



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 : 30 May 2019
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
(Annual Meeting)

Friday, 7 June, 2019

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 Election of Chair**
To elect a Chair to serve until the Authority's Annual Meeting in 2020.
- 3 Election of Vice Chair**
To elect a Vice Chair to serve until the Authority's Annual Meeting in 2020.
- 4 Minutes (Pages 1 - 16)**
of the previous meeting held on 19 February 2019 attached.
- 5 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

6 Review of Constitutional Governance Framework (Pages 17 - 28)

Joint report of the Director of Corporate Services and Director of Finance (DSFRA/19/10) attached.

7 Schedule of Appointments to Committees and Outside Bodies (Pages 29 - 44)

Report of the Director of Corporate Services (DSFRA/19/11) attached.

8 Draft Calendar of Meetings 2019-20 (Pages 45 - 52)

Report of the Director of Corporate Services (DSFRA/19/12) attached.

MEMBERS ARE REQUESTED TO SIGN THE ATTENDANCE REGISTER

Membership:-

Councillors Randall Johnson (Chair), Best, Biederman, Bown, Buchan, Clayton, Coles, Colthorpe, Doggett, Drear, Eastman, Hannaford, Healey MBE, Napper, Peart, Prowse, Radford, Redman, Saywell, Singh, Thomas, Trail BEM, Vijeh, Way, Wheeler (Vice-Chair) and Yabsley

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.

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DEVON & SOMERSET FIRE & RESCUE AUTHORITY (Budget Meeting)

19 February 2019

Present:-

Councillors Randall Johnson (Chair), Best, Biederman, Bown, Bowyer, 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).

Apologies:-

Councillors Clayton.

DSFRA/35 **Minutes**

RESOLVED that the Minutes of the meeting held on 14 December 2018 be signed as a correct record.

DSFRA/36 **Minutes of Committees**

a **Human Resources Management & Development Committee**

The Vice-Chair of the Committee, Councillor Vijeh, **MOVED** the Minutes of the Committee meeting held on 10 December 2018 which had considered, amongst other things:

- a report on absence management;
- a report on workforce culture, diversity and inclusion; and
- a report on the proposed Pay Policy Statement for 2019-20

RESOLVED

- (i). that the recommendation at Minute HRMDC/16 (Localism Act – Pay Policy Statement 2019-20) be considered in conjunction with Minute DSFRA/43 below; and
- (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 Healey, **MOVED** the Minutes of the Committee meeting held on 18 January 2019 which had considered, amongst other things:

- an external audit progress report and sector update;
- a report on the external audit plan for the year ended 31 March 2019;
- a report on group accounts for the Authority and Red One Ltd;
- a report on progress against the approved internal audit and review plan 2018-19; and
- a report on corporate performance reporting.

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

c Resources Committee

The Chair of the Committee, Councillor Coles, **MOVED** the Minutes of the Committee meeting held on 7 February 2019 which had considered, amongst other things:

- a treasury management performance report for quarter three of the 2018-19 financial year;
- a report on performance against approved budgets as at quarter three of the 2018-19 financial year;
- a report on capital strategy;
- a report on the proposed revenue budget and council tax levels for 2019-20;
- a report on the proposed capital programme 2019-20 to 2021-22;
- a report on the proposed Treasury Management Strategy (including prudential and treasury indicators) for 2019-20;
- restricted Minutes of the Committee meeting held on 15 November 2018; and
- a report on the financial performance of Red One Ltd. to quarter three of 2018-19.

RESOLVED

- (i). that the recommendation on budget transfers as set out at Minute RC/18(b) (Financial Performance Report 2018-19: Quarter 3) be approved;
- (ii). that the recommendations at Minutes RC/19 (Capital Strategy), RC20 (2019-20 Revenue Budget and Council Tax levels), RC/21 (Capital Programme 2019-20 to 2021-22) and RC/22 (Treasury Management Strategy [including Prudential and Treasury Indicators] Report 2019-20) be considered in conjunction with Minutes DSFRA/38, DSFRA/39(a), DSFRA/39(b) and DSFRA/39(c), respectively, below; and
- (iii). that, subject to (i) and (ii) above, the Minutes be adopted in accordance with Standing Orders.

(SEE ALSO MINUTE DSFRA/45 BELOW)

DSFRA/37 Medium Term Financial Plan

The Authority considered a report of the Director of Finance (Treasurer) (DSFRA/19/1) to which was appended a Medium Term Financial Plan outlining funding, income and expenditure forecasts for the Authority for the next five financial years (to 2023-24), as required by the Fire & Rescue National Framework for England.

The Plan identified how the financial forecast was constructed (including funding sources and expenditure/cost forecasts) together with savings targets over the period covered and the Change & Improvement Programme (Safer Together) which would be the principal vehicle for delivering the savings.

RESOLVED that the Medium Term Financial Plan as appended to report DSFRA/19/1 be endorsed.

DSFRA/38 Capital Strategy

The Authority considered a report of the Director of Finance (Treasurer) (DSFRA/19/2) setting out a high-level view of how capital expenditure and the way it was financed contributed to the provision of services, as required by the 2017 Prudential Capital Code. The Capital Strategy also provided an overview of how associated risk was managed, the implications for future financial stability and set out the governance process for approval and monitoring of capital expenditure.

The Capital Strategy had been considered by the Resources Committee at its meeting on 7 February 2019 which had resolved to commend it for endorsement by the Authority (Minute RC/19 refers).

RESOLVED that, as recommended by the Resources Committee, the Capital Strategy as detailed in report DSFRA/19/2 be endorsed.

DSFRA/39 REVENUE AND CAPITAL BUDGETS

a 2019-20 Revenue Budget and Council Tax Levels

The Authority considered a joint report of the Director of Finance (Treasurer) and Chief Fire Officer (DSFRA/19/3) on the proposed revenue budget and associated Council Tax levels for 2019-20.

A provisional local government settlement for 2019-20 of £21.961m had been announced on 13 December 2018, the last year of the four-year grant settlement accepted by the Authority. The Settlement Funding Assessment represented a reduction for 2019-20 of 2.91% over 2018-19 and an overall reduction of 25.34% by when compared to the settlement for 2015-16. The Authority had also been awarded, for 2019-20, a £0.424m share of the £81m Rural Services Delivery Grant available only to the most sparsely populated rural areas. This grant was, however, paid as a Section 31 grant and did not count towards base budget funding. It was, therefore, reflected as income in the draft budget proposed.

The government had also announced a threshold of 3% for Council Tax increases for the 2019-20, beyond which local authorities would be required to hold a referendum. The proposed budget contained provision for a 2% pay award for all staff. Each 1% pay award equated, for this Authority, to a cost of £0.540m which was greater than the income that an additional 1% Council Tax increase would generate (£0.510m). The report also identified, however, the view of the Director of Finance (Treasurer) that, in light of an indicative cost of £2.3m to hold a referendum, consideration of a Council Tax increase in excess of 3% was not a viable option for this Authority.

A core spending requirement of £77.482m (representing a 4.89% [£3.611m] increase over the 2018-19 budget) for 2019-20 had been identified and, in light of the referendum threshold, two associated Council Tax options were proposed:

Option A – freeze Council Tax at the 2018-19 level (£84.01 for a Band D property); and

Option B – increase Council Tax by 2.99% above the 2018-19 level (£86.52 for a Band D property) – an increase of £2.51pa (21p a month).

The report identified savings of £2.340m to be delivered in 2019-20 which would be sufficient to balance the budget should Option B be approved. Should Option A (Council Tax freeze) be approved, however, then an additional £1.525m savings would be required to balance the budget. It was proposed that this be met by reducing the revenue contribution to capital.

In the event that Option B was approved (2.99% Council Tax increase), then it was proposed that the revenue contribution to capital be increased to £2.614m, of which £0.300m would be earmarked contribution from Red One Ltd. This would be in line with the Authority's strategy to reduce reliance on borrowing to fund investment in asset infrastructure.

While a balanced budget (inclusive of savings) for 2019-20 was proposed, the report also identified that the Medium Term Financial Plan indicated that additional savings would be required beyond 2019-20 to plan for a balanced budget. These savings ranged from, cumulatively, £7.3m by 2022-23 (assuming a 2.99% Council Tax increase for each financial year in question) to £12m (assuming a Council Tax freeze).

As required by the Local Government Finance Act 1992, non-domestic rate payers had been consulted on the proposals for Council Tax levels. Additionally, public consultation had also taken place. The consultation had been conducted by telephone surveys and by using social media. The results of the consultation, which ran throughout November and December 2018, were, in summary:

- for the telephone survey, the majority of business respondents (65%) and the public (67%) felt that it would be reasonable for the Authority to increase its precept;
- 70% of on-line responses were supportive of increasing the precept; and
- the largest proportion of business respondents (45%) and the public (41%) supported a flat-rate £5 precept increase, with this also being supported by the largest proportion (46%) of the respondents to the online survey.

The report also featured a statement on the robustness of the budget estimates and adequacy of the level of the Authority's reserves prepared by the Proper Financial Officer in accordance with the requirements of the Local Government Act 2003.

The 2019-20 revenue budget and Council Tax levels and been considered by the Resources Committee (Budget) meeting held on 7 February 2019 which had resolved (Minute RC/20 refers)

“that it be recommended to the Authority that the level of Council Tax in 2019-20 for a Band D property be set at £86.52, as outlined in Option B of report RC/19/4(a), representing a 2.99% increase over 2018-19”.

Councillor Coles **MOVED**, with Councillor Drean seconding that, as recommended by the Resources Committee, a Council Tax in 2019-20 for a Band D property be set at £86.52, representing a 2.99% increase over 2018-19.

The majority of those present then requested, in accordance with Standing Order 25(2), that a roll call vote on this issue be taken after which it was

RESOLVED

- (i) that, as recommended by the Resources Committee meeting held on 7 February 2019 (Minute RC/20 refers), the level of Council Tax in 2019-20 for a Band D property be set at £86.52, as outlined in Option B of report DSFRA/19/3, representing a 2.99% increase over 2018-19;
- (ii) that, accordingly, a Net Revenue Budget Requirement for 2019-20 of £75,141,900 be approved;
- (iii) that, as a consequence of the decisions at (i) and (ii) above:

- (A). the tax base for payment purposes and the precept required from each billing authority for payment of a total precept of £52,554,377 (Option B), as detailed in page 3 of the respective budget booklet (circulated separately with the agenda for the meeting) and reproduced in the following table, be approved:

Billing Authority	Tax Base Used for Collection	Surplus/ (Deficit) for 2018-19 £	Precepts due 2018-19 £	Total due 2018-19 £
East Devon	59,283.00	51,190	5,129,172	5,180,362
Exeter	36,988.00	53,934	3,200,206	3,254,140
Mendip	40,496.05	74,549	3,503,723	3,578,272
Mid Devon	28,596.47	23,752	2,474,170	2,497,922
North Devon	33,948.44	36,238	2,937,223	2,973,461
Plymouth City	73,172.00	94,551	6,330,850	6,425,401
Sedgemoor	41,008.90	82,264	3,548,095	3,630,359
Somerset West and Taunton	56,622.78	52,576	4,899,009	4,951,585
South Hams	38,179.72	43,000	3,303,314	3,346,314
South Somerset	60,266.07	(11,977)	5,214,227	5,202,250
Teignbridge	49,219.00	45,783	4,258,433	4,304,216
Torbay	45,699.55	99,000	3,953,930	4,052,930
Torridge	23,767.26	15,595	2,056,346	2,071,941
West Devon	20,176.57	24,000	1,745,679	1,769,679
	607,423.81	684,455	52,554,377	53,238,832

- (B). that the Council Tax for each property band A to H associated with the total precept of £52,554,377 (Option B), as detailed in page 3 of the respective budget booklet and reproduced in the table below, be approved:

Valuation Band	Ratio	Government Multiplier %	Council Tax (£.p)
A	6/9	0.667	57.68
B	7/9	0.778	67.29
C	8/9	0.889	76.91
D	1	1.000	86.52
E	11/9	1.222	105.75
F	13/9	1.444	124.97
G	15/9	1.667	144.20
H	18/9	2.000	173.04

- (iv) that the Treasurer's "Statement on the Robustness of the Budget Estimates and the Adequacy of the Authority Reserve Balances", as set out at Appendix B to report DSFRA19/3 and reproduced at Appendix A to these Minutes, be approved.

