



# DEVON & SOMERSET FIRE & RESCUE AUTHORITY

**M. Pearson  
CLERK TO THE AUTHORITY**

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**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**

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

Date : 15 October 2020  
Please ask for : Steve Yates  
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## **DEVON & SOMERSET FIRE & RESCUE AUTHORITY**

**Friday, 23 October, 2020**

A meeting of the Devon & Somerset Fire & Rescue Authority will be held on the above date, **commencing at 10.00 am via Webex video conference** to consider the following matters.

M. Pearson  
Clerk to the Authority

***PLEASE NOTE*** This meeting will be livestreamed on the Devon & Somerset Fire & Rescue Service YouTube channel. This can be accessed by following the link below and then clicking on the Videos and Livestream buttons:

<https://www.youtube.com/dsfireupdates>

## **AGENDA**

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

**1 Apologies**

**2 Minutes**

**a Authority Budget Meeting 18 February 2020** (Pages 1 - 18)

To approve as a correct record the Minutes of the Authority Budget Meeting held on 18 February 2020 (attached).

**b**     **Public Minutes of the Authority Extraordinary Meeting 13 March 2020**  
(Pages 19 - 20)

To approve as a correct record the Public Minutes of the Extraordinary Authority Meeting held on 13 March 2020 (attached).

**3**     **Items Requiring Urgent Attention**

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

**PART 1 - OPEN COMMITTEE**

**4**     **Questions and Petitions from the Public**

In accordance with [Standing Orders](#), to consider any questions and petitions submitted by the public. Questions must relate to matters to be considered at this meeting of the Authority. Petitions must relate to matters for which the Authority has a responsibility or which affects the Authority. Neither questions nor petitions may require the disclosure of confidential or exempt information. Questions and petitions must be submitted in writing or by e-mail to the Clerk to the Authority (e-mail address: [clerk@dsfire.gov.uk](mailto:clerk@dsfire.gov.uk)) **by midday on Tuesday 20 October 2020.**

**5**     **Addresses by Representative Bodies**

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

**6**     **Questions from Members of the Authority**

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

**7**     **Minutes of Committees**

**a**     **Audit & Performance Review Committee** (Pages 21 - 32)

The Chair of the Committee, Councillor Healey MBE, to **MOVE** the Minutes of the meetings held on 4 March and 7 September 2020 (both attached).

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

**b**     **Resources Committee** (Pages 33 - 54)

The Chair of the Committee, Councillor Drean, to **MOVE** the public Minutes of the meetings held on 2 July and 12 October 2020 (both attached).

**RECOMMENDATION**

- (i). that the recommendations at Minutes RC/32 (Financial Performance Report 2020-21 – Quarter 1) and RC/33 (Reserves Strategy 2020-21) of the meeting held on 12 October 2020 be approved; and

- (ii). that, subject to (i) above, the public Minutes of the meetings held on 2 July and 12 October 2020 be adopted in accordance with Standing Orders.

***(Note: for ease of reference, a copy of report RC/20/14 [Reserves Strategy 2020-21] is appended to the Minutes of the meeting held on 12 October 2020).***

***(SEE ALSO AGENDA ITEM 16 BELOW).***

- c**     **Community Safety & Corporate Planning Committee** (Pages 55 - 58)  
The Chair of the Committee, Councillor Redman, to **MOVE** the Minutes of the meetings held on 16 July 2020 (attached) and 14 October 2020 (**to follow**).  
**RECOMMENDATION** that the Minutes be adopted in accordance with Standing Orders.
- d**     **Appraisals & Disciplinary Committee** (Pages 59 - 62)  
The Chair of the Committee, Councillor Randall Johnson, to **MOVE** the minutes of the meetings held on 27 July and 25 September 2020 (both attached).  
**RECOMMENDATION** that the Minutes be adopted in accordance with Standing Orders.
- e**     **Standards Committee** (Pages 63 - 64)  
The Chair of the Committee, Councillor Thomas, to **MOVE** the Minutes of the meeting held on 6 August 2020.  
**RECOMMENDATION** that the Minutes be adopted in accordance with Standing Orders.
- f**     **Human Resources Management & Development Committee**  
The Chair of the Committee, Councillor Hannaford, to **MOVE** the Minutes of the meeting held on 21 October 2020 (**to follow**).  
**RECOMMENDATION** that the Minutes be adopted in accordance with Standing Orders.
- 8**     **Report of Urgent Action (Standing Order 27)** (Pages 65 - 68)  
Report of the Chief Fire Officer (DSFRA/20/12) attached.
- 9**     **Proposed Policy on Disposal of Land** (Pages 69 - 74)  
Report of the Director of Governance & Digital Services (DSFRA/20/13) attached.
- 10**    **Proposed Disposal of Topsham Fire Station** (Pages 75 - 78)  
Report of the Chief Fire Officer (DSFRA/20/14) attached.

- 11 **Environmental Strategy** (Pages 79 - 94)  
Report of the Director of Finance & Resourcing (DSFRA/20/15) attached.
- 12 **Members' Allowances Further Considerations - Standards Committee** (Pages 95 - 102)  
Report of the Director of Governance & Digital Services (DSFRA/20/16) attached.
- 13 **Additional Authority Meeting** (Pages 103 - 104)  
Report of the Director of Governance & Digital Services (DSFRA/20/17) attached.
- 14 **Exclusion of the Press and Public** (Pages 105 - 106)  
**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 items of business on the grounds that they involve the likely disclosure of exempt information as defined in the following Paragraph(s) of Part 1 of Schedule 12A (as amended) to the Act:
- For Agenda items 15 and 16**
- Paragraph 3 (information relating to the financial and business affairs of any particular person – including the authority holding that information).
- For Agenda item 17**
- Paragraph 1 (information relating to an individual); and
  - Paragraph 2 (information likely to reveal the identity of an individual).

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

- 15 **Exempt Minutes of the Authority Extraordinary Meeting held on 13 March 2020** (Pages 107 - 108)  
To approve as a correct record the Exempt Minutes of the Authority Extraordinary Meeting held on 13 March 2020 (attached).
- 16 **Exempt Minutes of the Resources Committee meetings held on 2 July and 12 October 2020** (Pages 109 - 114)  
The Chair of the Committee, Councillor Drean, to **MOVE** the restricted Minutes of the meetings held on 2 July and 12 October 2020 (both attached).  
**RECOMMENDATION** that the Minutes be adopted in accordance with Standing Orders.
- 17 **Standards Arrangements - Appointment of Second Independent Person** (Pages 115 - 118)  
Report of the Director of Governance & Digital Services (DSFRA/20/18) attached.

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

Membership:-

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

Alison Hernandez (Devon & Cornwall Police & Crime Commissioner).

Sue Mountstevens (Avon & Somerset Police & Crime Commissioner).

## 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. Recording of Meetings

Given the social distancing measures introduced in response to the Covid-19 pandemic, Authority meetings will be held virtually and livestreamed on the Devon & Somerset Fire & Rescue Service YouTube channel. The meetings may also be recorded for subsequent viewing on the YouTube Channel. Any such recording does not constitute the official, Authority record of the meeting.

### 4. 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.

	<b>NOTES (Continued).</b>
	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.
<b>5.</b>	<b><u>Part 2 Reports</u></b> 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.
<b>6.</b>	<b><u>Substitute Members (Committee Meetings only)</u></b> 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.
<b>7.</b>	<b><u>Other Attendance at Committees (Standing Order 38)</u></b> Any Authority Member wishing to attend a meeting of a Committee of which they are not a Member should contact the Democratic Services Officer (see “please ask for” on the front page of this agenda) in advance of the meeting to obtain details of the Webex meeting invitation.

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## DEVON & SOMERSET FIRE & RESCUE AUTHORITY

(Budget Meeting)

18 February 2020

### Present:

Councillors Randall Johnson (Chair), Biederman, Bown, Buchan, Clayton, Coles, Colthorpe, Doggett, Drean, Hannaford, Healey MBE, Napper, Peart, Redman, Saywell, Thomas, Trail BEM, Tuffin, Vijeh, Way, Wheeler (Vice-Chair) and Yabsley.

### Apologies:

Councillors Best and Radford.

#### **DSFRA/33     Minutes**

The Minutes of the meeting held on 8 November 2019 and the extraordinary meeting held on 10 January 2020 were signed as correct records.

#### **DSFRA/34     Questions from Members of the Authority**

In accordance with Standing Order 14, Councillor Hannaford asked the Authority Chair and received written responses to a number of questions linked to the Bolton student flats fire and the Grenfell fire.

The questions and responses dealt with, amongst other things:

- the number of student flats known to the Devon & Somerset Fire & Rescue Service (“the Service”) in the area served by the Authority, including those currently under construction or in the planning phase;
- the Authority’s Integrated Risk Management Plan cycle which accounted for significant changes in the built environment, population density and prevention, protection and response measures to mitigate any risk identified;
- the Service dynamic, risk-based inspection programme which was informed by changes to local risk together with national guidance and local intelligence;
- Ongoing liaison by the Service with local authority housing teams and the Ministry for Communities, Housing and Local Government in relation to fire safety issues stemming from the Grenfell Enquiry;
- Ongoing work via the National Fire Chiefs Council to address issues stemming from the Grenfell Enquiry.

#### **DSFRA/35     Minutes of Committees**

##### **a     Human Resources Management & Development Committee**

The Committee Chair, Councillor Hannaford, **MOVED** the Minutes of the meeting of the Committee held on 5 November 2019 which had considered, amongst other things:

- a report on absence management for the Devon & Somerset Fire & Rescue Service;
- a report on the Service approach to addressing employee health, safety and welfare;
- a report on the Service People Strategy;
- a report on workforce culture, diversity and inclusion; and
- requests for retirement and re-employment submitted in accordance with the Authority's approved Pay Policy Statement.

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

**b Audit & Performance Review Committee**

The Committee Chair, Councillor Healey MBE, **MOVED** the Minutes of the Committee meeting held on 13 November 2019 which had considered, amongst other things:

- a request from the Authority's external auditor for a late audit for the Authority's 2019-20 financial statements;
- an external audit progress report and sector update;
- the Authority's annual audit letter for the year ended 31 March 2019;
- a report on progress against the approved internal audit plan for 2019-20;
- a Corporate Risk register report; and
- a report on performance by the Devon & Somerset Fire & Rescue Service between April and September 2020.

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

**c Resources Committee**

The Committee Chair, Councillor Drean, **MOVED** the Minutes of the meetings of the Committee held on 21 November 2019 and 13 February 2020 which had considered, amongst other things:

***21 November 2019***

- a report on Treasury Management Performance as at the second quarter of the current (2019-20) financial year;
- a report on financial performance as at the second quarter of the current (2019-20) financial year; and
- a report on the financial performance of Red One Ltd. as at the second quarter of the current (2019-20) financial year.

***13 February 2019***

- a report on the proposed Revenue Budget and associated Council Tax levels for 2020-21;

- a report on the proposed Capital Programme 2020-21 to 2022-23
- reports on the Authority's Capital Strategy and Medium Term Financial Plan;
- a report on the proposed Treasury Management Strategy (including Prudential and Treasury Management Indicators) for 2020-21;
- a report on Treasury Management Performance as at the third quarter of the current (2019-20) financial year;
- a report on financial performance as at the third quarter of the current (2019-20) financial year; and
- a report on the financial performance of Red One Ltd. as at the third quarter of the current (2019-20) financial year.

### **RESOLVED**

- (i). that the recommendations from the Resources Committee (Budget) meeting on 13 February 2020 relating to:
- the Capital Strategy;
  - the Medium Term Financial Plan;
  - the 2020-21 Revenue Budget and Council Tax levels;
  - the Capital Programme 2020-21 to 2022-23; and
  - the Treasury Management Strategy (including Prudential and Treasury Indicators) 2020-21 to 2022-23
- be considered in conjunction with the reports elsewhere on the agenda for this Authority meeting;
- (ii). that, subject to (i) above, the Minutes be adopted in accordance with Standing Orders.

***(SEE ALSO MINUTES DSFRA/36 TO DSFRA/38(c) INCLUSIVE AND DSFRA/44 BELOW).***

#### **d Appraisals & Disciplinary Committee**

The Committee Chair, Councillor Randall Johnson, **MOVED** the Minutes of the Committee meeting held on 7 February 2020 which had undertaken an appraisal of Chief Fire Officer Lee Howell.

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

#### **DSFRA/36 Medium Term Financial Plan**

The Authority considered a report of the Director of Finance and Resourcing (Treasurer) (DSFRA/20/2) on the Authority's Medium Term Financial Plan outlining funding, income and expenditure forecasts for the Authority for the next five financial years (to 2024-25).

The Plan identified how the financial forecasts were constructed (including funding sources and expenditure/costs pressures) together with savings targets over the period covered and the change and improvement programme (Safer Together) which would be the principal vehicle for delivering the changes.

The Plan had been considered by the Resources Committee (budget) meeting on 13 February 2020 which had resolved to commend the Plan to the Authority for endorsement.

**RESOLVED** that, as recommended by the Resources Committee at its budget meeting on 13 February 2020, the Medium Term Financial Plan as appended to report DSFRA/20/2 be endorsed.

***(SEE ALSO MINUTE DSFRA/35(c) ABOVE).***

**DSFRA/37**      **Capital Strategy**

The Authority considered a report of the Director of Finance and Resourcing (Treasurer) (DSFRA/20/3) on the Authority's Capital Strategy produced in accordance with the requirements of the 2017 Prudential Code. The Strategy formed part of the Authority's financial planning arrangements and provided a high-level overview of how capital expenditure and the way it was financed contributed to the provision of services along with an overview of how associated risk was managed and the implications for future financial sustainability.

The Capital Strategy had been considered by the Resources Committee (budget) meeting on 13 February 2020 which had resolved to commend the Strategy to the Authority for endorsement.

**RESOLVED** that, as recommended by the Resources Committee at its budget meeting on 13 February 2020, the Capital Strategy as appended to report DSFRA/20/3 be endorsed.

***(SEE ALSO MINUTE DSFRA/35(c) ABOVE).***

**DSFRA/38**      **REVENUE AND CAPITAL BUDGETS**

**a**      **2020-21 Revenue Budget and Council Tax Levels**

The Authority considered a joint report of the Director of Finance & Resourcing (Treasurer) and the Chief Fire Officer on the proposed 2020-21 revenue budget and associated Council Tax levels.

The provisional local government finance settlement announced on 19 December 2019 indicated an increase in Settlement Funding Assessment (SFA) for this Authority of 1.61% over 2019-20 (from £21.961m to £22.319m). There had, however, been an overall reduction of 24.12% since 2015-16 (from £29.413m to £22.319m). Additionally, the Ministry for Housing, Communities and Local Government had reduced the threshold for increases in Council Tax beyond which it would be necessary to hold a referendum from 3% to 2% for the 2020-21 financial year. The Authority had previously made representations for a fixed increase of £5. While these had not proven successful to date, representations would continue to be made to seek to alter future funding settlements.

Two budgetary options were presented for consideration by the Authority:

- Option A, representing no increase in Council Tax over 2019-20; and
- Option B, representing a 1.99% increase in Council Tax over 2019-20.

The Core Budget Requirement for 2020-21 (which included provision for pay and inflation, inescapable commitments and new investment linked to the Safer Together programme) had been identified at £80.343m, representing an increase of £5.201m (6.92%) over the budget for 2019-20. This amount exceeded the funding available under both Options A and B and consequently the report identified revenue budget savings totalling £1.323m to be achieved during 2020-21, with the remaining budget shortfall being met from reserves (£1.167m) and a reduction in the revenue contribution to capital (£1.634m for Option A; £0.577m for Option B).

