

RESOLVED

- (i) That the following recommendation of the meeting of the Resources Committee, held on 28 January 2011, be approved;
 - (A) the level of council tax in 2011-12 for a Band D property be frozen at the 2010-11 level of £71.77, as outlined as Option B in paragraph 4.2 of report DSFRA/11/3;
 - (B) a Net Revenue Budget Requirement of £75,141,300 for 2011-12 be set;
- (ii) that as a consequence of the decisions at (i) (A) and (B) above;
 - (A) the tax base for payment purposes and the precept required from each billing authority for payment of the total precept of £43,942,942, as detailed on Page 2 of the budget booklet provided separately with the report and shown in the table overleaf, be approved;

Billing Authority	Tax Base Used for Collection	Surplus/ (Deficit) for 2010/11	Precepts due 2011/12	Total due 2011/12
	£ p	£	£	£
East Devon	57,076.00	-	4,096,345	4,096,345
Exeter	37,943.00	-	2,723,169	2,723,169
Mendip	40,437.40	35,023	2,902,192	2,937,215
Mid Devon	28,282.00	52,014	2,029,799	2,081,813
North Devon	34,807.30	(8,923)	2,498,120	2,489,197
Plymouth City	77,066.00	11,166	5,531,028	5,542,194
Sedgmoor	40,020.90	99,978	2,872,300	2,972,278
South Hams	38,100.80	33,000	2,734,494	2,767,494
South Somerset	60,469.30	5,620	4,339,882	4,345,502
Taunton Deane	40,390.60	(35,287)	2,898,833	2,863,546
Teignbridge	49,335.00	(6,995)	3,540,773	3,533,778
Torbay	48,820.60	69,000	3,503,854	3,572,854
Torridge	23,923.10	25,425	1,716,961	1,742,386
West Devon	20,850.80	15,648	1,496,462	1,512,110
West Somerset	14,751.70	8,128	1,058,730	1,066,858
TOTAL	612,274.50	303,797	43,942,942	44,246,739

- (B) the council tax for each property bands A to H associated with a total precept of £43,942,942, as detailed on Page 2 of the budget booklet provided separately with the report and shown in the table below, be approved;

Valuation Band	Government Multiplier		Council Tax £ p
	Ratio	%	
A	6/9	0.667	47.85
B	7/9	0.778	55.82
C	8/9	0.889	63.80
D	1	1.000	71.77
E	11/9	1.222	87.72
F	13/9	1.444	103.67
G	15/9	1.667	119.62
H	18/9	2.000	143.54

- (C) that the Treasurer's 'Statement of the Robustness of the Budget Estimates and the Adequacy of the Authority Reserve Balances' as included as Appendix D to the report, be noted.

(SEE ALSO MINUTE DSFRA/53(c) ABOVE)

DSFRA/55. Confirmation of Rates Payable in 2011/12 under the Authority Approved Scheme of Members' Allowances

(Councillor Woodman declared a **personal but non-prejudicial interest** in this matter, in so far as it related to the FiReControl Project, by virtue of his being the Authority appointed Director to South West Fire Control Ltd., the Local Authority Controlled Company (LACC) with overall governance responsibility for the South West Regional Control Centre).

The Authority considered a report of the Clerk (DSFRA/11/4) on the levels of basic and special responsibility allowances and expense reimbursements to be payable in 2011/12. The relevant Regulations required the Authority to confirm these details before the commencement of each financial year.

The report detailed the current rates of allowances and expense reimbursements as set following a major review in May 2008. The report also provided details of current travel and subsistence rates payable to local government staff.

The approved Members Allowances Scheme provided for uprating based upon advice received from the Local Government Association (LGA). The report indicated the LGA recommended increase for 2010/11 together with details of the provision made within the draft 2011/12 Revenue Budget to increase allowances. The report noted that the Authority had for the last two years resolved to freeze allowances at the 2008 level.

Councillor Yeomans **moved**, with Councillor Turner seconding:

“that, for 2011/12, there be no increase either in basic and special responsibility allowances or in the rates payable for travel and subsistence reimbursement”.

Councillor Cann **moved**, with Councillor Gribble seconding, that the motion proposed by Councillor Yeomans be **amended** by the deletion of the word “either” and the replacement of the words following “allowances” with “or subsistence reimbursement, but that the rate for travel reimbursement be increased from 40pence per mile to 52.2pence per mile”, the full amended motion to read:

“that, for 2011/12, there be no increase in basic and special responsibility allowances or subsistence reimbursement, but that the rate for travel reimbursement be increased from 40pence per mile to 52.2pence per mile”

The **amendment** was put to the vote and declared **lost** by 12 votes to 6.

Councillor Boyd then **moved**, with Councillor Woodman seconding, a **second amendment** to the original motion by Councillor Yeomans to delete all words after “allowances” and replace them with the words “but that the rates payable for travel and subsistence allowances should be set at parity with those rates currently payable to local government staff”, the full second amendment to the motion to read:

“that, for 2011/12, there be no increase either in basic and special responsibility allowances but that the rates payable for travel and subsistence allowances should be set at parity with those rates currently payable to local government staff”.

In accordance with Standing Order 25, a roll call vote was requested on the second amendment the results of which are reproduced below:

For the second amendment

Councillors Boyd, Burridge-Clayton, Eastman, Hughes OBE and Woodman.

Against the second amendment

Councillors Healey, Bown, Cann, Drean, Foggin, Gribble, Horsfall, Leaves, Mills, Mrs. Nicholson, Randall Johnson, Turner and Yeomans.

Abstentions

Councillors Dyke, Radford and Smith.

The second amendment was declared **lost** by 13 votes to 5, with 3 abstentions.