(NOTE: In accordance with Standing Order 25(2), a roll-call vote was taken in this issue with all Members present and voting [as listed at the commencement of these Minutes] voting in favour)

(SEE ALSO MINUTE DSFRA/36(c) ABOVE)

b Capital Programme 2019-20 to 2021-22

The Authority considered a report of the Director of Finance (Treasurer) (DSFRA/19/2) on the proposed three year capital programme 2019-20 to 2021-22. In constructing the programme, considerable effort had been made to ensure that the impact of borrowing was maintained below the 5% ratio of financing costs to the net revenue stream – one of several Prudential Indicators previously agreed by the Authority. Additionally, while the Authority had a strategy seeking to reduce reliance on external borrowing, the proposed Capital Programme 2019-20 to 2021-22 (and indicative Capital Programme 2022-23 to 2023-24) indicated that the Authority would need either to borrow up to £19m (for investment in assets to remain a current levels) or restrict the amount of funding available for the capital programme and task the Service with rationalising its capital requirement.

The report outlined the proposed budget for both estates and operational assets (vehicle replacement/equipment) for 2019-20 to 2021-22 (with associated prudential indicators) and indicative budgets for 2022-23 to 2023-24 (with associated indicative prudential indicators).

The draft programme had been considered at the meeting of the Resources Committee on 7 February 2019 which had resolved to commend it to the Authority for approval (Minute RC/21 refers).

RESOLVED that, as recommended by the Resources Committee:

- (i). the draft Capital Programme 2019-20 to 2021-22 and associated Prudential Indicators, as detailed in report DSFRA/19/4 and summarised in Appendices B and C respectively to these Minutes, be approved; and
- (ii). that, subject to (i) above, the forecast impact of the proposed Capital Programme from 2022-23 onwards on the 5% debt ratio Prudential Indicator, as indicated in the report, be noted.

(SEE ALSO MINUTE DSFRA/36(c) ABOVE)

c Treasury Management Strategy (including Prudential and Treasury Indicators) Report 2019-20

The Authority considered a report of the Director of Finance (Treasurer) (DSFRA/19/5) setting out, amongst other things:

- a treasury management and investment strategy for 2019-20, with associated indicators; and
- a Minimum Revenue Provision statement for 2019-20.

The Local Government Act 2003 and supporting regulations required the Authority:

- to ensure that its capital investment plans were affordable, prudent and sustainable; and
- to establish a treasury management strategy setting out its policies for borrowing and managing its investments, giving priority to the security and liquidity of those investments.

In doing so, the Authority was required to “have regard to” the Prudential and Treasury Management Codes produced by the Chartered Institute for Public Finance Accountancy (CIPFA). The strategy and prudential indicators as set out in the report were compliant with the latest iterations of the CIPFA Codes.

The proposed Treasury Management Strategy, Annual Investment Strategy and Minimum Revenue Provision Statement for 2019-20 had been considered by the Resources Committee meeting held on 7 February 2019 which had resolved to recommend their approval to the Authority (Minute RC/22 refers).

At the conclusion of the debate on this item, the Members of the Authority asked that their appreciation for the work of the Director of Finance (Treasurer) and the finance team in producing the budget reports be placed on record.

RESOLVED that, as recommended by the Resources Committee:

- (i). the Treasury Management and Annual Investment Strategy for 2018-19 as detailed in report DSFRA/13/3 be approved;
- (ii). the Prudential Indicators and Treasury Management Indicators as detailed in the report and set out at Appendix C to these Minutes be approved; and
- (iii). the Minimum Revenue Provision (MRP) statement for 2018-19, as set out in the report and attached to these Minutes as Appendix D, be approved.

(SEE ALSO MINUTES DSFRA/36(c) AND DSFRA/39(b) ABOVE)

DSFRA/40 Business Rates Retention Reform: Consultation

The Authority considered a report of the Director of Finance (Treasurer) (DSFRA/19/6) setting out a proposed response to the consultation from the Ministry of Housing, Communities and Local Government on its proposals to reform the Business Rates Retention Scheme. The consultation and proposed response covered areas including a reset of baseline funding, establishment of a safety net and levy, tier splits and pooling, simplifying the system and reducing volatility and setting up the system. The deadline for submission of responses was 21 February 2019.

RESOLVED that the proposed Consultation response as outlined in report DSFRA/19/6 be approved and submitted to the Ministry of Housing, Communities and Local Government.

DSFRA/41 Review of Local Authorities' Relative Needs and Resources: Technical Consultation

The Authority considered a report of the Director of Finance (Treasurer) (DSFRA/19/7) setting out a proposed response to the technical consultation issued by the Ministry of Housing, Communities and Local Government seeking views on a review of local authorities' relative needs and resources. The consultation covered several topics relating to the review of the funding formulae, with proposed responses only to those areas of relevance to combined fire and rescue authorities. The deadline for submission of responses was 21 February 2019.

RESOLVED that the proposed Consultation response as outlined in report DSFRA/19/7 be approved and submitted to the Ministry of Housing, Communities and Local Government.

DSFRA/42 Service Restructure Managerial Grades

The Authority considered a report of the Interim Chief Fire Officer and Chief Fire Officer (DSFRA/19/8) on a proposed revision to the Service Executive Board structure. The report summarised previous reviews together with significant changes since the last of these (in 2017) prompting the current proposals. These included:

- The need to deliver the Change & Improvement Programme (Safer Together) to address changing community needs and a diminishing financial envelope, effectively matching resources to risk;
- Associated with this, the need to ensure that the “people” strand of the programme was appropriately led, developed and implemented.

To address these issues, the report proposed, amongst other things:

- the establishment of a Deputy Chief Fire Officer post with responsibility for implementation and delivery of Service plans along with the day-to day running of the Service in line with the agreed direction and vision. This would afford the Chief Fire Officer time to progress important external factors and relationships of strategic importance to the Authority and which would shape the Service in the future;
- the establishment of a Director of People and Organisational Development post to take the developmental lead on critical areas of change relating to the Safer Together “people” strand; and
- the establishment of an Assistant Director (Deputy Assistant Chief Fire Officer) post to provide Principal Officer resilience and cover and support the Deputy Chief Fire Officer in the discharge of responsibilities linked to operational activities including attendance as required at the Strategic Co-ordinating Group (Multi-Agency Gold Command).

The report identified that a wider Service Delivery managerial review would result in minimum savings of £1.094m. The investment in the revised senior management structure would not exceed £0.150m (including provision for any changes resulting from job evaluation). Given this, the report proposed that £0.850m of the proposed savings in 2019-20 be allocated to bringing forward proposals to increase the level of front-line delivery activity identified in the Safer Together programme, thereby improving outcomes for communities. The remaining £0.094m savings could be used as a revenue contribution to capital.

RESOLVED that, as set out in the revised recommendations as circulated at the meeting:

- (a). that the Service Executive Board structure as set out at Appendix A to report DSFRA/19/8 be approved;
- (b). that, arising from (a) above:
 - (i) the vacancy for the post of Deputy Chief Fire Officer be ring-fenced to the two existing substantive Assistant Chief Fire Officers, with the Chief Fire Officer’s Appraisals Panel delegated authority to determine the appointment and associated level of remuneration following the review referred to at paragraph 3.13 of report DSFRA/19/8;
 - (ii) the vacancy for the post of Director of People and Organisational Development be advertised nationally, with the Chief Fire Officer’s Appraisals Panel delegated authority to determine the appointment;

- (iii) the temporary appointment to the post of Assistant Chief Fire Officer (Service Improvement), initially approved by the Authority at its meeting on 20 October 2017 (Minute DSFRA/33 refers), be continued pending the appointment and commencement of the Director of People and Organisational Development to facilitate an effective and efficient transition to the new Service Executive Board structure; and
- (c). that implementation of the new Service Delivery managerial structure be approved, with £0.850m of the resultant identified savings used to deliver improvements contained in the Safer Together programme.

(SEE ALSO MINUTE DSFRA/43 BELOW).

DSFRA/43 Localism Act 2011 - Pay Policy Statement 2019-20

The Authority considered a report of the Director of Corporate Services (Clerk to the Authority) (DSFRA/19/9) to which was attached the proposed Pay Policy Statement to operate for the Authority for the forthcoming (2019-20) financial year. The Localism Act required such a statement, setting out the Authority's policy towards a range of issues relating to the pay of its workforce (particularly senior staff and the lowest paid employees), to be approved prior to the commencement of each financial year and published, as a minimum, on the Authority's website.

The report identified that the main difference between the proposed version and previous versions related to the application of nationally agreed cost of living pay awards and a minor revision to the controls on the re-employment of employees who had retired, reflecting the provisions of the latest iteration of the Fire and Rescue National Framework for England published by the Home Office in May 2018.

The proposed Pay Policy Statement for 2019-20 had been considered by the Human Resources Management & Development Committee meeting on 10 December 2018 which had resolved to recommend its approval to the Authority (Minute HRMDC/16 refers).

It was noted that a revised Pay Policy Statement would be required to reflect changes to the Service Executive Board structure approved earlier by the Authority (Minute DSFRA/42 refers). This would be submitted to a future meeting of the Authority for approval.

RESOLVED that, in accordance with the recommendation of the Human Resources Management & Development Committee, the Pay Policy Statement to operate for the 2019-20 financial year, as appended to report DSFRA/19/9, be approved.

(SEE ALSO MINUTES DSFRA/36(a) AND DSFRA/42 ABOVE).

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 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.

DSFRA/45

Resources Committee 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).

(Councillors Saywell and Thomas each declared a personal, non-pecuniary interest in this matter by virtue of their being non-executive directors appointed by the Authority to the Board of Red One Ltd. Neither Councillor took any part in the discussion and decision on this item).

The Chair of the Committee, Councillor Coles, **MOVED** the Restricted Minutes of the meeting of the Resources Committee held on 7 February 2019. The restricted Minutes dealt with Red One Ltd. Financial Performance as at Quarter 3 of the current (2018-19) financial year.

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

The Meeting started at 10.00 am and finished at 12.10 pm

**APPENDIX A TO THE MINUTES OF THE DEVON & SOMERSET FIRE & RESCUE AUTHORITY
(BUDGET) MEETING 19 FEBRUARY 2019**

STATEMENT OF THE ROBUSTNESS OF THE BUDGET ESTIMATES AND THE ADEQUACY OF THE DEVON AND SOMERSET FIRE AND RESCUE AUTHORITY LEVELS OF RESERVES

It is a legal requirement under Section 25 of the Local Government Act 2003 that the person appointed as the 'Chief Finance Officer' to the Authority reports on the robustness of the budget estimates and the adequacy of the level of reserves. The Act requires the Authority to have regard to the report in making its decisions.

THE ROBUSTNESS OF THE 2019-20 BUDGET

The net revenue budget requirement for 2019-20 has been assessed as £75.227m (Option B in report). In arriving at this figure a detailed assessment has been made of the risks associated with each of the budget headings and the adequacy in terms of supporting the goals and objectives of the authority as included in the Integrated Risk Management Plan and the Fire and Rescue Plan. It should be emphasised that these assessments are being made for a period up to the 31st March 2020, in which time external factors, which are outside of the control of the authority, may arise which will cause additional expenditure to be incurred. The most significant example of this is the increase in employers pension costs following the GAD Valuation and the unknown funding shortfall as a result. For example, the majority of retained pay costs are dependent on the number of call outs during the year, which can be subject to volatility dependent on spate weather conditions. Other budgets, such as fuel are affected by market forces that often lead to fluctuations in price that are difficult to predict. Details of those budget heads that are most at risk from these uncertainties are included in Table 1 overleaf, along with details of the action taken to mitigate each of these identified risks.

