



DEVON & SOMERSET FIRE & RESCUE AUTHORITY

M. Pearson
CLERK TO THE AUTHORITY

To: The Chair and Members of the Devon &
Somerset Fire & Rescue Authority

(see below)

SERVICE HEADQUARTERS
THE KNOWLE
CLYST ST GEORGE
EXETER
DEVON
EX3 0NW

Your ref :
Our ref : DSFRA/MP/SY
Website : www.dsfire.gov.uk

Date : 20 April 2018
Please ask for : Steve Yates
Email : syates@dsfire.gov.uk

Telephone : 01392 872200
Fax : 01392 872300
Direct Telephone : 01392 872329

DEVON & SOMERSET FIRE & RESCUE AUTHORITY

Monday, 30 April, 2018

A meeting of the Devon & Somerset Fire & Rescue Authority will be held on the above date, **commencing at 10.00 am in Conference Rooms, Service Headquarters, Exeter** to consider the following matters.

M. Pearson
Clerk to the Authority

AGENDA

PLEASE REFER TO THE NOTES AT THE END OF THE AGENDA LISTING SHEETS

1 Apologies

2 Minutes (Pages 1 - 16)

of the previous meeting held on 16 February 2018 attached.

3 Items Requiring Urgent Attention

Items which, in the opinion of the Chair, should be considered at the meeting as matters of urgency.

PART 1 - OPEN COMMITTEE

4 Questions and Petitions from the Public

In accordance with [Standing Orders](#), to consider any questions and petitions submitted by the public. Questions must relate to matters to be considered at this meeting of the Authority. Petitions must relate to matters for which the Authority has a responsibility or which affects the Authority. Neither questions nor petitions may require the disclosure of confidential or exempt information. Questions and petitions must be submitted in writing or by e-mail to the Clerk to the Authority (e-mail address: clerk@dsfire.gov.uk) by **midday Wednesday 25 April 2018**.

5 Addresses by Representative Bodies

To receive addresses from representative bodies requested and approved in accordance with Standing Orders.

6 Questions from Members of the Authority

To receive and answer any questions submitted in accordance with Standing Orders.

7 Minutes of Committees

a Human Resources Management & Development Committee (Pages 17 - 28)

The Chair of the Committee, Councillor Bown, to **MOVE** the Minutes of the meeting held on 23 March 2018

RECOMMENDATIONS

- (i) that the recommendation at Minute HRMDC/24 (Provision of Vehicles to Employees), reproduced below for ease of reference, be approved;
“**RESOLVED** that the Devon & Somerset Fire & Rescue Authority be recommended to approve:
 - (a) discontinuation of the Contract Car Hire Schemes for both uniformed and non-uniformed employees;
 - (b) the introduction of a Car Allowance option for eligible officers (as defined in the report) who wish to have a vehicle for both business and private use;
 - (c) subject to (b) above, consultation with employees on and subsequent implementation of Car Allowance payments and mileage rates on the basis of the options as set out in Appendix A to report HRMDC/17/21;
 - (d) payment of an Essential User Allowance, on the basis of the options identified in Appendix A to the report, for other employees not covered by (b) above but who are required to provide a vehicle for business use.”
- (NOTE: A copy of report HRMDC/18/21 – Provision of Vehicles to Employees – as considered by the Committee is attached as Appendix A to these Minutes)***
- (ii) that, subject to (i) above, the Minutes be adopted in accordance with Standing Orders.

b **Determinations & Dispensations Committee (Pages 29 - 64)**

The Chair of the Committee, Councillor Thomas, to **MOVE** the Minutes of the meeting held on 9 April 2018.

RECOMMENDATIONS

- (i). that the recommendations at Minute DDC/2 (Review of Current Standards Arrangements), reproduced below for ease reference, be approved

“**RESOLVED** that, subject to incorporation of those amendments as indicated at the meeting, the Authority be recommended to approve:

- (a). the revised Code of Conduct as set out at Appendix A to report DDC/18/1;
- (b). the revised form for Declaration of Members’ Registerable Interests as set out at Appendix B to the report;
- (c). the revised Guide to Making a Complaint as set out at Appendix C to the report;
- (d). the renaming of the Committee to the Standards Committee;
- (e). the revised Terms of Reference for the Standards Committee as set out at Appendix D to the report; and
- (f). authorisation for the Clerk to make consequential amendments stemming from (a) to (e) above.”

- (ii). that the recommendations at Minute DDC/3 (Consultation on Review of Local Authority Ethical Standards), reproduced below for ease of reference, be approved;

“**RESOLVED** that the Authority be recommended:

- (a). to approve the draft response to the Committee on Standards in Public Life consultation on local government ethical standards, as appended to report DDC/18/2 but amended as indicated at the meeting; and
- (b). to authorise the Clerk to submit the approved response on behalf of the Authority.”

(NOTE: The documents referred to in recommendations (i) and (ii) above, amended as required by the Committee, are attached as Appendices A to E of these Minutes);

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

c **Resources Committee (Pages 65 - 66)**

The Chair of the Committee, Councillor Coles, to **MOVE** the non-restricted Minutes of the meeting held on 11 April 2018 attached.

RECOMMENDATION that the non-restricted Minutes be adopted in accordance with Standing Orders.

(SEE ALSO AGENDA ITEM 15 BELOW).

d **Audit & Performance Review Committee**

The Chair of the Committee, Councillor Wheeler, to **MOVE** the Minutes of the meeting held on 26 April 2018 (**TO FOLLOW**).

RECOMMENDATION that the Minutes be adopted in accordance with Standing Orders.