Councillor Cann then **moved**, with Councillor Burridge-Clayton seconding, a **third amendment** to the original motion by Councillor Yeomans to delete all words after “allowances” and replace them with the words “or subsistence reimbursement, but that the rate for travel reimbursement be increased from 40pence per mile to 50pence per mile”, the full amended motion to read:

“that, for 2011/12, there be no increase in basic and special responsibility allowances or subsistence reimbursement, but that the rate for travel reimbursement be increased from 40pence per mile to 50pence per mile”

The third amendment was put to the vote and declared **lost** by 10 votes against to 5 for, with three abstentions. There being no further amendments proposed, the original, unamended motion as **moved** by Councillor Yeomans and seconded by Councillor Turner was put to the vote upon which it was

RESOLVED, by 12 votes for to 5 against, that, for 2011/12, there be no increase either in basic and special responsibility allowances or in the rates payable for travel and subsistence reimbursement

(SEE ALSO MINUTE DSFRA/51 ABOVE)

DSFRA/56. Personal Protective Equipment (PPE) Replacement

The Authority received for information a report of the Director of Service Support (DSFRA/11/5) on the background to securing replacement personal protective equipment (PPE) for the Service. As previously reported, at the end of the former contract the Service had initially considered utilising the Integrated Clothing Project (ICP) for its replacement provision. Further examination of this option revealed a number of difficulties, not least the legal complications associated with the contract, which had resulted in the Service exploring alternatives.

Replacement provision had now been sourced through the Yorkshire Purchasing Consortium and offered a better specification of kit, thereby improving firefighter safety, and should realise savings for the Authority in the region of £164,000 over the life of the contract when compared to the ICP contract.

DSFRA/57. Chairman's Announcements

The Chairman circulated a list of activities undertaken on behalf of the Authority since its last meeting and including, amongst other things:

- attendance with the Authority Treasurer at a meeting with Bob Neill MP to discuss the grant settlement; and
- attendance at a meeting of the Local Government Association Fire Commission.

Additionally, the Chairman reported that he had received an invitation to attend, along with the Chief Fire Officer, a further meeting with Bob Neill MP to discuss Devon & Somerset's views on the localism agenda and aspirations for both the Authority and the Service.

DSFRA/58. Chief Fire Officer's Announcements

The Chief Fire Officer reported on a fire death that had occurred in Paignton on 13 February 2011. The casualty was an 85 year old man. The precise details of the incident were still being investigated.

At this stage in the meeting the Chief Fire Officer's Personal Assistant, Madeleine Miles, presented Councillor Bernard Hughes OBE, former Authority Chairman, with a photographic record of his ten years in office. Members of the Authority joined in congratulated Councillor Hughes on all that he had achieved both personally and on behalf of the Authority during this period.

DSFRA/59. 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 items of business on the grounds that they involves the likely disclosure of exempt information as defined:

- for Minutes DSFRA/60 and DSFRA/61 below, in Paragraph 4 of Part 1 of Schedule 12A (as amended) to the Local Government Act 1972, namely information relating to consultations between the Authority and representative bodies; and
- for Minute DSFRA/62, in Paragraph 3 of Part 1 of Schedule 12A (as amended) to the Local Government Act 1972, namely information relating to the business affairs of this and other Authorities.

DSFRA/60. Human Resources Management and Development Committee

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

(Councillor Woodman declared a **personal but non-prejudicial interest** in this matter, in so far as it related to the FiReControl Project, by virtue of his being the Authority appointed Director to South West Fire Control Ltd., the Local Authority Controlled Company (LACC) with overall governance responsibility for the South West Regional Control Centre).

The Chair of the Committee, Councillor Cann, **moved** the Exempt Minute of the meeting of the Human Resources Management and Development Committee held on 21 January 2011. The exempt minute addressed in principle considerations in relation to redundancy enhancements.

RESOLVED

- (a) that the recommendations at Minute HRMDC/26 (Redundancy Compensation for Compulsory and Voluntary Redundancies) be considered in conjunction with the report on this item elsewhere on the agenda for this meeting;

- (b) that, subject to (a) above and in accordance with Standing Orders, the Minutes be adopted.

(SEE ALSO MINUTE DSFRA/51 ABOVE AND DSFRA/60 BELOW)

DSFRA/61. Redundancy Compensation For Compulsory And Voluntary Redundancies - Further Considerations

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

(Councillor Woodman declared a **personal but non-prejudicial interest** in this matter, in so far as it related to the FiReControl Project, by virtue of his being the Authority appointed Director to South West Fire Control Ltd., the Local Authority Controlled Company (LACC) with overall governance responsibility for the South West Regional Control Centre).

The Authority considered a report of the Director of People and Organisational Development (DSFRA/11/6) on redundancy compensation to be applied in the event of compulsory and voluntary redundancies. This issue had been considered by the Human Resources Management and Development Committee at its meeting on 21 January 2011 which had approved, in principle and for the purpose of consultation with representative bodies, multipliers for use in calculating redundancy payments.

The report outlined the outcome of the consultations with the representative bodies, which in the main were favourable to the proposals, and also set out details of multipliers in use by other local authorities in the region.

RESOLVED

- (a) that the outcome of the consultations with representative bodies on the redundancy multiplier to apply, as set out in Section 5 of report DSFRA/11/6, be noted;
- (b) that, on the basis of this outcome and subject to (c) below, a multiplier of 2 be adopted for use in calculating redundancy payments arising from either compulsory or voluntary redundancies in relation to staff eligible to join the Local Government Pension Scheme i.e., non-uniformed and Control staff plus operational staff at Station Manager or above who have retired and been re-employed;
- (c) that a multiplier of 2.5 be adopted for use in calculating redundancy payments arising from either compulsory or voluntary redundancies specifically for the categories of staff referred to at (a) above and classified as "at risk" in the Temporary Staff Pool arising from the Regional Control Centre (RCC), other regional staff employed by the Devon & Somerset Fire & Rescue Service, appropriate RCC Project Team staff and other staff given notice up until 31 March 2011;
- (d) that it be noted that, on the basis of advice received to date, it would appear that other uniformed staff not conditioned to the Local Government Pension Scheme have no entitlement to an enhanced redundancy payment;
- (e) that the redundancy multiplier be reviewed annually to take into account budgetary and financial issues and the organisational planning needs of the Service.