In accordance with the Local Government Finance Act 1992, non-domestic rate payers had been consulted on expenditure proposals for 2020-21. Additionally, telephone and on-line surveys of businesses and residents had been undertaken.

The detailed survey results were appended to the report but in summary the majority of respondents felt it would be reasonable for the Authority to consider increasing its precept for 2020-21, with those who agreed being predominantly in favour of an increase of 2.99% or above. Both businesses and residents agreed that the Service provided value for money and were satisfied with the services provided.

Also appended to the report was a statement prepared by the Chief Finance Officer in accordance with Section 25 of the Local Government Act 2003 on the robustness of the budget estimates and the adequacy of the level of reserves.

The proposed revenue budget and associated Council Tax levels had been considered by the Resources Committee (budget) meeting on 13 February 2020 which had resolved to recommend that the Authority approve Option B (Minute RC/14 refers).

## **RESOLVED**

- (i). that, as recommended by the Resources Committee (budget) meeting on 13 February 2020, the level of Council Tax in 2020-21 for a Band D property be set at £88.24, as outlined in Option B of report DSFRA/20/4, representing a 1.99% increase over 2019-20;
- (ii). that, accordingly, a Net Revenue Budget Requirement for 2020-21 of £77.276m 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 £54,212,834 (Option B), as detailed on 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 2019-20 £	Precepts due in 2020-21 £	Total due 2020-21 £
East Devon	60,141.00	50,274	5,306,842	5,357,116
Exeter	37,348.00	61,190	3,295,588	3,356,778
Mendip	40,978.57	75,739	3,615,949	3,691,688
Mid Devon	29,040.56	36,810	2,562,539	2,599,349
North Devon	34,569.45	26,763	3,050,408	3,077,171
Plymouth City	74,603.00	63,635	6,582,969	6,646,604
Sedgemoor	41,435.78	32,357	3,656,293	3,688,650
Somerset West & Taunton	56,449.87	(28,047)	4,981,137	4,953,090
South Hams	38,508.49	22,000	3,397,989	3,419,989
South Somerset	60,710.78	(11,753)	5,357,119	5,345,369
Teignbridge	49,714.00	22,497	4,386,763	4,409,260
Torbay	46,274.88	125,000	4,083,295	4,208,295
Torridge	24,333.26	15,176	2,147,167	2,162,343
West Devon	20,271.71	19,000	1,788,776	1,807,776
	<b>614,379.35</b>	<b>181,673</b>	<b>54,212,834</b>	<b>54,723,478</b>

(B). that the Council Tax for each property band A to H associated with the total precept of £54,212,834 (Option B), as detailed on 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	58.83
B	7/9	0.778	68.63
C	8/9	0.889	78.44
<b>D</b>	<b>1</b>	<b>1.000</b>	<b>88.24</b>
E	11/9	1.222	107.85
F	13/9	1.444	127.46
G	15/9	1.667	147.07
H	18/9	2.000	176.48

(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 A to report DSFRA/20/4 and reproduced at Appendix A to these Minutes, be approved.

**(SEE ALSO MINUTE DSFRA/35(c) ABOVE).**

**b Capital Programme 2020-21 to 2022-23**

The Authority considered a report of the Director of Finance & Resourcing (Treasurer) (DSFRA/20/5) on the proposed Capital Programme 2020-21 to 2022-23 for estates and operational assets (fleet and equipment). The report identified the funding requirement for capital expenditure over the five year period of the Medium Term Financial Plan (MTFP) and indicated that, for the proposed programme, the approach approved by the Authority to reduce reliance on external borrowing for capital funding, maintaining the ratio of finance costs to the net revenue stream to within 5%, was proving successful. The report also detailed Prudential Indicators for the programme to 2022-23 along with profiled indicators for a further two years to 2024-25 (based on indicative capital programme levels) to inform longer term planning. While the programme presented maintained borrowing within 5% to 2024-25, this would only be possible with an appropriate annual revenue contribution to maintain an affordable and sustainable capital programme. The programme proposed did not commit any spending beyond 2022-23 and decisions on further spending would be subject to annual review based on the financial position of the Authority.

An earlier version of the report had been considered by the Resources Committee (budget) meeting on 13 February 2020 which had resolved to commend the Capital Programme 2020-21 to 2022-23 and associated Prudential Indicators to the Authority for approval.

**RESOLVED**

- (i). that, as recommended by the Resources Committee (budget) meeting on 13 February 2020, the draft Capital Programme 2020-21 to 2022-23 and associated Prudential Indicators, as detailed in this report and summarised in Appendices B and C respectively to these Minutes, be approved;
- (ii). that, subject to (i) above, the forecast impact of the proposed Capital Programme from 2023-24 onwards on the 5% debt ratio Prudential Indicator, as indicated in the report, be noted.

***(SEE ALSO MINUTE DSFRA/35(c) ABOVE).***

**c Treasury Management Strategy (including Prudential and Treasury Indicators 2020-21 to 2022-23)**

The Authority considered a report of the Director of Finance & Resourcing (Treasurer) (DSFRA/20/6) on the Treasury Management Strategy and Annual Investment Strategy for 2020-21, Treasury Management Indicators, Prudential Indicators associated with the proposed Capital Programme 2020-21 to 2022-23 and a Minimum Revenue Provision Statement for 2020-21 as required by relevant legislation and regulations.

An earlier version of this report had been considered by the Resources Committee (budget) meeting on 13 February 2020 which had resolved to commend the Treasury Management Strategy and Annual Investment Strategy and Minimum Revenue Provision Statement for 2020-21 to the Authority for approval.

**RESOLVED** that, as recommended by the Resources Committee (budget) meeting on 13 February 2020:

- (i). the Treasury Management Strategy and Annual Investment Strategy for 2020-21, as detailed in report DSFRA/20/6, 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 as set out in the report and attached at Appendix D to these Minutes be approved.

**(SEE ALSO MINUTES DSFRA/35(c) AND DSFRA/38(b) ABOVE).**

**DSFRA/39**

**Principal Officer Considerations**

(The Vice-Chair, Councillor Wheeler, in the Chair for this item).

The Authority considered a report of the Chief Fire Officer (DSFRA/20/7) on proposals to address vacancies that would arise with the forthcoming retirement of both the Deputy Chief Fire Officer and Assistant Chief Fire Officer (Service Delivery).

The Clerk advised of a minor, clarifying, revision to the recommendation as set out in the report (to replace, in recommendation (a), the word “on” with “because of the forthcoming”).

Councillor Vijeh **MOVED**, with Councillor Hannaford seconding, that the recommendations in report DSFRA/20/7 (amended as indicated by the Clerk) be approved.

Councillor Thomas proposed that these be amended to add the words “for up to 24 months” after the words “...be held vacant” in recommendation (d)(i) of the report.

Councillors Vijeh and Hannaford indicated their acceptance of this and the altered motion was accepted in accordance with Standing Order 21(5), whereupon it was

**RESOLVED**

- (a). that, because of the forthcoming retirement of the current post-holder, a national, open competitive process be undertaken for the post of Deputy Chief Fire Officer;
- (b). that, in accordance with its existing Terms of Reference, the appointments process be undertaken by the Appraisals & Disciplinary Committee (acting as the Appointments Panel), with the Committee delegated authority to confirm an appointment following the appointments process;
- (c). that, on retirement of the current Assistant Chief Fire Officer (Service Delivery) the substantive post of Assistant Chief Fire Officer (Service Delivery) be held vacant for up to 24 months with the resultant budget used to temporarily promote existing staff to Assistant Chief Fire Officer on a developmental basis with the Chief Fire Officer delegated authority to effect any such temporary promotion;



- (d). that the Authority places on record its appreciation for the contributions made by the Deputy Chief Fire Officer and Assistant Chief Fire Officer (Service Delivery) to the effective and efficient operation of the Devon & Somerset Fire & Rescue Service.

**DSFRA/40 Devon & Somerset Fire & Rescue Authority Approved Scheme of Members Allowances 2020-21**

(Councillor Randall Johnson resumed the Chair from this point and for the remainder of the meeting).

The Authority considered a report of the Director of Governance & Digital Services (DSFRA/20/8) to which was appended a review, conducted by an independent consultant, on the level of Members' allowances to be payable from the 2020-21 financial year (including a mechanism for automatically uprating these allowances for the following three financial years up to and including 2024-25). The review had examined, amongst other things, allowances payable by other combined fire and rescue authorities and allowances currently payable by Devon and Somerset County Councils, Plymouth City Council and Torbay Council (the constituent authorities which appointed to the Devon & Somerset Fire & Rescue Authority).

The Clerk advised that, when published, the new Scheme of Allowances would also refer to those allowances previously approved by the Authority for Independent Persons on the Standards Committee and the co-optee appointed as an independent Employers (Scheme Manager) representative on the Local Pensions Board (Minutes DSFRA/7(c) and DSFRA/9 of the Authority Ordinary Meeting held on 7 June 2019 refer).

In debating the review and recommendations, Members commented:

- on the significance of the role undertaken by Committee Chairs both in supporting the Authority Chair and managing the business of the Authority; and
- the additional time commitments involved for those Members involved in Standards Committee hearings.

Councillor Redman **MOVED**, with Councillor Hannaford seconding:

- that the recommendations as set out in the Independent Consultant's report be approved;
- specifically, that the recommendations at (iii)(b) (relating to the Authority Vice-Chair's Special Responsibility Allowance) and (iv)(b) (relating to the Committee Chair's allowance) be approved; and
- that the Clerk be asked to review the position in relation to a special responsibility allowance for Members of the Standards Committee and report back on this to a future meeting.

Councillor Thomas proposed, with Councillor Trail seconding, that the Motion be **AMENDED** in respect of recommendations (iii)(b) and (iv)(b) by the deletion of all words after "...Allowance be..." and the insertion of the words "set at £6,915 (for (iii)(b)) and £4,100 (for (iv)(b))."

Councillors Redman and Hannaford indicated their acceptance of this and the altered motion was accepted in accordance with Standing Order 21(15).

There being no further amendments proposed, it was **RESOLVED**:

- (a). that the Basic Allowance for the 2020-21 financial year be set at £2,786;
- (b). that the multiplier for the Authority Chair's Special Responsibility Allowance remain at 5 x Basic Allowance, giving an Authority Chair's Special Responsibility Allowance of £13,930 for the 2020-21 financial year;
- (c). that the Authority Vice-Chair Special Responsibility Allowance be set at £6,915 for the 2020-21 financial year;
- (d). that the Committee Chairs Special Responsibility Allowance be set at £4,100 for the 2020-21 financial year;
- (e). that non-executive directors appointed to the Board of Red One Ltd. by the Authority should continue to receive a Special Responsibility Allowance of £6,305 for the 2020-21 financial year, with the Authority to review this to inform the allowance payable from 2021-22;
- (f). that a Special Responsibility Allowance of 0.15 x Basic Allowance (£418 for the 2020-21 financial year) be introduced, payable to any Member appointed by the Authority to serve on its Local Pensions Board
- (g). that the Authority policy of allowing individual Members to receive only one Special Responsibility Allowance in addition to the Basic Allowance be continued and extended to discontinue the former practice of Authority- appointed non-executive directors on the Board of Red One Ltd. also being able to claim the Special Responsibility Allowance associated with that appointment in addition to any other Special Responsibility Allowance for which they may be eligible;
- (h). that both Basic and Special Responsibility Allowances should continue to be uprated automatically in line with pay increases agreed by the National Joint Council for Local Government Services, but that this uprating only be applied from 1 April 2021;
- (i). that the rates payable for reimbursement of travel expenses be linked to rates published by Her Majesty's Revenue and Customs and amended (as required) accordingly;
- (j). that the rates for the reimbursement of subsistence expenses be linked to the employees scheme and amended (as required) accordingly;
- (k). that the Authority continue to support Member development;
- (l). that the Clerk be authorised:

- (i). to amend the Authority Approved Scheme of Members' Allowances to reflect the decisions taken at (a) to (j), inclusive, above;
  - (ii). in accordance with the relevant Regulations, to arrange for publication, as soon as practicable, of the Scheme of Members' Allowances to apply for the 2020-21 financial year; and
  - (iii). to commission an independent review to inform the Scheme of Allowances to apply from the 2025-26 financial year;
- (m). that the Clerk review the position on payment of a Special Responsibility Allowance for Members of the Standards Committee and submit a report on this to a future meeting.

**DSFRA/41 Localism Act 2011 - Pay Policy Statement 2020-21**

The Authority considered a report of the Director of Governance & Digital Services (DSFRA/20/9) to which was attached the proposed Pay Policy Statement to operate for the Authority for the forthcoming (2020-21) financial year. The Localism Act 2011 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 proposed Pay Policy Statement for 2020-21 had been updated to reflect current pay levels of senior officers but other than that was unchanged from the previous year. The Director of Governance & Digital Services also advised the Authority of a required amendment to the salary levels associated with the four point grading structure for non-uniformed positions on the Executive Board, as shown at paragraph 3.6 of the proposed Pay Policy Statement.

**RESOLVED** that, subject to incorporation of the amendment as indicated by the Director of Governance & Digital Services, the Pay Policy Statement for the 2020-21 financial year, as appended to report DSFRA/20/9, be approved.

**DSFRA/42 Report of Urgent Action**

The Authority received for information a report (DSFRA/20/10) of the urgent action taken by the Chief Fire Officer, following consultation with the Chair and in accordance with Standing Order 27, in temporarily promoting an Area Manager to serve as temporary Assistant Chief Fire Officer (Service Improvement) during the period of incapacity of the substantive post-holder to secure, amongst other things, maintenance of an effective Principal Officer rota.

**DSFRA/43      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 items of business on the grounds that they involved the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A (as amended) to the Act, namely information relating to the financial and business affairs of any particular person (including the authority holding that information).

**DSFRA/44      Resources Committee - Exempt 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 item by virtue of their being Authority appointed non-executive directors on the Board of Red One Ltd. Both Councillors left the room during the determination of this item).

The Chair of the Committee, Councillor Drean, **MOVED** the restricted Minutes of the meetings of the Resources Committee held on 21 November 2019 and 13 February 2020, which had considered reports on the financial performance of Red One Ltd.

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

The Meeting started at 10.00 am and finished at 12.58 pm

**APPENDIX A TO THE MINUTES OF THE AUTHORITY (Budget) MEETING HELD ON 18  
FEBRUARY 2020**

**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 2020-21 BUDGET**

The net revenue budget requirement for 2020-21 has been assessed as £77.277m (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 31<sup>st</sup> March 2021, 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, plus employer cost pressures arising from the unlawful application of transitional pensions protections. For example, the majority of On Call 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 2020-21 to 2024-25. 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 2020-21 ASSESSMENT OF BUDGET HEADINGS MOST SUBJECT TO CHANGE**

Budget Head	Budget Provision 2020-21 £m	RISK AND IMPACT	MITIGATION
Wholetime Pay Costs	31.4	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 £0.470m 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 which represents a prudent approach.
On Call Pay Costs	15.8	A significant proportion of costs associated with on call 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.	Using the budget smoothing reserve to offset pay for availability costs in year one, use of reserve can be extended if necessary
Fire-fighter's Pensions	2.5	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 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 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	(0.8)	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	10.7	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	2.0	£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, £21.7m Capital Reserve
Business Rates	(1.4)	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 for budget smoothing which could be utilised to smooth in year changes.

## **THE ADEQUACY OF THE LEVEL OF RESERVES**

Total Reserve balances for the Authority as at April 2019 is £38.8m made up of Earmarked Reserves (committed) of £33.4m, 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 6.9% of the total revenue budget, or 25 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](http://www.dsfire.gov.uk).

