



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
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Your ref :
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DEVON & SOMERSET FIRE & RESCUE AUTHORITY

Wednesday, 31 October, 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

A G E N D A

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

1 Apologies

2 Minutes (Pages 1 - 8)

of the previous meeting held on 30 July 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 on Friday 26 October 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 Chief Fire Officer's Appraisals Panel (Pages 9 - 10)

The Chair of the Panel, Councillor Randall Johnson, to **MOVE** the Minutes of the meetings held on 30 July 2018 (attached) and 24 October 2018 (to follow).

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

b Resources Committee (Pages 11 - 14)

The Chair of the Committee, Councillor Coles, to **MOVE** the public Minutes of the meeting held on 5 September 2018 (attached).

RECOMMENDATIONS

- (i). that the recommendation at Minute RC/3 (Financial Performance Report 2018-19 – Quarter 1) relating to budget transfers be approved; and
- (ii). that, subject to (i) above, that the Minutes be adopted in accordance with Standing Orders.

(See also item 10 below).

c Human Resources Management & Development Committee (Pages 15 - 18)

The Chair of the Committee, Councillor Bown, to **MOVE** the Minutes of the meeting held on 21 September 2018 (attached).

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

d Treasurer's Appointments Panel (Pages 19 - 20)

The Chair of the Panel, Councillor Randall Johnson, to **MOVE** the Minutes of the meeting held on 19 October 2018 (attached).

RECOMMENDATIONS

- (i). That, having appointed to the post of Director of Finance (Treasurer), the Panel be disbanded; and
- (ii). That, subject to (i) above, the Minutes of the meeting held on 19 October 2018 be adopted in accordance with Standing Orders.

e Community Safety & Corporate Planning Committee (Pages 21 - 24)

The Chair of the Committee, Councillor Redman, to **MOVE** the Minutes of the meeting held on 22 October 2018 (attached).

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

f **Standards Committee**

The Vice-Chair of the Committee, Councillor Ellery, to **MOVE** the Minutes of the meetings held on 24 and 26 October 2018 (to follow).

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

8 **Proposed Revision to Standing Orders on Election of Authority Chair and Vice-Chair (Pages 25 - 28)**

Report of the Director of Corporate Services (DSFRA/18/22) attached.

9 **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 TAKEN IN THE ABSENCE OF THE PRESS AND PUBLIC

10 **Restricted Minutes of the Resources Committee meeting held on 5 September 2018 (Pages 29 - 30)**

The Chair of the Committee, Councillor Coles, to **MOVE** the restricted Minutes of the meeting of the Resources Committee held on 5 September 2018 (attached).

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

MEMBERS ARE REQUESTED TO SIGN THE ATTENDANCE REGISTER

Membership:-

Councillors Randall Johnson (Chair), Best, Biederman, Bown, Bowyer, Clayton, Coles, Colthorpe, Drean, Eastman, Ellery, Hannaford, Healey MBE, Hendy, Hook, Mathews, Napper, Peart, Prowse, Radford, Redman, Saywell, Thomas, Trail BEM, Vijeh and Wheeler (Vice-Chair)

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 Chair - 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 Chair or the Democratic Services Officer in attendance so that all those present may be made aware that is happening.
3.	<u>Declarations of Interests at meetings (Authority Members only)</u> If you are present at a meeting and you are aware that you have either a disclosable pecuniary interest, personal interest or non-registerable interest in any matter being considered or to be considered at the meeting then, unless you have a current and relevant dispensation in relation to the matter, you must: <ul style="list-style-type: none">(i) disclose at that meeting, by no later than commencement of consideration of the item in which you have the interest or, if later, the time at which the interest becomes apparent to you, the existence of and – for anything other than a “sensitive” interest – the nature of that interest; and then(ii) withdraw from the room or chamber during consideration of the item in which you have the relevant 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 an interest of a sensitive nature. You must still follow (i) and (ii) above. Where a dispensation has been granted to you either by the Authority or its Monitoring Officer in relation to any relevant interest, then you must act in accordance with any terms and conditions associated with that dispensation. Where you declare at a meeting a disclosable pecuniary or personal interest that you have not previously included in your Register of Interests then you must, within 28 days of the date of the meeting at which the declaration was made, ensure that your Register is updated to include details of the interest so declared.
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 37, 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.

DEVON & SOMERSET FIRE & RESCUE AUTHORITY

30 July 2018

Present:-

Councillors Randall Johnson (Chair), Biederman, Bown, Bowyer, Clayton, Coles, Colthorpe, Drear, Ellery, Hannaford, Healey MBE, Hendy, Mathews, Napper, Peart, Radford, Redman, Saywell, Thomas, Trail BEM, Vijeh and Wheeler (Vice-Chair).

Apologies:-

Councillors Best, Eastman, Hook and Prowse

DSFRA/15 Minutes

RESOLVED that the Minutes of the Annual and Ordinary Meetings held on 8 June 2018 be signed as correct records.

DSFRA/16 Minutes of Committees

a Human Resources Management & Development Committee

The Chair of the Committee, Councillor Bown, **MOVED** the minutes of the meeting held on 3 July 2018 which had considered, amongst other things:

- a report on the Service's performance in relation to absence management;
- a report on the outcome of a high-level review undertaken into Service sickness absence;
- proposed revisions to the Authority's Pensions Discretions Policy;
- a review of the Service expenses policy in respect of accommodation and subsistence;
- appointments to the Internal Disputes Resolution Panel; and
- a report on workforce culture, diversity and inclusion.

For ease of reference, a copy of report HRMDC/18/25 (Pension Discretions – Firefighters' Pension Scheme) was appended to the Minutes.