(SEE ALSO MINUTES DSFRA/51 AND DSFRA/60 ABOVE)

DSFRA/62. Options For Collaborative Working

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

The Authority considered a report of the Chief Fire Officer (DSFRA/11/7) on the proposed establishment of a six-month pilot to facilitate closer, collaborative working with Dorset Fire & Rescue Service. Under the proposal, decisions would continue to be made in accordance with the respective constitutions of both fire and rescue authorities and there would be no delegated power or responsibility for the duration of the pilot.

A Political Overview Board would be established, the terms of reference for which were appended to the report, together with a Shared Management Board the terms of reference for which were also appended. Resources implications associated with the pilot were considered to be minimal and would be contained from within the existing budgets for the two services.

RESOLVED

- (a) that the principle of the Devon & Somerset Fire & Rescue Service and the Dorset Fire & Rescue Service exploring ways to strengthen their working relationship, as outlined in report DSFRA/11/7, be endorsed;
- (b) that, to facilitate this, closer working of the respective senior officer management teams during the period of the review be endorsed;
- (c) that the proposed governance arrangements for the review including the draft Terms of Reference for both the Political Overview Board and the Devon, Somerset & Dorset Shared Management Board be approved;
- (d) that the Chairman together with Councillors Dyke and Gribble be appointed to the Political Overview Board, the Term of Office for the appointments to be until the conclusion of the review or until the Members cease their Authority membership or Chairmanship as the case may be.

The meeting started at 10.00hours and finished at 12.20hours.

**APPENDIX A TO THE MINUTES OF THE BUDGET MEETING OF THE DEVON & SOMERSET
FIRE & RESCUE AUTHORITY HELD ON 14 FEBRUARY 2011**

Proposed Capital Programme (2011/12 to 2013/14)					
2010/2011 predicted outturn (£000)	Item	PROJECT	2011/12 (£000)	2012/13 (£000)	2013/14 (£000)
		Estate Development			
-24	1	Exeter Middlemoor			
44	2	Exeter Danes Castle			
35	3	SHQ major building works	100		
	4	Major Projects - Training Facility at Exeter Airport	1,000	1,900	
882	5	Minor improvements & structural maintenance	1,750	1,750	1,750
80	6	Welfare Facilities			
34	7	Diversity & equality			
10	8	USAR works	460		
	9	Minor Works slippage from 2010-11	1,898		
1,061		Estates Sub Total	5,208	3,650	1,750
		Fleet & Equipment			
1,628	10	Appliance replacement	411	1,400	1,700
344	11	Specialist Operational Vehicles	619		
44	12	Vehicles funded from revenue			
98	13	Equipment	125	200	200
13	14	Asset Management Plan (Miquest) software	139		
2,127		Fleet & Equipment Sub Total	1,294	1,600	1,900
3,188		SPENDING TOTALS	6,502	5,250	3,650
		Programme funding			
1,807		Main programme	5,245	4,500	3,650
144		Revenue funds	797	750	
1,237		Grants	460		
3,188		FUNDING TOTALS	6,502	5,250	3,650

**APPENDIX B TO THE MINUTES OF THE BUDGET MEETING OF THE DEVON & SOMERSET
FIRE & RESCUE AUTHORITY HELD ON 14 FEBRUARY 2011**

PRUDENTIAL AND TREASURY INDICATORS

PRUDENTIAL INDICATOR	2011/12 £m estimate	2012/13 £m estimate	2013/14 £m estimate
Capital Expenditure			
Non - HRA	6.502	5.250	3.650
HRA (applies only to housing authorities)	0	0	0
TOTAL	6.502	5.250	3.650
Ratio of financing costs to net revenue stream			
Non - HRA	4.35%	4.56%	4.93%
HRA (applies only to housing authorities)	0%	0%	0%
Capital Financing Requirement as at 31 March			
Non – HRA	31.154	33.434	34.671
HRA (applies only to housing authorities)	0	0	0
Other long term liabilities	1.885	1.847	1.836
TOTAL	33.039	35.281	36.507
Annual change in Cap. Financing Requirement			
Non – HRA	3.114	2.242	1.226
HRA (applies only to housing authorities)	0	0	0
TOTAL	3.114	2.242	1.226
Incremental impact of capital investment decisions			
Increase/(decrease) in council tax (band D) per annum	£ p (£0.47)	£ p (£0.39)	£ p (£0.47)
TREASURY MANAGEMENT PRUDENTIAL INDICATORS			
	£000	£000	£000
Authorised Limit for external debt - borrowing	36.229	37.885	39.251
other long term liabilities	1.930	1.917	1.856
TOTAL	38.159	39.802	41.107
Operational Boundary for external debt - borrowing	34.671	36.213	37.517
other long term liabilities	1.836	1.825	1.766
TOTAL	36.507	38.038	39.283

	upper limit %	lower limit %
Limits on borrowing at fixed interest rates	100%	70%
Limits on borrowing at variable interest rates	30%	0%
Maturity structure of fixed rate borrowing during 2011/12		
Under 12 months	30%	0%
12 months and within 24 months	30%	0%
24 months and within 5 years	50%	0%
5 years and within 10 years	75%	0%
10 years and above	100%	50%

**APPENDIX C TO THE MINUTES OF THE BUDGET MEETING OF THE DEVON & SOMERSET
FIRE & RESCUE AUTHORITY HELD ON 14 FEBRUARY 2011**

MINIMUM REVENUE STATEMENT (MRP) 2011/12

Supported Borrowing

The MRP will be calculated using the regulatory method (option 1). MRP will therefore be calculated using the formulae in the old regulations, since future entitlement to RSG in support of this borrowing will continue to be calculated on this basis.

