

## DEVON & SOMERSET FIRE & RESCUE AUTHORITY

30 July 2012

### Present:-

Councillors Healey (Chairman), Bakewell MBE, Bown, Mrs. Chugg, Dyke, Eastman, Foggin, Fry, Gordon, Gribble, Horsfall, Hughes OBE, Leaves, Mills, Radford, Randall Johnson, D Smith, J Smith, Woodman and Yeomans.

### Apologies:-

Received from Brooksbank, Burr ridge-Clayton and Way.

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

**RESOLVED** that the Minutes of the Annual and Ordinary Meetings of the Authority held on 30 May 2012 be signed as correct records.

#### **DSFRA/20. Declarations of Disclosable Pecuniary Interests**

Members were asked to consider whether they had any **disclosable pecuniary 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.

#### **DSFRA/21. Minutes of Committees**

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

The Chair of the Committee, Councillor Bown, **MOVED** the Minutes of the meeting held on 25 June 2012 which had considered, amongst other things:

- a report on absence management and health of the organisation;
- a presentation on the work of the Training Academy; and
- a verbal update on the government reform requiring auto enrolment into pension schemes.

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

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

The Chair of the Committee, Councillor Leaves, **MOVED** the Minutes of the meeting held on 6 July 2012 which had considered, amongst other things:

- a report on the recent success by the Service in securing several of the Association of Local Authority Risk Manager (ALARM) Awards;
- a presentation on the Phoenix Project, a joint venture with Job Centre Plus aimed at encouraging young people in long-term employment to realise their potential and build confidence in themselves;
- a presentation on Service initiatives ("The Honest Truth" and "Learn2Live") as part of National Road Safety Day;
- a report on Service preparations linked to the 2012 Olympic Sailing Event;
- a report on progress with the replacement of Fire Angel smoke detectors;

- a report on progress with the Service initiative to promote greater engagement with the landlords of private rented accommodation on the fitting of smoke alarms.

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

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

The Chair of the Committee, Councillor Radford, **MOVED** the Minutes of the meeting held on 19 July 2012 which had considered, amongst other things:

- a report detailing performance of the Devon & Somerset Fire & Rescue Service during April 2011 to March 2012 against those measures contained in the approved Corporate Plan for that period;
- a presentation on the proposed Authority Annual Report;
- a progress report on local and national Audit Commission activities;
- a progress report on internal audit work undertaken during the first quarter against the approved Audit and Review Plan 2012/13; and
- a draft Statement of Accounts and associated Annual Governance Statement for 2011/12.

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

**(d) Resources Committee**

The Chair of the Committee, Councillor Gordon, **MOVED** the Minutes of the meeting held on 20 July 2012 which had considered, amongst other things:

- a report on performance for the first quarter of the current (2012/13) financial year against the agreed financial targets for that year;
- a treasury management performance report for the first quarter of the current financial year;
- a report on disposal of a material asset; and
- a report on a proposed grant in 2012/13 to the Service Ceremonial Unit.

**RESOLVED**

- (i) that the recommendation at Minute RC/5 (Financial Performance Report 2012/13 – Quarter 1) relating to the revised Capital Programme 2012/13 to 2014/15, as summarised in the table appended to these minutes, be approved;
- (ii) that the recommendation at Minute RC/6 (Treasury Management Performance 2012/13 – Quarter 1), to amend the Authority's Approved Treasury Management Policy to include the use of Certificate Deposits (CDs) and UK Government Gilts as Approved Investment Instruments, be approved;
- (iii) that, subject to (i) and (ii) above, the Minutes be adopted in accordance with Standing Orders.

**DSFRA/22. Change In Authority Committee Memberships**

The Authority considered a report of the Clerk to the Authority (DSFRA/12/18) on proposed changes to Authority Committee memberships.

**RESOLVED** that the following Councillors be appointed to fill the vacancies on the Committee as indicated, the term of office in each case to be until the Authority's Annual Meeting in 2013:

- (a) Councillor Knight - Human Resources Management and Development Committee;
- (b) Councillor Bakewell MBE – Community Safety and Corporate Planning Committee.