RESOLVED

- (i) that, as recommended by the Committee at Minute HRMDC/29, the following amendments to the Authority's Pensions Discretions Policy be approved:
 - a. that the upper age limit for Injury Retirements medical reviews are aligned to that of Ill-health Retirements as set out in paragraphs 2.7 and 2.8 of report HRMDC/18/25; and
 - b. that a Voluntary Scheme Pays arrangement is introduced for the payment of annual pension Annual Allowance tax liabilities, but applicable only in one (or both) of those circumstances as identified in paragraph 3.11 of report HRMDC/18/25;
- (ii) that, subject to (i) above, the Minutes be adopted in accordance with Standing Orders.

b Community Safety & Corporate Planning Committee

The Chair of the Committee, Councillor Redman, **MOVED** the Minutes of the meeting held on 26 July 2018 which had considered, amongst other things:

- a report on the mandate for the Change & Improvement Programme 2018 – 2022; and
- a report of production of public facing documents, in common format, for the Integrated Risk Management Plan, the Fire & Rescue Plan and the Change & Improvement Programme.

For ease of reference, a copy of reports CSCPC/18/3 (Change & Improvement Programme 2018 – 2022 – Mandate) and CSCPC/18/4 (Integrated Risk Management Plan [IRMP], Fire & Rescue Plan (FRP) and Change & Improvement Programme – Public Facing Documents), as considered by the Committee, were included with the agenda for this meeting.

RESOLVED

- (i). that, as recommended by the Committee at Minute CSCPC/2, the mandate for the Change & Improvement Programme 2018 – 2022, as set out in report CSCPC/18/3 and included with the agenda for this meeting, be approved and a more detailed report on timescales be submitted to the Committee in due course;
- (ii). that, subject to (a) above, the Minutes be adopted in accordance with Standing Orders.

c Audit & Performance Review Committee

The Chair of the Committee, Councillor Healey MBE, **MOVED** the Minutes of the meeting held on 27 July 2018 which had considered, amongst other things:

- draft audit findings of the external auditor (Grant Thornton) on the Authority's financial statements 2017-18 (including the final Statement of Accounts and a Letter of Representation);
- the final 2017-18 Annual Statement of Assurance;
- a report on progress against the approved internal audit plan for 2018-19;
- a report on performance of the Devon & Somerset Fire & Rescue Service during April 2017 to March 2018 against agreed measures and targets;
- the Local Pensions Board Annual Report 2017-18; and
- a "Going Concern" review prepared by the Director of Finance in response to a request from the external auditor (Grant Thornton) and setting out a review of the Authority's financial position as at 31 March 2018 together with an assessment of the ability of the Authority to continue operating for the foreseeable future.

RESOLVED

- (i). that, as recommended by the Committee at Minute APRC/6 (Local Pensions Board Annual Report 2017-18), the Terms of Reference for the Committee be amended to provide for it to receive an Annual Report from the Authority's Local Pensions Board; and
- (ii). that, subject to (a) above, the Minutes be adopted in accordance with Standing Orders.

DSFRA/17 Appointments to Committees etc.

The Authority considered a report of the Director of Corporate Services (DSFRA/18/16) inviting the Authority to make appointments to those vacancies arising from change in representation from Devon County Council to the Authority.

RESOLVED that the following appointments be made as indicated, the term of office to be until the Authority's Annual Meeting in 2019:

Resources Committee – Councillor Hook;

Vice-Chair of Resources Committee – Councillor Drean (proposed by Councillor Hendy and seconded by Councillor Peart);

Capital Programme Working Party – Councillor Coles;

Local Pensions Board – Councillor Wheeler.

DSFRA/18 Appointment of Authority Members as Non-Executive Directors on the Board of Red One Ltd.

(Councillors Saywell and Thomas each declared a personal, non-pecuniary interest in this matter [by virtue of being existing Authority Members appointed as non-executive directors on the Board of Red One Ltd.] and took no part in the voting on this item).

The Authority considered a report of the Director of Corporate Services (DSFRA/18/17) on the outcome of a process to identify Authority Members to serve as non-executive directors on the Board of Red One Ltd. The process had been undertaken by Ramsay Hall (an organisation with experience in identifying and recruiting non-executive directors) who had been commissioned following a procurement exercise.

RESOLVED

- (a). that, as recommended by Ramsay Hall, Councillors Saywell and Thomas be re-appointed as Authority Member non-executive directors on the Board of Red One Ltd.;
- (b). that Red One Ltd. be asked to facilitate the advised training on corporate governance and business strategy;
- (c). that matters relating to the term of office for these appointments and the number of Authority Member non-executive directors on the Board of Red One Ltd. be addressed as part of the Red One Ltd. Annual General Meeting, featured elsewhere on the agenda for this meeting.

(SEE ALSO MINUTE DSFRA/24 BELOW).

DSFRA/19 Reserves Strategy

The Authority considered a report of the Director of Finance (DSFRA/18/18) setting out a Reserves Strategy for the Authority in accordance with the requirements of the latest iteration of the Fire and Rescue National Framework for England. The Strategy explained the purpose of each ear-marked reserve, analysed the General Fund and indicated expected timing of expenditure from the reserves.

The report detailed a risk assessment undertaken of the General Reserve and proposed that ear-marked reserves be combined into broader categories to aid reporting. The reserves strategy (which had been prepared using the new categories as proposed) had been produced as a stand-alone document for the current financial year but would become part of the budgetary cycle and form an element of the Medium Term Financial Plan document for the 2019-20 financial year onwards.

RESOLVED

- (a). that the transfers between reserves as outlined in Appendix B to report DSFRA/18/18 be approved;
- (b). that the new reporting categories for Earmarked Reserves as shown in Appendix C to the report be approved; and
- (c). that, subject to (a) and (b) above, the report be noted.

DSFRA/20 Arrangements for Authority Proper Financial Officer/Treasurer

The Authority considered a report of the Director of Corporate Services (DSFRA/18/19) on options to secure a proper financial officer (as required for the Authority by statute) on conclusion of the temporary promotion period for the current incumbent.

RESOLVED

- (a). That Option 3, an external competitive recruitment process for either a full-time or part-time position, be approved;
- (b). That an Appointments Panel comprising Councillors Best, Bown, Hannaford, Randall Johnson, Vijeh and Wheeler be appointed with delegated authority to interview candidates and determine the appointment; and
- (c). That the existing temporary appointment be extended for a further two month period (to the end of December 2018) to allow sufficient time for the recruitment process and also for a hand-over period, if required.