Un-Supported Borrowing (including un-supported borrowing prior to 1st April 2008)

The MRP in respect of unsupported borrowing under the prudential system will be calculated using the asset life method (option 3). The MRP will therefore be calculated to repay the borrowing in equal annual instalments over the life of the class of assets which it is funding. The repayment period of all such borrowing will be calculated when it takes place and will be based on the finite life of the class of asset at that time and will not be changed.

Finance Lease and PFI

In the case of Finance Leases and on balance sheet PFI schemes, the MRP requirement is regarded as met by a charge equal to the element of the annual charge that goes to write down the balance sheet liability. Where a lease of PFI scheme is brought, having previously been accounted for off-balance sheet, the MRP requirement is regarded as having been met by the inclusion of the charge, for the year in which the restatement occurs, of an amount equal to the write-down for the year plus retrospective writing down of the balance sheet liability that arises from the restatement. This approach produces an MRP charge that is comparable to that of the Option 3 approach in that it will run over the life of the lease or PFI scheme and will have a profile similar to that of the annuity method.

MRP will normally commence in the financial year following the one in which the expenditure was incurred. However, when borrowing to construct an asset, the authority may treat the asset life as commencing in the year in which the asset first becomes operational. It may accordingly postpone the beginning to make MRP until that year. Investment properties will be regarded as becoming operational when they begin to generate revenues.

DEVON & SOMERSET FIRE & RESCUE AUTHORITY



REPORT REFERENCE NO.	DSFRA/11/8
MEETING	DEVON & SOMERSET FIRE & RESCUE AUTHORITY (ANNUAL MEETING)
DATE OF MEETING	27 MAY 2011
SUBJECT OF REPORT	REVIEW OF CONSTITUTIONAL GOVERNANCE FRAMEWORK DOCUMENTS
LEAD OFFICER	Clerk to the Authority
RECOMMENDATIONS	<p><i>(a) that the constitutional governance framework documents as listed at paragraph 1.1 of this report be endorsed;</i></p> <p><i>(b) that it be noted that further amendments to the documents may be submitted to future meetings of the Authority as and when required.</i></p>
EXECUTIVE SUMMARY	This report sets out information on a review of the Authority's constitutional governance framework documents (Standing Orders, Financial Regulations etc).
RESOURCE IMPLICATIONS	Nil.
EQUALITY IMPACT ASSESSMENT	An initial assessment has revealed that there are no equality issues arising from this report.
APPENDICES	Nil.
LIST OF BACKGROUND PAPERS	Nil.

1. **BACKGROUND**

- 1.1 At its inaugural meeting on 11 April 2007 the Authority approved a number of “in-principle” decisions previously approved by the Shadow Authority, including its Constitutional Governance Framework documents (Minute DSFRA/5 refers). These documents now include, amongst other things:-
- The Accountabilities, Roles and Responsibilities of Members of the Devon & Somerset Fire & Rescue Authority
 - Members’ Code of Conduct;
 - Member/Officer Protocol;
 - Policy on Gifts and Hospitality;
 - Scheme of Members Allowances;
 - Standing Orders;
 - Financial Regulations;
 - Procurement and Contract Regulations;
 - Scheme of Delegations;
 - Corporate Governance Code;
 - Treasury Management Policy;
 - Strategy on the Prevention and Detection of Fraud and Corruption; and
 - “Whistleblowing” Code (Confidential Reporting Policy).
- 1.2 The constitutional operation of the Authority also features a Committee structure (with associated terms of reference). This is addressed by a Schedule elsewhere on the agenda for this meeting.
- 1.3 The documents referred to above were drafted by reference to a number of sources, some statutory; some based upon “models” issued either by central government or by professional bodies (e.g. the Chartered Institute for Public Finance Accountancy – CIPFA); and others best practice. While there is no legal requirement for the documents to be reviewed, it is nonetheless considered best practice to review the documents at least on an annual basis to ensure that they continue to be “fit for purpose”. This clearly does not preclude making revisions at any time to any of the documents where this might be required by changes in legislation or internal structure; or the approval of new documents to enhance the governance framework.
- 1.4 When reviewing any of the Authority’s constitutional governance framework documents due regard is taken of:
- any current “best practice” models;
 - any existing national guidance and model documents;
 - similar documents in use by other combined fire and rescue authorities; and
 - similar documents in use by constituent authorities.
- 1.5 Each of the Authority’s Constitutional Framework documents have again been subject to review over the last twelve months and will continue to be subject to ongoing review with any further proposed revisions submitted to future meetings of the Authority as required.

1.6 Following this review, no amendments are currently proposed to any of the existing documents. As previously reported, however, the Service is currently embarked upon a significant business transformation programme designed to best equip it to meet anticipated challenges over the next few years and to enable it to achieve its stated ambition of being an “excellent” organisation. At present, as part of this programme, two fundamental reviews are being undertaken of both service delivery and service support. The latter of these features a series of improvements to the Service procurement processes and it is likely that this will, in turn, require revisions to the Procurement and Contract Regulations. As indicated earlier, however, any such revisions will be reported to future meetings as required.