**DSFRA/23. Authority Annual Report**

The Authority considered a report of the Chief Fire Officer (DSFRA/12/19) and appended draft Authority Annual Report. The draft would be subject to further proof-reading and amendment to correct typographical and terminological issues and, once approved, would be published and circulated widely amongst partner organisations, parish councils and the public.

**RESOLVED** that the draft Annual Report as appended to report DSFRA/12/19 be approved for publication.

**DSFRA/24. Draft Corporate Plan Consultation Timescale**

The Authority received for information a report of the Director of Corporate Services (DSFRA/12/20) on the proposed timescale for consulting on the next iteration of the Authority's Corporate Plan. Although consultation had traditionally taken place over a twelve week period between October and December, it was intended this year to await the government grant announcement, anticipated for the beginning of December 2012, prior to finalising the content of the plan for consultation purposes.

**DSFRA/25. Department for Communities and Local Government (CLG) Consultation Papers**

The Authority considered a report of the Treasurer to the Authority (DSFRA/12/21) on two consultation documents issued recently by the Department for Communities and Local Government (CLG).

The consultation on the Business Rates Retention Scheme sought views on a range of detailed and technical issues involved in the transition from the current formula grant system to implementation of the business rates retention scheme proposed from April 2013. The closing date for consultation responses was 24 September 2012.

The consultation on the Draft Local Audit Bill sought views on the proposed new audit framework for local public bodies including the process for the appointment of auditors and the regulatory framework for local public audit. The closing date for consultation responses was 31 August 2012.

In light of the closing date for both consultation response, it was proposed that the Treasurer should respond on behalf of the Authority following e-mail consultation with the Members.

**RESOLVED** that publication by the Department for Communities and Local Government (CLG) of the following two consultation documents be noted, and the Treasurer authorised to respond on behalf of the Authority (following e-mail consultation with Members):

- Business Rates Retention – Technical Consultation.

- Draft Local Audit Bill - A consultation.

**DSFRA/26. Council Tax Reduction Draft Schemes - Consultation with Major Precepting Authorities**

The Authority considered a report of the Treasurer to the Authority (DSFRA/12/22) setting out details of the draft Council Tax Reduction schemes proposed by the relevant billing authorities for Devon and Somerset and to be implemented, following public consultation, from 1 April 2013. Each of the relevant billing authorities for both Devon and Somerset had adopted a joint approach to the design of the new schemes under a set of common principles. The proposed schemes would deal with both eligibility for Council Tax benefits and the basis on which support was to be calculated. The schemes would impact on the Devon & Somerset Fire & Rescue Authority (as a major precepting body) hence the Authority was being invited to make representations on the schemes proposed for both counties.

The Authority was also addressed on this matter by Donna Parham (South Somerset District Council) in relation to the draft scheme being proposed for Somerset.

**RESOLVED**

- (a) that the Authority notes the content of the two separate consultation documents relating to Council Tax Reduction Scheme Design received from Somerset District Councils and Devon Billing Authorities and indicates that at this stage the Authority has no significant issues.
- (b) that, for the final scheme designs expected to be issued in October 2012, the Treasurer be authorised to respond on behalf of the Authority following e-mail consultation with the Members.

**DSFRA/27. Localism Act 2011 - New Member Conduct Regime**

The Authority considered a report of the Clerk to the Authority (DSFRA/12/23) on:

- a proposed Member Code of Conduct;
- a Declarations of Interests procedure; and
- arrangements for investigating and determining alleged breaches of the Code

as required to secure compliance with the requirements of the Localism Act 2011 and Regulations made thereunder.

**RESOLVED**

- (a) that the Code of Conduct for Authority Members as set out at Appendix A to report DSFRA/12/23 be approved;
- (b) that Mr. David Watson be appointed as “independent person”;
- (c) that the arrangements for dealing with alleged Code breaches as set out in Section 4 of the report be approved, specifically:
  - (i) that the Monitoring Officer be delegated authority to receive allegations, determine (in consultation with the independent person) whether or not they should be investigated and to arrange for the undertaking of any investigations as required;
  - (ii) that a Determinations and Dispensations Committee be established, with Terms of Reference as set out in Appendix B to the report and with the following Members appointed until the Annual Meeting of the Authority in 2013:

Councillors Bown, Horsfall, Mills, Randall Johnson and Yeomans;