8 **The "Molly" Principle (Pages 67 - 68)**

Report of the Chief Fire Officer (DSFRA/18/6) attached.

9 **Consultation on Police & Crime Commissioner Membership of Fire & Rescue Authorities - Further Considerations (Pages 69 - 72)**

Report of the Director of Corporate Services (DSFRA/18/7) attached.

10 **Process for Appointment of Non-Executive Directors from Authority Membership to the Board of Red One Ltd. (Pages 73 - 74)**

Report of the Director of Corporate Services (DSFRA/18/8) attached.

11 **Remuneration of Non-Executive Directors appointed from Authority Membership to the Board of Red One Ltd. (Pages 75 - 76)**

Report of the Director of Corporate Services (DSFRA/18/9) attached.

12 **Convention Relating to Appointment of Non-Executive Directors from the Authority Membership to Authority-owned Companies (Pages 77 - 80)**

In accordance with Standing Order 18, the Authority Chair (Councillor Randall Johnson) has asked that an item be placed on the agenda for this meeting to enable the Authority to consider whether it wishes to introduce a convention whereby, to aid in managing potential conflicts of interest, neither the Chair nor Vice Chair should be eligible for appointment as Authority-appointed non-executive directors on any company owned by the Authority.

Report of the Director of Corporate Services (DSFRA/18/10) attached.

13 **Chair's Announcements**

14 **Exclusion of the Press and Public**

RECOMMENDATION that, in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves 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 person – including the authority holding that information.

PART 2 - ITEMS WHICH MAY BE CONSIDERED IN THE ABSENCE OF THE PRESS AND PUBLIC

15 Resources Committee (Pages 81 - 136)

The Chair of the Committee, Councillor Coles, to **MOVE** the restricted Minutes of the Special Meeting held on 11 April 2018.

RECOMMENDATIONS

- (a) that the recommendation at Minute RC/23 (“Red One Update”) be approved;
- (b) that, subject to (a) above, the restricted Minutes be adopted in accordance with Standing Orders.

(NOTE: A copy of report RC/18/8 (“Red One Update”) is attached as Appendix A to these Restricted Minutes).

MEMBERS ARE REQUESTED TO SIGN THE ATTENDANCE REGISTER

Membership:-

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

NOTES

1.	<u>Access to Information</u> Any person wishing to inspect any minutes, reports or lists of background papers relating to any item on this agenda should contact the person listed in the "Please ask for" section at the top of this agenda.
2.	<u>Reporting of Meetings</u> Any person attending a meeting may report (film, photograph or make an audio recording) on any part of the meeting which is open to the public – unless there is good reason not to do so, as directed by the Chairman - and use any communication method, including the internet and social media (Facebook, Twitter etc.), to publish, post or otherwise share the report. The Authority accepts no liability for the content or accuracy of any such report, which should not be construed as representing the official, Authority record of the meeting. Similarly, any views expressed in such reports should not be interpreted as representing the views of the Authority. Flash photography is not permitted and any filming must be done as unobtrusively as possible from a single fixed position without the use of any additional lighting; focusing only on those actively participating in the meeting and having regard also to the wishes of any member of the public present who may not wish to be filmed. As a matter of courtesy, anyone wishing to film proceedings is asked to advise the Chairman or the Democratic Services Officer in attendance so that all those present may be made aware that is happening.
3.	<u>Declarations of Interests (Authority Members only)</u>
	(a). <u>Disclosable Pecuniary Interests</u> If you have any disclosable pecuniary interests (as defined by Regulations) in any item(s) to be considered at this meeting then, unless you have previously obtained a dispensation from the Authority's Monitoring Officer, you must: <ul style="list-style-type: none">(i). disclose any such interest at the time of commencement of consideration of the item in which you have the interest or, if later, as soon as it becomes apparent to you that you have such an interest;(ii). leave the meeting room during consideration of the item in which you have such an interest, taking no part in any discussion or decision thereon; and(iii). not seek to influence improperly any decision on the matter in which you have such an interest. If the interest is sensitive (as agreed with the Monitoring Officer), you need not disclose the nature of the interest but merely that you have a disclosable pecuniary interest of a sensitive nature. You must still follow (ii) and (iii) above.
	(b). <u>Other (Personal) Interests</u> Where you have a personal (i.e. other than a disclosable pecuniary) interest in any matter to be considered at this meeting then you must declare that interest no later than the commencement of the consideration of the matter in which you have that interest, or (if later) the time at which the interest becomes apparent to you. If the interest is sensitive (as agreed with the Monitoring Officer), you need not disclose the precise nature of the interest but merely declare that you have a personal interest of a sensitive nature. If the interest is such that it might reasonably be perceived as causing a conflict with discharging your duties as an Authority Member then, unless you have previously obtained a dispensation from the Authority's Monitoring Officer, you must not seek to improperly influence any decision on the matter and as such may wish to leave the meeting while it is being considered. In any event, you must comply with any reasonable restrictions the Authority may place on your involvement with the matter in which you have the personal interest.
4.	<u>Part 2 Reports</u> Members are reminded that any Part 2 reports as circulated with the agenda for this meeting contain exempt information and should therefore be treated accordingly. They should not be disclosed or passed on to any other person(s). Members are also reminded of the need to dispose of such reports carefully and are therefore invited to return them to the Committee Secretary at the conclusion of the meeting for disposal.
5.	<u>Substitute Members (Committee Meetings only)</u> Members are reminded that, in accordance with Standing Order 35, the Clerk (or his representative) must be advised of any substitution prior to the start of the meeting. Members are also reminded that substitutions are not permitted for full Authority meetings.