

## **DEVON & SOMERSET FIRE & RESCUE AUTHORITY**

20 October 2017

### Present:-

Councillors Randall Johnson (Chair), Best, Biederman, Bown, Burridge-Clayton, Coles, Colthorpe, Hannaford, Healey MBE (Vice-Chair), Hendy, Hosking, Leaves, Napper, Peart, Prowse, Redman, Riley, Saywell, Trail BEM, Vijeh and Wheeler.

### Apologies:-

Councillors Chugg, Eastman, Ellery, Greenslade and Thomas.

### **DSFRA/32    Exclusion of the Press and Public**

The Chair advised of a re-ordering of the agenda items to allow for the Police & Crime Commissioner and the Chief Constable of Avon & Somerset the opportunity to address the Authority on the item in question. Thereafter is was

**RESOLVED** that, in accordance with Section 100A(4) of the Local Government Act 1972, the press and public (with the exception of Sue Mountstevens [Police & Crime Commissioner for Avon & Somerset], Andy Marsh (Chief Constable, Avon & Somerset Constabulary) and Sean Price (Head of Performance, Avon & Somerset Constabulary)) be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A (as amended) to the Act, namely information relating to the financial and business affairs of any particular authority, including the authority holding that information.

### **DSFRA/33    Regional Collaboration Initiative**

(An item taken in accordance with Section 100A(4) during which the press and public – with the exception of Sue Mountstevens [Police & Crime Commissioner, Avon & Somerset], Andy Marsh [Chief Constable, Avon & Somerset Constabulary] and Sean Price [Head of Performance, Avon & Somerset Constabulary] – were excluded from the meeting).

The Authority considered a report of the Director of Corporate Services (DSFRA/17/31) – together with a presentation from Andy Marsh and Sean Price – on the bid submitted by the Avon & Somerset Constabulary to secure Home Office funding of £3.15m from the Police Transformation Fund to establish a Multi-Agency Integrated Analytics Hub. The hub would work across service, agency and geographic boundaries to gather data and provide a full picture of threat, harm and risk within communities served to facilitate the effective and efficient targeting of resources, protecting vulnerable people and reducing demand and thereby cost.

Given the role and profile of Chief Fire Officer Lee Howell in promoting multi-agency work in the region (notably via the South West Emergency Services Forum), the Avon & Somerset Constabulary had approached the Authority to suggest his secondment to serve as Senior Responsible Officer for the project which was anticipated to run in total until the end of March 2019.

The initiative centred on the use of predictive analytics and visioning as outlined in the report and presented at the meeting by Sean Price. The report identified the benefits to the Authority and Service from participating in the initiative and also addressed the implications of the secondment of the Chief Fire Officer, including the cost impact and temporary backfill arrangements required for the duration of the secondment.

Revised recommendations to the report were circulated at the meeting which, following further clarification by the Clerk to the Authority, were **MOVED** by Councillor Healey, with Councillor Bown seconding. Thereafter, it was

**RESOLVED**, unanimously:

- (a). that, pending successful confirmation of the funding bid to the Home Office, the Chief Fire Officer be seconded to act as the Senior Responsible Officer (SRO) for the Mutli-Agency Integrated Service Analytics Hub regional collaboration initiative, subject to an appropriate secondment agreement being in place and also to key posts being backfilled to ensure resilience in the Devon & Somerset Fire & Rescue Service;
- (b). That the Assistant Chief Fire Officer (Service Improvement) be appointed as the Temporary Chief Fire Officer for the duration of the secondment (as set out in paragraph 3 of report DSFRA/17/31);
- (c). that, in relation to the funding associated with (a) and (b) above, Option 1 as set out at paragraph 7.2 of the report be approved, with any decision on extension beyond the period identified in that paragraph being subject to a further report to be submitted to the Authority towards the end of that period;
- (d). that, subject to the Chief Fire Officer secondment proceeding, Area Manager Peter Bond be appointed as Temporary Assistant Chief Fire Officer for a period of twelve months;
- (e). that, in the event of the Chief Fire Officer secondment extending beyond twelve months, an appointment process be undertaken by the Acting Chief Fire Officer to determine ongoing temporary Assistant Chief Fire Officer arrangements.