## **CONCLUSION**

It is considered that the budget proposed for 2020-21 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 AUTHORITY (Budget) MEETING HELD ON 18  
FEBRUARY 2020**

Capital Programme 2020/21 to 2024/25									
2019/20 £000 Budget	2019/20 £000 Forecast Outturn	Item	PROJECT	2020/21 £000 Budget	2021/22 £000 Budget	2022/23 £000 Budget	2023/24 £000 Indicative Budget	2024/25 £000 Indicative Budget	
			<b>Estate Development</b>						
1,117	352	1	Site re/new build (subject to formal authority approval)	3,495	500	0	0	0	
3,902	937	2	Improvements & structural maintenance	5,423	4,100	6,100	3,800	3,700	
		3	Optimism bias	(2,700)	1,300	(400)	1,800		
<b>5,019</b>	<b>1,289</b>		<b>Estates Sub Total</b>	<b>6,218</b>	<b>5,900</b>	<b>5,700</b>	<b>5,600</b>	<b>3,700</b>	
			<b>Fleet &amp; Equipment</b>						
1,793	0	4	Appliance replacement	5,034	3,200	1,600	2,200	3,300	
1,134	1,089	5	Specialist Operational Vehicles	300	3,600	1,100	1,100	900	
553	380	6	Equipment	0	0	0	0	0	
268	92	7	ICT Department	176	300	0	0	0	
46	0	8	Water Rescue Boats	46					
		9	Optimism bias	(1,100)	(300)	900	500		
<b>3,794</b>	<b>1,561</b>		<b>Fleet &amp; Equipment Sub Total</b>	<b>4,456</b>	<b>6,800</b>	<b>3,600</b>	<b>3,800</b>	<b>4,200</b>	
<b>8,813</b>	<b>2,850</b>		<b>Overall Capital Totals</b>	<b>10,674</b>	<b>12,700</b>	<b>9,300</b>	<b>9,400</b>	<b>7,900</b>	
			<b>Programme funding - revenue funding at £2.037m</b>						
4,195	0	10	Earmarked Reserves:	7,055	8,646	5,904	135	0	
2,614	846	11	Revenue funds:	2,037	2,037	2,037	2,037	2,037	
0	0	12	Capital receipts:	60	0	0	0	0	
2,004	2,004	13	Borrowing - internal	1,522	2,017	1,359	1,276	1,672	
		14	Borrowing - external				5,952	4,191	
<b>8,813</b>	<b>2,850</b>		<b>Total Funding</b>	<b>10,674</b>	<b>12,700</b>	<b>9,300</b>	<b>9,400</b>	<b>7,900</b>	
			<b>Programme funding - revenue funding at £0.977m</b>						
4,195	0	15	Earmarked Reserves:	8,175	9,706	3,859	0	0	
2,614	846	16	Revenue funds:	977	977	977	977	977	
0	0	17	Capital receipts	60	0	0	0	0	
2,004	2,004	18	Borrowing - internal	1,522	2,017	1,359	1,347	1,841	
0	0	19	Borrowing - external	0	0	3,105	7,076	5,082	
<b>8,813</b>	<b>2,850</b>		<b>Total Funding</b>	<b>10,674</b>	<b>12,700</b>	<b>9,300</b>	<b>9,400</b>	<b>7,900</b>	

The "Optimism Bias" incorporates learning that these figures will change throughout the year, the reasons for any such changes will be outlined in subsequent papers



**APPENDIX C TO THE MINUTES OF THE AUTHORITY (Budget) MEETING HELD ON 18  
FEBRUARY 2020**

<b>PRUDENTIAL INDICATORS</b>			<b>INDICATIVE INDICATORS 2022/23 to 2023/24</b>		
	2020/21 £m Estimate	2021/22 £m Estimate	2022/23 £m Estimate	2023/24 £m Estimate	2024/25 £m Estimate
<b>Capital Expenditure</b>					
Non - HRA	10.674	12.700	9.300	9.400	7.900
HRA (applies only to housing authorities)					
<b>Total</b>	<b>10.674</b>	<b>12.700</b>	<b>9.300</b>	<b>9.400</b>	<b>7.900</b>
<b>Ratio of financing costs to net revenue stream</b>					
Non - HRA	4.61%	4.46%	3.77%	3.62%	4.09%
HRA (applies only to housing authorities)	0.00%	0.00%	0.00%	0.00%	0.00%
<b>Capital Financing Requirement as at 31 March</b>	£000	£000	£000	£000	£000
Non - HRA	24,851	24,757	24,264	29,723	33,456
HRA (applies only to housing authorities)	0	0	0	0	0
Other long term liabilities	2,481	1,834	1,425	1,148	900
<b>Total</b>	<b>27,332</b>	<b>26,592</b>	<b>25,690</b>	<b>30,870</b>	<b>34,356</b>
<b>Annual change in Capital Financing Requirement</b>	£000	£000	£000	£000	£000
Non - HRA	776	(741)	(902)	5,181	3,486
HRA (applies only to housing authorities)	0	0	0	0	0
<b>Total</b>	<b>776</b>	<b>(741)</b>	<b>(902)</b>	<b>5,181</b>	<b>3,486</b>
<b>PRUDENTIAL INDICATORS - TREASURY MANAGEMENT</b>					
<b>Authorised Limit for external debt</b>	£000	£000	£000	£000	£000
Borrowing	26,787	26,189	26,071	31,802	35,687
Other long term liabilities	3,298	2,573	1,906	1,482	1,193
<b>Total</b>	<b>30,085</b>	<b>28,762</b>	<b>27,976</b>	<b>33,285</b>	<b>36,880</b>
<b>Operational Boundary for external debt</b>	£000	£000	£000	£000	£000
Borrowing	25,544	24,951	24,857	30,316	34,014
Other long term liabilities	3,174	2,481	1,834	1,425	1,148
<b>Total</b>	<b>28,718</b>	<b>27,432</b>	<b>26,692</b>	<b>31,741</b>	<b>35,162</b>
<b>Maximum Principal Sums Invested over 364 Days</b>					
Principal Sums invested > 364 Days	5,000	5,000	5,000	5,000	5,000

<b>TREASURY MANAGEMENT INDICATOR</b>	Upper Limit %	Lower Limit %
Limits on borrowing at fixed interest rates	100%	70%
Limits on borrowing at variable interest rates	30%	0%
<b>Maturity structure of fixed rate borrowing during 2020/21</b>		
Under 12 months	30%	0%
12 months and within 24 months	30%	0%
24 months and within 5 years	50%	0%
5 years and within 10 years	75%	0%
10 years and above	100%	50%

**MINIMUM REVENUE PROVISION STATEMENT 2020-21**

***Supported Borrowing***

The Minimum Revenue Provision will be calculated using the regulatory method (option 1). Minimum Revenue Provision 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 Minimum Revenue Provision in respect of unsupported borrowing under the prudential system will be calculated using the asset life method (option 3). The Minimum Revenue Provision 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 Minimum Revenue Provision 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 Minimum Revenue Provision 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 a Minimum Revenue Provision 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.

Minimum Revenue Provision 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 Minimum Revenue Provision until that year. Investment properties will be regarded as becoming operational when they begin to generate revenues.

***Minimum Revenue Provision Overpayments***

A change introduced by the revised MHCLG Minimum Revenue Provision Guidance was the allowance that any charges made over the statutory Minimum Revenue Provision, Voluntary Revenue Provision 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 Voluntary Revenue Provision overpayments were £nil.

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

(Devon & Somerset Fire & Rescue Authority)

13 March 2020

### Present:

Councillors Randall Johnson (Chair), Best, Bown, Buchan, Clayton, Coles, Colthorpe, Doggett, Eastman, Hannaford, Healey MBE, Peart, Prowse, Redman, Trail BEM, Tuffin, Wheeler (Vice-Chair) and Yabsley

### Apologies:

Councillors Biederman, Drean, Napper, Radford, Saywell and Thomas

#### **DSFRA/45      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 12(A) (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/46      Contractual Matter**

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

The Authority considered a joint report of the Chief Fire Officer, Director of Governance & Digital Services and Director of Finance & Resourcing (DSFRA/20/11) on a contractual matter.

**RESOLVED** that the recommendations as set out in report DSFRA/20/11 be approved.

The Meeting started at 2.00 pm and finished at 3.05 pm

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## **AUDIT & PERFORMANCE REVIEW COMMITTEE**

(Devon & Somerset Fire & Rescue Authority)

4 March 2020

### Present:

Councillors Coles (vice Clayton), Peart (vice Napper), Randall Johnson (vice Prowse), Saywell, Way, and Wheeler.

### Apologies:

Councillors Clayton, Healey MBE (Chair) and Prowse.

### In attendance:

Mr Ami Sidhu – Her Majesty’s Inspectorate of Constabulary and Fire & Rescue Services Service Liaison Lead

Mr Barrie Morriss – Grant Thornton (external audit)

\* **APRC/13**      **Election of Chair**

**RESOLVED** that, in the absence of both the Chair and the Vice Chair, Councillor Wheeler be elected Chair for this meeting.

\* **APRC/14**      **Minutes**

**RESOLVED** that the Minutes of the meeting held on 13 November 2019 be signed as a correct record.

\* **APRC/15**      **External Audit Progress Report and Sector Update**

The Committee received, for information, an external audit progress report and sector update from Grant Thornton (the Authority’s external auditor) covering, amongst other areas:

- A summary of emerging national issues and developments relevant to the fire & rescue service;
- An update on progress made up to February 2020 including, amongst others:
  - The completion of the financial statements audit by 31 July 2020 and value for money assessment;
  - The 2019-20 audit deliverables;
  - The audit scope and additional work required in 2019/20.

Reference was made to Appendix A of the report that set out details of the audit scope and additional work required in 2019/20. The letter set out details of the increase in fees for the 2019-20 audit of £5250 for additional work to be undertaken on top of the scale fee of £26041 together with the reasons behind this. The impact on timescale for this additional work meant that the audit would be delivered by 30 September 2020 now.

Concern was expressed in terms of the increase in fees and the quality of work that could be delivered as a result and whether this matter needed to be raised with the body responsible for Public Sector Audit Appointments (PSAA). The Treasurer responded that the mechanism for audit fees put into place by the PSAA may not be working as well as intended. She added that she was comfortable with the increase in fees proposed for this Authority given its size and the need for the auditors to deliver the quality of audit required.

*NB. Minute \*APRC/16 below also refers.*

\* **APRC/16**

### **External Audit Plan**

The Committee received for information an external audit plan for the year ending 31 March 2020 from the Authority's auditors, Grant Thornton. The Plan provided the scope and timings for the statutory audit of Devon & Somerset Fire & Rescue Authority's financial statements. It also identified, amongst others, areas of significant risks for the Service, issues of materiality and details of Value for Money arrangements.

The Committee noted that, for the audit, Grant Thornton would be focussing on five significant risks as identified within the report which were:

- The revenue cycle including fraudulent transactions (rebutted);
- Management override of controls;
- The valuation of land and buildings;
- The valuation of pension fund net liability; and
- International Financial Reporting Standard (IFRS) 16 – Leases (issued but not adopted).

Attention was also drawn to the Value for Money arrangements and a significant risk identified which was Medium Term Financial Planning.

Reference was made to the materiality level which had been set at £1.56m (2% of gross expenditure) which reflected the auditor's good experience of working with this Authority and the robust accounts that it prepared. In respect of IFRS 16 on leases, it was noted that this now had to be brought onto the Balance Sheet for public authorities which was one of the most significant accounting developments in many years. The Treasurer confirmed that work was already in hand within the Service on this matter.

The report also set out the level of proposed audit fees for the 2019-20 audit of financial statements.

*NB. Minute \*APRC/15 above also refers.*

\* **APRC/17**

### **Group Accounts for Devon & Somerset Fire & Rescue Authority & Red One Ltd.**

The Committee considered a report of the Director of Finance & Resourcing (Treasurer) (APRC/20/1) that set out the position in respect of the provision of group accounts for the Authority's trading company, Red One Limited.

Under the Chartered Institute for Public Financial Accountants Code of Practice, the Authority was able to take a view on materiality when presenting group accounts. Following discussion with the external auditor, Grant Thornton, it was the Treasurer's view that the activities of Red One Limited were not material to the Authority's Statement of Accounts and therefore, it was recommended that the accounts were not consolidated.

**RESOLVED** that the accounts of Red One Limited be not consolidated into group accounts for the 2019/20 financial year.

*NB. Councillor Saywell declared a personal interest in this matter by virtue of being an Authority appointed Non-Executive Director on the Board of Red One Limited. Councillor Saywell neither spoke nor voted on this item.*

\* **APRC/18**      **Audit & Review 2019-20 Progress Report**

The Committee received for information a report of the Director of Governance & Digital Services (APRC/20/2) that set out the progress made to date by the Service against the approved 2019-20 Internal Audit Plan and which also provided an update on any additional reviews undertaken.

Reference was made to the audits of the Service's Digital Transformation Project and Key Financial Systems, both of which had achieved a good standard in their final reports.

\* **APRC/19**      **2020-21 Internal Audit Plan**

The Committee considered a report of the Director of Service Improvement (APRC/20/3) identifying the proposed Internal Audit Plan for 2020-21. The Plan was divided into audits to be undertaken on an annual cycle. The types of reviews to be undertaken included:

- Strategic (annual Statement of Assurance and HMICFRS);
- Compliance (such as key financial systems);
- audit health checks (such as IT and ISO27001 alignment); and
- internal audit (on a risk based approach).

Other continuous improvement and assurance activity would also be undertaken during the year. The Plan would be delivered by in-house internal audit staff and the Devon Audit Partnership.

**RESOLVED** that the 2020-21 Internal Audit Plan as appended to report APRC/20/3 be approved.

\* **APRC/20**      **2019-20 Draft Annual Statement of Assurance**

The Committee considered a report of the Director of Service Improvement (APRC/20/4) to which was appended the draft Annual Statement of Assurance for 2019-20.

The Statement had been prepared to comply with the requirements of the Accounts and Audit (England) Regulations 2015 and the latest version of the Fire and Rescue National Framework and examining organisational systems of internal financial control, corporate governance along with operational assurance.

**RESOLVED** that the draft Annual Statement of Assurance 2019-20 as appended to report DSFRA/20/4 be approved in principle at this stage.

\* **APRC/21**

**Her Majesty's Inspectorate of Constabulary & Fire & Rescue Services inspection - Progress Update**

The Committee received for information a report of the Director of Governance & Digital Services (APRC/20/5) together with a presentation (given at the meeting) setting out some areas of improvement and good practice for the Service highlighted within the recent inspection by Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS).

The presentation covered the following points:-

- The Inspection took place in July 2019 following which the Service was provided with a "hot debrief" setting out a summary of the key themes to be included in the full report;
- Improvements were recommended on firefighter fitness, the Safer Together Programme, people development and areas such as health and safety although actions had already been taken to improve against each of these by the time the full report was published in December 2020;
- The assurance around arrangements for firefighter fitness was resolved promptly, and this was reported back to HMICFRS ahead of schedule;
- Some recommendations were being handled within larger projects, such as the Safer Together programme or the People Development Project;
- Action had already been taken to improve against every recommendation;
- Where detailed action plans did not yet exist, work was underway/scheduled to enable production of these (e.g. workshops to gain feedback, or investigations to determine depth of issues);

The Service's Liaison Lead for HMICFRS, Mr Ami Sidhu, was present at the meeting to observe. In response to a question in respect of how HMICFRS perceived the Service was progressing towards implementation of the improvements identified, he responded that this was encouraging particularly in respect of fitness testing. The inspectorate was looking to see this completely embedded within the Service and meetings would be held to confirm this in due course. He advised that the next full inspection was confirmed for July 2021.