M PEARSON
Clerk to the Authority

SCHEDULE OF APPOINTMENTS TO COMMITTEES, WORKING PARTIES ETC. AND APPOINTMENTS TO OUTSIDE BODIES

RECOMMENDATIONS

- (a) *that the Terms of Reference for Committees as set out in Annex 1 to this Schedule be endorsed;*
- (b) *that, in accordance with Standing Orders, appointments be made to Committees etc. as shown in Part A of this Schedule for the 2011/12 municipal year, the term of office to be until the Authority Annual Meeting in 2012 (or, for the Standards Committee, the “appointed day”, whichever is the sooner);*
- (c) *that the appointments of Messrs. Phillips, Watson and Withers as Independent Members of the Authority’s Standards Committee be re-affirmed until the “appointed day” or the Annual Meeting of the Authority in 2011, whichever is the sooner;*
- (d) *that appointments be made to Outside Bodies as shown in Part B of this Schedule for the 2011/12 municipal year, the term of office to be until the Annual Meeting in 2012 unless otherwise indicated.*
- (e) *that the Authority confirms the term of office for its appointed Director to South West Fire Control Ltd. (currently Councillor Woodman) to be until he resigns from that position, ceases to be a Member of this Authority OR until the Company is formally dissolved.*

NOTES

1. The Authority, at its inaugural meeting on 11 April 2007, ratified the Committee Structure as reflected in this Schedule (Minute DSFRA/5 refers). The Terms of Reference for each Committee were reviewed in 2008 and further modified:
 - (a) in relation to the Capital Programme Working Party, in March 2009; and
 - (b) in relation to the Resources Committee and responsibility for the Authority’s Treasury Management Strategy, Practices and Policies, in February 2010;
 - (c) in relation to the Human Resources Management and Development Committee and responsibility for determination of complaints relating to Stage 2 of the Firefighters Pensions Scheme Internal Disputes Resolution Procedure, in March 2010.

The current Terms of Reference for each body are set out in Annex 1 to this Schedule.

2. The Localism Bill published in December 2010 contains provisions for the abolition of the current standards regime for Members. These provisions, however, have yet to be enacted. Pending this and in line with guidance from both government and Standards for England, it is proposed that the Authority's Standards Committee be re-appointed until either the "appointed day" (i.e. the statutory date for abolition of the former regime) OR the next Authority Annual Meeting (whichever is the sooner). This would also entail confirming the appointment of the current three independent members for the same period. Although appointed, it is not proposed that any meetings of the Standards Committee should be scheduled in the Calendar of Meetings – rather, meetings will be called as and when the need arises.
3.
 - (a) The Schedule indicates purely the allocation of places to Committees and Outside Bodies for the previous (2010/11) municipal year. It should not be interpreted as any form of recommendation in relation to appointments for the forthcoming, 2011/12, municipal year;
 - (b) Names in round brackets – () – indicates that the person is no longer a Member of the Authority as a result of the 2011 elections. Names in square brackets – [] - indicates a Member in the former, 2010/11, municipal year who – at the time of producing this agenda – it is understood will be replaced by their appointing constituent authority;
 - (c) The Authority's Standing Orders provide for it to determine appointments to Committees taking account of the principles of the Local Government and Housing Act 1989 (political proportionality).
4. Role profiles for the Equality and Diversity and Climate Change and Sustainability Member Champions were recommended by, respectively, the Human Resources Management and Development Committee at its meeting on 17 June 2010 and the Resources Committee on 16 July 2010. These role profiles were subsequently approved by the Authority at its meeting on 30 July 2010.
5. The South West Regional Management Board, to which this Authority formerly appointed three main Members and three named Substitute Members, was formally dissolved with effect from 31 March 2011. The Board has been replaced by a reconstituted, informal South West Forum of Fire Authorities comprising the Chairs and Chief Fire Officers of the south west region fire and rescue authorities.
6. The Authority currently appoints one of its Members (currently, Councillor Woodman) as a Director on South West Fire Control Ltd. (the Local Authority Controlled Company – LACC - responsible for overall governance of the Regional Control Centre). The term of this appointment currently is until the appointed Member either resigns or ceases to be a Member of this Authority. With the cancellation of the FiReControl Project, South West Fire Control Ltd. is in the process of seeking formal dissolution. Until this happens, however, Directors of the company remain in post and consequently, it is proposed that the Authority should confirm the term of office of the currently appointed Director as being until he resigns, ceases to be a Member of this Authority OR until the company itself is formally dissolved.

(A) **COMMITTEES, WORKING PARTIES ETC.**

RESOURCES COMMITTEE

7 Members in total

(2010/11 Membership: Councillors Gordon, Horsfall, Hughes OBE, Smith, [Turner], Woodman and Yeomans).

HUMAN RESOURCES AND MANAGEMENT COMMITTEE

7 Members in total

(2010/11 Membership: Councillors Bown, Boyd, Burridge-Clayton, Cann, (Manning), [Mrs. Nicholson] and [Turner]).

AUDIT AND PERFORMANCE REVIEW COMMITTEE

7 Members in total

(2010/11 Membership: Councillors Burridge-Clayton, Drean, Dyke, Gribble, Mills, Radford and Way).

COMMUNITY SAFETY AND CORPORATE PLANNING COMMITTEE

7 Members in total

(2010/11 Membership: Councillors Eastman, Foggin, Fry, Healey, Leaves, (Manning) and Woodman).

STANDARDS COMMITTEE

9 Members in total – six to be appointed by the Authority PLUS three Statutory Independent Members (currently Messrs. Phillips, Watson and Withers – appointments to be re-affirmed until the Annual Meeting in 2011 OR until the “appointed day”, whichever is sooner)

(2010/11 Membership: Councillors Gribble, Horsfall, (Manning), Mills, Randall Johnson and Yeomans).

CAPITAL PROGRAMME WORKING PARTY

4 Members in total

(2010/11 Membership: Councillors Bown, Fry, Smith and Woodman).

EQUALITY AND DIVERSITY MEMBER CHAMPION

One appointment (Shared appointment by Councillors Randall Johnson and [Turner] in 2010/11).

CLIMATE CHANGE AND SUSTAINABILITY MEMBER CHAMPION

One appointment (Councillor Leaves in 2010/11).

(B) APPOINTMENTS TO OUTSIDE BODIES

LOCAL GOVERNMENT ASSOCIATION (LGA)

(a) Fire Service Commission

One appointment – usually Authority Chairman (Councillor Healey).

(Date of next meeting: Friday 17 June 2011 in Local Government House, Smith Square, Westminster, London).