DSFRA/21 Secondment of Chief Fire Officer Lee Howell

The Authority considered a report of the Director of Corporate Services (DSFRA/18/20) on the current position in relation to the secondment of Chief Fire Officer Lee Howell to the Avon & Somerset Constabulary as the Senior Responsible Officer for a Home Office funded initiative to develop a multi-agency integrated service analytics hub (now known as the Office for Data Analytics).

The secondment had been approved by the Authority at its meeting on 20 October 2017 for an initial twelve month period, commencing on 1 November 2017. Any proposed extension was to be subject to further consideration and determination by the Authority.

The Authority would still be required to have determined this issue by the end of the current secondment period (31 October 2018) but at this point in time there remained a number of issues still required resolution prior to the Avon & Somerset Constabulary formulating any formal request for the secondment to be extended. These issues included confirmation of funding arrangements. As the next Authority meeting was not scheduled until 31 October it was consequently proposed that the Authority might wish to delegate authority to its Human Resources Management & Development Committee to consider and determine any proposal that may be received on extension of the secondment of Chief Fire Officer Lee Howell.

RESOLVED That the Human Resources Management & Development Committee be delegated authority to consider and determine any proposals relating to an extension of the secondment of Chief Fire Officer Lee Howell to the Avon & Somerset Constabulary as Senior Responsible Officer for the Office for Data Analytics initiative.

DSFRA/22 **Exclusion of the Press and Public**

RESOLVED that the press and public (with the exceptions of Dr. Sian George, Andrew Andreou, Andy Appleton and Carrie Southgate – all Red One Ltd. - for Minute DSFRA/24 only) be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in the following Paragraphs of Part 1 of Schedule 12A (as amended) to the Local Government Act 1972:

- (a). For Minute DSFRA/23 (General Purposes Committee – Confidential Minutes of the Meeting held on 6 June 2017):
 - Paragraph 1 (information relating to an individual);
 - Paragraph 2 (information likely to reveal the identity of an individual); and
 - Paragraph 5 (information in respect of which a claim to legal professional privilege could be maintained in legal proceedings).
- (b). For Minute DSFRA/24, Paragraph 3 (information relating to the financial and business affairs of any particular person – including the authority holding that information).

DSFRA/23 **General Purposes Committee - Confidential Minutes of the Meeting held on 6 June 2017**

(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).

The Authority considered a report of the Director of Corporate Services (DSFRA/18/21) to which was appended confidential Minutes of the meeting of the General Purposes Committee held on 6 June 2017.

During the course of auditing the Authority's financial statements for 2017-18 the external auditor (Grant Thornton) had challenged the completeness of an audit trail recording the decision of the Committee in relation to the final figure authorised to settle an employment tribunal claim. Following further discussions, the external auditor had indicated that the matter could be resolved by the Authority retrospectively approving and adopting a set of confidential minutes of the 6 June 2017 meeting of the Committee which detailed the agreed maximum financial quantum to settle the matter.

Councillor Randall Johnson **MOVED**, with Councillor Clayton seconding:

“that the confidential Minutes of the meeting of the General Purposes Committee held on 6 June 2017, as appended to report DSFRA/18/21, be approved and adopted by the Authority in accordance with Standing Orders.”

The Motion was put to the vote and declared **CARRIED**, whereupon it was

RESOLVED that the confidential Minutes of the meeting of the General Purposes Committee held on 6 June 2017, as appended to report DSFRA/18/21, be approved and adopted by the Authority in accordance with Standing Orders.

(THE MEETING WAS THEN ADJOURNED AT 11.23HOURS, RECONVENING AT 11.45HOURS)

Red One Ltd. Annual General Meeting

(An item taken in accordance with Section 100A(4) of the Local Government Act 1972 during which the press and public [with the exception of Dr. Sian George, Andrew Andreou, Andy Appleton and Carrie Southgate – all Red One Ltd.] were excluded from the meeting).

(Councillors Saywell and Thomas each declared a personal interest in this matter by virtue of being Authority Members appointed as non-executive directors on the Board of Red One Ltd. Both Councillors left the meeting during any voting by the Authority [in its capacity as sole shareholder] on this item).

The Authority (in its capacity as sole shareholder in Red One Ltd.) attended the Annual General Meeting of the Company and received presentations on the activities of the company in relation to:

- health and safety measures;
- the company risk register and mitigation process;
- an overview of the financial and commercial performance of the company during the current (2018-19) financial year;
- strategic commercial opportunities for the company for 2018-19 and beyond.

The Board had also proposed a Special Resolution to the Authority (as sole shareholder) to adopt revised Articles of Association.

Councillor Randall Johnson **MOVED**, with Councillor Peart seconding

- (a). that the following Special Resolution be approved by the Authority in its capacity as sole shareholder of Red One Ltd. (“the Company”):

“That the [third edition of the] Articles of Association [as considered at the Annual General Meeting on 30 July 2018] be adopted as the Articles of Association of the Company in substitution for and to the exclusion of the existing Articles of Association”;
- (b). that, in adopting the revised Articles of Association as circulated at the Annual General Meeting, the Authority formally delegates to the Service Executive Board authority to appoint Service Officer Non-Executive Directors to the Board of Red One Ltd and that this be recorded in Authority’s scheme of delegations; and
- (c). that, subject to (a) and (b) above, the discussions on those matters raised at the Red One Ltd. Annual General Meeting be noted.