The Director of Finance & Resourcing (Treasurer) assured the Committee that the Service had now updated its governance around fitness testing. All operationally active staff had been tested for fitness to the standard recommended by the National Fire Chiefs Council (NFCC) which was 42 V<sub>O</sub><sub>2</sub> max (cardio fitness) and it was recording the results of all testing. The Service had also expanded the options available on fitness testing to ensure that staff could reach the required standard. The Chief Fire Officer added that the Service had moved to annual fitness testing and he felt the organisation had discharged this point now.

The Committee enquired as to the timescale required by HMICFRS in respect of the improvements required. Mr Sidhu responded that the next inspection was scheduled for July 2021 and that the judgement criteria to be applied was already available. He added that HMICFRS was striving to achieve continuous improvements for the public. The Audit Manager added that he would ensure that the judgement criteria for the next inspection would be circulated to the Committee separately for information.

\* **APRC/22**      **Corporate Performance Measures - Review**

The Committee considered a joint report of the Director of Governance & Digital Services and Director of Service Improvement (APRC/20/6) that set out a proposal to establish a working group in accordance with Standing Order 31 to consider the existing performance measures and to develop any new corporate measures required as agreed by the Fire & Rescue Authority at its meeting on 10 January 2020.

**RESOLVED**

- (a) that a Working Group consisting of five member of the Audit and Performance Review (APR) Committee be established in accordance with Standing Order 31; and
- (b) That Councillors Saywell, Way and Wheeler be appointed to the Working Group and that Councillor Buchan also be invited to join, the remaining vacancy to be filled by the Clerk via an email to absent APR Committee members.

\* **APRC/23**      **Authority Policy For Regulation of Investigatory Powers Act 2000 (RIPA) - Review**

The Committee considered a report of the Director of Governance & Digital Services (APRC/20/7) on a review of the Authority's policy on the Regulation of Regulatory Powers Act 2000 (RIPA). An addendum report (APRC/20/7(a)) was also considered that set out confirmation that the revised procedure for the acquisition of communications data, as introduced by the Investigatory Powers Act 2016, was now in force.

It was noted that the revised procedure retains the three key roles of Applicant, Senior Point of Contact (SPoC) and Authorising Individual as per the previous RIPA regime but introduced a new authorisation process (by the Office for Communications Data Authorisations) for the acquisition of communications data in non-urgent circumstances. The relevant section of the Authority's policy was appended to this report, amended to reflect the new procedures and this was based on the relevant Home Office Code of Practice.

It was also noted that other consequential amendments to the policy (specifically, to refer, where necessary, to the Investigatory Powers Act 2016) were also required.

### **RESOLVED**

- (a) That the amendment (appended to report APRC/7(a)) required to align the Authority's policies and procedures for the acquisition of communications data with those now in place under the Investigatory Powers Act 2016 be approved;
- (b) that the Clerk be authorised to make other consequential amendments (to refer, where necessary, to the Investigatory Powers Act 2016) to the Authority's policies and procedures.

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

The Meeting started at 10.00 am and finished at 11.40 am

## AUDIT & PERFORMANCE REVIEW COMMITTEE

(Devon & Somerset Fire & Rescue Authority)

7 September 2020

### Present:

Councillors Healey MBE (Chair), Brazil, Buchan, Clayton, Napper and Drean (vice Saywell).

### Apologies:

Councillors Prowse and Saywell.

- \* **APRC/25**     **Minutes**
- RESOLVED** that the Minutes of the meeting held on 4 March 2020 be signed as a correct record, subject to an amendment to reflect that Councillor Napper had submitted his apologies for non-attendance.
- \* **APRC/26**     **Devon & Somerset Fire & Rescue Authority Financial Statements 2019-20**
- a**     **Audit Findings for the Devon & Somerset Fire & Rescue Authority 2019-20**
- The Committee considered a document prepared by the Authority's external auditor (Grant Thornton) setting out the audit findings and opinion on the Authority's financial statements for the year ended 31 March 2020.
- The Treasurer advised the Committee that there was a suite of financial statements for consideration at this meeting centred on the Authority's Statement of Accounts for 2019-20. She advised that there was an outstanding issue to be resolved in respect of the Statement of Accounts (Minute APRC/26(b) below refers). The Committee would be asked to approve the Statement of Accounts in principle subject to confirmation of the outstanding issue and final approval at a later date.
- Barrie Morriss and Aditi Chandramouli, representing the External Auditors - Grant Thornton, presented the audit findings to the Committee. Mr Morriss referred to the issues caused by the Covid-19 pandemic in terms of preparation of the Authority's financial statements. He acknowledged the assistance provided by the Treasurer and finance team in undertaking this audit work remotely in such difficult and unprecedented circumstances and stated that the anticipation was that an unqualified audit opinion would be issued.
- During his presentation to the Committee, Mr Morriss referred to the following points:
- There had been no recommendations made to the Authority in respect of the 2019-20 Statement of Accounts;
  - The Authority had proper arrangements in place to secure economy, efficiency and effectiveness in its use of resources (Value for Money);

- In terms of significant risks identified, the Authority's response to the Covid-19 pandemic had been considered and no issues were identified. There was a risk reported in respect of the potential change in valuations of land and buildings which may have been impacted by the Covid-19 pandemic. Additionally, there was an outstanding risk in respect of the valuation of pension net fund liability and work was still ongoing in this area pending further information arising out of the McCloud/Sergeant judgement;
- The external auditor was satisfied that the Authority was a going concern;
- Of the 3 prior year recommendations , 2 had been completed and 1 was outstanding; and
- There were no significant audit adjustments required on the statement of accounts.

In conclusion, Mr Morriss indicated that Devon & Somerset Fire & Rescue Authority was amongst the earliest of local authorities to complete its financial statements and progress the audit and he congratulated both the finance and audit teams on this achievement.

The Committee asked to have placed on record its thanks to the Treasurer and finance team staff.

**(SEE ALSO ITEMS \*APRC/26(b) and (c), \*APRC/28 AND \*APRC/29 BELOW)**

#### **b Statement of Accounts 2019-20**

The Committee considered a report of the Director of Finance and Resourcing (Treasurer) (APRC/20/8) to which was appended the audited version of the Authority's Statement of Accounts for the 2019-20 financial year.

In light of the position in respect of the outstanding information required in respect of the valuation costs for pension liabilities arising out of the McCloud/Sergeant judgement, the Treasurer drew attention to the need to approve the Statement of Accounts for 2019-20 in principle at this stage.

Councillor Clayton **MOVED** (seconded by Councillor Buchan);

“That the draft Statement of Accounts for 2019-20 be approved in principle subject to final approval by the Committee at an additional meeting to be instigated once the requisite information was received in respect of the position on pension costs and liabilities”.

Upon a vote (6 for, 0 against), the motion was **CARRIED**.

**RESOLVED** that the draft Statement of Accounts for 2019-20 be approved in principle subject to final approval by the Committee at an additional meeting to be instigated once the requisite information was received in respect of the position on pension costs and liabilities.

**c 2019-20 Letter of Representation**

In light of the position in respect of the approval of the final Statement of Accounts for 2019-20, the Letter of Representation as circulated with the agenda for this meeting was also **DEFERRED**.

\* **APRC/27** **2019-20 Statement of Assurance**

The Committee considered a report of the Director of Governance & Digital Services (APRC/20/9) to which was appended the final 2019-20 Annual Statement of Assurance for the Authority. The document had been prepared in accordance with relevant legislative and best practice requirements (including the Accounts and Audit Regulations, the Fire and Rescue National Framework and the CIPFA/SOLACE good governance framework).

The Committee noted that the Annual Statement of Assurance had been submitted for external verification with the Authority's financial statements for 2019-20. The external auditor (Grant Thornton) had not identified any issues with the Annual Statement of Assurance. The document had identified the Service's response to the Covid-19 pandemic and in particular, the business continuity arrangements that had been established.

Reference was made to the Environmental Strategy and it was requested that this be included within the Annual Statement of Assurance in future. The Audit & Review Manager advised the Committee that there was a prescriptive set of requirements on which to report within the Annual Statement of Assurance but that appropriate measures and commentary would be included in future.

**RESOLVED** that the Annual Statement of Assurance for 2019-20 be approved and published on the Authority's website.

\* **APRC/28** **Going Concern Review**

The Committee received for information a report of the Director of Finance & Resourcing (Treasurer) (APRC/20/11) that provided a formal response from management to the external auditor (Grant Thornton) on the ability of the Authority to continue as a going concern.

The report contained a review of the financial position as at 31 March 2020 alongside an assessment of the ability of the Authority to continue operating for the foreseeable future. The report confirmed that the Authority was operating within a robust control environment which was evidenced through appropriate assurance, financial and operational monitoring reports both to management and the Authority.

It was noted that the Covid-19 pandemic was likely to impact significantly on financial risks in the future but the Authority was well placed to respond to this.

***(SEE ALSO MINUTES \*APRC/26(a) AND (b) ABOVE).***

\* **APRC/29**

**Audit & Review 2019-20 Year-end Report**

The Committee received for information a report of the Director of Governance & Digital Services (APRC/20/11(a)) upon the progress that was made against the 2019-20 internal Audit Plan together with updates on additional review work undertaken.

The Audit & Review Manager advised the Committee that not all of the audits had been completed due to the Covid-19 pandemic. Of the 1123 days allocated for audit work, 954 of these had been utilised in 2019-20. The days which were unused were in respect of internal audit (69) and information assurance (120) which was due largely to under capacity as a result of staff vacancies.

\* **APRC/30**

**Audit & Review 2020-21 Progress Report**

The Committee received for information a report of the Director of Governance & Digital Services (APRC/20/11) that set out the progress made as measured against the 2020-21 Internal Audit Plan.

The Audit & Review Manager reported that, although an Internal Audit Plan had been approved on 4 March 2020 (Minute APRC/19 refers), the days allocated for audit work had been utilised to assist the Assurance Cell under the new, temporary cell structure on business continuity arrangements following the Covid-19 pandemic. He indicated that, in the Internal Audit Plan, 143 days were approved for audit and review work and a further 200 days for work on Her Majesty's Inspectorate of Constabulary & Fire & Rescue Services (HMICFRS). Within the business continuity arrangements, 285 of these days had been utilised which was much higher than anticipated for this point in the year. It was noted that the Plan would be revised once the Service had clear sight of an exit from the recovery phase of its business continuity response when the remaining audit days would be assigned to the highest priority areas.

\* **APRC/31**

**Local Pension Board Annual Report 2019-20**

The Committee considered a report of the Director of Governance & Digital Services (APRC/20/12) to which was appended the Local Pension Board annual report for 2019-20. The report provided information on, amongst other things, work undertaken by the Board in 2019-20; details of any areas investigated and the outcome of this; management of conflicts of interest; and identified risks and other areas of potential concern.

**RESOLVED** that the Local Pensions Board annual report for 2019-20, as appended to report APRC/20/12, be endorsed.

\* **APRC/32**

**Acquisition of Communications Data (Authority Policy on the Regulation of Investigatory Powers Act)**

The Committee received for information a report of the Director of Governance & Digital Services (APRC/20/13) that set out details of a legislative change removing fire and rescue authorities as relevant authorities for the purpose of the Investigatory Powers Act (IPA) 2017 dealing with the acquisition of communications data.

The Director of Governance & Digital Services advised the Committee that the Authority's policy on the Regulation of Investigatory Powers Act (RIPA) would be amended accordingly. He referred to a recommendation made by the National Fire Chiefs Council (NFCC) for fire & rescue authorities to be removed from this legislation altogether as they did not use the powers for covert surveillance. Pending this further amendment, the Inspection of fire authorities under these provisions had been suspended.

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

The meeting started at 2.00 pm and finished at 3.21 pm

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## RESOURCES COMMITTEE

(Devon & Somerset Fire & Rescue Authority)

2 July 2020

### Present:

Councillors Coles (Vice-Chair), Biederman, Drean (Chair), Peart, Radford, Wheeler and Yabsley.

### In attendance:

Councillor Randall Johnson – Authority Chair (in accordance with Standing Order 38(1)).

\* **RC/24**

### Minutes

**RESOLVED** that the Minutes of the meeting held on 13 February 2020 be signed as a correct record.

\* **RC/25**

### Urgency Decisions - 2019-20 Revenue Budget Outturn

The Committee received for information a report of the Treasurer (RC/20/9) that set out the decisions taken under the Authority's urgency provisions in accordance with its Standing Order given the current government guidelines relating to social distancing during the Covid-19 pandemic.

The decisions taken on 2 June 2020 were:

- (a). that, in accordance with Standing Order 39(4) and following consultation with the Chair of the Resources Committee, the following be approved:
  - (i) A transfer of £0.286m to the Grants Unapplied Reserve as required under International Financial Reporting Standards (IFRS) relating to grants received during the financial year but not utilised
- (b). that, in accordance with Standing Order 27 and following consultation with the Authority Chair, the following be approved:
  - (i) A transfer of £2.348m to the Reserve for Capital funding;
  - (ii) revisions to the Capital programme for 2020-21 as set out in the paper REVISION TO CAPITAL PROGRAMME 2020-21 TO 2022-23

It was noted that the decisions taken under the urgency provisions were published on the Authority's website in accordance with Standing Orders.

\* **RC/26**

### Covid-19 Financial Implications

The Committee received for information a report of the Treasurer (RC/20/10) that summarised the work undertaken to date in respect of the financial impact of the Covid-19 pandemic for 2020-21 and which also set out the key risks in the future.

The Treasurer advised that this Authority had received two payment of £0.280m and £1.319m in Section 31 grant funding from central government as part of the £3.2bn of measures introduced to support local authorities during the Covid-19 pandemic.

It was anticipated that this funding would be sufficient, however, that position may change in the event of a second wave of the virus in the South West region.

The Treasurer indicated that the long term financial stability of the Authority had been reviewed in light of Covid-19 with the Executive Board and it was felt that the revenue position for 2020-21 was positive overall. There had been a slowing down or ceasing of some of the activities planned. There would be significant impact on the Capital Programme due to issues with suppliers and further information on this would be provided in the next report to the Committee on Financial Monitoring. There would also be an impact on Council Tax in 2021-22 due to the issues with collection rates for local authorities in 2020-21. An announcement had been made by the Government on 2 July 2020 that major precepting authorities (including Police and Fire) would benefit from a scheme enabling any collection fund deficit to be repaid over 3 years. The Treasurer advised the Committee that she was unsure if this would mitigate the risks for the Authority and therefore, she would be looking carefully at the Authority's Reserves Strategy to ensure that any budget shortfall or resourcing requirements in 2021-22 could be covered.

Reference was made to the potential drop in income for some local authorities which it was estimated could be as much as 10% and the Government support that was forthcoming to cover this. The Treasurer responded that information released on 2 July 2020 indicated that this related to income in the year such as on fees and charges or parking receipts, amongst others. The Government had indicated that each local authority had to fund the first 5% of any losses in year and Government would fund 75% of the 95% remaining but this did not apply to Council Tax receipts. The Treasurer advised that the Service was eligible for this funding and she would forward a copy of the press release to Committee members for information.

The Chief Fire Officer reassured the Committee that the Service had undertaken a review of all of its activities in the light of Covid-19 and was refocussing the organisation accordingly; only spending money where necessary to ensure it was in a good position to meet its future financial pressures.

The Committee thanked the Treasurer and all staff at this point for the all the work that had been undertaken during this difficult period of time.