(b) General Assembly

Four appointments – normally, Chairman of the Authority and one representative from each of the three other constituent authorities, exercising the votes as shown.

(2010/11 appointees: Councillors Healey [Chairman][5 Service and 1 Corporate Vote]; Drean, Fry and Horsfall [4 Service votes each]).

Member	No. votes exercised
Chairman	5 Service and 1 Corporate
	4 Service
	4 Service
	4 Service

(**NOTE:-** The General Assembly usually meets annually with Authority attendance being dependent on inclusion of fire and rescue related items in the business to be discussed. Date of next meeting: Tuesday 28 June 2011 at the Birmingham International Conference Centre).

(c) Urban Commission

This provides a forum for Member authorities whose areas are wholly **or partly** urban. The purpose of this Commission is to:-

- provide the forum in which urban authorities can discuss matters of common concern and exchange good practice and experience;
- assist the LGA take into account the needs, priorities and aspirations of urban authorities in formulating and promoting its policies; and
- help the LGA to promote the role and interests of urban authorities and the ability of those authorities to meet the needs of the communities they serve.

One Member appointment exercising one corporate vote (Councillor Gordon in 2010/11).

Date of next meeting: TBC, October 2011 at Local Government House.

(d) **Rural Commission**

This provides a forum for Member authorities with an interest in rural affairs. The purpose of this Commission is to:-

- provide the forum in which rural authorities can discuss matters of common concern and exchange good practice and experience;
- assist the LGA take into account the needs, priorities and aspirations of rural authorities in formulating and promoting its policies; and
- help the LGA to promote the role and interests of rural authorities and the ability of those authorities to meet the needs of the communities they serve.

One Member appointment exercising one corporate vote (Councillor Smith in 2010/11).

Date of next meeting: Tuesday 6 September 2011 in the Assembly Rooms, Bath (followed by Annual Conference to take place at the same venue on Wednesday 7 September 2011, attendance at which is an approved duty).

DEVON STRATEGIC PARTNERSHIP

One Member (Councillor Way in 2010/11).

SAFER DEVON PARTNERSHIP EXECUTIVE GROUP

One Member (Councillor Randall Johnson in 2010/11).

SOMERSET STRATEGIC PARTNERSHIP

One Member (Councillor Horsfall in 2010/11).

SOUTH WEST COUNCILS

The South West Councils brings together the 41 local authorities in the region to:

- Provide a voice for constituent local authorities on major issues affecting the South West;
- Influence Government policy as it affects the region;
- Encourage partnership working between local authorities and other organisations and agencies in the South West on policy issues where a broader regional approach is required;
- Promote the sharing of good practice;
- Support councils through delivery of the Regional Improvement and Efficiency Partnership ([SW RIEP](#)).

One Member (Chairman – Councillor Healey – in 2010/11).

SOUTH WEST PROVINCIAL COUNCIL

The Provincial Council is the joint negotiating machinery for the South West. It comprises the employers' side (South West Employers) and the trade union side and provides a forum for discussion, debate and negotiation on human resource issues.

The Provincial Council meets twice yearly and the Employers' side has a Management Committee, which meets three times a year to continue business.

The functions of the Provincial Council are:

- To exchange ideas with the view of increasing the understanding of the two Sides;
- To promote good industrial relations practice and training, including the development of good personnel practice;
- To undertake tasks as required by the National Joint Council;
- To establish and give legitimacy to dispute and conciliation machinery;
- To facilitate, should the need arise, the negotiation of collective agreements;
- To issue advice, as appropriate, to Local Authorities and Unions;
- To provide a forum for discussion on key strategic issues affecting Local Government industrial relations/training/personnel.

One Member (historically, Chair of the Human Resources Management and Development Committee) (Councillor Cann in 2010/11).

SOUTH WEST FORUM OF FIRE AUTHORITIES

Authority Chairman

(NOTE:- This reconstituted Forum, comprising the Chairmen and Chief Fire Officers of South West fire and rescue services, replaced the formal South West Regional Management Board which was formally dissolved on 31 March 2011. The purpose of the Forum is to enable matters of mutual interest to be discussed in a less formal setting.)

DEVON AND EXETER RACIAL EQUALITY COUNCIL

One Member (Councillor (Manning) in 2010/11).

PLYMOUTH AND DISTRICT RACIAL EQUALITY COUNCIL

One Member (Councillor Gordon in 2010/11).

SOMERSET RACIAL EQUALITY COUNCIL

One Member (Councillor [Turner] in 2010/11).

(NOTE: Affiliate Membership of the Councils is free and entitles the Authority to two places on each Council – one Member and one Officer. The Constitutions for each Council provide for there to be a minimum of three meetings per year [including an Annual General Meeting]. Membership of the Councils is considered appropriate to assist the Authority with its statutory equality and diversity duties under the Race Relations (Amendment) Act 2000).

DEVON AND SOMERSET FIRE AND RESCUE AUTHORITY

COMMITTEES, WORKING PARTIES ETC. - TERMS OF REFERENCE

RESOURCES COMMITTEE

Advisory ONLY

1. To give preliminary consideration to and recommend to the Authority a provisional budget and Council Tax requirement for the forthcoming year.
2. To consider in the first instance the financial implications of any proposals for which resources have not already been approved and to make recommendations on these as appropriate to the Authority.

