

## DEVON & SOMERSET FIRE & RESCUE AUTHORITY

29 July 2011

### Present:-

Councillors Healey (Chairman), Bakewell MBE, Bown, Boyd, Brooksbank, Cann, Dyke, Eastman, Foggin, Gordon, Gribble, Horsfall, Leaves, Mills, Radford, Randall Johnson, Smith, Way, Woodman, Wright and Yeomans

### Apologies:-

Councillors Burridge-Clayton, Drean, Fry and Hughes OBE.

### **DSFRA/19. Minutes**

**RESOLVED** that the Minutes of the Annual and Ordinary Meetings of the Authority held on 27 May 2011 be signed as correct records.

### **DSFRA/20. Minutes of Committees, Working Parties Etc.**

#### **(a) Human Resources Management and Development Committee**

The Chairman of the Committee, Councillor Cann, **MOVED** the Minutes of the meeting of the Committee held on 17 June 2011 which has considered, amongst other things:

- a report providing an overview of union arrangements for the Devon & Somerset Fire & Rescue Service;
- an update report on the Working Time Directive “opt out” clause which was to be debated further by the European Union in November of this year;
- a report on absence levels within the Service and measures being taken to manage these; and
- emerging industrial relations issues.

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

#### **(b) Community Safety and Corporate Planning Committee**

The Chairman of the Committee, Councillor Leaves, **MOVED** the Minutes of the meeting of the Committee held on 7 July 2011 which had considered, amongst other things:

- an update report on the implementation of specialist rescue facilities by the Devon & Somerset Fire & Rescue Service (the Service);
- a presentation on work being undertaken by the Service in relation to its enforcement activities under the Regulatory Reform (Fire Safety) Order 2005.

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

#### **(c) Resources Committee**

The Chairman of the Committee, Councillor Gordon, **MOVED** the Minutes of the meeting of the Committee held on 22 July 2011 which had considered, amongst other things:

- a report on the Authority’s performance against its approved Treasury Management Strategy for the first quarter of the current (2011/12) financial year; and
- a monitoring report on expenditure against the approved revenue and capital budgets for the current (2011/12) financial year and on performance against agreed financial targets for that year.

The Minutes also highlighted the requirement, in accordance with Financial Regulations, for the Authority to approve a virement to facilitate the purchase of “middleware” technology (business process modelling and systems integration hardware and software) which would be key in supporting the Authority’s approved change and improvement programme. Financial provision had been approved for the project in revenue funding but the purchase would also involve capital expenditure hence the virement requirement.

**RESOLVED**

(i) that, to facilitate the purchase of “middleware”, approval be given to:

(A) the following virement in accordance with Financial Regulations

	<b>Budget From £000</b>	<b>Budget To £000</b>
Equipment and Furniture	(180,000)	
Revenue Contribution to Capital Spending		180,000

(B) an increase in the 2011/12 capital programme (fleet and equipment) of £180,000 to be funded from the above contribution from revenue

(ii) that, subject to (i) above and in accordance with Standing Orders, the Minutes be adopted.

**DSFRA/21. Commercial Services Governance and Management**

The Authority considered a report of the Chief Fire Officer (DSFRA/11/18) on progress to date to establish commercial trading opportunities for the Devon & Somerset Fire & Rescue Service (the Service) as one measure to help safeguard front-line service delivery in light of the anticipated reduction in central government funding for the Authority.

It was now considered timely that trading activities should be undertaken through the established vehicle – Red One Ltd – but this would require a number of governance issues to be addressed (such as revisions to the Articles of Association of the Company; establishment of an oversight committee etc.) as set out in the report. These issues would, in turn, have implications for the Authority’s approved Scheme of Members Allowances. These implications were also outlined in the report.

In relation to the proposed introduction of a Special Responsibility Allowance for Members serving on any Commercial Services Committee that may be established, Councillor Boyd **MOVED** (and Councillor Woodman seconded):

“that a Special Responsibility Allowance (SRA) of 1.5 times the current basic allowance should be payable to Members appointed to serve on the Commercial Services Committee and that the approved Scheme of Allowances be amended to indicate that, exceptionally and for this Committee only, this SRA should be additional to any other SRA that may be payable by virtue of appointment.”