\* RC/27

### **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 the officers of Red One Ltd. and Councillors Saywell and Thomas [Authority appointed Non-Executive Directors on the Board of Red One Ltd.]) be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in the following Paragraph of Part 1 of Schedule 12A (as amended) to the Act:

- Paragraph 3 (information relating to the financial and business affairs of any particular person – including the authority holding that information).

\* **RC/28**      **Restricted Minutes of Resources Committee held on 13 February 2020**

(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 the officers of Red One Ltd. and Councillors Saywell and Thomas [Authority appointed Non-Executive Directors on the Board of Red One Ltd.]] were excluded from the meeting).

**RESOLVED** that the Restricted Minutes of the meeting held on 13 February 2020 be signed as a correct record.

\* **RC/29**      **Red One Limited Financial Performance 2019-20: Quarter 4**

(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 the officers of Red One Ltd. and Councillors Saywell and Thomas [Authority appointed Non-Executive Directors on the Board of Red One Ltd.]] were excluded from the meeting).

*NB. Councillors Saywell and Thomas were present for this item in a non-voting capacity as Non-Executive Directors of Red One Ltd. (in support of Dr Sian George) but did not speak.*

The Committee received for information a report of the Treasurer and Dr Sian George (Non-Executive Chair of the Board of Red One Ltd.) (RC/20/11) on the financial performance of Red One Ltd. in quarter 4 of 2019-20.

Reference was made to the financial position for Red One Ltd. going forward into 2020-21 and beyond. It was confirmed that a significant, long term contract had recently been won by Red One. It was noted that further information would be released to the Authority in due course.

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

The meeting started at 2.15 pm and finished at 3.45 pm

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## RESOURCES COMMITTEE

(Devon & Somerset Fire & Rescue Authority)

12 October 2020

### Present:

Councillors Coles (Vice-Chair), Biederman, Drean (Chair), Peart, Radford, Wheeler and Yabsley.

### In attendance:

Councillor Randall Johnson – Authority Chair (in accordance with Standing Order 38(1))

\* **RC/30**

### **Minutes**

**RESOLVED** that the Minutes of the meeting held on 2 July 2020 be approved as a correct record.

\* **RC/31**

### **Treasury Management Performance 2020-21: Quarter 1**

*NB. Adam Burlton, representing Link Asset Services - the Authority's treasury management adviser – was present for this item of business.*

The Committee received for information a report of the Director of Finance & Resourcing (Treasurer) (RC/20/12) that set out the Authority's performance relating to the first quarter of 2020-21 (to June 2020) in accordance with the Treasury Management in Public Service Code of Practice (published by the Chartered Institute of Public Finance and Accountancy {CIPFA}) and the CIPFA Prudential Code. The report set out how this Authority was demonstrating best practice in accordance with these Codes.

During consideration of this item, the following points were noted:

- there was concern in respect of the position on growth in the major world economies as a result of the Covid-19 pandemic with the overall growth rate at -2.2% in quarter 1 of 2020-21 (-1.7%y.y). The main fall in growth occurred in April 2020 at -24.5% after closedown of whole sections of the economy;
- The UK bank base rate had been reduced firstly to 0.25% and then to 0.10% in March 2020, accompanied by an increase in quantitative easing of £200billion followed by a further £100billion in June 2020 to be implemented over an extended period to the end of 2020-21;
- The annual rate of inflation dropped to 0.5% in May 2020 and could reach 0% by the year end. It was considered unlikely that inflation would rise over 2% again in the next two years;
- There had been measures implemented to assist businesses during the pandemic including the furlough scheme and business support loans;
- Unemployment had increased to 4% and this may double in the future as the existing furlough scheme ceased in October 2020;

- there was concern that the Bank Rate may move interest rates into negative territory which could impact on the Authority's investment income in 2020-21;

It was noted that the annual treasury management strategy had continued on a prudent approach, being underpinned by investment priorities based on security of capital, liquidity and yield. Despite the pandemic and economic downturn, investment income of £0.063m in quarter 1 outperformed the LIBID benchmark rate of 0.26% by 0.59bp. The position would be monitored carefully, however, in the event that there was a move to negative interest rates which would impact on investment income. None of the Prudential Indicators (affordability limits) had been breached in quarter 1 with external borrowing at 30 June 2020 being £25.444m, forecast to reduce to £24.851m by the end of the financial year with no new borrowing undertaken.

**RC/32**

### **Financial Performance Report 2020-21: Quarter 1**

The Committee considered a report of the Director of Finance & Resourcing (Treasurer) (RC/20/13) that detailed performance against the financial targets set for 2020-21, together with a forecast of expenditure against the agreed revenue budget and an explanation of the major variations.

It was noted that at this stage in the financial year (to 30 June 2020) that spending was forecast to be £0.566m less than the budget at £76.710m equivalent to 0.73% of budget. The Director of Finance & Resourcing (Treasurer) advised that this was attributable largely to the receipt of grant funding of £1.6m of Covid-19 grant from the government which had not been utilised completely in the event that a second wave of the pandemic was forthcoming. Savings had also been made on service delivery staff (£0.294m), training investment (£0.187m), running costs and insurances (0.117m) and investment income (£0.071m) due to prudent planning by the Finance team. The position on investment income would be monitored carefully in light of the possibility of diminishing investment returns due to low interest rates.

The Director of Finance (Treasurer) also drew attention to proposed budget transfers totalling £1.952m as set out at Table 3 of the report.

The position in respect of Reserves was also set out in the report and it was indicated that £9.651m would be utilised in 2020-21 to support direct funding of capital projects such as the rebuild of Plymstock station.

### **RESOLVED**

- (a) That the budget transfers shown in Table 3 of report RC/20/13 (and as set out overleaf for ease of reference), be recommended to the Devon & Somerset Fire & Rescue Authority for approval;

Line Ref	Description	Debit £m	Credit £m
	<i>Academy restructure move of cost centres - the net effect is nil</i>		
1	Increase Service Delivery staff	1.334	
1	Decrease Service Delivery staff		(1.334)
	<i>IFRS16 Lease accounting for vehicles and property rentals was included in leasing budget as a finance cost but now deferred to 2020-21, so budget remains as a direct cost charge rather than financing cost</i>		
9	Increase Rent and Rates	0.100	
12	Increase Running Costs and Insurances	0.518	
24	Decrease Loan Charges and Lease Rentals		(0.618)
		<b>1.952</b>	<b>(1.952)</b>

- (b) That the monitoring position in relation to projected spending against the 2020-21 revenue and capital budgets be noted;
- (c) That the performance against the 2020-21 financial targets be noted.

### RC/33

#### **Reserves Strategy 2020-21**

The Committee considered a report of the Director of Finance & Resourcing (Treasurer) (RC/20/14) upon the Reserves Strategy for 2020-21.

It was noted that the report included a risk assessment on the adequacy of the General Fund together with a section on each of the Earmarked Reserves including:

- Grants received in advance;
- Invest to improve;
- Budget smoothing;
- capital funding; and
- Specific projects - carry forward or risks identified.

**RESOLVED** that the Authority be recommended to approve the Reserves Strategy 2020-2021 for publication.

\* RC/34

**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 the officers of Red One Ltd. and Councillors Saywell and Thomas [Authority appointed Non-Executive Directors on the Board of Red One Ltd.]) be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in the following Paragraph of Part 1 of Schedule 12A (as amended) to the Act:

- Paragraph 3 (information relating to the financial and business affairs of any particular person – including the authority holding that information).

\* RC/35

**Restricted Minutes of Resources Committee held on 2 July 2020**

(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 the officers of Red One Ltd. and Councillors Saywell and Thomas [Authority appointed Non-Executive Directors on the Board of Red One Ltd.]) were excluded from the meeting).

*NB. Councillors Saywell and Thomas were present for this item in a non-voting capacity as Non-Executive Directors of Red One Ltd.*

**RESOLVED** that the Restricted Minutes of the meeting held on 2 July 2020 be approved as a correct record.

\* RC/36

**Red One Performance 2020-21: Quarter 1**

(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 the officers of Red One Ltd. and Councillors Saywell and Thomas [Authority appointed Non-Executive Directors on the Board of Red One Ltd.]) were excluded from the meeting).

*NB. Councillors Saywell and Thomas were present for this item in a non-voting capacity as Non-Executive Directors of Red One Ltd. In this context, each declared a non-pecuniary interest in this matter.*

The Committee received for information a report of the Director of Finance & Resourcing (Treasurer) and report of the Board of Red One Ltd. (RC/20/15) on the financial performance of Red One Ltd. in quarter 1 of 2020-21.

Reference was made to the impact of the Covid-19 pandemic on the trading position for Red One Ltd. and to the financial forecasts going forward into 2020-21.

The Committee considered whether the repayment plan for Red One Ltd., to cover outstanding debt to the Authority, should restart from the second quarter of 2020-21 and be reviewed on a quarterly basis.

The Committee also considered a request from Red One Ltd. to fund staff who had not been able to be furloughed. As the company was not eligible for any of the Government's Coronavirus job retention schemes, £0.027m was to be provided to cover the costs of two Red One employees for the period March – August 2020. In doing so, the Committee noted that this amount was well below the De Minimis amounts allowed by state aid rules.



Councillor Wheeler expressed thanks on behalf of the Committee to Red One Ltd. for all of the work undertaken by the team in such difficult times. Councillor Saywell also expressed his thanks for the support given to the company by the Authority.

**RESOLVED**

- (a) That the repayment plan for the second quarter of 2020-21 be approved and that it be reviewed on a quarterly basis;
- (b) That a contribution of £0.027m to fund Red One Ltd. staff who were unable to be furloughed during Covid-19 restrictions be approved;
- (c) That the financial performance of Red One Ltd. for the quarter ended June 2020 be noted; and
- (d) That the forecast year-end performance against agreed budget for 2020-21 be noted.

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

The Meeting started at 2.05 pm and finished at 3.27 pm

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<b>REPORT REFERENCE NO.</b>	<b>RC/20/14</b>
<b>MEETING</b>	<b>RESOURCES COMMITTEE</b>
<b>DATE OF MEETING</b>	<b>12 OCTOBER 2020</b>
<b>SUBJECT OF REPORT</b>	<b>RESERVES STRATEGY 2020-21</b>
<b>LEAD OFFICER</b>	<b>Director of Finance and Resourcing (Treasurer)</b>
<b>RECOMMENDATIONS</b>	<b><i>That the Committee recommends the Reserves Strategy to the Authority for publication</i></b>
<b>EXECUTIVE SUMMARY</b>	<p>The Fire and Rescue National Framework for England introduced a requirement for fire and rescue authorities to prepare and publish a Reserves Strategy setting out the purpose of each Earmarked Reserve, an analysis of the General Fund and the expected timing of expenditure from the reserves. The requirement commenced in 2018 and this is the third such strategy.</p> <p>This report includes a risk assessment of the General Fund and a section on each of the Earmarked Reserves – which it is proposed should be combined into broader categories to simplify the way that Reserves are reported on. It should be noted that this report has been prepared under those new categories.</p>
<b>RESOURCE IMPLICATIONS</b>	As set out within this report.
<b>EQUALITY RISKS AND BENEFITS ANALYSIS (ERBA)</b>	
<b>APPENDICES</b>	<p>A. Risk Assessment of the Adequacy of General Reserves</p> <p>B. Projected Reserve Balances over MTFP</p>
<b>LIST OF BACKGROUND PAPERS</b>	The Fire and Rescue National Framework for England Reserves Strategy 2019-20

## **1. INTRODUCTION AND BACKGROUND**

- 1.1. Section 43 of the Local Government Finance Act 1992 requires that, when setting the budget for the forthcoming year, precepting authorities should have regard to the level of reserves needed to provide sufficient resources to finance estimated future expenditure, plus any appropriate allowances that should be made for contingencies.
- 1.2. Best practice on the use and management of reserves and balances is provided by CIPFA and the Local Authority Accounting Panel (LAAP) guidance, specifically LAAP Bulletin 99 - 'Local Authority Reserves and Balances'. This was issued in July 2014, but since then many references have been made to the scale of public sector reserves by various parties.
- 1.3. In May 2018 the Government published the new Fire and Rescue National Framework for England. This introduces a requirement for fire and rescue authorities to publish a Reserve Strategy on their website and outlines the detail which should be included. The Reserves Strategy can form part of the Medium Term Financial Plan or be a stand-alone document.
- 1.4. The Reserves Strategy for this Authority has been prepared as a stand-alone document for 2020-21.

## **2. STRATEGIC CONTEXT**

- 2.1. There are a number of reasons why a Local Government Authority might hold reserves, these include to:
  - (a) mitigate potential future risks such as increased demand and costs;
  - (b) help absorb the costs of future liabilities;
  - (c) temporarily plug a funding gap should resources be reduced suddenly;
  - (d) enable the Authority to resource one-off policy developments and initiatives without causing an unduly disruptive impact on Council Tax;
  - (e) spread the cost of large scale projects which span a number of years.
- 2.2. Reserves only provide one-off funding so the Authority aims to avoid using reserves to meet regular and ongoing financial commitments, other than as part of a sustainable medium-term budget plan.

### **3. LONG-TERM SUSTAINABILITY**

3.1. Reserves are an essential tool to ensure long term budget stability particularly at a time when the Authority is facing significant year on year reductions in grant funding over the medium term. Due to the fact that funding for future Capital Projects is held as an Earmarked Reserve, the overall level of reserves held by the Authority is currently still high, but will reduce significantly as the capital programme progresses.

3.2. Reserve balances have been identified as a key indicator of financial health and the Authority continues to have an appropriate level of reserves to deal with identified risks. As a minimum, there are sufficient balances to support the budget requirements and provide an adequate contingency for budget risks.

3.3. There are two different types of reserve, and these are:

*Earmarked Reserves* – these reserves are held to fund a specific purpose and can only be used to fund spending associated with that specific purpose. Should it transpire that not all of the agreed funds are required then the agreement of the Authority would be sought to decide how any remaining balance is to be utilised; and

*General Reserve* – usage from this Reserve is non-specific and is held to fund any unforeseen spending that had not been included in the base budget e.g. excessive operational activity resulting in significant retained pay costs.

3.4. In addition to reserves the Authority may also hold provisions which can be defined as: a Provision is held to provide funding for a liability or loss that is known with some certainty will occur in the future, but the timing and amount is less certain.

### **4. RISK ASSESSMENT TO DETERMINE THE ADEQUACY OF THE GENERAL RESERVE**

4.1. A well-managed multi-purpose authority will strive to maintain as low a level of General Reserve as possible, whilst still covering its financial risks. As a single-purpose authority, this Authority has no opportunity to use cross-service subsidies to meet unanticipated expenditure and so, proportionally, its General Reserve may be slightly higher than for a multi-purpose authority.

4.2. This Authority has a robust approach to managing risk and there are effective arrangements for financial control in place. That said, given the high level of influence that third parties (such as the Local Government Employers and Government departments) have on its income and expenditure, there is always a risk that the Authority will unexpectedly become liable for expenditure that it has not budgeted for, e.g. the 2021-22 funding gap on the Firefighters Pension scheme.