Matters with Delegated Power to Act

3. To consider budget monitoring reports and to approve any necessary modifications and specifically to authorise virements within the thresholds as set out in the Financial Regulations subject to all financial implications being contained within the overall revenue budget.
4. In accordance with Procurement and Contract Regulations:-
 - to determine from time to time contract financial thresholds for the purpose of determining the appropriate tendering process to be applied;
 - to authorise further negotiations with tenderers following receipt of tenders in circumstances other than those currently provided for in Procurement and Contract Regulations;
 - to accept a tender other than that providing best value for money when it is considered such acceptance is in the best financial interests of the Authority or it is considered there are other special circumstances.
5. In accordance with Financial Regulations:-
 - to approve of the acquisition or disposal of any land or buildings subject to a conveyance;
 - to approve of the disposal of any material asset where the estimated disposal value is within the thresholds as set out in the Schedule to the Regulations;
 - to write off any redundant stock and equipment within the thresholds as set out in the Schedule to the Regulations;
 - to write-off any stock and equipment deficiencies within the thresholds as set out in the Schedule to the Regulations;
 - to write-off any debt within the thresholds as set out in the Schedule to the Regulations;
 - to write off any overpayment of salary or allowance within the thresholds as set out in the Schedule to the Regulations;
 - to make any grant within the thresholds as set out in the Schedule to the Regulations.

6. To monitor progress of schemes included in the approved Capital Programme including the schedule of individual schemes funded from either the Ring Fenced Maintenance or Other Projects generic capital budgets and specifically in accordance with Financial Regulations:-
 - to approve any proposal to finance a capital scheme from the revenue budget where the level of expenditure to be incurred is within the thresholds as set out in the Schedule to the Regulations;
 - to approve any excess of estimated expenditure for an individual major capital scheme over approved Capital Programme provision within the thresholds as set out in the Schedule to the Regulations and subject to the additional expenditure being contained from within the overall capital programme limit for the year in question;
 - to approve the excess of overall expenditure on Other Projects or Ring Fenced generic capital budgets over the approved budget provision within the thresholds as set out in the Schedule to the Regulations and subject to the additional expenditure being contained from within the overall capital programme limit for the year in question.
7. To implement and regularly monitor the Authority's Treasury Management Policies and Practices.
8. To ensure effective scrutiny of the Authority's Treasury Management Strategy and Policies.
9. To approve responses to external consultation documents on issues within the remit of this Committee and as referred by officers.

HUMAN RESOURCES MANAGEMENT AND DEVELOPMENT COMMITTEE

Advisory ONLY

1. To consider and make recommendations to either the Resources Committee or the Authority, as appropriate, on any proposed changes in Service structure, terms and conditions of service, or issues in relation to equality and fairness, pensions entitlements, health and safety and training of all employees where the financial implications of any such changes cannot be met from within existing resources or would require a virement(s) in excess of the lower threshold as set out in Financial Regulations.

Matters with Delegated Power to Act

2. Where a discretionary policy has been determined, to consider individual cases as may be referred by the Chief Fire Officer.
3. To approve and monitor a Member Development Strategy.
4. To provide in the first instance for membership of Appointments Panels for the posts of Chief Fire Officer, Deputy Chief Fire Officer, Assistant Chief Fire Officer, Treasurer and Clerk.
5. To approve and monitor the operation of any Code of Conduct for Employees.

6. To appoint from amongst its Members a Panel of three Members with delegated authority to consider and determine complaints made by individuals under Stage 2 of the Firefighters' Pensions Scheme Internal Dispute Resolution Procedure.
7. To approve responses to external consultation documents on issues within the remit of the Committee and as referred by officers.

AUDIT AND PERFORMANCE REVIEW COMMITTEE

Advisory ONLY

1. To oversee the content and operation of the Authority's Strategy on the Prevention and Detection of Fraud and Corruption, making recommendations to the Authority as appropriate.

Matters with Delegated Power to Act

2. To oversee internal and external audit arrangements and to approve annual audit plans.
3. To receive the reports of internal and external audit and external assessments of the organisation and to ensure that any recommendations and findings are appropriately addressed, implemented and monitored.
4. To receive regular reports monitoring the performance of the Service against agreed plans and agree action to address any shortfalls identified.
5. To receive regular corporate risk management reports and agree action to ensure that corporate risks are effectively managed.
6. To consider and approve the Authority's Statement of Accounts and Annual Governance Statement for the previous financial year.
7. To approve responses to external consultation documents on issues within the remit of the Committee and as referred by officers.

COMMUNITY SAFETY AND CORPORATE PLANNING COMMITTEE

Advisory ONLY

1. To oversee development of the Corporate Plan and make recommendations as appropriate to the Authority.
2. To develop community safety priorities and make recommendations as appropriate to the Authority.

Matters with Delegated Power to Act

3. To consider and monitor the community risk profile to ensure that services are delivered effectively.
4. To approve new partnership arrangements in accordance with the Authority's Partnership Framework.
5. To approve responses to external consultation documents on issues within the remit of the Committee and as referred by officers.

STANDARDS COMMITTEE

PREAMBLE

The Standards Committee is a statutory committee of the Authority. Its membership and functions are governed by the Local Government Act 2000 (as amended).

(A) GENERAL TERMS OF REFERENCE

1. To promote and maintain high standards of conduct by Members of the Authority;
2. To assist Members of the Authority in observing its approved Code of Conduct.

(B) SPECIFIC TERMS OF REFERENCE

3. To approve and monitor the operation of the Code of Conduct for Members of the Authority;
4. To ensure that Code of Conduct training is provided for Members of the Authority;
5. To grant dispensations in accordance with the provisions of the Relevant Authorities (Standards Committee) (Dispensations) Regulations 2002 (and any amending legislation);
6. To operate the local assessment regime for consideration of alleged breaches of the Code of Conduct, including Assessment and Review Sub-Committees, as required by the Local Government Act 2000 (as amended);
7. To consider and act upon any reports that may be referred to it by the Monitoring Officer in accordance with any regulations made in accordance with Section 66 of the Local Government Act 2000 (as amended);
8. To oversee the content and operation of the Authority's "Whistleblowing" Code (Confidential Reporting Policy).
9. To approve responses to external consultation documents on issues within the remit of this Committee and as referred by officers.

CAPITAL PROGRAMME WORKING PARTY

To oversee the development of the Authority's asset management plans making recommendations as appropriate to the Resources Committee and/or full Authority.