This was put to the vote upon which it was **CARRIED** by a majority present and voting.

Councillor Yeomans subsequently **MOVED** (and Councillor Dyke seconded):

“that the additional SRA of 1.5 times the current basic allowance attracting by virtue of membership of the Commercial Services Committee only be payable in the event of Red One Ltd. making a profit and from the profit so made.”

Councillor Smith **MOVED** (with Councillor Mills seconding) that the motion proposed by Councillor Yeomans be **AMENDED** to read as follows:

“that funding of the additional SRA of 1.5 times the current basic allowance attracting by virtue of membership of the Commercial Services Committee in any given financial year be met from income generated from commercial trading (in accordance with the relevant Regulations) and not from the taxpayer.”

The amendment was put to the vote and **CARRIED** by a majority present and voting.

Councillor Randall Johnson then **MOVED** (with Councillor Boyd seconding):

“that the approved Scheme of Members allowances be amended to reflect that, exceptionally and in relation to the Commercial Services Committee only, multiple Special Responsibility Allowances be payable”

The motion was put to the vote upon which it was **CARRIED** by a majority present and voting.

Thereafter, it was

#### **RESOLVED**

- (a) that a Commercial Services Committee be established with the following Members appointed to the Committee until the Annual Meeting of the Authority in 2012:  
Councillors Boyd, Dyke, Gribble, Healey, Mills, Randall Johnson and Smith
- (b) that the draft Terms of Reference for the Committee as set out at Appendix A to report DSFRA/11/18 be approved;
- (c) that it be noted at this stage that amendments may be required to the Terms of Reference in light of the work to be completed in relation to the Business Plan, the agreement between the Authority and the Company and revisions to the Articles of the Company;

- (d) that, subject to (e) below, a Special Responsibility Allowance (SRA) of 1.5 times the basic allowance per annum be payable to Members appointed to serve on the Commercial Services Committee;
- (e) that funding of the additional SRA in any given financial year be met from income generated from commercial trading (in accordance with the relevant Regulations) and not from the taxpayer;
- (f) that the Clerk be authorised:
  - (i) to amend the approved Scheme of Members Allowances to reflect introduction of the new SRA and to indicate that, exceptionally, this SRA will be payable in addition to any other that may attract by virtue of relevant appointment; and
  - (ii) in accordance with the relevant Regulations, to advertise in local newspapers the above revisions to the approved Scheme of Members Allowances;
- (g) that further reports on:
  - (i) the business case for trading in the current (2011/12) financial year;
  - (ii) the contract to exist between the Authority and Red One; and
  - (iii) revised Articles of Association for Red One
 be submitted to a future meeting of the Authority;
- (h) that it be noted that, for the 2011/12 financial year, staffing costs associated with the operation of Red One Ltd and other operating costs will initially be met from the approved budgets for Service staffing and the ring-fenced budget for change and improvement initiatives but with the objective that these costs be recovered in due course from trading activities.

***(NOTE: In accordance with Standing Order 25(3):***

- ***Councillors Foggin and Way requested that their abstentions in relation to the decision recorded at (a) and (b) above be recorded;***
- ***Councillors Bakewell, Foggin, Way and Yeomans requested that their votes against the decisions recorded at (d) and (f)(i) above be recorded).***

**DSFRA/22. Emergency Response Standards: Non-Domestic Fires and Entrapments (Excluding Road Traffic Collisions)**

The Authority considered a report of the Director of Service Support (DSFRA/11/19) on the proposed introduction of local, risk-based, emergency response standards for non-domestic fires and entrapments (excluding road traffic collisions). The proposed standards had been developed by reference to the work undertaken in establishing appropriate standards house fires and road traffic collisions. The approved Corporate Plan 2010/11 – 2012/13 set out, amongst other things, the intention to pilot the standards and, pending the outcome of the pilot, move to formal adoption.

The report detailed the outcome of the pilot (which had run from 1 April 2010 to 31 March 2011) which had proven very positive in terms of comparing performance of the new standards against performance secured under the existing standards.

Adoption of these standards would complete the introduction of local, risk-based, emergency response standards.