Local government and the fire sector are entering a period of significant uncertainty over funding and cost pressures going forward. It is possible that further cuts of 5% in real terms may be made to fire funding which when combined with changes to the Business Rates Retention scheme and the Relative Needs Assessment Reviews could result in significant changes to available resources. Unfunded pension schemes and legal challenges over pension terms represent a significant risk to the Authority going forward. It is therefore vitally important that resourcing and investment decisions are made which minimise risks going forward to enable the Authority to be as resilient as possible in future years.

Whilst there is only a legal requirement to set a budget requirement for the forthcoming financial year, the Medium Term Financial Plan (MTFP) provides forecasts to be made of indicative budget requirements over a five year period covering the years 2019-20 to 2023-24. These forecasts include only prudent assumptions in relation future pay awards and prices increases, which will need to be reviewed in light of pay settlements and movement in the Consumer Prices Index.

TABLE 1 – BUDGET SETTING 2019-20 ASSESSMENT OF BUDGET HEADINGS MOST SUBJECT TO CHANGE

Budget Head	Budget Provision 2019-20 £m	RISK AND IMPACT	MITIGATION
Wholetime Pay Costs	31.2	Wholetime Pay represents nearly a third of Service costs. There is a high level of uncertainty around future pay increases, particularly whether pay awards will be linked to a change to the Firefighter role map to include emergency medical response. Each 1% pay award is equivalent to £xxx of additional pressure on the revenue budget. It is not anticipated that any additional funding will be allocated for pay and therefore large increases could mean the Authority needs to utilise reserves in order to balance its budget.	An unfunded pay award of 2% has been factored in to the budget for 2019-20 which represents a prudent approach.
On Call Pay Costs	14.4	A significant proportion of costs associated with retained pay is directly as a result of the number of calls responded to during the year. The level of calls from year to year can be volatile and difficult to predict e.g. spate weather conditions. Abnormally high or low levels of calls could result in significant variations against budget provision.	In establishing a General Reserve for 2019-20 an allowance has been made for a potential overspend on this budget
Fire-fighter's Pensions	2.7	Whilst net pension costs funded by the government through a top-up grant arrangement, the Authority is still required to fund the costs associated with ill-health retirements, and the potential costs of retained firefighters joining the scheme.	In establishing a General Reserve for 2018-19 an allowance has been made for a potential overspend on this budget
Insurance Costs	0.9	The Fire Authority's insurance arrangements require the authority to fund claims up to agreed insurance excesses. The costs of these claims are to be met from the revenue budget. The number of claims in any one-year can be very difficult to predict, and therefore there is a risk of the budget being insufficient. In addition some uninsured costs such as any compensation claims from Employment Tribunals carry a financial risk to the Authority.	General Reserve
Fuel Costs	0.7	As fuel prices are slowly starting to increase it is highly possible that inflationary increases could be in excess of the budget provided.	General Reserve
Treasury Management Income	(0.2)	As a result of the economic downturn in recent years, and the resultant low investment returns, the ability to achieve the same levels of income returns as in previous years is diminishing. The uncertainty over future market conditions means that target investment returns included in the base budget could be at risk.	The target income for 2019-20 has been set at a prudent level of achieving only a 0.7% return on investments. Budget monitoring processes will identify any potential shortfall and management informed so as any remedial action can be introduced as soon as possible.
Income	(0.6)	Whilst the authority has only limited ability to generate income, the budget has been set on the basis of delivering £0.6m of external income whilst setting the reliance on the Service budget for Red One Income at £0.3m. Due to economic uncertainty this budget line may be at risk and is dependent on the ability of Red One Ltd to generate income.	Budget monitoring processes will identify any potential shortfall and management informed so as any remedial action can be introduced as soon as possible. A provision for doubtful debts is available to protect the Authority from potential losses.
Capital Programme	8.0	Capital projects are subject to changes due to number of factors; these include unforeseen ground conditions, planning requirements, necessary but unforeseen changes in design, and market forces.	Capital projects are subject to risk management processes that quantify risks and identify appropriate management action. Any changes to the spending profile of any capital projects will be subject to Committee approval in line with the Authority Financial Regulations.
Revenue Contribution to Capital	2.6	£0.3m of the Contribution is dependent on maintaining trading income levels, if these are not achieved the capital budget will need to be reduced by this amount	Capital programme and strategy, £16.6m Capital Reserve
Business Rates	(0.9)	There is a high degree of uncertainty over levels of Retained Business rates income and the method of allocation between funding and revenue grants in future years.	There is a specific reserve of £1.8m set up which will be utilised to smooth in year changes.

THE ADEQUACY OF THE LEVEL OF RESERVES

Total Reserve balances for the Authority as at April 2018 is £37.3m made up of Earmarked Reserves (committed) of £31.9m, and General Reserve (uncommitted) of £5.3m. This will decrease by the end of the financial year as a result of planned expenditure against those reserves during the year. A General Reserve balance of £5.3m is equivalent to 7.2% of the total revenue budget, or 27 days of Authority spending, the figure is subject to a risk assessment annually.

The Authority has adopted an “in principle” strategy to maintain the level of reserves at a minimum of 5% of the revenue budget for any given year, with the absolute minimum level of reserves only being breached in exceptional circumstances, as determined by risk assessment. This does not mean that the Authority should not aspire to have more robust reserve balances based upon changing circumstances, but that if the balance drops below 5% (as a consequence of the need to utilise reserves) then it should immediately consider methods to replenish the balance back to a 5% level.

It is pleasing that the Authority has not experienced the need to call on general reserve balances in the last five years to fund emergency spending, which has enabled the balance, through budget underspends, to be increased to a level in excess of 5%. The importance of holding adequate levels of general reserves has been highlighted on a number of occasions in recent times, the impact of flooding and the problems experienced by the global financial markets are just two examples of external risks which local authorities may need to take into account in setting levels of reserves and wider financial planning.

The Authority’s Reserves Strategy is reviewed annually and is available on the website www.dsfire.gov.uk.

CONCLUSION

It is considered that the budget proposed for 2019-20 represents a sound and achievable financial plan, and will not increase the Authority’s risk exposure to an unacceptable level. The estimated level of reserves is judged to be adequate to meet all reasonable forecasts of future liabilities.

**APPENDIX B TO THE MINUTES OF THE DEVON & SOMERSET FIRE & RESCUE AUTHORITY
(BUDGET) MEETING 19 FEBRUARY 2019**

CAPITAL PROGRAMME 2019-20 TO 2022-23

PROJECT	2019/20	2020/21	2021/22	2022/23	2023/24
	£000	£000	£000	£000	£000
	Budget	Budget	Budget	Indicative Budget	Indicative Budget
Estate Development					
Site re/new build (subject to formal authority approval)	1,100	3,100	200	0	0
Improvements & structural maintenance	3,307	7,100	7,700	9,300	7,000
Estates Sub Total	4,407	10,200	7,900	9,300	7,000
Fleet & Equipment					
Appliance replacement	1,793	3,800	3,300	2,700	2,200
Specialist Operational Vehicles	1,134	2,300	1,400	900	1,900
Equipment	366	200	200	200	200
ICT Department	268	0	0	0	0
Water Rescue Boats	46				
Fleet & Equipment Sub Total	3,607	6,300	4,900	3,800	4,300
Overall Capital Totals	8,014	16,500	12,800	13,100	11,300
Programme funding - revenue funding at 2019/20 figure					
Earmarked Reserves:	3,439	11,189	2,372	0	0
Revenue funds:	2,614	2,614	2,614	2,614	2,614
Capital receipts	0	0	0	0	520
Borrowing - internal	1,961	1,447	1,938	1,498	1,831
Borrowing - external			5,626	8,938	4,074
Contributions	0	1,250	250	50	2,261
Total Funding	8,014	16,500	12,800	13,100	11,300
Programme funding - revenue funding at 19/20 figure no Council Tax increase					
Earmarked Reserves:	4,964	12,036	0	0	0
Revenue funds:	1,089	1,089	1,089	1,089	1,089
Capital receipts	0	0	0	0	520
Borrowing - internal	1,961	1,447	1,965	1,850	2,310
Borrowing - external		678	9,496	10,111	5,120
Contributions	0	1,250	250	50	2,261
Total Funding	8,014	16,500	12,800	13,100	11,300

**APPENDIX C TO THE MINUTES OF THE DEVON & SOMERSET FIRE & RESCUE AUTHORITY
(BUDGET) MEETING 19 FEBRUARY 2019**

PRUDENTIAL AND TREASURY MANAGEMENT INDICATORS

				INDICATIVE INDICATORS 2022/23 to 2023/24	
	2019/20 £m Estimate	2020/21 £m Estimate	2021/22 £m Estimate	2022/23 £m Estimate	2023/24 £m Estimate
PRUDENTIAL INDICATORS					
Capital Expenditure					
Non - HRA	8.014	16.500	12.800	13.100	11.300
HRA (applies only to housing authorities)					
Total	8.014	16.500	12.800	13.100	11.300
Ratio of financing costs to net revenue stream					
Non - HRA	4.03%	3.97%	4.08%	4.29%	4.78%
HRA (applies only to housing authorities)	0.00%	0.00%	0.00%	0.00%	0.00%
Capital Financing Requirement as at 31 March					
	£000	£000	£000	£000	£000
Non - HRA	25,444	24,851	30,384	38,828	42,409
HRA (applies only to housing authorities)	0	0	0	0	0
Other long term liabilities	1,112	1,010	907	791	656
Total	26,556	25,861	31,291	39,619	43,065
Annual change in Capital Financing Requirement					
	£000	£000	£000	£000	£000
Non - HRA	(191)	(694)	5,429	8,328	3,446
HRA (applies only to housing authorities)	0	0	0	0	0
Total	(191)	(694)	5,429	8,328	3,446
PRUDENTIAL INDICATORS - TREASURY MANAGEMENT					
Authorised Limit for external debt					
	£000	£000	£000	£000	£000
Borrowing	26,910	26,787	32,096	41,363	45,123
Other long term liabilities	1,265	1,162	1,056	947	823
Total	28,174	27,949	33,152	42,310	45,946
Operational Boundary for external debt					
	£000	£000	£000	£000	£000
Borrowing	25,637	25,544	30,577	39,421	43,002
Other long term liabilities	1,209	1,112	1,010	907	791
Total	26,847	26,656	31,587	40,329	43,793
Maximum Principal Sums Invested over 364 Days					
Principal Sums invested > 364 Days	5,000	5,000	5,000	5,000	5,000

TREASURY MANAGEMENT INDICATOR	Lower Limit %
Limits on borrowing at fixed interest rates	70%
Limits on borrowing at variable interest rates	0%
Maturity structure of fixed rate borrowing during 2017/18	
Under 12 months	0%
12 months and within 24 months	0%
24 months and within 5 years	0%
5 years and within 10 years	0%
10 years and above	50%

**APPENDIX D TO THE MINUTES OF THE DEVON & SOMERSET FIRE & RESCUE AUTHORITY
(BUDGET) MEETING 19 FEBRUARY 2019**

MINIMUM REVENUE STATEMENT (MRP) 2019-20

Supported Borrowing

The MRP will be calculated using the regulatory method (option 1). MRP will therefore be calculated using the formulae in the old regulations, since future entitlement to RSG in support of this borrowing will continue to be calculated on this basis.

