



# DEVON & SOMERSET FIRE & RESCUE AUTHORITY

M. Pearson  
CLERK TO THE AUTHORITY

To: The Chair and Members of the Appraisals  
and Disciplinary Committee

(see below)

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## **APPRAISALS AND DISCIPLINARY COMMITTEE** **(Devon & Somerset Fire & Rescue Authority)**

**Friday, 2 August, 2019**

A meeting of the Appraisals and Disciplinary Committee will be held on the above date,  
**commencing at 10.00 am in Committee Room B, Somerset House, 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 Minutes (Pages 1 - 2)**

Minutes of the meeting of the Chief Fire Officer's Appraisals Panel held on 14 May 2019 attached.

**2 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**

### **3 Exclusion of the Press and Public**

**RECOMMENDATION** that, in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in the following Paragraph(s) of Part 1 of Schedule 12A (as amended) to the Act:

- Paragraph 1 (information relating to an individual);
- Paragraph 2 (information likely to reveal the identity of an individual); and
- Paragraph 3 (information relating to the financial and business affairs of any particular person – including the authority holding that information);

## **PART 2 - ITEMS WHICH MAY BE TAKEN IN THE ABSENCE OF THE PRESS AND PUBLIC**

### **4 Complaint Against a Statutory Officer (Pages 3 - 74)**

Report of the Deputy Chief Fire Officer (ADC/19/1) attached.

### **MEMBERS ARE REQUESTED TO SIGN THE ATTENDANCE REGISTER**

Membership:-

Councillors Randall Johnson (Chair), Best, Hannaford and Vijeh (Vice-Chair)

**NOTES****1. Access to Information**

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. Reporting of Meetings**

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. Declarations of Interests at meetings (Authority Members only)**

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:

- (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. Part 2 Reports**

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. Substitute Members (Committee Meetings only)**

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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## **CHIEF FIRE OFFICER'S APPRAISALS PANEL**

(Devon & Somerset Fire & Rescue Authority)

14 May 2019

### Present:

Councillors Randall Johnson (Chair), Vjeh (Vice-Chair), Best and Hannaford.

### Also in attendance:

Bryony Houlden (Chief Executive, South West Councils and independent adviser to the Panel).

#### \* **CFOAP/19/12    Minutes**

**RESOLVED** that the Minutes of the meeting held on 22 March 2019 be signed as a correct record.

#### \* **CFOAP/19/13    Exclusion of the Press and Public**

**RESOLVED** that, in accordance with Section 100A(4) of the Local Government Act 1972, the press and public (with the exception of Bryony Houlden, Chief Executive, South West Councils and independent adviser to the Panel) be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A (as amended) to the Act, namely information relating to an individual.

#### \* **CFOAP/19/14    Appraisal - Chief Fire Officer Lee Howell**

(An item taken in accordance with Section 100A(4) of the Local Government Act 1972 during which the press and public (with the exception of Bryony Houlden, Chief Executive of South West Councils and independent adviser to the Panel) were excluded from the meeting.

The Panel conducted an appraisal of Chief Fire Officer Lee Howell.

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

The Meeting started at 2.20pm and finished at 4.30pm.

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of the Local Government Act 1972.

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