***(NOTE: AT 11.00HOURS, ON THE CONCLUSION OF THIS ITEM, THE MEETING WAS ADJOURNED, RECONVENING AT 11.10HOURS AND OPEN TO THE PUBLIC AND PRESS)***

**DSFRA/34**

**Minutes**

**RESOLVED** that the non-restricted Minutes of the meeting held on 26 July 2017 be signed as a correct record.

***(SEE ALSO MINUTE DSFRA/45 BELOW).***

**DSFRA/35**

**Address by the Fire Brigades Union**

In accordance with Standing Order 12, the Authority received an address from the Fire Brigades Union on the draft Integrated Risk Management Plan suggesting a number of amendments for consideration prior to the public consultation being undertaken on the draft.

***(SEE ALSO MINUTE DSFRA/40 BELOW).***

**DSFRA/36 Minutes of Committees**

**a Resources Committee**

The Chair of the Committee, Councillor Coles, **MOVED** the Minutes of the meeting held on 1 September 2017 which had considered, amongst other things:

- a report on financial performance during quarter 1 against the approved revenue and capital budgets for the current (2017-18) financial year; and
- a report on treasury management performance during the first quarter of the current financial year.

**RESOLVED**

- (i). that the recommendation at Minute RC/4 (to approve budget transfers in excess of £150,000 as identified in the Appendix to the Minutes) be approved;
- (ii). that, subject to (i) above, the Minutes be adopted in accordance with Standing Orders.

**b Audit & Performance Review Committee**

The Chair of the Committee, Councillor Wheeler, **MOVED** the Minutes of the meeting held on 12 September 2017 which had considered, amongst other things:

- a report on the appointment of External Auditors for the Authority;
- the Authority's financial statements (including the Statement of Accounts and Audit Findings) for the 2016-17 financial year;
- the 2016-17 Annual Statement of Assurance;
- a report on progress against the approved 2018-19 internal audit plan;
- a report on the corporate risk register;
- a report setting out a revised Authority policy for the Regulation of Investigatory Powers Act 2000; and
- a report on Service performance against those indicators and targets contained within the Corporate Plan 2013-14 to 2016-17.

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

**c Human Resources Management & Development Committee**

The Chair of the Committee, Councillor Bown, **MOVED** the Minutes of the meeting held on 18 September 2017 which had considered, amongst other things:

- a report on absence management and the health of the organisation;
- an update report on workforce culture, diversity and inclusion;
- a report on workforce planning and apprenticeships;
- requests for retirement and re-employment;
- a report on redundancy compensation rates.

**RESOLVED**

- (i). that the recommendation at Minute HRMDC/14 (Redundancy Compensation Rates) be approved;
- (ii). that, subject to (i) above, the Minutes be adopted in accordance with Standing Orders.

d **Community Safety & Corporate Planning Committee**

The Chair of the Committee, Councillor Redman, **MOVED** the Minutes of the meeting held on 29 September 2017 which had considered a report on the draft Integrated Risk Management Plan.

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

**(SEE ALSO MINUTE DSFRA/40 BELOW).**

e **Appointments Panel**

The Chair of the Panel, Councillor Bown, **MOVED** the Minutes of the meetings of the Panel held on 2 and 19 October 2017 (the latter set tabled at the meeting) which – in accordance with Minute DSFRA/26 of the Authority meeting held on 26 July 2017 - had undertaken the process for and determined the appointment of Alex Hanson as Assistant Chief Fire Officer (Service Delivery).

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

**DSFRA/37 Appointments to Committee Vacancies**

The Authority considered a report of the Director of Corporate Services (DSFRA/17/27) inviting the Authority to appoint to vacancies on the Audit & Performance Review Committee arising from changes to overall membership of the Authority.

**RESOLVED** that Councillors Napper and Vjeh be appointed to the Audit & Performance Review Committee for the current municipal year, the term of office to be until the Authority annual meeting in 2018.