Un-Supported Borrowing (including un-supported borrowing prior to 1 April 2008)

The MRP in respect of unsupported borrowing under the prudential system will be calculated using the asset life method (option 3). The MRP will therefore be calculated to repay the borrowing in equal annual instalments over the life of the class of assets which it is funding. The repayment period of all such borrowing will be calculated when it takes place and will be based on the finite life of the class of asset at that time and will not be changed.

Finance Lease and PFI

In the case of Finance Leases and on balance sheet PFI schemes, the MRP requirement is regarded as met by a charge equal to the element of the annual charge that goes to write down the balance sheet liability. Where a lease of PFI scheme is brought, having previously been accounted for off-balance sheet, the MRP requirement is regarded as having been met by the inclusion of the charge, for the year in which the restatement occurs, of an amount equal to the write-down for the year plus retrospective writing down of the balance sheet liability that arises from the restatement. This approach produces an MRP charge that is comparable to that of the Option 3 approach in that it will run over the life of the lease or PFI scheme and will have a profile similar to that of the annuity method.

MRP will normally commence in the financial year following the one in which the expenditure was incurred. However, when borrowing to construct an asset, the authority may treat the asset life as commencing in the year in which the asset first becomes operational. It may accordingly postpone the beginning to make MRP until that year. Investment properties will be regarded as becoming operational when they begin to generate revenues.

MRP Overpayments

A change introduced by the revised MHCLG MRP Guidance was the allowance that any charges made over the statutory minimum revenue provision (MRP), voluntary revenue provision (VRP) or overpayments, can, if needed, be reclaimed in later years if deemed necessary or prudent. In order for these sums to be reclaimed for use in the budget, this policy must disclose the cumulative overpayment made each year. Up until the 31 March 2019 the total VRP overpayments were £nil.

Agenda Item 6

REPORT REFERENCE NO.	DSFRA/19/10
MEETING	DEVON & SOMERSET FIRE & RESCUE AUTHORITY (ANNUAL MEETING)
DATE OF MEETING	7 JUNE 2019
SUBJECT OF REPORT	REVIEW OF CONSTITUTIONAL GOVERNANCE FRAMEWORK
LEAD OFFICER	Director of Corporate Services and Director of Finance
RECOMMENDATIONS	<p><i>(a). that the proposed amendment to Standing Orders identified in paragraph 3.1 of this report be approved;</i></p> <p><i>(b). that the proposed amendments to Financial Regulations as identified in paragraphs 4.5, 4.7 (and the appendix to this report), 4.8 and 4.10 be approved;</i></p> <p><i>(c). that the other, non-material and consequential changes to Financial Regulations, the Treasury Management Policy, the Scheme of Delegations and the Corporate Governance Code, as identified in paragraphs 4.1 and 4.2 and Sections 5, 6 and 7 of this report, be endorsed;</i></p> <p><i>(d). that it be noted that proposed amendments to the Authority's Code of Conduct will be considered as part of the agenda for the Authority Ordinary Meeting to commence on conclusion of this Annual Meeting; and</i></p> <p><i>(e). that, subject to (a) to (d) above, the constitutional framework documents as listed at paragraph 1.1 of this report be endorsed.</i></p>
EXECUTIVE SUMMARY	This report sets out information on the most recent review of the Authority's constitutional governance framework documents (Standing Orders, Financial Regulations etc.), which, while not a statutory requirement, is undertaken at least annually as a matter of good practice.
RESOURCE IMPLICATIONS	Nil.
EQUALITY RISKS AND BENEFITS ANALYSIS (ERBA)	The contents of this report are considered compatible with existing human rights and equalities legislation.
APPENDICES	Nil.
LIST OF BACKGROUND PAPERS	Nil.

1. **BACKGROUND**

1.1 it's the Authority's Constitutional Governance Framework documents include, amongst other things:

- The Accountabilities, Roles and Responsibilities of Members of the Devon & Somerset Fire & Rescue Authority
- Members' Code of Conduct;
- Member/Officer Protocol;
- Policy on Gifts and Hospitality;
- Scheme of Members Allowances;
- Standing Orders;
- Financial Regulations;
- Contract Standing Orders;
- Scheme of Delegations;
- Corporate Governance Code;
- Treasury Management Policy;
- Strategy on the Prevention and Detection of Fraud and Corruption; and
- "Whistleblowing" Code (Confidential Reporting Policy).

1.2 The Authority Constitutional Governance Framework documents may be viewed on the Authority's website by following the link below.

<https://fireauthority.dsfire.gov.uk/ecCatDisplay.aspx?sch=doc&cat=13108>

The constitutional operation of the Authority also features a Committee structure (with associated terms of reference). This is addressed by a report elsewhere on the agenda for this meeting.

1.3 The documents referred to above were drafted by reference to a number of sources, some statutory; some based upon "models" issued either by central government or by professional bodies (e.g. the Chartered Institute for Public Finance Accountancy – CIPFA); and others based on "best practice" documents in use by other local authorities (including combined fire and rescue authorities). While there is no legal requirement for the documents to be reviewed, they are nonetheless reviewed at least annually to ensure that they continue to be "fit for purpose". This clearly does not preclude making revisions at any time to any of the documents where this might be required by changes in legislation or internal structure; or the approval of new documents to enhance the governance framework.

2. OUTCOME OF MOST RECENT REVIEW

- 2.1 Each of the Authority's Constitutional Framework documents have again been subject to review over the last twelve months and will continue to be subject to ongoing review with any further proposed revisions submitted to future meetings of the Authority as required.
- 2.2 The outcome of the most recent review is that the majority of the documents remain fit for purpose and do not require any material amendments. The Treasury Management Policy has been amended to reflect in line with report DSFRA/19/5 (Treasury Management Strategy [including Prudential and Treasury Indicators] Report 2019-20) as approved by the Authority budget meeting on 19 February 2019 (Minute DSFRA/39[c] refers).
- 2.3 Other changes to the documents are identified below.

3. STANDING ORDERS

- 3.1 Standing Order 44 (Appointment of a Chief Fire Officer) currently provides, at sub-paragraph (2):
- “Where the post has been advertised in accordance with (b) above the Authority (or Appointments Panel specifically nominated by the Authority for this purpose) will EITHER interview all qualified applicants for the post or select a short list of such qualified applicants and interview those included on the shortlist. In the event of interviews being undertaken by a nominated Appointments Panel, this Panel will subsequently make a recommendation on appointment to the Authority.”
- 3.2 It is considered that a requirement for an Appointments Panel to always make a recommendation on appointment of a Chief Fire Officer to the full Authority is somewhat over-restrictive. Consequently, it is proposed that this Standing Order be revised as indicated (new words shown in ***bold, italic***) which would then allow the Authority flexibility, when establishing the Appointments Panel, to also determine whether or not the Panel should have delegated authority to actually make the appointment:
- “Where the post has been advertised in accordance with (b) above the Authority (or Appointments Panel established for this purpose) will EITHER interview all qualified applicants for the post or select a short list of such qualified applicants and interview those included on the shortlist. In the event of interviews being undertaken by a nominated Appointments Panel, ***the Panel may also be constituted with delegated authority to confirm the appointment.***”
- 3.3 The Authority is invited to approve this amendment to Standing Orders.

4. FINANCIAL REGULATIONS

- 4.1. Financial Regulations have been amended to use more gender-neutral language (i.e. replacing “he/she” with “they”). The Policy Framework has been amended to reflect that currently in place for the Authority and comprising the following documents:
- Integrated Risk Management Plan
 - Medium Term Financial Plan
 - Capital Programme
 - Capital Strategy
 - Reserves Strategy

- Treasury Management Policy Statement

4.2. The Section defining the approach to Risk Management has been updated to reflect the process currently in place and now reads:

Risk management for the Devon & Somerset Fire & Rescue Service is designed to protect the assets of the Service, ensure service continuity and facilitate innovation and opportunity. The Service risk management approach encourages officers and managers to identify, understand and control risk.

In addition to departmental risk registers, the Service maintains a Corporate Risk Register capturing the Authority's most significant risks with a focus on cross-cutting and major projects. Risk management is integrated in the planning process as part of direction setting, activity and resource planning. The risk management process involves the identification, assessment and recording of risks and mitigating activities which are then incorporated into annual directorate statements and Service plans. Additionally, as part of the risk management process, appropriate insurance arrangements are put in place to off-set any exposure to liability. Monitoring of risks is undertaken at Service level, with the Audit & Performance Review Committee having delegated responsibility to monitor the Corporate Risk Register to ensure that corporate risks are effectively managed.

4.3. The changes identified above are not considered to be material but rather an up-dating to reflect what is currently in place. In this respect, the Authority is invited to endorse the changes.

4.4. Financial Regulations currently provide the following in relation to commercial activities:

A22. Variations in the commercial services budget (including approval to additional resources), up to and including the maximum as indicated in the Schedule to these Regulations, may be made by the Board of Red One Ltd.

A23. Variations in excess of this amount must be approved either by the Resources Committee or the Authority in accordance with the limits as indicated in the Schedule to these Regulations.

A24. In relation to the variations referred to at A22 and A23 above, these are subject to any additional resources involved being matched by corresponding additional income to be generated from commercial activity.

4.5. These above references are historical, emanating from when the Authority's commercial activities were overseen by the [then] Commercial Services Committee. Red One Ltd. is, however, a separate legal entity in its own right, with responsibility for setting and maintaining its own budget. Given this, the above references (and the corresponding entry in the Schedule to the Financial Regulations) are no longer accurate and do not reflect the current position. Consequently, it is proposed that the above references (and the corresponding entry in the Schedule to the Financial Regulations) be deleted from the Financial Regulations.

4.6. It remains the case, however, that the Authority is still the sole shareholder in Red One Ltd. and in this capacity has delegated to the Resources Committee responsibility for the consideration of quarterly financial performance reports relating to Red One Ltd. in terms of expenditure on operating costs, costs recovered and profit generated.

- 4.7. Of more significance, however, it is proposed that the Schedule to Financial Regulations be revised to indicate increased financial limits for matters delegated either to the Treasurer or to the Resources Committee. The rationale for this is that the previous limits have been in place largely since combination and are no longer considered appropriate given changes over time, the size of the organisational budget and to promote effectiveness and efficiency in terms of discharging functions. A revised Schedule, indicating the proposed new limits, is attached at Appendix A to this report.
- 4.8. In the revised Schedule, it is proposed to delete the line dealing with claims made by the Authority. The rationale is that this has never occurred in the past. Also, this is dealing with claims being pursued by the Authority (i.e. recovery of money) but should it occur in the future then officers would be expected to use their judgement in settling the matter and determining whether such action should be reported to either the Resources Committee or the Authority. In exercising this judgement, officers will consider the materiality (quantum) of the claim in relation to the overall Authority budget.
- 4.9. Should the Authority be minded to agree this deletion, then it will be necessary to make a corresponding change to the Scheme of Delegations. This is addressed in Section 6 below.
- 4.10. Additionally, it is proposed to revise the Financial Regulations dealing with the management of assets to provide greater clarity in relation to the disposal of assets. Specifically, it is proposed to:
- (a). delete existing Financial Regulation C13 (shown below) as the Procurement and Contract Regulations were replaced by Contract Standing Orders (which do not contain provisions for asset disposal) in 2015 (Minute DSFRA/5 of the Authority Annual Meeting held on 28 May 2015 refers)

“C13. The relevant procedures as set out in the Authority’s Procurement and Contract Regulations will apply to the acquisition and disposal of land and buildings and to the disposal of material assets as provided for at C.12 (a) and (b) above.”
 - (b). insert the following, new Financial Regulations:

C13. In relation to Financial Regulation C12(b) (disposal of material assets), “material asset” is defined as any asset recognised on the Authority’s fixed asset register or any asset which is not subject to an agreed disposal method via replacement.