DEVON & SOMERSET FIRE & RESCUE AUTHORITY CALENDAR OF MEETINGS 2011/12 MUNICIPAL YEAR

RECOMMENDATION *that the Authority considers with a view to approving the draft Calendar of Meetings for both Authority and Committee meetings for the 2011/12 municipal year, as set out below.*

NOTES

1. All meetings will be held at Devon & Somerset Fire & Rescue Service Headquarters unless otherwise indicated.
2. Known dates of outside body meetings have been included (shown in italics) in the Calendar. These will only affect those Members appointed to those outside bodies.

DEVON & SOMERSET FIRE & RESCUE AUTHORITY	
Calendar of meetings 2011/12	
Date/Time of Meeting	Name of Meeting
Cycle 1	
June 2011	
Friday 17 June 2011 - 10.00 hours	Human Resources Management and Development Committee (HRMD)
Friday 17 June 2011 (on rising of HRMD)	DSFRA Members Forum
<i>Friday 17 June 2011 – 11.00hours, Local Government House, Smith Square, London</i>	<i>Local Government Association (LGA) Fire Commission</i>
<i>Tuesday 28 June 2011 – Birmingham International Conference Centre</i>	<i>LGA General Assembly (as part of Annual Conference)</i>
July 2011	
Thursday 7 July 2011 - 10.00 hours	Community Safety and Corporate Planning Committee (CSCP)
Friday 22 July 2011 - 10.00 hours	Resources Committee (RC) (1 st Quarter 11/12 budget monitoring)
Wednesday 27 July 2011 – 10.00hours	Seminar – International Financial Reporting Standards (all Authority Members invited to attend)
Wednesday 27 July 2011 - 11.00hours	Audit and Performance Review Committee
Friday 29 July 2011 10.00hours	DEVON & SOMERSET FIRE & RESCUE AUTHORITY
Friday 29 July (on rising of formal Authority meeting)	DSFRA Members Forum

DEVON & SOMERSET FIRE & RESCUE AUTHORITY

Calendar of meetings 2011/12

Date/Time of Meeting	Name of Meeting
August 2011 – RECESS MONTH	
Monday 29 August 2011	Public Holiday
Cycle 2	
Wednesday 31 August 2011 - 10.00hours	Community Safety and Corporate Planning Committee (CSCP)
September 2011	
<i>Tuesday 6 and Wednesday 7 September 2011 – Assembly Rooms, Bath</i>	<i>LGA Rural Commission and Annual Rural Conference</i>
Monday 19 September 2011 - 10.00 hours	DEVON & SOMERSET FIRE & RESCUE AUTHORITY
Monday 19 September 2011 (on rising of formal Authority meeting)	DSFRA Members Forum
Thursday 22 September 2011 - 14.00hours	Audit and Performance Review Committee (APRC)
October 2011	
<i>Date and time to be confirmed – Local Government House, Smith Square, London</i>	<i>LGA Urban Commission</i>
Monday 3 October 2011 - 10.00hours	Human Resources Management and Development Committee (HRMD)
Wednesday 19 October 2011 - 10.00 hours	Resources Committee
Wednesday 19 October 2011 (on rising of Resources)	DSFRA Members Forum
Cycle 3	
November 2011	
Monday 7 November 2011 - 14.00 hours	DEVON & SOMERSET FIRE & RESCUE AUTHORITY
Friday 11 November 2011 - 10.00 hours	Human Resources Management and Development Committee (HRMD)
Thursday 17 November 2011 - 10.00 hours	Audit and Performance Review Committee (APRC)
Thursday 17 November 2011 (on rising of APRC)	DSFRA Members Forum (2012/13 and beyond budget issues)
Monday 28 November 2011 - 10.00 hours	Community Safety and Corporate Planning Committee
December 2011	
Friday 16 December 2011 - 10.00 hours	DEVON & SOMERSET FIRE & RESCUE AUTHORITY
Friday 16 December 2011 (on rising of formal Authority meeting)	DSFRA Members Forum

DEVON & SOMERSET FIRE & RESCUE AUTHORITY

Calendar of meetings 2011/12

Date/Time of Meeting	Name of Meeting
Monday 26 December 2011	Public Holiday
Tuesday 27 December 2011	Public Holiday
Cycle 4	
January 2012	
Monday 2 January 2012	Public Holiday
Thursday 12 January 2012 - 10.00 hours	Community Safety and Corporate Planning Committee (CSCP)
Thursday 12 January 2012 (on rising of CSCP)	DSFRA Members Forum
Monday 23 January 2012 - 14.00 hours	Human Resources Management and Development Committee (HRMD)
February 2012	
Wednesday 1 February 2012 - 10.00 hours	Audit and Performance Review Committee (APRC)
Friday 3 February 2012 - 10.00 hours	Resources Committee (budget) (RC)
Friday 17 February 2012 10.00 hours	DEVON & SOMERSET FIRE & RESCUE AUTHORITY (Budget)
Friday 17 February 2012 (on rising of formal Authority budget meeting)	DSFRA Members Forum
Cycle 5	
March 2012	
Monday 19 March 2012 - 10.00hours	Human Resources Management and Development Committee (HRMD)
Monday 19 March 2012 (on rising of HRMD)	DSFRA Members Forum
April 2012	
Friday 6 April 2012	Public Holiday
Monday 9 April 2012	Public Holiday
May 2012	
Monday 7 May 2012	Public Holiday
Thursday 10 May 2012 - 10.00 hours	Audit and Performance Review Committee
Thursday 10 May 2012 (on rising of APRC)	DSFRA Members Forum
Friday 18 May 2012 - 10.00 hours	Resources Committee
Wednesday 30 May 2012 - 10.00 hours	DEVON & SOMERSET FIRE & RESCUE AUTHORITY (Annual Meeting)
Wednesday 30 May 2012 (on rising of Annual Meeting)	DEVON & SOMERSET FIRE & RESCUE AUTHORITY (Ordinary Meeting)