- 4.3. The Authority has set its Prudential Indicator for the General Reserve at 5% of annual budget which is a commonly used benchmark across the Fire Sector. At the start of 2020-21, the General Reserve represented 6.88% of the Authority's net revenue budget which is a positive variance. Due to varying revenue budgets, maintaining a consistent level of General Reserve will result in the percentage varying over time. Transfers in or out of the General Reserve to conform to the 5% indicator would only be considered if there was significant variance in budgets, an emerging risk, or if resources were earmarked to another project.
- 4.4. The prudential indicator is a useful control measure but is a rudimentary way of assessing the adequacy of the general reserve and a more meaningful approach is to develop a risk assessment. The Authority will consider both measures as part of its annual reserve strategy.
- 4.5. A risk assessment of the adequacy of the Authority's General Reserve will be carried out annually to determine the extent to which the Authority is exposed to uninsured and unbudgeted losses. The risk assessment for the current financial year, 2020-21, has been expanded on that prepared as part of the budget setting process and is shown in Appendix A. The impact and scale of potential losses has been estimated to calculate a potential net financial impact of £5.133m. At the start of 2020-21 the General Reserve equalled £5.316m and therefore it will not be necessary to amend the amount based on the current risk assessment.

## **5. ANNUAL REVIEW OF EARMARKED RESERVES**

- 5.1. The Authority has a number of earmarked reserves which have been established for specific purposes where there have been timing differences at budget setting or year end, or emerging risks or cost pressures. The relevance of, and balance in, each of these is reviewed annually and the Authority is informed of the latest plans for the balances held in such reserves over the medium term via the Reserves Strategy. When the Authority approves the Reserves Strategy for publication it will be made available on its website.

### *Grants received in advance*

- 5.2. These reserves relate to grants which have been given to the Authority which have either not been fully spent or have been received in advance of the intended expenditure period. Where a grant has been received in advance the Authority's policy and accounting rules dictate that the funding be transferred to an Earmarked Reserve to be spent in future years.
- 5.3. Any smaller amounts will be reviewed annually as part of the budget monitoring process to assess whether they are still needed. It is not anticipated that any of the current balances will be carried forward beyond the medium term financial plan period of 2020-25.

	Balance as at 1 April 2020 £000	Forecast Spend 2020-21 £000	Proposed Balance as at 31 March 2021 £000	Projected Spend 2021-25 £000	Proposed Balance as at 31 March 2025 £000
<b>RESERVES</b>					
Grants unapplied from previous years	(383)	311	(72)	72	-

#### *Invest to Improve*

- 5.4. A significant amount of funding has been set aside in Reserves to support the change activity within the Service. Following release of the Integrated Risk Management Plan, which addresses Community risk, and the Fire and Rescue Plan, which addresses organisational risk, the Service has developed its Safer Together programme. Invest to Improve reserves will be used to invest in projects such as digital transformation and development of our people which will support the modernisation of the Service. If restructure is required, reserve funding could be required to pay for any associated costs.
- 5.5. The Authority has approved the Safer Together programme and new Service Delivery Operating Model which identified the requirement to invest in improvement activity and the resulting costs and benefits have been fed in to the Medium Term Financial Plan for 2020-21 and beyond. The Invest to Improve reserve will be subject to regular budget monitoring and forecasting by the Service Programme Board. Of the current forecast up to 2022, £1.8m is committed to existing projects with the remaining expenditure being an estimate of the Safer Together programme costs.

	Balance as at 1 April 2020 £000	Forecast Spend 2020-21 £000	Proposed Balance as at 31 March 2021 £000	Projected Spend 2021-25 £000	Proposed Balance as at 31 March 2025 £000
<b>RESERVES</b>					
Invest to Improve	(4,844)	1,775	(3,069)	3,069	-

### *Budget smoothing*

- 5.6. The budget smoothing reserve is intended to support any shortfalls in future revenue budgets which are identified during the development of the Medium Term Financial Plan. The reserve has arisen from a surplus of funding in previous financial years, particularly where non-domestic rates or grant income have exceeded the budget requirement. The Medium Term Financial Plan for the period 2020-21 to 2024-25 has identified a potential funding shortfall of between +£0.6m and £26m which, if not addressed through changes to the way we work, will need to be funded from reserves. The COVID-19 pandemic has introduced further uncertainty over financial security of all public services, a spending review in the Autumn of 2020 is likely. Regardless of central government, the impact of the pandemic in economic terms is likely to be felt for many years, potentially reducing council tax and business rates income. It is therefore forecast that the Budget Smoothing reserve will be exhausted within the Medium Term Financial Planning Period.

	Balance as at 1 April 2020	Forecast Spend 2020-21	Proposed Balance as at 31 March 2021	Proposed Projected Spend 2021-25	Proposed Balance as at 31 March 2025
<b>RESERVES</b>	<b>£000</b>	<b>£000</b>	<b>£000</b>	<b>£000</b>	<b>£000</b>
Budget Smoothing Reserve	(1,818)	-	(1,818)	1,818	-

### *Capital Funding*

- 5.7. At £22.3m, Capital Funding is the largest of the Authority's earmarked reserves. There is a long term strategy in place to reduce borrowing to fund capital expenditure and this reserve has been built up over several years from under spends in the Capital Programme along with savings made in other areas. Due to the long term nature of the Capital Programme and low levels of expenditure in recent years the reserve has grown significantly and represents an opportunity to reduce borrowing in the future as well as the associated costs.
- 5.8. If the Authority hadn't taken out any borrowing to fund capital expenditure, it could save £1.1m per year in debt charges. Borrowing currently stands at £25.4m and the loan portfolio is regularly reviewed for opportunities to pay off loans where there would be a long term benefit but this is dependent on economic conditions. If the Authority does opt to pay off loans early, use of the Capital Funding reserve will accelerate. Currently it is forecast that the programme will require £6m of reserve funding in 2020-21 and for the reserve to be exhausted over the medium term. This level of expenditure is now likely due to the order of a significant upgrade to our fire engine fleet and several major Estates projects which have been formally commissioned.



5.9. Planning for the Capital Programme is undertaken as part of the annual budget setting programme and so each year the Authority will have the opportunity to review the funding options of the programme. The forecast use of the Capital Funding reserve will be determined by that programme. Given that it is prudent to maintain the long term strategy to reduce, ideally remove, reliance on external borrowing to fund Capital expenditure, a healthy reserve will be maintained wherever possible. The forecast below anticipates that any in-year savings will be reserved for this purpose.

			Proposed		Proposed
	Balance as at 1 April 2020	Forecast Spend 2020-21	Balance as at 31 March 2021	Projected Spend 2021-25	Balance as at 31 March 2025
	£000	£000	£000	£000	£000
<b>RESERVES</b>					
Direct Funding to Capital	(22,308)	5,958	(16,350)	10,000	(6,350)

*Specific projects, budget carry forwards or risks identified*

5.10. The Authority holds several Earmarked Reserves for items which have been identified through a business case, to address a specific risk or where timing differences have arisen in the revenue budget. These items form part of the planning cycle but either address a risk or maintain the status quo rather than being potential improvement activities. Examples of this are a refresh of Personal Protective equipment and replacement roofing. Expenditure on these items will normally be spread over several financial years within the Medium Term Financial Plan but there are instances where a longer term risk has been identified and provided for which may exceed the 2021-25 period.

5.11. These one off reserves will be reviewed annually and either maintained or enhanced. Any unspent funds remaining at the end of the project will, subject to the relevant approval, be transferred to an alternative reserve such as the Invest to Improve or Capital Funding reserve.

			Proposed		Proposed
	Balance as	Forecast	Balance as at	Projected	Balance as at
	at 1 April	Spend	31 March	Spend	31 March
	2020	2020-21	2021	2021-25	2025
	£000	£000	£000	£000	£000
<b>RESERVES</b>					
Projects, risks, & budget carry forwards					-
PFI Equalisation	(150)	-	(150)	-	(150)
Emergency Services Mobile Communications Programme	(877)	218	(658)	658	-
Mobile Data Terminals Replacement	(279)	279	-	-	-
PPE & Uniform Refresh	(147)	147	-	-	-
Pension Liability reserve	(1,423)	403	(1,020)	-	(1,020)
Environmental Strategy	(308)	-	(308)	308	-
Budget Carry Forwards	(960)	708	(251)	-	(251)
Business Continuity (COVID-19 grant)	-	-	(600)	600	-
<b>Total</b>	<b>(4,143)</b>	<b>1,755</b>	<b>(2,988)</b>	<b>1,566</b>	<b>(1,422)</b>

#### 5.12. Explanation of specific reserves:

- *PFI Equalisation* – The Authority is part of a tri-service Private Finance Initiative which covers the Severn Park training facility. Due to the nature of the contract and its longevity (will mature in 2028) the amount due at the end of the contract is dependent on various factors such as interest rates and investment performance. The reserve is held to mitigate the risk at the end of the contract period.
- *Emergency Services Mobile Communications Programme (ESMCP)* – The Authority has committed to be part of the ESMCP national project which provides the technology and network to allow Emergency Services a dedicated method of communication whilst being more financially efficient than its predecessor. Whilst funding has been allocated on a regional basis there is a need to support the project beyond the funding (which has been allocated for discrete time periods) because of the South West region being the last to transition which is why the reserve was established. The reserve also holds grant funding from central government to support the establishment of Emergency Services Network capability. The national project is currently under scrutiny of the Public Accounts Committee and may be subject to change or cancellation. If cancelled, there is a risk that the current Airwave facility will cost the Authority more although at this stage that cannot be quantified.

- *Mobile Data Terminals (MDT) Replacement* – MDTs are computers in appliances which provide site specific risk and technical information to firefighters when they respond to incidents. Due to the age of the current suite of MDTs, which are purchased and maintained under the Airwave Communications system, replacements are required in advance of the roll out of the new Emergency Services Mobile Communications Project. Refreshing the safety critical information available to firefighters at incidents supports the Authority’s underlying principles of Public Safety and Firefighter safety. The project is due to complete in 2020-21.
- *PPE and Uniform refresh* – Firefighters are required to wear a specific range of Personal Protective Equipment (PPE) when responding to incidents and each set has a finite life dependant on the number and type of incidents attended. The Service has determined a provision for lightweight PPE and this was delivered in late 2019. The project has now moved on to ensuring that appropriate stocks and sizing of female firefighter PPE are maintained. The project supports the safety and wellbeing of our staff.
- *Pension Liability reserve* – There are ongoing legal cases which may impact on future employers’ costs and therefore a pension reserve has been established to contribute towards the revenue budget if a liability arises.
- *Environmental Strategy* – This new reserve has been established to support the Authority’s environmental strategy, assessing the impact of services and seeking to adapt and mitigate to reduce emissions.
- *Budget Carry Forwards* – Arise as a result of timing differences, where a revenue project has been unable to complete in year and therefore the under spend on a particular budget line has been transferred to Earmarked Reserves. As reserve funds can span several financial years these are expected to be used in the short term, but the reserve may be enhanced at a later date if there are timing differences in the 2020-21 budget and beyond.
- *Business Continuity* – This reserve is not yet established and will be subject to Authority approval. It is currently forecast that the COVID-19 grant not expended in 2020-21 be carried forward to support preparedness for further COVID-19 disruption or other business continuity events.

**AMY WEBB**

**Director of Finance and Resourcing (Treasurer).**

## APPENDIX A TO REPORT RC/20/14

### Risk Assessment of the Adequacy of General Reserves

Budget Head	Budget Provision 2020-21 £m	RISK	Likelihood	Impact £m	Net Impact £m
<b>Service Delivery Staff</b>	51.2	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, which might attract a larger Pay award. An unfunded pay award of 2% has been factored in to the budget for 2020-21. A significant proportion of costs associated with retained pay is directly as a result of the number of calls responded to during the year.	Medium	1.024	0.512
		Staffing costs associated with COVID-19 pandemic, whilst the government have provided some support the duration of this is uncertain.	High	0.655	0.491
<b>Major Incident - Belwin</b>		A major incident occurs which qualifies for central government funding under the Belwin Scheme - the first 2% of budget, or £0.146m is funded by the Local Authority.	Low	0.146	0.037
<b>Firefighter's Pensions</b>	2.5	The Authority is required to fund the costs associated with ill-health retirements, and the potential costs of retained firefighters joining the scheme. There were fewer retirees than budgeted in 2019-20 which has increased the likelihood of those individuals retiring in 2020-21.	High	0.500	0.375
<b>Insurance Costs</b>	0.9	The Fire Authority's insurance arrangements require the authority to fund claims up to agreed insurance excesses. In addition some uninsured costs such as any compensation claims from Employment Tribunals carry a financial risk to the Authority. The Insurance Mutual holds a reserve which will enable the pool to absorb a reasonable level of claims.	Low	0.500	0.125
<b>Fuel Costs</b>	0.7	Fuel price fluctuation can have a significant impact on fleet running costs. This risk has been downgraded since 2019-20 due to reductions in fuel prices as a result of COVID-19.	Medium	0.187	0.094
<b>Treasury Management Income</b>	(0.2)	Reduced Interest Income, rates to 0%. The target income for 2020-21 has been set at a prudent level of achieving only a 0.6% return on investments. However, the COVID-19 pandemic is seeing interest rates fall with higher likelihood of negative rates. This risk has been upgraded as a result.	High	0.201	0.151
<b>Income</b>	(0.8)	Whilst the authority has only limited ability to generate income, the budget has been set on the basis of delivering £0.7m of external income whilst setting the reliance on the Service budget for Red One Income at £0.3m. Due to uncertainty this budget line is now at risk; whilst the government have provided some support the duration of this is uncertain and therefore this risk has been upgraded.	High	0.405	0.303
<b>Capital Programme</b>	11.2	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. The risk of contract deviation up to 10% of value. This risk will be monitored as supply chain pressures are likely to be offset by low wage growth.	Low	1.122	0.280
<b>Business Rates</b>	(1.4)	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.	Low	0.358	0.089

Budget Head	Budget Provision 2020-21 £m	RISK	Likelihood	Impact £m	Net Impact £m
External Contracts		The Authority has a wide range of contractual arrangements which could see a financial loss in the event of the bankruptcy of a supplier or a customer. The Authority maintains a bad debt provision based on aged debtor analysis but it would be insufficient to fully fund a loss from a major contract. Additionally, Public Sector procurement processes and contracts are coming under increasing scrutiny and could be open to legal challenge.	Low	2.000	0.500
Legal Issues		Given the nature of the work of the Authority there is a possibility that it could suffer a major health and safety or environmental failure.	Low	3.000	0.750
System/ Infrastructure Issues		In the event that a key system, such as the control mobilising system or system networks, were to fail, it is possible that urgent consultancy or replacement equipment would be required within short time constraints.	Low	1.500	0.375
Funding Issues		The changes to the funding mechanism for local government, introduced following the Local Government Resource Review, transferred potentially significant levels of financial risk to the Authority.	Medium	1.000	0.500
Inflation		Whilst allowances for inflation have been made within specific budget lines, generally at 2.7% per annum, the uncertainty surrounding Brexit, COVID-19 and the UK economy might lead to increased inflation. This risk has been downgraded due to current inflation forecasts for 2020-21.	Low	0.200	0.050
Employment Issues		Issues that might arise in respect of pay settlements or other factors which might lead to industrial action would, in the first instance, be managed within the revenue budget. Prolonged Action or issues would require funding from Reserves.	Medium	1.000	0.500
Estimated Reserve Requirement					5.133

**APPENDIX B TO REPORT RC/20/14**

**Projected Reserve Balances over Medium Term Financial Plan Period (2020-25)**

	Balance as at 1 April 2020 £000	Forecast Spend 2020-21 £000	Proposed Balance as at 31 March 2021 £000	Proposed Projected Spend 2021-25 £000	Proposed Balance as at 31 March 2025 £000
<b>RESERVES</b>					
<b>Earmarked reserves</b>					
Grants unapplied from previous years	(383)	311	(72)	72	-
Invest to Improve	(4,844)	1,775	(3,069)	3,069	-
Budget Smoothing Reserve	(1,818)	-	(1,818)	1,818	-
Direct Funding to Capital	(22,308)	5,958	(16,350)	10,000	(6,350)
Projects, risks, & budget carry forwards					-
PFI Equalisation	(150)	-	(150)	-	(150)
Emergency Services Mobile Communications Programme	(877)	218	(658)	658	-
Mobile Data Terminals Replacement	(279)	279	-	-	-
PPE & Uniform Refresh	(147)	147	-	-	-
Pension Liability reserve	(1,423)	403	(1,020)	-	(1,020)
Environmental Strategy	(308)	-	(308)	308	-
Budget Carry Forwards	(960)	708	(251)	-	(251)
Business Continuity (COVID-19 grant)	-	-	(600)	600	-
<b>Total earmarked reserves</b>	<b>(33,496)</b>	<b>9,798</b>	<b>(24,297)</b>	<b>16,526</b>	<b>(7,772)</b>
<b>General reserve</b>					
General Fund balance	(5,316)	-	(5,316)	-	(5,316)
Percentage of general reserve compared to net budget					
<b>TOTAL RESERVE BALANCES</b>	<b>(38,812)</b>	<b>9,798</b>	<b>(29,613)</b>	<b>16,526</b>	<b>(13,088)</b>
<b>PROVISIONS</b>					
Doubtful Debt	(655)	-	(655)	-	(655)
Fire fighters pension schemes	(659)	27	(632)	632	-
<b>TOTAL PROVISIONS</b>	<b>(659)</b>	<b>27</b>	<b>(632)</b>	<b>632</b>	<b>(655)</b>

## COMMUNITY SAFETY & CORPORATE PLANNING COMMITTEE

(Devon & Somerset Fire & Rescue Authority)

16 July 2020

### Present:

Councillors Redman (Chair), Colthorpe, Corvid, Doggett, Radford, Trail BEM and Saywell (vice Eastman).