C14. Material assets will be disposed of via one of the following approved methods:

 - (a). donation to another fire and rescue service;
 - (b). donation to a charity;
 - (c). registered auction;
 - (d). public auction;
 - (e). the Defence Equipment Sales Authority or other recognised government disposal service;
 - (f). sale to other UK (including the Republic of Ireland) fire and rescue service;
 - (g). sale to or via Red One Ltd.

C15. In disposing of any short-term asset (i.e. any asset not on the fixed asset register), Departmental Heads must ensure that the disposal is in accordance with Service safety and security requirements and secures value for money.

4.11. The Authority is recommended to approve this revisions to Financial Regulations as set out in paragraphs 3.5, 3.7 (and Appendix A to this report) and 3.8 above.

5. TREASURY MANAGEMENT POLICY

5.1. As indicated previously, the has been amended in line with report DSFRA/19/5 (Treasury Management Strategy [including Prudential and Treasury Indicators] Report 2019-20) as approved by the Authority budget meeting on 19 February 2019 (Minute DSFRA/39[c] refers). As with Financial Regulations, amendments have also been made to use more gender-neutral language (i.e. replacing “he/she” with “they”).

5.2. Other changes include:

- updating the short-term overdraft facility negotiated with the Authority bankers (currently £0.1m);
- updating references in the document to relevant statutes and regulations;
- updating the insurance claim excess limit (currently £5,000 per claim).

5.3. These changes are considered incidental and arising from general updating rather than material changes. As such, the Authority is invited to endorse the changes.

6. SCHEME OF DELEGATIONS

6.1. Section 4 of the Scheme (Matters Delegated to the Chief Fire Officer) currently provides, at paragraph 4.19:

“Jointly with the Treasurer, to agree in the best interests of employees under Regulation H6 of the Local Government Pensions Scheme Regulations, 1995, to commute pension payments in cases of exceptional ill-health.

6.2. The 1995 Regulations referred to were, however, replaced by the Local Government Pension Scheme Regulations 2013. Additionally, the Authority approved at its meeting on 29 July 2015 (Minute DSFRA/21 refers) a range of delegations to the Chief Fire Officer as provided for by the Local Government Pension Scheme.

6.3. Given the above, paragraph 4.19 is no longer an extant reference and can be deleted from the Scheme of Delegations.

6.4. Section 8 of the Scheme (Matters Delegated to the Executive Board and the Service Leadership Team Jointly and Severally) provides, at paragraph 8.2:

“The relevant Executive Board officer to exercise the following functions as provided for in Financial Regulations, subject in all cases to informing the Treasurer of any action so taken:

- (a). To approve the financing of any individual scheme of up to and including the limit indicated in Financial Regulations from the revenue budget;
- (b). To approve any excess of estimated expenditure on an individual major capital scheme over and above approved Capital Programme provision up to the limit indicated in Financial Regulations;

- (c). To approve any excess of overall expenditure on Other Projects or Ring Fenced generic capital budgets over approved budget provision up to the limit indicated in Financial Regulations;
(NOTE: the delegations in (b) and (c) above are subject also to the additional expenditure being contained from within the overall Capital Programme limit for the year in question);
- (d). To approve the disposal of any material asset of a value up to and including the limit indicated in Financial Regulations;
- (e). To approve the writing off of any redundant stocks or equipment of a value up to and including the limit indicated in Financial Regulations;
- (f). To approve the writing off of any discrepancies between stocks and equipment actually held and the records of such stock and equipment of a value up to and including the limit indicated in Financial Regulations;

6.5. In practice, the “relevant Executive Board officer” exercising each of the delegations exercised at (a) to (f) above is the Treasurer. Consequently, it is proposed to move (a) to (f) from Section 8 to Section 3 (Matters Delegated to the Treasurer of the Fire & Rescue Authority).

6.6. The changes outlined in the paragraphs above are not considered material but rather incidental arising from a general updating. The Authority is therefore asked to endorse these changes.

6.7. Section 4 currently provides (at paragraph 4.6) for the Chief Fire Officer:

“to negotiate and approve, in consultation with the Treasurer and/or Clerk as necessary, the settlement of claims by or against the Authority up to the thresholds as set out in the Schedule to Financial Regulations”

6.8. Should the proposed revision to Financial Regulations identified at paragraph 4.8 above (dealing with claims brought by the Authority) be approved, then it is recommended that, for consistency purposes, paragraph 4.6 of Section 4 of the Scheme of Delegations be amended to read:

“to negotiate and approve, in consultation with the Treasurer and/or Clerk as necessary, the settlement of other claims against the Authority up to the thresholds as set out in the Schedule to Financial Regulations”

6.9. Subject to agreement on the proposed revision to Financial Regulations, the Authority is asked to endorse this change.

7. CORPORATE GOVERNANCE CODE

7.1. Core Principle A (clarity of purpose and focus on outcomes) currently provides the following at paragraphs 2.1 and 2.2:

- 2.1. The Authority will produce a Corporate Plan setting out a vision and overarching aims for the fire and rescue service together with initiatives proposed for the twelve month period immediately following production of the plan and targets against which performance will be measured. This plan will be subject to annual revision following consultation as appropriate and will comply with all statutory requirements on the production of relevant plans (e.g. Integrated Risk Management Plan and associated yearly Action Plans; Best Value Performance Plan)

- 2.2. The Authority will produce and review annually a Medium Term Financial Plan (MTFP) providing a financial planning framework for at least three years.
- 7.2. The above framework has changed and over the past twelve months the Authority has considered and approved an Integrated Risk Management Plan, a Reserves Strategy and a Capital Strategy. A Fire and Rescue Plan (identifying internal organisational challenges and measures proposed to address these) has also been produced.
- 7.3. Consequently, it is proposed that paragraphs 2.1 and 2.2 be replaced with the following new paragraphs:
- 2.1. The Authority will produce an evidence-based Integrated Risk Management Plan identifying community risks and actions aimed at either eliminating or mitigating these risks. This Plan will cover a minimum three year period and will be reviewed annually. Proposed actions arising from the Integrated Risk Management Plan will be subject to public consultation as required prior to any implementation. The Integrated Risk Management Plan will also inform development of targets and measures against which Service performance can be assessed to secure continuous improvement. A Fire & Rescue Plan will also be produced identifying internal challenges faced by the organisation and measures designed to meet these challenges. Both the Integrated Risk Management Plan and Fire & Rescue Plan will inform the development of Directorate and Departmental plans.
- 2.2. The Authority will produce and review annually a Medium Term Financial Plan (MTFP), Capital Strategy and Reserves Strategy providing a financial planning framework for at least three years.
- 7.4. The changes outlined in the above paragraphs are not considered material but rather incidental arising from a general updating. The Authority is therefore asked to endorse these changes.

8. MEMBERS' CODE OF CONDUCT

- 8.1. At its meeting on 8 April 2019, the Standards Committee considered a number of proposed revisions to the Authority's Code of Conduct. The proposed revisions had been informed by the findings of an internal review of the operation of the Authority's Standards regime together with the contents of the report published by the Committee on Standards in Public Life following its review of local government ethical standards.
- 8.2. The Minutes of the Standards Committee meeting held on 8 April 2019 and the recommendations proposed to the Authority to revise the Code of Conduct are set out in the agenda for the Authority Ordinary Meeting to commence at the conclusion of this Annual Meeting.

9. CONCLUSION

- 9.1. The Service has a commitment to continuous improvement to achieve and sustain its stated ambition of being an "excellent" organisation. As part of this, the Authority's constitutional governance framework documents will continue to be subject to ongoing review with any further proposals for amendments being submitted as and when required.
- 9.2. In the meantime, the Authority is asked to:

- (a) approve the amendment to Standing Orders identified in paragraph 3.1 of this report;
- (b) approve the proposed amendments to Financial Regulations as identified in paragraphs 4.5, 4.7 (and the appendix to this report), 4.8 and 4.10;
- (c) endorse the other, non-material and consequential changes to Financial Regulations, the Treasury Management Policy, the Scheme of Delegations and the Corporate Governance Code, as identified in paragraphs 4.1 and 4.2 and Sections 5, 6 and 7 respectively of this report;
- (d) note that proposed amendments to the Authority's Code of Conduct as indicated in Section 8 of this report will be considered in conjunction with the Minutes of the Standards Committee meeting held on 8 April at the Authority Ordinary Meeting to commence on conclusion of this Annual Meeting; and
- (e) subject to (a) to (d) above, endorse the Constitutional Framework documents as listed in paragraph 1.1

MIKE PEARSON
Director of Corporate Services

AMY WEBB
Director of Finance

SCHEDULE TO FINANCIAL REGULATIONS

Maximum Delegated Approvals (<i>all other items of income or expenditure are reserved to the full Authority</i>)	Treasurer		Resources Committee		Human Resources Management & Development Committee
	Old Limit	New Limit	Old Limit	New Limit	
<u>In-Year Virements</u>					
(a) Movement between objective budget headings (i.e. Service function headings)*	£0.100m	£0.500m	£0.200	£1.000m	
(b) Movement between subjective budget headings (i.e. individual budget headings within objective headings)*	£0.050m	£0.200m	£0.150m	£0.500m	
* In the event of any virement between both objective and subjective budget headings, the lower limit will apply					
<u>Transfers to/from or between reserves</u>					
Alternate use of or unbudgeted transfers to/from reserves to/from the revenue budget	£0.050m	£0.200m	£0.150m	£0.500m	
Movements between Earmarked or General reserves	£0.050m	£0.200m	£0.150m	£0.500m	
<u>Capital Programme</u>					
(a) Financing of individual scheme from revenue budget	£0.050m	£0.200m	£0.150m	£0.500m	
(b) Excess of estimated expenditure for individual major capital scheme over approved Capital Programme provision*	10% or £100,000 (whichever is the lesser)	No change	20% or £200,000 (whichever is the lesser)	No change	

Maximum Delegated Approvals (all other items of income or expenditure are reserved to the full Authority)	Treasurer		Resources Committee		Human Resources Management & Development Committee
	Old Limit	New Limit	Old Limit	New Limit	
(c) Excess of overall expenditure on Other Projects or Ring Fenced generic capital budgets over approved budget provision.*	5%	No change	10%	No change	
* subject always to the additional expenditure being contained from within the overall Capital Programme limit for the year in question					
Assets					
(a) Material Asset	£0.025m	No change	£0.050m	£0.100m	
(b) Redundant Stock and Equipment – individual item or cumulative amount of the same item	£0.025m	No change	£0.050m	£0.100m	
(c) Stock and equipment discrepancies – individual item or cumulative amount of the same item.	£0.010m	£0.025m	£0.050m	£0.100m	
Income and Expenditure					
Debt Write off	£0.010m	No change	£0.050m	No change	
Payment in advance of delivery of goods or services	£0.050m	No change	£0.150m	£0.200m	
Making of Grants*	£0.005m	£0.010m	£0.025m	£0.050m	
Overpayment of salary or allowance	£0.005m	£0.010m	£0.025m	£0.050m	
Loans to Devon & Somerset Fire & Rescue Authority controlled organisations	£0.050m	No change	£0.200m	No change	
* Delegated to Chief Fire Officer in consultation with the Treasurer					

Maximum Delegated Approvals (<i>all other items of income or expenditure are reserved to the full Authority</i>)	Treasurer		Resources Committee		Human Resources Management & Development Committee
	Old Limit	New Limit	Old Limit	New Limit	
Settlement of Claims*					
Employee claims	£0.025m	£0.050m	£0.075m	£0.200m	
Ex gratia payments to employees	£0.005m	£0.010m	£0.025m	£0.200m	
All other claims	£0.010m	No change	£0.050m	No change	
* excludes claims to be settled under insurance arrangements. All other delegations to the Treasurer in this category are jointly reserved to the Chief Fire Officer and Treasurer.					
Financial Implications arising from exercise of discretions under the Local Government Pension Scheme or Firefighters Pensions Schemes. (NOTE: this is a delegation to the Chief Fire Officer)	£0.025m	No Change	N/A	N/A	£0.075m