This Motion was put to the vote and declared **CARRIED** whereupon it was

RESOLVED

- (a). that the following Special Resolution be approved by the Authority in its capacity as sole shareholder of Red One Ltd. (“the Company”):

“That the [third edition of the] Articles of Association [as considered at the Annual General Meeting on 30 July 2018] be adopted as the Articles of Association of the Company in substitution for and to the exclusion of the existing Articles of Association”;
- (b). that, in adopting the revised Articles of Association as circulated at the Annual General Meeting, the Authority formally delegates to the Service Executive Board authority to appoint Service Officer Non-Executive Directors to the Board of Red One Ltd and that this be recorded in Authority’s scheme of delegations; and

- (c). that, subject to (a) and (b) above, the discussions on those matters raised at the Red One Ltd. Annual General Meeting be noted.

The Meeting started at 10.00 am and finished at 1.05 pm

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CHIEF FIRE OFFICER'S APPRAISALS PANEL

(Devon & Somerset Fire & Rescue Authority)

24 October 2018

Present:-

Councillors Randall Johnson (Chair), Best and Hannaford

Apologies:-

Councillor Vijeh

* AP/18/4

Minutes

RESOLVED that the Minutes of the meeting held on 30 July 2018 be signed as a correct record.

* AP/18/5

Exclusion of the Press and Public

RESOLVED 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 1 of Part 1 of Schedule 12A (as amended) to the Act, namely information relating to an individual.

* AP/18/6

Chief Fire Officer Lee Howell - Appraisal

(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).

The Panel, advised by Bryony Houlden [Chief Executive, South West Councils], undertook the appraisal of Chief Fire Officer Lee Howell (LH). The appraisal process was informed by a document submitted by LH addressing, amongst other things, performance over the last twelve months, personal development undertaken during that period and identified development needs.

In respect of the development needs, it was noted that a place had been secured for LH to attend the police Strategic Command Course run by the Home Office, to run from January to February 2019. Although this was prior to the end of LH's current secondment to the Avon & Somerset Constabulary, the cost of funding attendance on the Course would fall to the Devon & Somerset Fire & Rescue Authority. The Panel noted that one of the objectives of the course was to:

“...provide a unique opportunity for senior police staff and leaders from across the public sector to engage in a demanding and stretching leadership development programme. All participants greatly benefit from the broad range of experience and perspectives shared by colleagues from within policing nationally and internationally and from partner organisations”

The Panel also noted that the Chief Fire Officer was due to return to the Devon & Somerset Fire & Rescue Service at the end of his secondment (31 March 2019) and that there was no indication at this stage that the secondment would be further extended.

In light of the above, the Panel considered that attendance on the Course would represent a good investment for the Service and the wider public sector generally. The Panel was also advised, however, that it might wish to require making attendance subject to a sponsorship agreement whereby, in the event of LH leaving the Service within two years of attending the course, he would be required to refund a proportion of the course costs.

RESOLVED

- (a). That attendance by LH on the Strategic Command course be approved, with the cost of course to be met by the Devon & Somerset Fire & Rescue Authority;
- (b). That attendance be subject to a sponsorship agreement requiring LH to refund a proportion of the course costs in the event that he leaves the Devon & Somerset Fire & Rescue Service within two years of having completed the course.

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

The Meeting started at 2.00 pm and finished at 3.00 pm

RESOURCES COMMITTEE

(Devon & Somerset Fire & Rescue Authority)

5 September 2018

Present:-

Councillors Coles (Chair), Biederman, Drean, Hendy, Peart and Radford

Apologies:-

Councillors Hook.

Also in attendance:

Cllr. Randall Johnson

Dr Sian George, Andrew Andreou, Lisa Compton [Red One Ltd.] and Councillors Saywell and Thomas [Authority appointed Non-Executive Directors on the Board of Red One Ltd] (for Minutes *RC/12 and *RC/13 only)

* RC/1

Minutes

RESOLVED that, subject to the amendment of the attendance list to add “(vice Peart)” after Councillor Randall Johnson, the Minutes of the meeting held on 16 May 2018 be signed as a correct record.

* RC/2

Treasury Management Performance 2018-19 - Quarter 1

The Committee received for information a report of the Director of Finance (Treasurer) that set out details of the treasury management performance for the first quarter of 2018-19 (to June 2018) as compared to the agreed targets for the year.

Adam Burleton, representing Link Asset Services – the Authority’s Treasury Management Adviser – was present at the meeting and gave an overview of the Service’s performance to date against the approved Treasury Management Strategy. He made reference to the following points:

- That economic growth had been weak in the first quarter of 2018-19 at 0.1 to 0.2% although initial indications in quarter 2 were that this had picked up to around 0.4%. Whilst inflation had been running higher than pay growth until recently, this had changed which had impacted on growth although it was anticipated that this would fall back with inflation returning to around 2% later this year;
- There had been increase in the bank base rate to 0.75% in August 2018 although no further rises were forecast until around September 2019;
- The Authority’s focus in past years had been on security and liquidity of its assets over yield;
- The Authority had outperformed the 3 month LIBID benchmark of 0.53% with a return of 0.71% in quarter 1 and investment interest of £0.021m; and
- There had been no new borrowing in this quarter with none planned and current external borrowing reducing to £25.584m by the end of the financial year; and
- the Authority had not breached its Prudential Indicators (affordability limits).

Reference was made at this juncture to the level of Reserves held by the Authority and whether this was being reviewed in the light of statements in the media in terms of local authorities holding too much in Reserves at the expense of keeping precept increases low. The Director of Finance (Treasurer) advised the Committee that this was covered in a report later in the agenda (Minute RC/3 below refers). A Reserves Strategy had been approved by the Authority in July 2018 and it was noted that there would be expenditure of £6.4m from reserves this year which would bring down the level held. Councillor Biederman commented that it would be useful for Members to have a briefing note available to them in the event that they received questions on such media statements to enable them to make an immediate and informed response. The Director of Finance (Treasurer) undertook to action this.

A discussion was also held on the need to maximise the amount of income received and, in respect of the Community Infrastructure Levy (CIL) which could be applied for in terms of new housing developments in particular, that the Authority should ensure that it was on the 1-2-3 list for local authorities.

