

# DEVON & SOMERSET FIRE & RESCUE AUTHORITY

(Devon and Somerset Fire and Rescue Authority)

19 December 2013

## Present:-

Councillors Healey (Chairman), Bown, Mrs. Bowyer, Brooksbank, Burrige-Clayton, Chugg, Colthorpe, Dyke, Eastman, Edmunds, Gordon, Greenslade, Gribble, Owen, Prior-Sankey, Radford, Randall Johnson, Smith, Woodman and Yeomans.

## Apologies:-

Councillors Brazil, Ellery and Knight.

### **DSFRA/33. Minutes**

**RESOLVED** that the Minutes of the meeting held on 30 September 2013 be signed as a correct record.

### **DSFRA/34. Minutes of Committees**

#### **(a) Resources Committee**

The Chairman of the Committee, Councillor Greenslade, **MOVED** the Minutes of the meeting of the Committee held on 13 November 2013 which had considered, amongst other things:

- a report on the financial performance of the Authority during the current (2013-14) financial year as at Quarter 2;
- a report on the Treasury Management performance of the Authority during the current (2013-14) financial year as at Quarter 2.

A copy of the Treasury Management performance report was circulated with the agenda for this meeting for information purposes.

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

#### **(b) Commercial Services Committee**

The Chairman of the Committee, Councillor Healey, **MOVED** the Minutes of the meeting of the Committee held on 21 November 2013 which had considered, amongst other things:

- a report on a proposed revision to the commercial services five-year business plan 2013-17;
- an update on the commercial services communications strategy; and
- an update on current commercial leads and opportunities.

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

#### **(c) Audit & Performance Review Committee**

The Chairman of the Committee, Councillor Radford, **MOVED** the Minutes of the meeting of the Committee held on 28 November 2013 which had considered, amongst other things:

- an update from Grant Thornton on audit work being undertaken on behalf of the Authority;

- the Authority's Annual Audit Letter for the year ended 31 March 2013;
- a report on progress to date against the approved internal audit plan for the Service during the current (2013-14) financial year; and
- a report on performance by the Service between April to September 2013 against those measures contained in the approved Corporate Plan 2013-14 to 2015-16.

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

**(d) Community Safety & Corporate Planning Committee**

The Chairman of the Committee, Councillor Eastman, **MOVED** the Minutes of the meeting of the Committee held on 6 December 2013 which had considered, amongst other things, election of Vice-Chair to fill that vacant post on the Committee.

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

**DSFRA/35. Address by the Fire Brigades' Union**

The Authority received an address from the Fire Brigades' Union (FBU) in respect of the current and ongoing dispute over pensions with the Government. The FBU drew attention to the core of their concerns over the proposed changes to the Firefighter Pension Scheme.

**DSFRA/36. Future Insurance Arrangements**

The Authority considered a report of the Treasurer (DSFRA/13/21) on proposed new insurance arrangements for the Authority, including establishment of and participation in a Hybrid Discretionary Mutual with other fire and rescue authorities and a "pooling" arrangement to share risk and ultimately reduce insurance costs. The report summarised the feasibility study into the proposed new arrangement together with the legal basis for the new arrangements.

**RESOLVED**

- (a) that approved be given to:
  - (i) participation by the Authority in the establishment of a Fire & Rescue Authorities Insurance Pool, with the Authority becoming a full member of the governing Hybrid Discretionary Mutual;
  - (ii) use of the pooling arrangement for the corporate property, liability, motor and other miscellaneous insurance requirements of the Authority for a minimum period of three years, through the pooling entity and with effect from 1 November 2014 (or as soon as practicable thereafter once final arrangements are in place);
  - (iii) participation as a financial guarantor for supplementary premiums should claims against the pool exceed the funding available;
- (b) that the Treasurer and Clerk be asked to undertake all steps necessary to effect the decisions indicated at (a)(i) to (iii) above;

- (c) that approval be given to officers of this Authority serving as Directors of the pooling entity as required and that in this capacity the Service Risk and Insurance Manager (or his/her nominee) be authorised initially to represent the Authority's interests at any formal meetings of the pooling entity and to vote on behalf of the Authority.

**DSFRA/37. "New Dimensions" Capital Expenditure**

The Authority considered a report of the Chief Fire Officer and Treasurer (DSFRA/13/22) on a proposal to utilise some £0.355m of dedicated earmarked reserve, amassed from grant funding provided by the Department for Communities and Local Government (CLG), to fund expenditure on national resilience assets.

**RESOLVED** that the Authority's approved Capital Programme 2013-14 be enhanced by £0.355m (to be met from dedicated New Dimensions grant funding provided by the Department for Communities and Local Government) to facilitate expenditure on national resilience assets as indicated in the table shown at paragraph of report DSFRA/13/22.