## **RESOLVED**

- (a) that the outcome of the extended pilot into proposed emergency response standards for non-domestic premises and entrapments (excluding road traffic collisions), as set out in Section 4 of report DSFRA/11/19, be noted;
- (b) that, in light of the outcome of the extended pilot:
  - (i) the emergency response standard for non-domestic premises as set out in Section 2 of the report (and based on the attendance of the first fire appliance within 10 minutes for the reactive standard) be formally adopted; and
  - (ii) that the emergency response standard for entrapments (excluding road traffic collisions) as set out in Section 3 of this report (and based on the attendance of the first fire appliance within 15 minutes) be adopted.

### **DSFRA/23. Fire Control Consolidation**

The Authority received for information a report of the Director of Service Delivery (DSFRA/11/20) on progress to date in seeking to provide a consolidated control room function for the Devon & Somerset Fire & Rescue Service (the Service). The establishment of a consolidated function was driven by a number of factors including:

- cessation of the former, national, Regional Control Centre project (FiReControl);
- the need for the Service to vacate its Somerset-based control facility at Hestercombe House by October 2012; and
- the need to redevelop mobilising systems over the medium term.

The report outlined considerations being taken into account including operational procedures and staffing models for a new fire control, which would be secured without compulsory redundancies and in discussion with affected staff. It was envisaged that consolidation, once secured, would ultimately realise significant financial savings and provide a solid base to develop a fit for purpose control centre that could, in time, present opportunities for income generation.

### **DSFRA/24. Chief Fire Officer's Announcements**

The Chief Fire Officer reported, with regret, on two deaths as a result of fire that had occurred since the last Authority meeting:

- a 60 year old male in Taunton. Contributory factors included alcohol and smoking materials. The Service had no prior knowledge of the individual and it was considered the death, while tragic, could not have been prevented;
- an 82 year old woman in the Plymouth area as a result of a rapidly-developing chip pan fire. The accommodation was fitted with smoke alarms – several failed although one did actuate.

The Chief Fire Officer commented that, historically, deaths from fires were at a twenty-year low and that the Service record in this area was excellent given the population served (circa 1.8million people, rising by 20% or more in summer). Nonetheless, the Service would continue to progress its targeted prevention activities with view to eliminating deaths from fire entirely.

**DSFRA/25. Chairman's Announcements**

The Chairman circulated a list of activities undertaken on behalf of the Authority since its last meeting. In particular, he drew attention to:

- Attendance at a meeting with John Ransford (Chief Executive of the Local Government Group) to discuss, amongst other things, the potential for this Authority to be represented on the Fire Services Management Committee; and
- attendance on Saturday 23 July 2011 at the opening of the new Weymouth Community Fire Station. In this respect, the Chairman also reminded Members of the proposed visit to the Weymouth Community Fire Station in the afternoon of Wednesday 28 September 2011 to enable Members to meet with their counterparts on the Dorset Fire & Rescue Authority as part of the closer working initiative with that authority.

**DSFRA/26. Exclusion of the Press and Public**

**RESOLVED** that, in accordance with Section 100A(4) of the Local Government Act 1972 the press and public were excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined:

- for Minute DSFRA/27, in Paragraphs 1, 2 and 3 of Part 1 of Schedule 12A (as amended) to the Act, namely information relating individuals, from which individuals might be identified and to the financial and business affairs of those individuals; and
- for Minute DSFRA/28, in Paragraph 3 of Part 1 of Schedule 12A (as amended) to the Local Government Act 1972, namely the business affairs of the Authority.

**DSFRA/27. Senior Management Board - 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).

The Authority considered a report of the Chief Fire Officer (DSFRA/11/21) on proposals to address outstanding issues relating to the restructure of the Senior Management Board undertaken in December 2009.

**RESOLVED** that the recommendations as set out in report DSFRA/11/21 be approved and Councillors Boyd, Cann, Gordon, Healey and Randall Johnson appointed to the Panel so established to progress this matter and make recommendations as appropriate to the full Authority.

**DSFRA/28. Business Continuity Considerations**

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

The Authority received for information a report of the Director of Service Support (DSFRA/11/22) on arrangements to secure business continuity in the event of a service-disruption event. The report addressed a range of issues including the legal view of the obligations of the Authority in the event of a business continuity event.

The meeting started at 10.00hours and finished at 13.10hours.