RC/3

Financial Performance Report 2018-19 - Quarter 1

The Committee considered a report of the Director of Finance (Treasurer) (RC/18/15) that set out the Service's financial performance during the first quarter of 2018-19 against the targets agreed for the current financial year. The report provided a forecast of spending against the 2018-19 revenue budget with explanation of the major variations.

The Committee noted that, at this early stage in the financial year, it was forecast that spending would be £0.750m (1.02%) less than budget. The Director of Finance (Treasurer) advised this was attributable largely to the savings on wholetime pay costs due to high numbers of expected retirements together with additional grant income that had been received due to late changes in National Non-Domestic Rates (NNDR).

The Director of Finance (Treasurer) also explained the reasons behind the proposed budget transfers set out at Table 3 of the report.

RESOLVED

- (a) That the budget transfers shown in Table 3 of this report (and as set out at Appendix A to these Minutes for ease of reference) be recommended to the Devon & Somerset Fire & Rescue Authority for approval;
- (b) That the monitoring position in relation to projected spending against the 2018-19 revenue and capital budgets be noted;
- (c) That the performance against the 2018-19 financial targets be noted.

*** RC/4**

Local Government Financial Settlement 2019-20: Technical Consultation

The Committee considered a report of the Director of Finance (Treasurer) (RC/18/16) that set out a proposed response to the technical consultation issued by the Ministry of Housing, Communities and Local Government in respect of the 2019-20 Local Government Finance Settlement.

The Committee raised the need to comment on the point that flexibility was required in respect of the ability to raise the precept locally in the same way as the Devon & Cornwall Constabulary in 2018-19. The Director of Finance (Treasurer) advised that the Authority could request such changes if the parameters were clear but suggested that the Authority would be better requesting £5 as a cap due to the relative size of precept.

The Director of Finance (Treasurer) added that the complexities of local government funding precept flexibilities needed to be addressed and this had been covered in the paragraph at 4.7 of the report circulated. The Committee noted that an additional suggested comment was included in the response that would cover these matters.

RESOLVED that the proposed consultation response outlined in the report (together with the additional comment at paragraph 4.7) be approved by the Committee for submission to the Ministry of Housing, Communities and Local Government.

* **RC/5** **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 exceptions of Dr Sian George, Andrew Andreou and Lisa Compton [Red One Ltd.] and Councillors Saywell and Thomas [Authority appointed Non-Executive Directors on the Board of Red One 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 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.

* **RC/6** **Restricted Minutes of the Resources Committee held on 16 May 2018**

(An item taken in accordance with Section 100A(4) of the Local Government Act 1972, during which the press and public, with the exceptions of Dr Sian George, Andrew Andreou, Lisa Compton [Red One Ltd.] and Councillors Saywell and Thomas [Authority appointed Non-Executive Directors on the Board of Red One Ltd], were excluded from the meeting).

RESOLVED that the Restricted Minutes of the meeting held on 16 May 2018 be signed as a correct record.

* **RC/7** **Red One Limited Financial Performance: Q1**

(An item taken in accordance with Section 100A(4) of the Local Government Act 1972, during which the press and public, with the exceptions of Dr Sian George, Andrew Andreou, Lisa Compton [Red One Ltd.] and Councillors Saywell and Thomas [Authority appointed Non-Executive Directors on the Board of Red One Ltd], were excluded from the meeting).

(Councillors Saywell and Thomas each declared a personal interest in this matter but participated in the debate in accordance with the dispensation granted by the Authority at its Annual Meeting on 8 June 2018 – Minute DSFRA/5(a) refers).

The Committee received for information a report of the Director of Finance (Treasurer) (RC/18/17) that gave an update on the current financial position in respect of Red One Ltd. for Quarter 1 of 2018-19.

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

The Meeting started at 10.00 am and finished at 12.28 pm

APPENDIX A – BUDGET TRANSFERS (MINUTE RC/3 ABOVE REFERS)

Line Ref	Description	Debit £m	Credit £m
	<i>Transfer of budget for staff and office costs from Business Intelligence Hub to the newly formed Data Architecture and Management Team.</i>		
4	Non-Uniformed Staff	0.279	
5	Training	0.003	
14	Equipment & Furniture	0.004	
22	Publications/Subscriptions	0.001	
4	Non-Uniformed Staff		(0.279)
5	Training		(0.003)
14	Equipment & Furniture		(0.004)
22	Publications/Subscriptions		(0.001)
		0.287	(0.287)
	<i>Maintenance of the New Dimensions assets will no longer be charged or reimbursed through the Service accounts</i>		
30	Grants and Reimbursements	0.273	
12	Vehicle Repair & Maintenance		(0.273)
	<i>It was anticipated at budget setting that the full grant for the National Resilience New Dimensions grant would be received in advance in 2017/18 and transferred to an Earmarked Reserve. Only £129,713 was received in advance, with the remaining £815,586 to be received in year.</i>		
35	Reduce Transfer from Reserves budget	0.816	
30	Increase Grant budget		(0.816)
	<i>The Airwave grant for 2018/19 was budgeted as grant income whereas it was actually received in 2017/18 and transferred to an Earmarked Reserve.</i>		
30	Decrease Grant budget	0.890	
35	Increase Transfer from Reserves budget		(0.890)
		2.265	(2.265)

HUMAN RESOURCES MANAGEMENT & DEVELOPMENT COMMITTEE

(Devon & Somerset Fire & Rescue Authority)

21 September 2018

Present:-

Councillors Bown (Chair), Best, Clayton, Healey MBE, Randall Johnson and Trail BEM (vice Peart).

* **HRMDC/8** **Minutes**

RESOLVED that the Minutes of the meeting held on 3 July 2018 be signed as a correct record.

* **HRMDC/9** **Proposed Extension of Secondment of Chief Fire Officer Lee Howell**

The Committee considered a report of the Director of Corporate Services (HRMDC/18/29) in respect of the proposed extension of the secondment of Chief Fire Officer, Lee Howell, together with details of the initiative and the benefits to the Fire & Rescue Authority.