Agenda Item 7

REPORT REFERENCE NO.	DSFRA/19/11
MEETING	DEVON & SOMERSET FIRE & RESCUE AUTHORITY (Annual Meeting)
DATE OF MEETING	7 JUNE 2018
SUBJECT OF REPORT	SCHEDULE OF APPOINTMENTS TO COMMITTEES AND OUTSIDE BODIES
LEAD OFFICER	Director of Corporate Services
RECOMMENDATIONS	<p><i>That the Authority</i></p> <p><i>(a) confirms appointments to Committees/Panels and Outside Bodies as indicated in the Schedule at Appendix A to this report, to serve until the Authority Annual Meeting in 2020 unless otherwise indicated;</i></p> <p><i>(b) appoints, in accordance with Standing Order 33, Chairs and Vice-Chairs to Committees/Panels, the Term of Office to be until the Authority Annual Meeting in 2020; and</i></p> <p><i>(c) approves the revised Terms of Reference for standing committees as set out in Appendix B to this report.</i></p>
EXECUTIVE SUMMARY	<p>Appendix A to this report sets out appointments to Authority Committees, outside bodies etc., with Appendix B setting out proposed revised Terms of Reference for each of the Authority's committees etc. under the current structure.</p> <p>The Authority is invited to make appointments to committees and outside bodies and confirm the Terms of Reference. In doing so, the Authority is asked to consider the issues identified in Section 2 of this report.</p>
RESOURCE IMPLICATIONS	Any resource implications associated with attendance at committee and outside body appointments etc. will be met from the approved budget for Members Allowances
EQUALITY RISKS AND BENEFITS ASSESSMENT (ERBA)	N/A
APPENDICES	<p>A. Schedule of Appointments to Committees, Working Parties etc. and Outside Bodies.</p> <p>B. Revised Terms of Reference of Committees</p>
LIST OF BACKGROUND PAPERS	None.

1. APPOINTMENTS TO COMMITTEES AND OUTSIDE BODIES

General

- 1.1 Following its establishment in 2007 the Authority put in place a committee structure to assist it in discharging its functions. The Authority also determined to make appointments to a number of outside bodies (e.g. the Local Government Association etc.) whose objectives accord with furthering the interests of the Authority.
- 1.2 Appointments to these are made at the Authority's Annual Meeting. Appointments in 2019-20 to the Authority's standing committees were initially considered, informally, at the Members' Forum meeting held on 24 May 2019. The Schedule of Appointments now attached at Appendix A to this report reflects discussions at that meeting together with minor changes to reflect the change in political balance resulting from confirmation of appointments by Torbay Council on 28 May 2019.
- 1.3 The decision on appointments rests, however, with this meeting of the Authority. In determining the appointments, the Authority is reminded that its Standing Orders require that such appointments should take account of the principles of political proportionality as set out in the Local Government and Housing Act 1989.

Internal Disputes Resolution Panel

- 1.4 The Firefighters' Pension Scheme Internal Dispute Resolution Procedure enables complaints related to a pension to be considered by the Service and Authority under a two stage process as follows:
- Stage One:** the matters should be considered by the Chief Fire Officer, or a senior manager specified by him, who will give a decision in the matters; and
- Stage Two:** the decision should be confirmed or replaced by the decision of elected Members of the Fire and Rescue Authority which may in turn delegate this function to a smaller grouping.
- 1.5 Usually, the appointment of a Panel of three Members to the second-stage Internal Disputes Resolution Panel (IDRP) is undertaken by the Human Resources Management & Development Committee from amongst its membership, in accordance with powers delegated to the Committee. Such appointments are usually made by the Committee at its first meeting following the Authority annual meeting each year.
- 1.6 The Procedure requires, however, that appeals are heard within two months of receipt. An appeal has been received which, in accordance with this timeframe, must be heard by 27 June 2019 at the latest. As this date is prior to the first scheduled meeting of the Human Resources Management & Development Committee following this annual meeting, it is proposed that, given the circumstances outlined above:
- (a) in the first instance, the IDRP be appointed by the Authority from those Members appointed to the Human Resources Management & Development Committee for the forthcoming (2019-20) municipal year; and
- (b) that, once appointed, arrangements be made for the Panel to meet by 27 June 2019 at the latest to determine the outstanding appeal.
- 1.7 Given the delegation to it, the Human Resources Management & Development Committee could then, at its first scheduled meeting on Wednesday 10 July 2019, review membership of the IDRP to serve for the remainder of the 2019-20 municipal year.

2. APPOINTMENT OF COMMITTEE CHAIRS

- 2.1. At its Annual Meeting last year the Authority approved a revision to its Standing Orders to provide for Chairs and Vice-Chairs of standing committees/panels to be appointed by the Authority at its Annual Meeting (Standing Order 33 refers). In accordance with this, the Authority is asked to appoint Chairs and Vice-Chairs to committees/panels, the term of office to be until the Authority Annual Meeting in 2020.

3. PROPOSED REVISED TERMS OF REFERENCE

- 3.1. During the 2018-19 municipal year a number of workshops were held with Authority Members to explore the Authority's governance arrangements and what changes might be effected to improve effectiveness and efficiency.
- 3.2. The proposed revised Terms of Reference for the Authority's Standing Committees now attached at Appendix B take account of the discussions at the workshops in seeking to provide the standing committees with more delegation for discharging Authority functions and is aligned with the changes proposed for the Calendar of Meetings for the forthcoming (2019-20) municipal year (which forms a separate item on the agenda for this Annual Meeting).
- 3.3. It is also proposed that responsibility for providing membership of an Appointments Panel for the posts of Chief Fire Officer, Deputy Chief Fire Officer, Assistant Chief Fire Officer, Treasurer and Clerk should be moved from the Human Resources Management & Development Committee to the Chief Fire Officer's Appraisals Panel. This reflects the arrangements put in place for the recent appointment of the Deputy Chief Fire Officer and this appointments function would seem to align more closely with that Panel.
- 3.4. Additionally, at its meeting on 8 April 2019, the Standards Committee approved a revision to the complaints handling arrangements (as identified in the Guidance on Making a Complaint) to provide, amongst other things, that for those instances where a matter has been investigated and the subsequent investigation report indicates a breach of the Code and indicative sanctions, then this matter should be determined by a Hearings Panel comprising five Members of the Standards Committee selected by the Monitoring Officer in consultation with the Committee Chair (Minute SC/11[c][i] refers). For consistency, the Terms of Reference of the Standards Committee have been amended to reflect this new arrangement.

4. CONCLUSION

- 4.1. The Authority is asked to:
- (a). make appointments to Committees/Panels and Outside Bodies as indicated in the Schedule at Appendix A to this report, to serve until the Authority's annual meeting in 2020 unless otherwise indicated;
 - (b). appoint, in accordance with Standing Order 33, Chairs and Vice-Chairs to standing Committees/Panels, the term of office to be until the Authority's annual meeting in 2020; and
 - (c). approve the revised Terms of Reference for standing committees as set out in Appendix B to this report.

MIKE PEARSON
Director of Corporate Services

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SCHEDULE OF APPOINTMENTS TO COMMITTEES/PANELS AND APPOINTMENTS TO OUTSIDE BODIES**PART (A) STANDING COMMITTEES/PANELS****Notes**

1. Members not re-appointed to the Authority are shown in ***bold, italics***. Newly appointed Members to the Authority are shown in **bold**.
2. Changes in committee places reflect the change in political balance resulting from appointments made by Plymouth City Council and Torbay Council which resulted in two Conservative places going to Labour and two Independent places going to the Liberal Democrats

AUDIT & PERFORMANCE REVIEW COMMITTEE**7 Members in total**

2018-19 Membership	Indicative 2019-20 Membership
<i>Conservative</i>	<i>Conservative</i>
<i>Lynda Bower</i>	Peter Clayton
Peter Clayton	Mark Healey MBE
Mark Healey MBE (Chair)	Terry Napper
<i>John Mathews</i>	Percy Prowse
Terry Napper (Vice-Chair)	Andrew Saywell
Andrew Saywell	
<i>Liberal Democrats</i>	<i>Liberal Democrats</i>
	Nick Way
<i>Labour</i>	<i>Labour</i>
George Wheeler	George Wheeler

CHIEF FIRE OFFICER'S APPRAISALS PANEL

4 Members in total (NOTE: when establishing this Panel at its meeting on 18 December 2017 [Minute DSFRA/51 refers], the Authority resolved that it should comprise four Members - the Authority Chair, one Member from each of the other two main political parties and a fourth Member)

2018-19 Membership	Indicative 2019-20 Membership
<i>Conservative</i>	<i>Conservative</i>
Sara Randall Johnson (Chair)	Sara Randall Johnson (Chair)
Linda Vijeh	Linda Vijeh
<i>Liberal Democrats</i>	<i>Liberal Democrats</i>
Mike Best	Mike Best
<i>Labour</i>	<i>Labour</i>
Rob Hannaford	Rob Hannaford

COMMUNITY SAFETY & CORPORATE PLANNING COMMITTEE

7 Members in total

2018-19 Membership	Indicative 2019-20 Membership
Conservative	Conservative
Polly Colthorpe	Polly Colthorpe
Andrew Eastman (Vice-Chair)	Andrew Eastman
Percy Prowse	Ray Radford
Ray Radford	Jeffrey Trail BEM
Jeffrey Trail BEM	
Liberal Democrats	Liberal Democrats
	Ian Doggett
Labour	Labour
Leigh Redman (Chair)	Pam Buchan
	Leigh Redman
Independent	Independent
Vic Ellery	

HUMAN RESOURCES MANAGEMENT & DEVELOPMENT COMMITTEE

7 Members in total

2018-19 Membership	Indicative 2019-20 Membership
Conservative	Conservative*
Ann Bown (Chair)	Ann Bown*
Peter Clayton	Peter Clayton*
Ron Peart	Ron Peart*
David Thomas	David Thomas*
Linda Vijeh (Vice Chair)	Linda Vijeh*
Liberal Democrats	Liberal Democrats
Mike Best	Mike Best
Labour	Labour
Rob Hannaford	Rob Hannaford
	George Wheeler

* Note: One Conservative place on this committee needs to be given up to provide Labour with its second additional place (the first additional place came from a Devon Conservative place on CS&CP Committee). No agreement was reached on this point at the Members' Forum meeting on 24 May or from subsequent discussion with individual Members.

INDEPENDENT DISPUTES RESOLUTION PANEL

3 Members in total (to be selected from Membership of the Human Resources Management & Development Committee)

2018-19 Membership	Indicative 2019-20 Membership
Conservative	Conservative
Ann Bown	
Peter Clayton	
Labour	Labour
Rob Hannaford	
Liberal Democrats	Liberal Democrats

NOTE: the Human Resources Management & Development Committee to review membership for the remainder of the 2019-20 municipal year at its meeting scheduled for 10 July 2019).