### Apologies:

Councillor Eastman.

### In attendance (in accordance with Standing Order 38(1))

Councillors Randall Johnson and Wheeler

\* **CSCPC/5** Minutes

**RESOLVED** that the Minutes of the meeting held on 27 June 2019 be signed as a correct record.

\* **CSCPC/6** Impacts of Covid-19 on the Safer Together Programme

The Committee considered a report of the Director of Service Improvement (CSCPC/20/1) that set out details of the work undertaken on the Service's business continuity response during the Covid-19 pandemic and the associated impact on the Safer Together Programme.

At this point, the Chair thanked all those staff involved in service delivery during the Covid-19 pandemic for going above and beyond the call of duty.

The Director of Service Improvement referred to the areas of work that the Service had undertaken during this business continuity event. The key areas of work undertaken included:

- Operational crews were relocated from Budleigh Salterton station to Exmouth and the building was now going through preparations for disposal. Crews had settled in well at Exmouth, improving availability and resilience;
- Work was continuing to prepare the relocation of crews from Topsham to Middlemoor and Station 60, with estates work and recruitment progressing to ensure both locations would have crews available as soon as possible;
- Contracts for upgrading the Service Tranman system to facilitate the asset management programme had been progressed;
- The final roll out of lightweight PPE had been achieved and the project had been approved for closure; and
- A framework for leadership development, aligned to the National Fire Chiefs' Council best guidance, had also been progressed.

It was noted that one of the key areas of work delayed due to the pandemic was the fleet replacement project. This project included new wildfire vehicle and supporting the removal and replacement of second and third fire engines on selected stations. This project was delayed due to suppliers being furloughed, thus delaying delivery of required vehicle parts. In turn, this delayed the delivery of the new wildfire vehicles. This was compounded by driver training being reduced due to the Service business continuity response impacting all non-critical activities.

The Committee enquired if the Service would be making any changes to the Safer Together Programme as a result of learning points from Covid-19 and business continuity arrangements. It was noted that the Service had acknowledged the need for learning points to be incorporated into future practices and that, in accordance with its risk based approach, the Service would need to consider any future changes in conjunction with a review of the Integrated Risk Management Plan (IRMP). It was requested that the Committee be updated on the position on this matter at the next meeting.

**RESOLVED** that the Committee noted the impact of Covid-19 on the Safer Together programme, including supply chain issues.

\* **CSCPC/7**      **Grenfell Recommendations Progress Report**

The Committee considered a report of the Director of Service Delivery (CSCPC/20/2) that outlined the Service's progress with implementation of the recommendations from the Grenfell phase 1 inquiry and the additional Building Risk Review Grant funding.

It was noted that, following the publication of the Grenfell Tower Enquiry Phase 1 report, the Service had reviewed the recommendations made. Overall there were 44 recommendations in two main groups:

- National Fire Chiefs Council (NFCC)/Legislative changes; and
- Recommendations/ improvements for all Services and other agencies.

The Grenfell recommendations were focussed specifically on high rise residential buildings. There were no high rise residential buildings (over 18 metres) with cladding in Devon & Somerset but 172 buildings that fall within the high rise definition. The Service had already completed a high-level gap analysis against its current position. Of the 44 recommendations made, the 17 NFCC/Legislative changes had been implemented and 13 of the 27 sector wide recommendations were completed with the other 14 in progress. These recommendations had also been compiled into a formal assurance tracker to be scrutinised by Risk and Response Governance Board (RRGB). This Board will review progress monthly and had a nominated lead officer (Group Manager for Risk) assigned to oversee the implementation across multiple service areas.



The Director of Service Delivery advised that the Hackett Review had recommended that a complete systematic review of fire safety needed to be undertaken, not just a review of the buildings. With this in mind, the Service was in the process of re-organised its prevention and protection teams into one, multi-disciplinary team that would address the following elements (amongst others):

- Building design and fire safety/engineered solutions;
- Compliance with fire safety legislation;
- Occupancy and behavioural factors to take into account social, economic and cultural differences;
- Engagement with residents groups;
- Engagement with and education of management committees and responsible Persons; and
- Risk information and equipment provided for fire-fighting such as lifts, access routes, Hydrants, signage and communications.

A grant of £316k had been allocated to Devon & Somerset Fire and Rescue Service that must be ring-fenced for discharging fire protection duties as well as assuring that all high-rise residential buildings over 18m were reviewed by the end of December 2021 with a framework for identification and inspection in place. A proportion of this grant would be utilised to establish the multi-disciplinary team to oversee this work.

The Committee asked if the tracking information and progress made could be published so that it was more visible to the public. The Director of Service Delivery undertook to look into this matter.

#### **RESOLVED**

- (a) that the Committee reviews at future meetings the assurance process for the Grenfell recommendations and the Home Office returns for the Building Risk Review Grant funding; and
- (b) that, subject to (a) above, the report be noted.

\* **CSCPC/8**     **Briefing on Service Support for Other Organisations during the Covid-19 Emergency**

The Committee received for information a report of the Director of Service Delivery (CSCPC/20/3) that set out the Service's response to requests from other agencies during the Covid-19 emergency.

It was noted that the National Fire Chiefs' Council (NFCC), National Joint Council for Local Authority Fire and Rescue Services and the Fire Brigades Union (FBU) agreed a Tripartite Agreement to outline the additional activities that fire and rescue services could undertake during the Covid-19 emergency. The Service supported external organisation in two of these Activities, namely:

- (a) Ambulance driving; and
- (b) Face fit testing for face masks.

The Service, through the Chief Fire Officer, led the development of ambulance driving response in the South West. Officers from the Service worked collaboratively with the South West Ambulance Services Trust (SWAST) to develop a Concept of Operations (ConOp) that was used by all five South West FRSs. The Service also led the development of the training package for the FRS volunteer drivers alongside SWAST. 44 Service volunteers were the first firefighters in the UK to drive ambulances on a 'blue light'. The volunteers were a mixture of on-call and whole-time firefighters (primarily co-responders and Academy Instructors). Initially they were accompanied by Emergency Care Assistant (ECAs) attending lower acuity calls, but since 29 June 2020 had been working alongside paramedics and responding to all category of emergencies. SWAST had asked the arrangements to drive ambulances continue until 31 July 2020, with an option to extend until after the August Bank Holiday. The Service was able to support this request as a result of the resilience built into its volunteer team. The Committee enquired as to the support available for the staff involved following a difficult or tragic incident. The Director of Service Delivery confirmed that a debrief took place after each incident and diffusing put into place to support individuals as necessary. The Committee further enquired as to how the learning points from this joint working would be captured. It was noted that there would be a full learning debrief undertaken in conjunction with SWAST at the end of this exercise.

At this point, the Committee placed on record its thanks to all of the staff that had undertaken this voluntary activity with SWAST in this difficult period.

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

The Meeting started at 2.00 pm and finished at 3.19 pm

## APPRAISALS AND DISCIPLINARY COMMITTEE

(Devon & Somerset Fire & Rescue Authority)

27 July 2020

### Present:

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

\* ADC/8

### Minutes

**RESOLVED** that the Minutes of the meeting held on 7 February 2020 be approved as a correct record.

\* ADC/9

### 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, South West Councils and external advisor to the Committee) be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in the following Paragraph(s) of Part 1 of Schedule 12A (as amended) to the Act:

- Paragraph 1 (information relating to an individual); and
- Paragraph 2 (information likely to reveal the identity of an individual).

\* ADC/10

### Appointment of Deputy Chief Fire Officer and Assistant Chief Fire Officers

(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, South West Councils and external advisor to the Committee, were excluded from the meeting).

The Committee interviewed shortlisted applicants for the posts of Deputy Chief Fire Officer and two Assistant Chief Fire Officers.

### **RESOLVED**

- (a). that Mr. Joe Hassell be appointed as Deputy Chief Fire Officer, with effect from 28 July 2020;
- (b). that Mr. Peter Bond be appointed as Assistant Chief Fire Officer, with effect from 28 July 2020;
- (c). that Mr. Gavin Ellis be appointed as Assistant Chief Fire Officer, with effect from 1 August 2020; and
- (d). that the specific references for each Assistant Chief Fire Officer post be determined by the Chief Fire Officer.

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

The Meeting started at 9.00 am and finished at 4.30 pm

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## **APPRAISALS AND DISCIPLINARY COMMITTEE**

(Devon & Somerset Fire & Rescue Authority)

25 September 2020

### Present:

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

### Also in attendance:

Bryony Houlden (Chief Executive, South West Councils and Independent Advisor to the Committee).

### Apologies:

Councillors Best.

- \* **ADC/11**      **Minutes**  
**RESOLVED** that the Minutes of the meeting held on 27 July 2020 be approved as a correct record.
  
- \* **ADC/12**      **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 of South West Councils and Independent Advisor to the Committee) 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.
  
- \* **ADC/13**      **Mid-Year Appraisal - Chief Fire Officer**  
(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 Advisor to the Committee, were excluded from the meeting).  
The Committee conducted a mid-year appraisal of the Chief Fire Officer and noted progress made against those objectives previously set for the 2020-21 financial year.

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

The Meeting started at 10.00 am and finished at 11.30 am

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## STANDARDS COMMITTEE

(Devon & Somerset Fire & Rescue Authority)

6 August 2020

### Present:

Councillors Thomas (Chair), Bown, Brazil, Drean, Prowse, Redman and Trail BEM (Vice-Chair).

### Also in attendance in accordance with Standing Order 38:

Councillors Colthorpe, Randall Johnson and Vijeh.

\* **SC/13**

### **Minutes**

**RESOLVED** that the Minutes of the meeting held on 8 April 2019 be approved as a correct record.

\* **SC/14**

### **Model Member Code of Conduct - Consultation Response**

The Committee considered a report of the Director of Governance and Digital Services (SC/20/1) to which was appended a draft response to the Local Government Consultation (LGA) on a Model Code of Members' Conduct. Responses to the consultation were invited by 17 August 2020.

The LGA had developed the Model Code in response to the recommendation by the Committee on Standards in Public Life (CSPL) following its review of the local government ethical regime introduced by the Localism Act 2011 ("the Act"). To inform the draft response to the LGA consultation, a gap analysis had been undertaken between the LGA Model Code and this Authority's current Code of Conduct, which had last been revised in April 2019 to incorporate, amongst other things, the best practice recommendations made by CSPL following its review (Minute DSFRA/7(c) refers).

Members commented, amongst other things:

- that the Authority's current Code compared favourably to the proposed LGA Model Code;
- that any final Model Code issued by the LGA should retain the personal tense ("I will/you will") to reflect a contract between the individual Member and the Authority; and
- that, as provided for by the Act, the Authority should retain the flexibility to tailor its own Code to reflect its own circumstances, subject to being, as a minimum, fully compliant with any Model Code eventually issued by the LGA.

### **RESOLVED**

- (a). that the draft response, as attached as Appendix B to report SC/20/1, to the Local Government Association consultation on a Model Members' Code of Conduct be approved; and

- (b). that the Clerk be authorised to submit, on behalf of the Authority, the consultation response to the Local Government Association.

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

The Meeting started at 2.00 pm and finished at 2.26 pm



# Agenda Item 8

<b>REPORT REFERENCE NO.</b>	<b>DSFRA/20/12</b>
<b>MEETING</b>	<b>DEVON &amp; SOMERSET FIRE &amp; RESCUE AUTHORITY</b>
<b>DATE OF MEETING</b>	<b>23 OCTOBER 2020</b>
<b>SUBJECT OF REPORT</b>	<b>REPORT OF URGENT ACTION (STANDING ORDER 27)</b>
<b>LEAD OFFICER</b>	<b>Chief Fire Officer</b>
<b>RECOMMENDATIONS</b>	<i>That the report be noted.</i>
<b>EXECUTIVE SUMMARY</b>	This paper summarises those urgent actions taken by the Chief Fire Officer, following consultation with the Authority Chair, in accordance with the provisions of Standing Order 27.
<b>RESOURCE IMPLICATIONS</b>	N/A
<b>EQUALITY RISKS AND BENEFITS ANALYSIS</b>	N/A
<b>APPENDICES</b>	Nil.
<b>BACKGROUND PAPERS</b>	Full details of each of the urgency decisions can be found at the following <a href="#">link</a> .

## 1. **INTRODUCTION**

1.1. As with other public authorities, social distancing measures introduced in response to the Covid-19 pandemic have impacted on the Authority's governance arrangements, including the ability to hold formal meetings to determine matters. While Regulations<sup>1</sup> introduced by central government on 4 April 2020 provide for formal meetings to be held "virtually" i.e. with remote access (including telephone and video conference) for Authority Members, the press and public, it has nonetheless been necessary for a number of matters to be determined by the Chief Fire Officer following consultation with the Authority Chair in accordance with the provisions of Standing Order 27. As required by that Standing Order, this paper now summarises, for information, those actions taken.

## 2. **URGENT ACTIONS TAKEN IN ACCORDANCE WITH STANDING ORDER 27**

2.1. The following table details each matter determined in accordance with the urgency provisions of Standing Order 27, together with a brief explanation of why it was considered appropriate to use these provisions. For transparency purposes, full details of each urgency action have been published on the Authority's website and can be accessed by following this [link](#).

<b>NO.</b>	<b>DATE</b>	<b>DESCRIPTION</b>
<b>1.</b>	<b>23 March 2020</b>	<b>Approval of Request for retirement and re-employment – Watch Manager (Collaboration).</b>
	<b>Reason:</b>	The current government guidelines relating to social distancing during the Covid-19 pandemic. Additionally, at the time of the decision, the Regulations allowing for "virtual" meetings had not been made.
<b>2.</b>	<b>1 May 2020</b>	<b>Approval of Request for retirement and re-employment – Firefighter (USAR technician).</b>
	<b>Reason:</b>	The current government guidelines relating to social distancing during the Covid-19 pandemic and as the Authority did not have in place a platform to facilitate "virtual" meetings at the time the decision was required.
<b>3.</b>	<b>12 May 2020</b>	<b>EB Restructure and delegation of authority to the Appraisals &amp; Disciplinary Committee to undertake a process for and appoint to two substantive Assistant Chief Fire Officer posts.</b>
	<b>Reason:</b>	As per (2) above.