- (d) that the proposed arrangements for the registration of interests and granting of dispensations, as set out in Section 5 of the report, together with the form for registering interests as attached at Appendix C to the report, be approved; and
- (e) that the Clerk be authorised to make consequential changes to the Authority's constitutional governance framework documents, to reflect the new arrangements adopted under the Localism Act, as indicated:
- (i) the revision to Standing Orders as set out in Section 6 of the report;
  - (ii) revision of Financial Regulations by deletion of Regulation A4 referring to the Standards Committee);
  - (iii) revision of the Corporate Governance Code:
    - in Core Principle C:
      - by deletion to reference to Model Code under 2000 Local Government Act and replacement with reference to Code adopted under Localism Act 2011;
      - by replacement of reference to General Register of Interests by reference to new requirements under the Localism Act 2011;
    - in Core Principle D:
      - by deletion to reference to Standards Committee in paragraph 5.5
  - (iv) Protocol for Member/Officer Relations:
    - Deletion to reference to Independent Members of Standards Committee in Introduction Section;
    - Replacement of "General Obligations" extract from Model Code with Scope and General Obligations section from new Code;
    - Replacement in Section 11 (Breaches of the Protocol) of:
      - reference to the Model Code and Standards Committee with reference to the new Code and the Determinations and Dispensations Committee; and
      - reference to Independent Members of the Standards Committee with Independent Person.
  - (v) Deletion of reference to allowance for Independent Members of Standards Committee in Authority Approved Scheme of Members Allowances.

**DSFRA/28. Bids Against the Fire Capital Funding Programme 2013 - 15**

The Authority considered a report of the Treasurer (DSFRA/12/24) detailing two bids against the Department for Communities and Local Government (CLG) Capital Funding Programme 2013 – 15.

The first had been made solely by this Authority and related to the Service Light Rescue Pump (LRP) initiative which, itself, was part of a wider, strategic fleet alignment. This bid had been made in accordance with the process approved by the Authority at its ordinary meeting on 30 May 2012 (Minute DSFRA/15(b) refers).

The second bid had been submitted by the Cambridgeshire Fire & Rescue Authority on behalf of itself, this Authority and the Bedfordshire & Luton Fire & Rescue Authority and related to the Service Transformation and Efficiency Project (STEP) being progressed in partnership by those Authorities.

Although both bids had already been submitted by the relevant deadline (2 July 2012), CLG required confirmation that each bid submitted had been approved by established local governance procedures.

**RESOLVED** that the following bids, as outlined in report DSFRA/12/24, against the Department for Communities and Local Government Fire Capital Funding Programme 2013-15 be endorsed:

- the bid submitted by this Authority based around the Light Rescue Pump initiative; and
- the bid submitted by Cambridgeshire Fire & Rescue Authority on behalf of itself, this Authority and the Bedfordshire & Luton Fire & Rescue Authority and related to the Service Transformation and Efficiency Project (STEP).

#### **DSFRA/29. Chairman's Announcements**

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

#### **DSFRA/30. Chief Fire Officer's Announcements**

The Chief Fire Officer reported, for information, on:

- the establishment of a Fire Death Review Panel designed to forge closer and more effective working relationships between this Authority and partner agencies in sharing information to promote better targeting of fire safety information to those individuals and groups most at risk, thereby seeking to reduce fire deaths. This approach had been commended by the Senior Coroner for the region;
- the outcome of an internal investigation into the offering for sale, on "Ebay", of a Standard formerly belonging to the Service Ceremonial Unit, as reported at the last Authority meeting on 30 May 2012 (Minute DSFRA/11 refers). The seller had been traced and had indicated that they had purchased the item some two years ago at a car boot sale in Wales but were unable to identify who they purchased the Standard from. The Chief stressed the gratitude of Unit for the support provided by the Authority and that the Service took such matters as the unauthorised sale of a Standard very seriously. To this end, the matter would now be referred to the police; and
- receipt of letter of thanks from the Firefighters Charity for the contribution made by the Service towards raising £153,000 in the previous financial years which had been used to assist some 143 beneficiaries. The Chief reminded the Authority that the Charity offered a wide range of assistance to both uniformed and non-uniformed fire and rescue service staff.

The meeting started at 10.00hours and finished at 11.33hours.