RESOLVED

- (a) That, subject to receipt of written confirmation from the Avon & Somerset Constabulary of the funding for the secondment extension, the Committee approves the extension of the secondment of Chief Fire Officer Lee Howell to the Avon & Somerset Constabulary as Senior Responsible Officer for the Multi-Agency Integrated Service Analytics Hub (Office for Data Analytics) initiative for a period up to 31 March 2019;
- (b) That it be noted that, in the event of funding by the Avon & Somerset Constabulary for the secondment extension not covering the full period to 31 March 2019, the secondment extension would be for a shorter period and that the Clerk to the Authority be authorised to confirm the contractual details once the funding position was clear;
- (c) That it be noted that, in accordance with the original Authority decision on 20 October 2017:
 - (i) The substantive Assistant Chief Fire Officer (Service Improvement) (Glenn Askew) will continue as Acting Chief Fire Officer for the Service for the duration of the secondment;
 - (ii) The Acting Chief Fire Officer will undergo an appointment process to determine ongoing temporary Assistant Chief Fire Officer arrangements; and
 - (iii) Any further proposed extension of the secondment be subject to a further report to the Authority.

* **HRMDC/10** **Workforce Planning - Apprenticeships**

The Committee considered a report of the Director of Service Improvement (HRMDC/18/29) that gave an update on the progress made with the development of apprenticeship opportunities within Devon & Somerset Fire & Rescue Service, providing details of the funding position and also the target set for new apprenticeships.

The Committee noted that the Public Sector Target Regulations 2017 set a minimum average of 2.3% target for minimum average of new starter apprenticeships each year from 2017/18 to 2020/21, based on the number of employees working within the Service. Different apprenticeships attracted varying levels of funding but the new Firefighter apprenticeships could be funded to a maximum of £12k (towards salary and superannuation costs). The levy, based on payroll, was set at 0.5% with a cost of approximately £18k per month to the Service so if the funding available was not utilised with apprenticeships, the Service lost out. With Bridgwater College assisting with administering the process as the provider, the Service had already introduced apprenticeships in the following areas:

- Operational Firefighter Apprenticeships;
- Fire & Rescue sector specific apprenticeships;
- Uniform and support staff apprenticeships; and
- In career apprenticeships.

Although the target for new apprenticeships had not been achieved within 2017/18, reference was made to the barriers to achieving this. The Service had recognised the significant benefits that could be realised with the introduction of apprenticeships within the Fire Service and thus, had set an objective within the Fire & Rescue Plan to provide training for the apprentices to nationally recognised standards.

RESOLVED

- (a) That the report be noted; and
- (b) That the Service continues to progress the apprenticeship scheme.

* **HRMDC/11** **Absence Management Performance Report**

The Committee received for information a report of the Director of Service Improvement (HRMDC/18/31) that set out the Service's performance in relation to absence management for the first quarter of 2018/19.

The report highlighted that absence for the period April to July 2018 was an average of 2.52 days lost per person as compared to 2.75 days for the same period in 2017/18. The target for sickness absence for the year was an average of 8 days/shifts lost per person for wholetime, control and support staff. The Service continued to make improvements to absence levels although this seemed to be showing an upward trend during the first quarter of 2018. There had been an increase in all sickness levels for wholetime station based staff but significantly with long terms sickness and further information was being sought on the reasons behind this. Within Control and support staff, the overall sickness levels had improved but with an increase in short term certified sickness with the same position for on call staff.

It was noted that the two most common reasons for sickness across all staff groups were mental health and musculoskeletal which reflected the national position. The Service was continuing work on the review of the Absence Management Policy and associated guidance.

* **HRMDC/12 Workforce Culture, Diversity & Inclusion - Quarterly Update**

The Committee considered a report of the Director of Service Improvement (HRMDC/18/32) that provided an update on the work being undertaken in respect of culture, diversity and inclusion within the Service in support of the new Integrated Risk Management Plan and national guidance. Work undertaken so far in 2018/19 included:

- Inclusive culture/leadership:
 - the development of the new appraisal process which should be completed shortly;
 - work on a new People Strategy had now commenced;
 - collaboration with Devon & Cornwall Constabulary and the Royal Navy in organising a menopause Conference
- Recruitment, promotion and retention:
 - The new “Joint the Team, become a Firefighter” launched by the Home Office;
 - The appointment of a new Leadership & Development Manager to develop a comprehensive Leadership Framework for the Service;
 - Stonewall leadership training, a Women’s springboard development Programme and an initial meeting with Exeter University to explore collaboration.

It was noted that Diversity and Inclusion was to be given a greater emphasis on the agenda for the next Local Government Association Fire Conference to be held in March 2019.

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

The Meeting started at 10.00 am and finished at 11.55 am

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TREASURER APPOINTMENTS PANEL (Devon & Somerset Fire & Rescue Authority)

19 October 2018

Present:-

Councillors Best, Bown, Hannaford, Randall Johnson and Vjeh.

Apologies:-

Councillors Wheeler

- * **TAP/1** **Election of Chair**
RESOLVED that Councillor Randall Johnson be elected Chair of the Panel.
- * **TAP/2** **Exclusion of the Press and Public**
RESOLVED 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 the following Paragraph(s) of Part 1 of Schedule 12A (as amended) to the Act:
- Paragraph 1 (information relating to an individual); and
 - Paragraph 2 (information likely to reveal the identity of an individual).
- * **TAP/3** **Authority Proper Financial Officer (Director of Finance and Treasurer) - Interview Process**
(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).
The Panel undertook an appointments process during which four candidates were interviewed for the post of Director of Finance (Treasurer).
RESOLVED that Amy Webb be appointed as Director of Finance (Treasurer) with immediate effect and be designated as the officer with responsibility for the proper administration of the Authority's financial affairs in accordance with Section 112 of the Local Government Finance Act 1988.

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

The Meeting started at 9.00 am and finished at 4.45 pm

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COMMUNITY SAFETY & CORPORATE PLANNING COMMITTEE

(Devon & Somerset Fire & Rescue Authority)

22 October 2018

Present:-

Councillors Redman (Chair), Colthorpe, Ellery, Radford, Trail BEM and Vijeh (vice Prowse).

