

# DEVON & SOMERSET FIRE & RESCUE AUTHORITY

(Annual Meeting)

30 May 2012

## Present:-

Councillors Mrs. Bakewell MBE, Bown, Brooksbank, Burridge-Clayton, Cann, Mrs. Chugg, Dyke, Eastman, Foggin, Fry, Gordon, Gribble, Healey, Horsfall, Hughes OBE, Mills, Radford, Randall Johnson, D Smith , J Smith, Woodman and Yeomans.

## Apologies:-

Councillors Leaves and Way

### **DSFRA/1. Election of Chairman**

**RESOLVED** that Councillor Healey be elected Chairman of the Authority until its annual meeting in 2013.

### **DSFRA/2. Retiring and New Members**

On behalf of the Authority, the Chairman welcomed Councillors Mrs. Chugg and J. Smith as new Members to the Authority.

The Chairman and Members then paid tribute to the work of retiring Members Councillors Boyd (formerly Vice-Chair), Drean and Wright and thanked them for their service during their time with the Authority.

### **DSFRA/3. Minutes**

**RESOLVED** that the Minutes of the budget meeting of the Authority held on 17 February 2012 be signed as a correct record.

### **DSFRA/4. Election of Vice-Chairman**

The Chairman called for nominations for the position of Vice-Chairman of the Authority until its Annual Meeting in 2013.

Councillor Foggin nominated Councillor Fry. This was seconded by Councillor Dyke.

Councillor Brooksbank nominated Councillor Mills. This was seconded by Councillor D Smith.

Councillor Eastman nominated Councillor Gribble. This was seconded by Councillor Bown.

A secret ballot was then requested and approved by a majority present and voting following which it was

**RESOLVED** that, by virtue of securing a majority of votes cast, Councillor Gribble be elected Vice-Chairman of the Authority until its annual meeting in 2013.

### **DSFRA/5. Declarations of Interest**

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

No interests were declared at this time.

**DSFRA/6. Review of Constitutional Framework Documents**

The Authority considered a joint report of the Clerk to the Authority and the Treasurer (DSFRA/12/10) on a review of the Authority's constitutional framework documents (Standing Orders, Financial Regulations etc.) and addressing an issue in relation to appointments by constituent authorities to this Authority as required by the legislation establishing the Authority.

**RESOLVED**

- (a) that, in relation to the apportionment of Authority seats to constituent authorities in accordance with the requirements of the Devon and Somerset Fire and Rescue Authority (Combination Scheme) Order 2006:
  - (i) the action of the Chief Fire Officer in authorising, following consultation with the Chairman and in accordance with Standing Order 27, the Clerk to undertake the necessary calculation for the current year and notify constituent authorities to enable relevant appointments at their annual meetings be noted;
  - (ii) that, for future years, the Clerk be delegated authority to undertake the necessary calculation on an annual basis and to notify constituent authorities of the resultant entitlement to places on the Authority in sufficient time to enable the relevant appointments to be made;
- (b) that the proposed revisions to Financial Regulations as set out in Section 3 and Appendix A of report DSFRA/12/10 be approved;
- (c) that, subject to (b) above, the constitutional governance framework documents as listed at paragraph 1.1 of the report be endorsed;
- (d) that it be noted that proposals for further amendments to the documents may be submitted to future meetings of the Authority as and when required.

**DSFRA/7. Localism Act 2011 - New Member Conduct Provisions - Appointment of Independent Person**

The Authority considered a report of the Clerk to the Authority (DSFRA/12/11) on the provisions for Member conduct as contained in the Localism Act 2011. While further clarification on many aspects was still awaited, the Authority would be required to appoint an independent person as part of its new conduct arrangements and the report set out issues connected with this appointment for determination.

**RESOLVED**

- (a) that the Clerk be authorised to advertise for a post of Independent Person, as required by the new Member conduct provisions of the Localism Act 2011, receive and process any applications received in response to the advertisement and submit a report recommending appointment to the next meeting;
- (b) that the Authority approve that the post of Independent Person should be eligible for reimbursement of travel and subsistence expenses only, at the rates as contained in the approved Scheme of Members Allowances;
- (c) that, subject to clarification of the operative date for the new provisions and the issue of associated Regulations on disclosable interests, the Clerk be asked to submit a report to the next meeting on the proposed new Member conduct arrangements for this Authority.