**DSFRA/38. 2014-15 Council Tax Precept Consultation**

The Authority considered a report of the Treasurer (DSFRA/13/23) on proposals to consult, in accordance with legislative requirements, the business community on the level of council tax precept for 2014-15 and to extend this consultation, as in the previous two financial years, to include the public. The costs of the consultation would be met from within existing resources.

A debate ensued during which it was suggested that an approach be made to the constituent authorities of Devon, Somerset, Plymouth and Torbay with a view to utilising existing arrangements to undertake a joint consultation exercise with the business community, thereby minimising costs. The Clerk confirmed that the costs obtained, following a competitive exercise, to conduct a telephone consultation exercise were £5,450 for the business community consultation and a further £5,250 to include the general public.

Councillor Randall Johnson then **MOVED** (with Councillor Greenslade seconding)

“that the Service approaches the constituent authorities of Devon, Somerset, Plymouth and Torbay to identify whether they would be willing to enter into a joint arrangement with this Authority in respect of the undertaking of the statutory consultation with the business community and that the cost of any public consultation undertaken be limited to a maximum of £3,000”.

During further debate the view was expressed that the Authority, as a stand-alone public body with sole responsibility for the delivery of fire and rescue services for the geographical areas of Devon and Somerset, should undertake its own consultation exercise.

Councillor Yeomans then moved, with Councillor Woodman seconding, that the motion proposed by Councillor Randall Johnson be **AMENDED** by the deletion of all words after “that the...” and the insertion of new wording, the proposed amended motion to read:

“that the recommendations as set out in report DSFRA/13/23 be approved”.

Following a vote, the **AMENDMENT** was declared **LOST** by 12 votes against to 5 for.

Further clarification was then requested on the initial proposal as moved by Councillor Randall Johnson on the basis that, should the request for a joint consultation approach with the constituent authorities fail, an alternative mechanism would be required to satisfy the statutory requirement to consult with the business community.

In light of this, Councillor Greenslade moved that the initial motion proposed by Councillor Randall Johnson be **AMENDED** by the addition of the following paragraph:

“that, in the event of joint arrangements with constituent authorities for consultation with the business community as set out above proving not possible, the Chief Fire Officer be delegated authority to make appropriate arrangements for the statutory consultation with the business community, following consultation with the Chairman”.

Councillor Randall Johnson accepted this amendment. The amended motion was then put to the vote and declared **CARRIED** by 13 votes for to 4 against, whereupon it was

**RESOLVED**

- (a) that the Service approaches the constituent authorities of Devon, Somerset, Plymouth and Torbay to identify whether they would be willing to enter into a joint arrangement with this Authority in respect of the undertaking of the statutory consultation with the business community and that the cost of the public consultation exercise be limited to a maximum of £3,000;
- (b) that, in the event of joint arrangements with constituent authorities for consultation with the business community as set out above proving not possible, the Chief Fire Officer be delegated authority to make appropriate arrangements for the statutory consultation with the business community, following consultation with the Chairman”.

(**NOTE:** In accordance with Standing Order 24(3), Councillors Burrige-Clayton, Bown, Woodman and Yeomans requested that their vote against this resolution be recorded.

**DSFRA/39. Filling of Vacancy on Community Safety & Corporate Planning Committee**

The Authority considered a report of the Clerk to the Authority (DSFRA/13/24) inviting nominations to fill the vacancy on the Community Safety and Corporate Planning Committee arising from the resignation from the Authority of Councillor Darcy, one of the Plymouth City Council appointees to the Authority. Plymouth City Council had subsequently appointed Councillor Mrs. Lynda Bowyer to serve on the Authority.

**RESOLVED** that Councillor Mrs Lynda Bowyer be appointed to fill the vacancy on the Community Safety & Corporate Planning Committee, the term of office to be until the Annual Authority meeting in 2014.

**DSFRA/40. Chairman's Announcements**

The Chairman reported on the activities that he had undertaken on behalf of the Authority since its last meeting, a copy of which was circulated at the meeting for information.

Of particular note was the Commendation Ceremony attended by the Chairman and other civic dignitaries in Bideford on 25 October 2013 and which marked the excellent work undertaken by both the fire and rescue service and other emergency services in the rescue of a woman and her son from flood water in Umberleigh earlier in the year.

**DSFRA/41. Chief Fire Officer's Announcements**

The Chief Fire Officer reported on a fire fatality of an 85 year old lady in Drayton, Somerset on 6 December 2013. The incident was subject to a coroner's enquiry.

The Chief Fire Officer added that, given the circumstances, the Service may not have been able to prevent the incident but that the Service would continue to examine its procedures, particularly in relation to working with other agencies, with the aim of eliminating all fire related deaths.

The meeting started at 10.00hours and finished at 11:40hours.