**DSFRA/38 Firefighters Pensions' Schemes Local Pensions Board**

The Authority considered a report of the Director of Corporate Services (DSFRA/17/27) on required changes both to membership of the Authority's Local Pensions Board for Firefighters' Pensions Schemes and to the section of the approved Scheme of Delegations on day-to-day management of the Schemes and appointment of Scheme Member (employee) representatives to the Board.

**RESOLVED**

- (a). that the appointment of the Authority Treasurer as one of the three Scheme Manager representatives on the Local Pensions Board be confirmed, with the new Treasurer adopting the role on retirement of the current incumbent;
- (b). that Section 6 of the Authority's approved Scheme of Delegations be amended as indicated in paragraph 2.4.2 (a) to (c) of report DSFRA/17/27, with the Clerk to the Authority authorised to make the necessary documentary amendment.

**DSFRA/39 Consultation: The Local Government Finance Settlement 2018-19 - Technical Consultation Document**

The Authority considered a report of the Treasurer (DSFRA/17/28) on a Department for Communities and Local Government (DCLG) technical consultation document seeking views on the following two key principles of the local government finance settlement:

- maintaining certainty of the four-year financial settlement; and
- council tax referendum principles and additional flexibilities.

A proposed response to the consultation – the deadline for which was 26 October 2017 – was appended to the report.

**RESOLVED** that the response to the DCLG technical consultation on the local government finance settlement, as appended to report DSFRA/17/28, be approved.

**DSFRA/40**      **Draft Integrated Risk Management Plan**

The Authority considered a report of the Chief Fire Officer (DSFRA/17/26) on the production of a draft Integrated Risk Management Plan.

Staff and the Authority had been engaged in shaping the draft Plan, with this initial engagement also including informal discussions with representative bodies. The draft Plan was intended to establish overall strategic principles based on the findings of a comprehensive risk analysis. Specific proposals, which would also be subject to consultation, would then follow from the strategic principles once approved.

In introducing the report and appended draft Plan, the opportunity was taken to respond to those issues raised by the Fire Brigades Union as part of its earlier address to the Authority.

In debating the issue, Members commented that, prior to public consultation, the document should be proof-read thoroughly and should also clearly be marked as a draft document.

**RESOLVED** that, subject to the document being clearly marked to indicate its draft status, the draft Integrated Risk Management Plan as appended to report DSFRA17.26 be approved for the purposes of public consultation.

**DSFRA/41**      **Precept Consultation for the 2018-19 Budget**

The Authority considered a report of the Director of Service Improvement (DSFRA/17/30) on options for consultation on the budget and associated council tax precept in 2018-19.

The Local Government Finance Act required the Authority to consult non-domestic rate payers on expenditure proposals for any given year. While there was no statutory requirement to do so, the Authority had – as a matter of good practice – taken the opportunity in previous years to consult the public on the level of council tax precept.

**RESOLVED** That consultation in relation to the budget and precept for 2018-19 be conducted on the basis of:

- A telephone survey for both business and the public;
- A street survey for the public; and
- Use of social media

with all associated costs not to exceed £13,500.

**DSFRA/42**      **Chairman's Announcements**

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

The Chair also advised the Authority that this would be the last meeting attended by the current Treasurer, Kevin Woodward, prior to his retirement at the end of the month.

The Authority asked to have placed on record its thanks to Kevin for the highly professional support afforded to the Authority during his time in office and its best wishes for a long and happy retirement.

**DSFRA/43**      **Chief Fire Officer's Announcements**

The Chief Fire Officer reported, for information, on:

- preparatory meetings with Her Majesty's Inspectorate of Constabulary & Fire & Rescue Services (HMICFRS) in advance of the forthcoming formal inspection process;
- the donation by SAFE South West of old, nil value PPE stock to the British Virgin Islands as part of the relief effort in the aftermath of Hurricane Irma;
- acceptance of the offer from Exeter City Council to award the emergency services the Freedom of the City. A final decision on this from Exeter City Council was anticipated in December.