**DSFRA/8. Schedule of Appointments to Committees, Outside Bodies etc.**

The Authority considered a report of the Clerk to the Authority (DSFRA/12/12) inviting the Authority, amongst other things, to endorse the current Committee structure and associated terms of reference, to make appointments for the forthcoming municipal year to its own Committees and to outside bodies and advising on potential future changes to the Committee structure in light of the revised Member conduct provisions contained in the Localism Act 2011.

**RESOLVED**

- (a) that the proposed revision to the Terms of Reference for the Commercial Services Committee as indicated by bold, italics in the Annex to the Schedule appended report DSFRA/12/12 be approved;
- (b) that the remaining Terms of Reference for the other Committees etc. as set out in the Annex be endorsed;
- (c) that, in accordance with Standing Orders, appointments be made to Committees etc. as indicated below, for the 2012/13 municipal year, the term of office to be until the Authority Annual Meeting in 2013 (or, for the Standards Committee, until commencement of the new procedures under the Localism Act, whichever is the sooner):

**Resources Committee**

Councillors Bakewell MBE, Gordon, Horsfall, Hughes OBE, D Smith, Woodman and Yeomans.

**Human Resources Management and Development Committee**

Councillors Bown, Mrs. Chugg, Brooksbank, Burridge-Clayton, Cann, Horsfall and J Smith.

**Audit and Performance Review Committee**

Councillors Burridge-Clayton, Dyke, Gribble, Mills, Radford, J Smith and Way.

**Community Safety and Corporate Planning Committee**

Councillors Brooksbank, Eastman, Foggin, Fry, Healey, Leaves and Woodman.

**Commercial Services Committee**

Councillors Dyke, Gribble, Healey, Mills, Randall-Johnson, D. Smith and Woodman.

**Standards Committee**

Councillors Bown, Gribble, Horsfall, Mills, Randall Johnson and Yeomans.

**Capital Programme Working Party**

Councillors Bown, Fry, Smith and Woodman.

**Equality and Diversity Member Champion**

Councillor Randall Johnson

**Climate Change and Sustainability Member Champion**

Councillor Leaves

- (d) that the appointments of Messrs. Phillips, Watson and Withers as Independent Members of the Authority's Standards Committee be re-affirmed until commencement of the new procedures under the Localism Act or the Annual Meeting of the Authority in 2013, whichever is the sooner;
- (e) that appointments be made to Outside Bodies as indicated below for the 2012/13 municipal year, the term of office to be until the Annual Meeting in 2013 unless otherwise indicated.

**Local Government Association Fire Service Commission**

Authority Chairman.

**Local Government Association General Assembly**

Authority Chairman (exercising 5 Service and 1 Corporate votes);  
Councillors Fry, Mills and Leaves (each exercising 4 Service votes).

**Local Government Association Urban Commission**

Councillor Gordon.

**Local Government Association Rural Commission**

Councillor D Smith.

**Devon Strategic Partnership Bi-Annual Workshop**

Councillor Mrs. Chugg.

**South West Councils**

Authority Chairman.

**South West Provincial Council**

Chair of Human Resources Management and Development Committee  
(one elected).

**South West Forum of Fire Authorities**

Authority Chairman.

**Plymouth and Devon Race Equality Council**

Councillor Gordon.

**Somerset Race Equality Council**

Councillor Horsfall.

- (f) that the current position in relation to the Authority-appointed Director on South West Fire Control Limited, as highlighted in Section 5 of report DSFRA/12/12, be noted.

**DSFRA/9. Draft Calendar of Meetings 2012/13**

The Authority considered a report of the Clerk to the Authority (DSFRA/12/13) to which was appended a draft Calendar of Authority meetings for the forthcoming, 2012/13 municipal year. The report also highlighted the intention, in light of experience since its establishment, to alternate commercial services work every other month between formal Committee meetings and informal workshop sessions.

The Clerk drew attention to a proposed meeting of the Human Resources Management and Development Committee on Thursday 15 November 2012 which had inadvertently been omitted from the draft calendar as circulated. Additionally, the Clerk referred to considerations currently being given to the timetable for production and approval of the latest iteration of the Authority Corporate Plan. This was dependent on a number of factors and may require an additional, special meeting of the full Authority which would, be subject to report to a future meeting as necessary.

**RESOLVED**

- (a) that the alternate month rotation of Commercial Services between formal Committee meetings and informal, workshop sessions be endorsed;
- (b) that, subject to inclusion of a meeting of the Human Resources Management and Development Committee on 15 November 2012, the draft Authority Calendar of Meetings for the 2012/13 municipal year as appended to report DSFRA/12/13 be approved.

The meeting started at 10.00hours and finished at 10.52hours.