Apologies:-

Councillor Eastman (Vice Chair)

In attendance (in accordance with Standing Order 38):-

Councillors Coles and Randall Johnson.

* **CSCPC/4** **Minutes**

RESOLVED that the Minutes of the meeting held on 26 July 2018 be signed as a correct record.

* **CSCPC/5** **Community Risk Mapping**

The Committee considered a report of the Director of Service Improvement (CSCPC/18/5) that set out the design principles behind the projects within the Change & Improvement Programme, the primary focus of which was the need for the projects to mitigate against risks identified in either the Integrated Risk Management Plan (IRMP) or the Fire and Rescue Plan (FRP) or both. The report also set out details of the risk mapping that had been undertaken in respect of predicted dwelling fires, high risk commercial properties and road traffic collisions for reference.

The Committee was advised that the projects principles were designed not only to mitigate against the risks identified but also to:

- Focus on delivering the Service's statutory obligations as defined by the Fire & Rescue Services Act 2004 (i.e., fire and road traffic collisions);
- Support the delivery of a long term balanced budget as prescribed within the Medium Term Financial Plan;
- Demonstrate clear benefits realisation for the investment made;
- Consider potential for collaboration with new and existing partners; support inclusivity and flexibility of opportunity; and clearly support the vision and values of the Service.

In terms of the information on risk mapping, the Committee asked for clarification of the position on response times for different, sometimes sparsely populated geographic areas of the counties served. The Director of Service Improvement confirmed that the Service was moving away from the use of more rigid response times to matching resources to areas of greater risk. It was noted that the Gartan system was used currently to log the availability of On Call staff and that Fire Control had this information together with the location of appliances available in order to mobilise as required.

Councillor Ellery **MOVED** (seconded by Councillor Trail BEM) an amended resolution as follows:

- (a) “That the design principles, particularly the mitigation of community risks, to deliver the projects within the Change & Improvement Mandate, be accepted; and
- (b) Subject to (a) above, the report and contents therein be noted.”

The motion was put to the vote (6 for, 0 against) and declared **CARRIED**, whereupon it was:

RESOLVED

- (a) That the design principles, particularly the mitigation of community risks, to deliver the projects within the Change & Improvement Mandate, be accepted; and
- (b) Subject to (a) above, the report and contents therein be noted.

* **CSCPC/6**

Change & Improvement Programme - Timeline

The Committee considered a report of the Director of Service Improvement (CSCPC/18/6) that set out the proposed timeline for the delivery of the work within the Change & Improvement Programme.

It was noted that the four year Programme was comprehensive and that progression and delivery of all four workstreams included interdependencies. Slippage on any elements within the workstreams may inevitably have an impact on the overall delivery of the Programme. The first of the four workstreams to be progressed within quarter 2 of 2018/19 was Service Delivery which included the elements of:

- Service Delivery Operating Model - driven by the IRMP; and
- Utilisation of risk data.

Details of the progress made with individual projects would be submitted to the Committee at the appropriate time and there was also a Communications & Engagement Plan that accompanied the Change & Improvement Programme. The Committee sought the opportunity to attend some of the engagement sessions that were being held and the Director of Service Improvement undertook to provide the dates in due course.

Councillor Ellery **MOVED** (seconded by Councillor Trail BEM) an amended resolution:

- (a) “That the timescales based on a phased approach to the four workstreams within the Change & Improvement Programme be accepted; and
- (b) That regular reports on the progress made with the Change & Improvement Programme be submitted to the Committee.”

The motion was put to the vote (6 for, 0 against) and declared **CARRIED**, whereupon it was:

RESOLVED

- (a) That the timescales based on a phased approach to the four workstreams within the Change & Improvement Programme be accepted; and
- (b) That regular reports on the progress made with the Change & Improvement Programme be submitted to the Committee.

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

The meeting started at 10.00 am and finished at 11.25 am

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Agenda Item 8

REPORT REFERENCE NO.	DSFRA/18/22
MEETING	DEVON & SOMERSET FIRE & RESCUE AUTHORITY
DATE OF MEETING	31 OCTOBER 2018
SUBJECT OF REPORT	PROPOSED REVISION TO STANDING ORDERS ON ELECTION OF AUTHORITY CHAIR AND VICE-CHAIR
LEAD OFFICER	Director of Corporate Services
RECOMMENDATIONS	<i>That the Authority considers the contents of this report.</i>
EXECUTIVE SUMMARY	In accordance with Standing Order 20, Councillor Healey MBE has asked that this item be placed on the agenda for this meeting to enable the Authority to consider revising its Standing Orders to provide for the positions of Authority Chair and Vice-Chair to be rotated amongst constituent authorities on a four-year cyclical basis. Councillor Healey considers that this change will promote cohesiveness for the Authority and reduce/remove any actual or perceived dominance by any one or more of the constituent authorities.
RESOURCE IMPLICATIONS	None.
EQUALITY RISKS AND BENEFITS ANALYSIS (ERBA)	The contents of this report are considered compatible with existing equalities and human rights legislation.
APPENDICES	Nil.
LIST OF BACKGROUND PAPERS	The Devon and Somerset Fire and Rescue Authority (Combination Scheme) Order 2006) (SI 2006 No. 2790) Authority Standing Orders.

1. **ISSUE**

1.1. In accordance with Standing Order 20, Councillor Healey MBE has asked that this item be placed on the agenda for this meeting to enable the Authority to consider a change in Standing Orders to allow, with effect from the next Authority Annual Meeting (June 2019):

- (a). for the posts of Authority Chair and Vice-Chair to be rotated annually, on a four-year cyclical basis, between each constituent authority, for example:

Year	Chair	Vice-Chair
1	Plymouth	Torbay
2	Torbay	Somerset
3	Somerset	Devon
4	Devon	Plymouth

- (b). that a previous holder of either position may be re-elected to that position but only in the relevant year of the cycle in which they would become eligible for election/re-election;
- (c). that, in the event of casual vacancy occurring (i.e. between Annual Meetings) for either position, only Members of the relevant constituent authority (as per the relevant year in the cycle) would be eligible for election to that vacancy.