**DSFRA/44**      **Exclusion of the Press and Public**

**RESOLVED** that, in accordance with Section 100A(4) of the Local Government Act 1972, the press and public (with the exception of Mr. Chris Spencer-Phillips, First Flight Ltd.) be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in the following Paragraphs of Part 1 of Schedule 12A (as amended) to the Act:

- for Minute DSFRA/45 (Restricted Minutes):
  - Paragraph 1 (information relating to an individual);
  - Paragraph 2 (information likely to reveal the identity of an individual); and
  - Paragraph 3 (information relating to the financial and business affairs of any particular authority, including the authority holding that information); and
- for Minute DSFRA/46 (including Minutes DSFRA/46(a) and DSFRA/46(b) (Commercial Governance Arrangements), Paragraph 3 (information relating to the financial and business affairs of any particular authority, including the authority holding that information).

**DSFRA/45**      **Restricted Minutes**

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

**RESOLVED** that the Restricted Minutes of the meeting held on 26 July 2017 be signed as a correct record.

**DSFRA/46**      **Commercial Governance Arrangements.**

a      **Commercial Activities - Governance Framework**

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

(Councillors Healey and Saywell each declared a personal, non-pecuniary, interest in this matter by virtue of their being Authority-appointed non-executive directors on the Board of Red One Ltd.)

At the outset of discussing the item and given the interests so declared, the Authority was invited to consider:

- (a). whether Councillors Healey and Saywell should remain in the room and participate in debating the item; and
- (b). if so, whether they should be allowed to propose or second motions and vote in relation to the item.

This was put to the vote whereupon it was

**RESOLVED** that Councillors Healey and Saywell be allowed to remain in the room and participate in the debate on the item but not to propose, second or vote on any motions or decisions in relation to this item.

The Authority received for information a report of the Director of Corporate Services (DSFRA/17/2) outlining progress on work being undertaken with Red One Ltd. to enhance governance arrangements both for the company and between the company and the Authority as sole shareholder. Further reports on this would be submitted as required to future meetings of the Authority.

***(SEE ALSO MINUTE DSFRA/46[b] BELOW).***

**b Commercial Governance - Red One Ltd. Board Composition**

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

(Councillors Healey and Saywell each declared a personal, non-pecuniary, interest in this matter by virtue of their being Authority-appointed non-executive directors on the Board of Red One Ltd.)

At the outset of discussing the item and given the interests so declared, the Authority was invited to consider:

- (a). whether Councillors Healey and Saywell should remain in the room and participate in debating the item; and
- (b). if so, whether they should be allowed to propose or second motions and vote in relation to the item.

This was put to the vote whereupon it was

**RESOLVED** that Councillors Healey and Saywell be allowed to remain in the room and participate in the debate on the item but not to propose, second or vote on any motions or decisions in relation to this item.

The Authority considered a report of the Director of Corporate Services (DSFRA/17/33) on developments in relation to the composition of the Board of Red One Ltd.

At its last meeting on 26 July 2017, the Authority had deferred undertaking a process to identify and recommend for appointment an independent non-executive director (to also serve as Chair of the Board) pending further consideration of this issue.

Since that time and in consultation and agreement with the current Board of Directors a board composition analysis had been undertaken to inform further consideration of this issue. The resultant report from this analysis, attached at Appendix A to the report, concluded that the Authority (as sole shareholder) might wish to consider appointing the following two independent non-executive directors to compliment the skill set of the existing Board:

- an individual with strategy, entrepreneurial, mentoring and leadership skills to serve as Chair of the Board; and

- an individual who would major on finance, risk, governance and operational detail.

The composition analysis indicated that these two appointments would provide for a more balance and effective Board, in terms of skill sets and independence, and also develop best practice governance arrangements to be adopted.

**RESOLVED**

- (a). that First Flight Ltd. be engaged to undertake a process to identify two short-lists of candidates with relevant skills and experience to serve as independent non-executive directors on the Board of Red One Ltd., one to serve as the Board Chair;
- (b). that an Appointments Panel comprising Councillors Bown, Coles, Healey, Randall Johnson, Saywell, Thomas and Vijeh be established to undertake a process to determine the appointment (including relevant levels of remuneration) of two independent non-executive directors, one to serve as Board Chair, from the short-lists of candidates identified by First Flight Ltd.

***(SEE ALSO MINUTE DSFRA/46[a] ABOVE).***

**\*DENOTES DELEGATED MATTER WITH POWER TO ACT**