RESOURCES COMMITTEE

7 Members in total

2018-19 Membership	Indicative 2019-20 Membership
Conservative	Conservative
Jonathan Drean (Vice-Chair)	Jonathan Drean (Vice-Chair)
Ron Peart	Ron Peart
Ray Radford	Ray Radford
	Jeremy Yabsley
Liberal Democrats	Liberal Democrats
Simon Coles (Chair)	Simon Coles
Gordon Hook	
Labour	Labour
Neil Hendy	Chaz Singh
Independent	Independent
Frank Biederman	Frank Biederman

STANDARDS COMMITTEE

7 Members in total

2018-19 Membership	Indicative 2019-20 Membership
<i>Conservative</i>	<i>Conservative</i>
Ann Bown	Ann Bown
Jonathan Drean	Jonathan Drean
Percy Prowse	Percy Prowse
David Thomas (Chair)	David Thomas
Jeffrey Trail BEM	Jeffrey Trail BEM
<i>Liberal Democrats</i>	<i>Liberal Democrats</i>
	Nick Way
<i>Labour</i>	<i>Labour</i>
Leigh Redman	Leigh Redman
<i>Independent</i>	<i>Independent</i>
<i>Vic Ellery (Vice-Chair)</i>	

MEMBER APPOINTMENT TO LOCAL PENSIONS BOARD¹

Councillor (2018-19 appointment: George Wheeler)

EQUALITY AND DIVERSITY MEMBER CHAMPION

One appointment Councillor (2018-19 appointment: Leigh Redman).

CLIMATE CHANGE AND SUSTAINABILITY MEMBER CHAMPION

One appointment Councillor (2018-19 appointment: Peter Clayton).

¹ This Board was established in accordance with Regulations to assist the Authority (as Scheme Manager) in ensuring the efficient and effective governance of the statutory Firefighters Pensions Schemes.

PART (B) APPOINTMENTS TO OUTSIDE BODIES

LOCAL GOVERNMENT ASSOCIATION (LGA)

(a) Fire Commission

Two appointments – usually Authority Chair and one other (2018-19 appointment - Chair and Councillor Coles).

(Provisional dates of meetings in 2019-20: Friday 20 September 2019, Friday 15 May 2020)

(b) General Assembly

Four appointments exercising the votes as shown.

<u>Member</u>	<u>No. votes exercised</u>
Authority Chair	1 Service and 1 Corporate
(2018-19 appointment – Ann Bown)	1 Service
(2018-19 appointment – Leigh Redman)	1 Service
(2018-19 appointment – George Wheeler)	1 Service

(NOTE:- The General Assembly usually meets annually with Authority attendance being dependent on inclusion of fire and rescue related items in the business to be discussed. Date of next meeting: Tuesday 2 July 2019, Bournemouth).

SOUTH WEST COUNCILS

The South West Councils brings together the 41 local authorities in the region to:

- Provide a voice for constituent local authorities on major issues affecting the South West;
- Influence Government policy as it affects the region;
- Encourage partnership working between local authorities and other organisations and agencies in the South West on policy issues where a broader regional approach is required;
- Promote the sharing of good practice.

One Member – Authority Chair

SOUTH WEST PROVINCIAL COUNCIL

The Provincial Council is the joint negotiating machinery for the South West. It comprises the employers' side (South West Employers) and the trade union side and provides a forum for discussion, debate and negotiation on human resource issues.

The Provincial Council meets twice yearly and the Employers' side has a Management Committee, which meets three times a year to continue business.

The functions of the Provincial Council are:

- To exchange ideas with the view of increasing the understanding of the two Sides;

- To promote good industrial relations practice and training, including the development of good personnel practice;
- To undertake tasks as required by the National Joint Council;
- To establish and give legitimacy to dispute and conciliation machinery;
- To facilitate, should the need arise, the negotiation of collective agreements;
- To issue advice, as appropriate, to Local Authorities and Unions;
- To provide a forum for discussion on key strategic issues affecting Local Government industrial relations/training/personnel.

One Member (Chair of the Human Resources Management and Development Committee).

APPENDIX B TO REPORT DSFRA/19/11

DEVON & SOMERSET FIRE & RESCUE AUTHORITY

COMMITTEES, WORKING PARTIES ETC. - TERMS OF REFERENCE

AUDIT AND PERFORMANCE REVIEW COMMITTEE

Matters with Delegated Power to Act

1. To oversee the content and operation of the Authority's Strategy on the Prevention and Detection of Fraud and Corruption and approve changes as appropriate.
2. To oversee the content and operation of the Authority's "Whistleblowing" Code (Confidential Reporting Policy).
3. To oversee internal and external audit arrangements and to approve annual audit plans.
4. To receive the reports of internal and external audit and external assessments of the organisation and to ensure that any recommendations and findings are appropriately addressed, implemented and monitored.
5. To receive regular reports monitoring the performance of the Service against agreed plans and agree action to address any shortfalls identified.
6. To receive regular corporate risk management reports and agree action to ensure that corporate risks are effectively managed.
7. To consider and approve the Authority's Statement of Accounts and Annual Governance Statement for the previous financial year.
8. To receive an Annual Report from the Local Pensions Board.
9. To review, at least annually, the Authority's Regulation of Investigatory Powers (RIPA) policy and approve any consequential amendments to the policy as may be necessary.
10. To approve responses to external consultation documents on issues within the remit of the Committee and as referred by officers.

CHIEF FIRE OFFICER'S APPRAISALS PANEL

Matters with Delegated Power to Act

1. To undertake an annual appraisal process for the Chief Fire Officer, including the setting of objectives for the forthcoming year;
2. To commission any external advice as is felt appropriate to facilitate the annual appraisal process;
3. To approve any developmental action (including associated costs) as may be identified from the annual appraisal process;
4. To address and resolve any in-year performance issues that may arise;

Original Approval Date: 11 April 2007

Revision No. and Date: 1 (July 2007); 2 (May 2008); 3 (March 2009); 4 (Feb 2010); 5 (March 2010); 6 (July 2011); 7 (February 2012); 8 (May 2012); 9 (July 2012); 10 (Feb 2014); 11 (Dec 2014); 12 (Feb 2015); 13 (July 2015); 14 (Oct 2015), 15 (Feb 2016); 16 (May 2016); 17 (Dec. 2017); 18 (June 2018); 19 (July 2018); 20 (June 2019)

5. To address and resolve any performance issues relating to other Service Executive Board officers as might be referred to the Panel from time to time by the Chief Fire Officer.
6. To provide in the first instance for membership of Appointments Panels for the posts of Chief Fire Officer, Deputy Chief Fire Officer, Assistant Chief Fire Officer, Treasurer and Clerk.

COMMUNITY SAFETY AND CORPORATE PLANNING COMMITTEE

Advisory ONLY

1. To oversee development of the Integrated Risk Management Plan and Fire & Rescue Plan and make recommendations as appropriate to the Authority.
2. To oversee development of community safety principles mitigating the risks identified in the Integrated Risk Management Plan and make recommendations as appropriate to the Authority.

Matters with Delegated Power to Act

3. To consider and monitor the community risk profile to ensure that services are delivered effectively.
4. To monitor progress against the Integrated Risk Management Plan.
5. To approve responses to external consultation documents on issues within the remit of the Committee and as referred by officers.

HUMAN RESOURCES MANAGEMENT AND DEVELOPMENT COMMITTEE

Advisory ONLY

1. To consider and make recommendations to either the Resources Committee or the Authority, as appropriate, on any proposed changes in Service structure, terms and conditions of service, or issues in relation to equality and fairness, pensions entitlements, health and safety and training of all employees where the financial implications of any such changes cannot be met from within existing resources or would require a virement(s) in excess of the threshold as set out in Financial Regulations.

Matters with Delegated Power to Act

2. Where a discretionary policy has been determined, to consider individual cases as may be referred by the Chief Fire Officer.
3. In accordance with the Authority's approved Pay Policy Statement, to determine applications for the re-employment of any member of staff below Executive Board level and who has previously been made redundant or who has retired from the Service.
4. To oversee development and implementation of a Member Development Strategy.

Original Approval Date: 11 April 2007

Revision No. and Date: 1 (July 2007); 2 (May 2008); 3 (March 2009); 4 (Feb 2010); 5 (March 2010); 6 (July 2011); 7 (February 2012); 8 (May 2012); 9 (July 2012); 10 (Feb 2014); 11 (Dec 2014); 12 (Feb 2015); 13 (July 2015); 14 (Oct 2015), 15 (Feb 2016); 16 (May 2016); 17 (Dec. 2017); 18 (June 2018); 19 (July 2018); 20 (June 2019)

5. To appoint from amongst its Members a Panel of three Members with delegated authority to consider and determine complaints made by individuals under Stage 2 of the Firefighters' Pensions Scheme Internal Dispute Resolution Procedure.
6. In accordance with Financial Regulations, to approve the financial implications associated with the exercise of discretions under the Local Government Pension Scheme and Firefighters Pensions Schemes within the thresholds as set out in the Scheduled to the Regulations.
7. To approve responses to external consultation documents on issues within the remit of the Committee and as referred by officers.

RESOURCES COMMITTEE

Advisory ONLY

1. To give preliminary consideration to and recommend to the Authority: a provisional budget and Council Tax requirement; the Treasury Management and Investment Strategy; the Minimum Revenue Provision (MRP) Statement; and Reserves Strategy for the forthcoming year.
2. To consider in the first instance the financial implications of any proposals for which resources have not already been approved and to make recommendations on these as appropriate to the Authority.
3. To consider any Business Plan prepared by Red One Ltd. and make recommendations as appropriate to the Authority.
4. To make recommendations to the full Authority on the use of any dividend declared by the Board of Red One Ltd.

Matters with Delegated Power to Act

5. To consider budget monitoring reports and to approve any necessary modifications and specifically to authorise virements within the thresholds as set out in the Financial Regulations subject to all financial implications being contained within the overall revenue budget.
6. To consider quarterly financial performance reports relating to Red One Ltd. in terms of expenditure on operating costs, costs recovered and profit generated.
7. In accordance with Contract Standing Orders, to authorise any increase in high/low contract financial thresholds for the purpose of determining officer responsibility.
8. In accordance with Financial Regulations:-
 - to approve of the acquisition or disposal of any land or buildings subject to a conveyance;
 - to approve in-year virements within the thresholds as set out in the Schedule to the Regulations;

- to approve transfers to/from or between reserves within the thresholds as set out in the Schedule to the Regulations;
 - to approve of the disposal of any material asset where the estimated disposal value is within the thresholds as set out in the Schedule to the Regulations;
 - to write off any redundant stock and equipment within the thresholds as set out in the Schedule to the Regulations;
 - to write-off any stock and equipment deficiencies within the thresholds as set out in the Schedule to the Regulations;
 - to write-off any debt within the thresholds as set out in the Schedule to the Regulations;
 - to write off any overpayment of salary or allowance within the thresholds as set out in the Schedule to the Regulations;
 - to make any grant within the thresholds as set out in the Schedule to the Regulations;
9. To monitor progress of schemes included in the approved Capital Programme in accordance with Financial Regulations:
- to approve any proposal to finance a capital scheme from the revenue budget where the level of expenditure to be incurred is within the thresholds as set out in the Schedule to the Regulations;
 - to approve any excess of estimated expenditure for an individual major capital scheme over approved Capital Programme provision within the thresholds as set out in the Schedule to the Regulations and subject to the additional expenditure being contained from within the overall capital programme limit for the year in question;
 - to approve the excess of overall expenditure on Other Projects or Ring Fenced generic capital budgets over the approved budget provision within the thresholds as set out in the Schedule to the Regulations and subject to the additional expenditure being contained from within the overall capital programme limit for the year in question.
10. To implement and regularly monitor the Authority's Treasury Management Policies and Practices.
11. To ensure effective scrutiny of the Authority's Treasury Management Strategy and Policies.
12. To approve responses to external consultation documents on issues within the remit of this Committee and as referred by officers.

STANDARDS COMMITTEE

Advisory ONLY

1. In accordance with the provisions of the Localism Act 2011, to develop, keep under review and make recommendations to the Authority on a Code of Conduct expected of Members and Co-opted Members of the Authority when acting in that capacity.
2. To oversee the content and operation of the Authority's "Whistleblowing" Code (Confidential Reporting Policy), making recommendations to the Authority as appropriate.