1.2. Councillor Healey considers that this change will promote cohesiveness for the Authority and reduce/remove any actual or perceived dominance by any one or more of the constituent authorities.

2. **PROPOSED MOTION**

2.1. In accordance with the above, Councillor Healey has indicated that he would wish to move the following Motion at the meeting:

“That, following the final full Authority meeting in the current (2018-19) Municipal Year and immediately prior to the 2019 Authority Annual Meeting, the Clerk to the Authority be authorised to amend Standing Order 2 (Chair and Vice-Chair) as follows:

- (a). Deletion of the existing Standing Order 2(1) to (6) inclusive and their replacement with the following:
- (1). At its Annual Meeting each year, the Authority will elect a Chair and may elect a Vice-Chair from among its Members. Eligibility for election as Chair or Vice-Chair will be restricted each year to Members from specified constituent authorities in accordance with the following four-yearly cycle:

Year	Chair	Vice-Chair
1	Plymouth City Council	Torbay Council
2	Torbay Council	Somerset County Council
3	Somerset County Council	Devon County Council
4	Devon County Council	Plymouth City Council

- (2). In the event that, at the Authority's Annual Meeting, no eligible Members are willing to be elected as Chair, eligibility for election will pass to Members from the next constituent Authority as set out in the four-yearly cycle in paragraph (1) above of this Standing Order.
 - (3). In the event that, at the Authority's Annual Meeting, no eligible Members are willing to be elected as Vice-Chair, eligibility for election will be any Member of the Authority from a different constituent authority to the person elected as Chair.
 - (4). The Chair and, if elected, Vice-Chair will remain in office until his/her successor becomes entitled to act as Chair or Vice-Chair.
 - (5). That previous holders of either position may be re-elected to that position but only in the relevant year of the cycle in which they would become eligible for election/re-election (as the case may be);
 - (6). That, in the event of a casual vacancy occurring (i.e. between Annual Meetings) for either position and subject to the provisions of paragraphs (2) and (3) of this Standing Order, only Members of the relevant constituent authority (as per the relevant year in the cycle) will be eligible for election to that vacancy;
 - (7). That the election to replace either the Chair or the Vice-Chair (as the case may be) in accordance with paragraph (6) above of this Standing Order will take place not later than the next ordinary meeting of the Authority following occurrence of the casual vacancy.
- (b). Consequential renumbering of existing Standing Order 2 (7) and (8) to 2 (8) and (9) respectively."

3. CONSTITUTIONAL CONSIDERATIONS

3.1. The current provisions in Standing Orders relating to the election of Authority Chair and Vice Chair are as follows – the **bold, italics** indicate that the provisions are taken from the Combination Scheme Order establishing the Authority:

- (1). ***The Authority will elect a Chair and may elect a Vice-Chair from among its Members.***
- (2). Any person elected as Vice-Chair must be from representatives on the Authority of a different appointing constituent body to the person elected as Chair.
- (3). ***The Chair and, if elected, Vice-Chair will (subject to the conditions in Standing Order 1) hold office for such periods not exceeding one year as the Authority may determine and will remain in office until his/her successor becomes entitled to act as Chair or Vice-Chair.***
- (4). ***Paragraph (3) above of this Standing Order will not prevent any person who holds or has held office as Chair or Vice-Chair, as the case may be, from being elected or re-elected to those offices.***
- (5). ***On a casual vacancy occurring in the office of Chair (and/or Vice-Chair if so elected) the Authority will elect from among its members a person to replace the Chair and may so elect a person to replace the Vice-Chair as the case may be.***

- (6). ***The election to replace the Chair under Paragraph 5 above of this Standing Order will take place not later than the next ordinary meeting of the Authority following occurrence of the casual vacancy.***
- (7). If the Chair is absent from any meeting of the Authority then the Vice-Chair (if present) will preside.
- (8). If both the Chair and the Vice-Chair are absent from any meeting of the Authority, then those Members present and voting will elect from amongst themselves a person to preside at the meeting who may subsequently exercise any power or duty of the Chair in relation to the conduct of the meeting.

3.2. The Authority has already approved, in principle, for the Police & Crime Commissioners (PCCs) of Devon & Cornwall and Avon & Somerset to become members of this Authority, with voting rights once the required enabling legislation is in place. Consequently, it has been identified that the proposed revision to Standing Orders would not, as currently set out in the preceding paragraphs, be consistent with the provisions contained in the Combination Scheme Order in that the model as proposed would not allow for a Police & Crime Commissioner (PCC) to be either Chair or Vice-Chair of the Authority.

3.3. As a member of the Authority, however, a PCC would be eligible (by virtue of the Combination Scheme) to be either Authority Chair or Vice Chair. While the model proposed in the preceding paragraphs would preclude this, it could be adapted to allow for it. This would, however, require a longer cycle as indicated in the table below:

Year	Chair	Vice-Chair
1	Plymouth City Council	Torbay Council
2	Torbay Council	Somerset County Council
3	Somerset County Council	Devon County Council
4	Devon County Council	PCC
5	PCC	Plymouth City Council

3.4. This issue has been raised with Councillor Healey but, at the time of drafting, it has not been possible to confirm his view on any alternative approach.

3.5. Subject to the modification above providing for a five-year cycle, the model would be consistent with the Combination Scheme provisions in that all Members of the Authority would be eligible for election as Chair of the Authority (albeit that, under the proposed new arrangements, such eligibility would be restricted to the relevant year in the proposed cycle) and it would limit the term of office for both Chair and Vice-Chair to no more than one year but would not prevent previous post holders from re-election to those positions.

4. CONCLUSION

4.1. The Authority is invited to consider the contents of this report.

MIKE PEARSON
Director of Corporate Services

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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