Matters with Delegated Power to Act

3. To oversee any actions considered necessary to discharge the statutory duty to promote and maintain high standards of conduct by Members and Co-opted Members of the Authority.
4. To oversee the arrangements for the assessment, investigation and determination (as appropriate) of allegations of any breach of the Code of Conduct.
5. To consider, following submission in writing to the Monitoring Officer by the Member concerned, any request for a dispensation either to talk or to talk and vote in relation to either a disclosable pecuniary interest or a personal interest in the following circumstances:
 - that, without the dispensation, the representation of different political groups on the body transacting the business would be so upset as to potentially alter the outcome of any vote on the matter;
 - That the Committee considers that the dispensation is in the interests of persons living in the authority's area; or
 - That the Committee considers that it is otherwise appropriate to grant a dispensation.
6. In the event of "sensitive"/potentially compromised allegations of Code breach (e.g. where the Monitoring Officer may have previously advised the Member subject to the allegation on the matter concerned), to appoint from amongst its Membership a small Sub-Committee to determine, following consultation with the independent person, whether or not an allegation should be investigated.
7. To provide for membership of a Hearings Panel comprising five Members of the Committee (selected by the Monitoring Officer in consultation with the Committee Chair) to consider the findings of any investigation which has concluded a breach of the Code and indicative sanctions. The Hearings Panel will determine, in consultation with the "independent person":
 - a. whether or not (on the basis of the evidence available and on the balance of probabilities) a breach of the approved Code has been proven; and
 - b. In the event that a Code breach is proven, whether:

- i. a sanction should be imposed; and
 - ii. if so, determine what the sanction(s) should be from the following:
 1. censure the subject member. The Committee will determine the terms and manner of this censure (which may include, but is not limited to, notifying the subject member's appointing constituent authority and/or arranging for details of the censure to be published in local media circulating in the area of the Authority);
 2. recommend to the full Authority that the subject member be removed from any Committees, Sub-Committees, Working Parties or outside bodies to which they have been appointed or nominated by the Authority;
 3. withdraw any Authority facilities that may have been provided to the subject member (e.g. e-mail accounts);
 4. exclude the subject member from the Authority's premises (save to the extent that the subject member requires access to attend meetings of the full Authority or any Committee etc. to which the subject member may have been appointed by the Authority);
 5. instruct the Monitoring Officer to arrange for training for subject member.
8. To approve responses to external consultation documents on issues within the remit of the Committee and as referred by officers.

Agenda Item 8

REPORT REFERENCE NO.	DSFRA/19/12
MEETING	DEVON & SOMERSET FIRE & RESCUE AUTHORITY (Annual Meeting)
DATE OF MEETING	7 JUNE 2019
SUBJECT OF REPORT	DRAFT CALENDAR OF MEETINGS 2019-20
LEAD OFFICER	Director of Corporate Services
RECOMMENDATIONS	<i>That, subject to any amendments as may be indicated at the meeting, the draft Calendar of Authority Meetings for the 2019-20 Municipal Year be approved.</i>
EXECUTIVE SUMMARY	Attached for consideration is a draft Authority Calendar of Meetings for the forthcoming (2019-20) municipal year.
RESOURCE IMPLICATIONS	N/A
EQUALITY RISKS AND BENEFITS ANALYSIS (ERBA)	N/A
APPENDICES	A. Draft Authority Calendar of Meetings 2019-20 Municipal Year.
LIST OF BACKGROUND PAPERS	Constituent Authority Calendars of Meetings (as available).

1. **INTRODUCTION**

- 1.1. Attached at Appendix A to this report is a proposed Authority Calendar of Meetings for the forthcoming (2019-20) municipal year. As in previous years, in compiling this Calendar consideration has been given both to the business requirements of this Authority and to the calendars of constituent authorities (as available) to avoid wherever possible any clashes in meeting dates.

2. **CHANGES FROM PREVIOUS YEARS**

- 2.1. The Authority has previously been advised of the instigation of the Safer Together programme which will aim to deliver against those strategic objectives contained in the Integrated Risk Management Plan and Fire & Rescue Plan for 2018-22. Cumulatively, these represent far-reaching changes aimed at securing a highly effective service for communities stemming from evidence-based plans to efficiently match resources to risk while recognising financial considerations.
- 2.2. A number of workshops have also been held with the Authority to explore better aligning the committee structure and frequency of meetings to business requirements and reflective of other demands on Member and officer time.
- 2.3. Stemming from both of the above considerations, a number of changes to the pattern of meetings followed in in previous years are now proposed. In summary, these are:

Community Safety & Corporate Planning and Human Resources Management & Development Committee

Proposed Change

It is proposed that the number of meetings of these Committees for the 2019-20 municipal year be reduced from 4 to 3, with both meetings taking place on the same day with the exception of the first cycle of meetings (June and July 2019) where the meetings will be held on different dates.

Rationale

Effective delivery of the Safer Together programme will place significant demands on officer time. A reduction in the number of meetings will allow capacity for this and also facilitate more meaningful agenda items enabling both Committees to effectively monitor and scrutinise delivery against the respective stands of the Safer Together programme (most relevantly Service Delivery and People Development).

Additionally, given that the strands of the Safer Together programme are interwoven, holding both Committee meetings on the same day would enable Members of each Committee to attend both meetings thereby providing a more complete, joined-up picture of progress. The exception is the first cycle (June and July 2019) where it is proposed that the Committees meet on different dates to maximise time available for the Community Safety & Corporate Planning Committee to give initial consideration to options likely to go for public consultation. All Members of the Authority could still, nonetheless, attend all Committee meetings should they so wish.

Audit & Performance Review Committee

Proposed Change

It is proposed that the number of meetings of these Committees for the 2019-20 municipal year be reduced from 4 to 3.

Rationale

The meetings scheduled are aligned to statutory external audit reporting requirements (e.g. approval of the Statement of Accounts by the end of July). Additionally, the Committee was advised at its meeting on 18 January 2019 of changes to Service performance reporting which would include, amongst other things, the submission of a report twice a year on performance against a suite of Key Performance Indicators (KPIs). The reduction in the number of meetings will also support officer capacity in delivering the Safer Together programme.

Full Authority

Proposed Change

It is proposed that the number of meetings for the 2019-20 municipal year be reduced from 7 to 5, with no full Authority meeting being held either in December 2019 or April 2020.

Rationale

Historically, there has been only limited items for each of these meetings (in particular the December meeting) and given the impact of local authority elections efforts have been made to avoid any meetings in April. As with the previous proposed changes, the reduction in number of meetings is better aligned to Service requirements and will support officer capacity in delivering the Safer Together programme.

3. MEMBERS' FORUM SESSIONS

- 3.1. The Forum is intended to provide the opportunity for more informal engagement with all Authority Members on a wide range of issues, both national and local. The purpose of these meetings is to impart information and to help steer policy formation at a very early stage and prior to any decisions being required through the formal meeting structure. In this way, it offers a useful mechanism to assist Members in remaining current with and contributing actively towards existing and emerging issues.
- 3.2. Proposed dates for Forum meetings during the 2019-20 municipal year, based on a total of eight meetings (no change from previous municipal year), are included in the draft Calendar as appended.

4. CONCLUSION

- 4.1. The Safer Together programme is highly ambitious, aiming to provide a fully fit-for-purpose twenty first century fire and rescue service to the communities of Devon and Somerset, matching resources to risk and recognising financial constraints. Effective delivery of this programme will place significant demands on officer capacity.
- 4.2. In developing the draft Calendar of Meetings for the 2019-20 municipal year, efforts have been made balance officer capacity issues, other demands on Member time and the need for appropriate Authority engagement.

- 4.3. The Authority is asked to consider the above issues with a view to then approving (subject to any amendments as may be indicated at the meeting) the draft Calendar of Authority meetings for the forthcoming (2019-20) municipal year.

MIKE PEARSON
Director of Corporate Services

DEVON & SOMERSET FIRE & RESCUE AUTHORITY APPROVED CALENDAR OF MEETINGS 2019-20 MUNICIPAL YEAR

Please note that all meetings are held at Fire Service Headquarters, The Knowle, Clyst St George, Exeter unless otherwise indicated

DATE & TIME	MEETING
Wednesday 19 June 2019, 14:00hours	Members' Forum
Thursday 27 June 2019, 10.00hours	Community Safety & Corporate Planning Committee (CSCPC)
Friday 28 June 2019, 10:00hours	DEVON & SOMERSET FIRE & RESCUE AUTHORITY
<i>Friday 28 June 2019 – LGA Fire Services Management Committee</i>	
<i>Tuesday 2 July 2019 – LGA General Assembly, Bournemouth</i>	
CYCLE 2	
Wednesday 10 July 2019, 11:00hours	Human Resources Management & Development Committee (HRMDC)
Friday 19 July 2019, 10:00hours	Audit & Performance Review Committee (APRC)
Friday 26 July 2019, 10:00hours	Members' Forum
AUGUST – RECESS MONTH – NO MEETINGS	
Wednesday 4 September 2019, 10:00hours	Resources Committee (RC)
Friday 6 September 2019, 10:00hours	Members' Forum
<i>Friday 20 September 2019 – LGA Fire Commission (provisional), Smith Square, London</i>	
Wednesday 16 October 2019, 10:00hours	Members' Forum
Tuesday 5 November 2019, 10:00hours	Community Safety & Corporate Planning Committee (CSCPC)
Tuesday 5 November 2019, 11:00hours	Human Resources Management & Development Committee (HRMDC)
Friday 8 November 2019, 10:00hours	DEVON & SOMERSET FIRE & RESCUE AUTHORITY
CYCLE 3	
Wednesday 13 November 2019, 10:00hours	Audit & Performance Review Committee (APRC)

DATE & TIME	MEETING
Thursday 21 November 2019, 10:00hours	Resources Committee (RC)
<i>Friday 6 December 2019 – LGA Fire Services Management Committee (provisional), Smith Square, London</i>	
Wednesday 18 December 2019, 10:00hours	Members' Forum
Friday 24 January 2020, 14:00hours	Members' Forum
<i>Friday 24 January 2020 – LGA Fire Services Management Committee (provisional), Smith Square, London</i>	
Thursday 13 February 2020 (budget), 10:00hours	Resources Committee (RC) (Budget Meeting)
Friday 21 February 2020, 10:00hours	DEVON & SOMERSET FIRE & RESCUE AUTHORITY (Budget Meeting)
Wednesday 26 February 2020, 10:00hours	DEVON & SOMERSET FIRE & RESCUE AUTHORITY (Budget Meeting) (Reserve Date)
CYCLE 4	
<i>March 2020 – date not set</i>	<i>LGA Annual Fire Conference, Gateshead</i>
<i>Monday 9 March 2020 – LGA Fire Services Management Committee (provisional), Smith Square, London</i>	
Wednesday 4 March 2020, 10:00hours	Audit & Performance Review Committee (APRC)
Friday 13 March 2020, 14:00hours	Members' Forum
Monday 23 March 2020, 10:00hours	Community Safety & Corporate Planning Committee (CSCPC)
Monday 23 March 2020, 11:00hours	Human Resources Management & Development Committee (HRMDC)
Monday 6 April 2020, 10:00hours	Standards Committee (SC)
Wednesday 13 May 2020, 10:00hours	Resources Committee (RC)
<i>Friday 15 May 2020 – LGA Fire Commission (provisional), Smith Square, London</i>	
Wednesday 27 May 2020, 10:00hours	Members' Forum
Friday 5 June 2020, 10:00hours	DEVON & SOMERSET FIRE & RESCUE AUTHORITY (Annual Meeting)

DATE & TIME	MEETING
Friday 5 June 2020, 10:30hours (or on rising of Annual Meeting, whichever is later)	DEVON & SOMERSET FIRE & RESCUE AUTHORITY (Ordinary Meeting)

DRAFT

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