<sup>1</sup> The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020

NO.	DATE	DESCRIPTION
4.	21 May 2020	<b>Cancellation of Authority Annual and Ordinary Meetings 5 June 2020.</b>
	<b>Reason:</b>	The current government guidelines relating to social distancing during the Covid-19 pandemic. Regulations issued under Coronavirus Act 2020 provide that annual meetings need not be held in 2020, with any existing appointments to remain in place until the next Annual Meeting. Additionally, the Authority did not have in place a platform to enable the Annual and Ordinary Meetings to take place “virtually” on the scheduled date.
5.	2 June 2020	<b>Related to the 2019-20 budget outturn, approval of the transfer of £2.348m to the Reserve for Capital funding and revisions to the capital programme for 2020-21 to 2022-23. (NOTE: the reports informing these decisions were submitted for information to the Resources Committee meeting on 2 July 2020 and can be found <a href="#">here</a>).</b>
	<b>Reason:</b>	As per (2) above.
6.	10 June 2020	<b>Approval of Remote Meetings Protocol, associated amended Standing Orders and Calendar of Meetings for 2020-21. (NOTE: the Protocol, amended Standing Orders and Calendar of Meetings have been published on the website).</b>
	<b>Reason:</b>	Regulations introduced under the Coronavirus Act 2020 allow for “virtual” local authority meetings until May 2021. The protocol and associated Standing Orders provide for “virtual” meetings to be held by this Authority, in accordance with the Regulations.
7.	17 June 2020	<b>Changes to Committee Memberships 2020-21 Municipal Year.</b>
	<b>Reason:</b>	In the absence of an annual meeting (see (4) above), to give effect to appointments that would otherwise have been made at such a meeting for the remainder of the current (2020-21) municipal year. The changes were necessitated by the appointment to the Authority of Councillor Corvid in place of Councillor Tuffin by Plymouth City Council.

NO.	DATE	DESCRIPTION
8.	3 July 2020	<b>Disposal of Budleigh Salterton Fire &amp; Rescue Station.<sup>2</sup></b>
	<b>Reason:</b>	Following consultation, closure of the Station was approved by the Authority at its extraordinary meeting held on 10 January 2020. Affected firefighters were operating from Exmouth Fire & Rescue Station. Given this, awaiting the next full Authority meeting was considered an unnecessary delay to progressing disposal.
9.	28 July 2020	<b>Further changes to Committee Memberships 2020-21 Municipal Year.</b>
	<b>Reason:</b>	In the absence of an annual meeting (see (4) above), to give effect to appointments that would otherwise have been made at such a meeting for the remainder of the current (2020-21) municipal year. The changes were necessitated by the appointment to the Authority of Councillor Brazil in place of Councillor Way by Devon County Council.
10.	24 August 2020	<b>Amendment to Standing Orders and Scheme of Delegations – Six month attendance rule. (NOTE: these documents have been published on the website).</b>
	<b>Reason:</b>	The impact of the Coronavirus pandemic has resulted, amongst other things, in some unavoidable disruption to the holding of Authority meetings the effect of which may mean that some Members could otherwise be detrimentally impacted by the effect of Standing Order 10(3), requiring attendance at a minimum of one meeting within a six month period.  The revisions to Standing Orders and the Scheme of Delegations are designed to remove the potential for this detrimental impact and provide a transparent and pragmatic solution to resolving associated issues.

**LEE HOWELL**  
Chief Fire Officer

<sup>2</sup> Subsequent to this decision, the station has been sold with contracts exchanged. In the event, the sale of the station realised a capital receipt of £366,666 as against an independent market valuation of £125,000. In accordance with accounting regulations, the capital receipt has now been included in the Authority's capital funding.

# Agenda Item 9

<b>REPORT REFERENCE NO.</b>	DSFRA/20/13
<b>MEETING</b>	DEVON & SOMERSET FIRE & RESCUE AUTHORITY
<b>DATE OF MEETING</b>	23 OCTOBER 2020
<b>SUBJECT OF REPORT</b>	PROPOSED POLICY ON DISPOSAL OF LAND
<b>LEAD OFFICER</b>	Director of Governance & Digital Services
<b>RECOMMENDATIONS</b>	<p><i>That, given the issues outlined in this report, the Authority determines that its policy on disposal of land will be:</i></p> <p><i>(a). as a general rule, to seek to obtain the best consideration (price) that can reasonably be obtained; and</i></p> <p><i>(b). that the discretionary power to dispose of land at less than the consideration that can reasonably be obtained will be exercised only in exceptional circumstances and must always be subject to:</i></p> <p><i>(i) independent assessment, prior to the sale process commencing, of the value to the Authority of any terms or conditions which might be attached by the Authority to the sale; and</i></p> <p><i>(ii) any terms and conditions to be imposed by the Authority being consistent with its functions.</i></p>
<b>EXECUTIVE SUMMARY</b>	This report addresses legal issues relating to the disposal of land and recommends that the Authority sets a clear policy for this.
<b>RESOURCE IMPLICATIONS</b>	Nil.
<b>EQUALITY RISKS AND BENEFITS ANALYSIS</b>	Not applicable
<b>APPENDICES</b>	Nil.
<b>BACKGROUND PAPERS</b>	<p>The Local Government Act 1972</p> <p>The Devon &amp; Somerset Fire &amp; Rescue Authority (Combination Scheme) Order 2006 (as amended)</p> <p>The Local Government Act 2000</p> <p>The General Consent (England) 2003</p> <p><a href="#">Circular 06/03: Local Government Act 1972 general disposal consent (England) 2003 disposal of land for less than the best consideration that can reasonably be obtained.</a></p>

## **1. BACKGROUND**

- 1.1. In 2019, the Authority undertook an extensive public consultation linked to its wish to introduce a new Service Delivery Operating Model (SDOM) to address those risks identified in its approved Integrated Risk Management Plan (IRMP) by better aligning resources to risk and prioritising prevention and protection activity. One of the proposals in this consultation involved the closure of the Budleigh Salterton Fire & Rescue Station (“the station”).
- 1.2. The consultation ran from 3 July to 22 September 2019. The outcomes of the consultation were considered at an extraordinary Authority meeting on 10 January 2020 when, having considered the responses submitted to the consultation, the decision was taken, amongst other things, to close the station, with affected firefighters allowed to respond from Exmouth Fire & Rescue Station.
- 1.3. The Covid-19 pandemic and associated social distancing measures has, however, impacted upon normal arrangements both for Service delivery and governance issues. On 3 July 2020 a decision was taken using the Urgency procedures of the Authority’s Standing Orders to approve the disposal of the station on the most economically advantageous terms for the Authority, in accordance with legislative requirements. This decision was taken in light of the previous Authority decision for closure of the station and as it was felt that awaiting the next formal Authority meeting (scheduled for 23 October 2020) would introduce an unnecessary delay to progressing disposal of the asset.

## **2. LEGAL BASIS FOR DISPOSAL OF LAND**

- 2.1. Section 123 of the Local Government Act 1972 (“the Act”) deals with the disposal of land by local authorities. This is specifically applied to this Authority by virtue of Part 3, paragraph 15 of the Devon and Somerset Fire and Rescue Authority (Combination Scheme) Order 2006 (as amended). Section 123 of the Act (amended in square brackets to indicate its applicability to this Authority) provides:
  - (1) Subject to the following provisions of this section, [the Authority] may dispose of land held by them in any manner they wish.
  - (2) Except with the consent of the Secretary of State, [the Authority] shall not dispose of land under this section, otherwise than by way of a short tenancy, for a consideration less than the best that can reasonably be obtained.
- 2.2. In response to Member questions, the Authority was, correctly, advised at the Authority Extraordinary Meeting on 10 January 2020 that the “well-being” power provided by Section 2 of the Local Government Act 2000 did not apply to combined fire and rescue authorities. For reference, Section 2 provides for county and district councils to do anything which they consider is likely to achieve one or more of the following:
  - (a). the promotion or improvement of the economic well-being of their area;
  - (b). the promotion or improvement of the social well-being of their area; and

- (c). the promotion or improvement of the environmental well-being of their area.

2.3. What was unknown at that time, however, but which subsequently come to light as a result of the disposal of the Budleigh Salterton Fire & Rescue Station, is that in 2003 the [then] Secretary of State issued, in exercise of the powers under Section 123(2) of the Act, a General Disposal Consent (“the Consent”). Whilst combined fire authorities are not included specifically in the list of authorities coming under the meaning of “local authority” within the Consent, Paragraph 3(1) of the Consent sets out that it applies “...to any other person to whom, by virtue of statute, Section 123(2) or Section 127(2) of the Local Government Act 1972 applies”. Legal advice obtained has confirmed that the Consent remains extant and applies to this Authority. The Consent allows the Authority to dispose of land, otherwise than by way of a short tenancy, for a consideration less than the best that can reasonably be obtained if the following specified circumstances apply:

- (a). the Authority considers that the purposes for which the land is to be disposed is likely to contribute to the achievement of any one or more of the following objects in respect of the whole or any part of its area, or of all or any persons resident or present in its area:
  - (i) the promotion or improvement of economic well-being;
  - (ii) the promotion or improvement of social well-being; and
  - (iii) the promotion or improvement of environmental well-being; and
- (b). the difference between the unrestricted value of the land to be disposed of and the consideration for the disposal does not exceed £2,000,000 (two million pounds).

2.4. In essence, the Consent provides the Authority with a discretionary power in respect of the disposal of land that is analogous to the “well-being” power provided to other local authorities by virtue of Section 2 of the Local Government Act 2000.

### **3. IMPLICATIONS FOR THE AUTHORITY**

3.1. As indicated in paragraph 2.4, the Consent provides the Authority with a discretionary power that can, but does not have to, be used when disposing of land. Legal advice obtained has indicated that, given the Authority’s specialist and limited (single-purpose) function, it could be difficult and potentially problematic for the Authority to justify exercising the discretionary power and that any decision to sell at an undervalue (i.e. for less than can reasonably be obtained) should be taken with great care and on the basis of clear advice, with clear reasons recorded for the exercise of the discretionary power.

- 3.2. This legal advice is reinforced by the contents of Circular 06/03 (“the Circular”), initially issued by the [then] Office of the Deputy Prime Minister (subsequently the Department for Communities and Local Government) to provide guidance on the exercise of the discretionary power under the Consent. The Technical Appendix to the Circular sets out a process to be followed in exercising the discretionary power. This process is pro-active rather than reactive i.e. it should be undertaken prior to any sale process commencing. In summary, prior to any sale process commencing an independent valuation exercise should be undertaken to determine:
- (a). the unrestricted value of the land (in general terms, the amount that would be realised if the principal aim was to maximise the value of the receipt i.e. secure the best, reasonable consideration);
  - (b). the value of any voluntary conditions imposed by the authority as terms of the disposal (or under agreements linked to the disposal) that produce a direct or indirect benefit to the authority which can be assessed in monetary terms; and
  - (c). the restricted value (i.e. the unrestricted value amended to reflect the value of any voluntary contributions).
- 3.3. Paragraph 3.2, point (b) above is relevant in that it indicates that, in exercising the discretionary power, the relevant authority should still look to realise a benefit (either direct or indirect) that can be assessed in monetary terms. The Circular also provides that:
- (a). Generally, it is expected that land should be sold for the best consideration reasonably obtainable;
  - (b). that, when disposing of land at an undervalue, authorities must remain aware of the need to fulfil their fiduciary duty in a way that is accountable to local people;
  - (c). in considering whether to exercise the discretionary power, authorities should have regard to their community strategy; and
  - (d). in deciding whether to exercise the discretionary power, authorities should determine whether such a decision would be compliant with any other relevant governing legislation.

### ***Community Strategy***

- 3.4. Local authorities with well-being powers under Part 1, Section 2 of the Local Government Act 2000 were initially also required to prepare, by virtue of Part 1, Section 4 of that Act, a strategy for the promotion of well-being, commonly referred to as a “community strategy”. The purpose of a “community strategy” was to set out the strategic vision for a place in addressing difficult cross-cutting issues (such as the economic future of an area, social exclusion and climate change) by co-ordinating the public, private, voluntary and community sectors to promote or improve economic, social and environmental well-being and contribute to the achievement of sustainable development.



- 3.5. However, Part 1 of the Local Government Act 2000, in its entirety, has never applied to combined fire and rescue authorities (CFRAs) such as this Authority. Additionally, Section 4 of the Act (dealing with the requirement for a community strategy) was subsequently repealed by the Deregulation Act 2015.
- 3.6. While, therefore, the issue of a “community strategy” is no longer relevant (and never was for a CFRA), the remainder of the Circular and the Technical Appendix are still applicable in setting out those issues to be considered and the process that should be followed by any authority (including a CFRA) when looking to exercise the discretionary power under the Consent. In other words, in exercising the discretionary power under the Consent, the local authority should seek to realise for itself a tangible benefit that can be expressed in monetary terms. Such a benefit would, by definition, need to relate to those functions for which the authority is responsible.

***Fire & Rescue Authority Functions and Integrated Risk Management Plan (IRMP)***

- 3.7. The functions of a CFRA are, in comparison with the functions of those authorities listed in Section 1 of the Local Government Act 2000, very narrow in scope and may be summarised as providing fire and rescue services (including community safety) for the communities served. CFRAs do, though, still have a fiduciary duty to ensure that public funds are properly applied for these purposes.
- 3.8. As indicated above, CFRAs do not, nor have ever been required to, have a community strategy of the type initially envisaged by the Circular. They are, though, required to have an approved IRMP. Unlike the type of “community strategy” envisaged by the Circular and the Local Government Act 2000, this IRMP is very specific in its focus of identifying risks in the area served and how it is proposed to address these risks. In exercising its fiduciary duty, a CFRA should ensure that its resources are applied in a manner compatible with its statutory functions and with its IRMP.
- 3.9. Applying the above to any proposed exercise of the Consent discretionary power by this Authority, while it might be legitimate to approve the sale of land at an undervalue to an organisation that, for example, was intending to establish some kind of community safety centre, it is suggested it would be more difficult to justify an undervalue sale for a purpose that could not be linked back to the functions of the Authority.
- 3.10. Failure to exercise the discretionary power in an appropriate and justifiable manner, giving sound reasons for any such decision, would expose the Authority to the very real risk of judicial review either for failure to follow proper procedure, irrationality or both.

**4. SUMMARY AND CONCLUSION**

- 4.1. The “well-being” power provided by Section 2 of the Local Government Act 2000 does not apply to combined fire and rescue authorities.

- 4.2. Section 123 of the Local Government Act 1972 deals with the disposal of land by local authorities. This Section sets out that, except with the consent of the Secretary of State, authorities shall not dispose of land for a consideration less than the best that can reasonably be obtained. However, in exercise of the powers under Section 123(2) of the 1972 Act, the [then] Secretary of State issued a General Disposal Consent (“the Consent”) that allows relevant authorities to dispose of land for a consideration less than the best that can reasonably be obtained if specified circumstances apply. Legal advice has confirmed that the Consent remains extant and applies to the Authority.
- 4.3. The specified circumstances for exercising the discretionary power to dispose of land for a consideration less than the best that can reasonably be obtained are where the Authority considers that the purposes for which the land is to be disposed is likely to contribute to the achievement of the promotion or improvement of economic, social or environmental well-being.
- 4.4. The Circular issued by the [then] Government to provide guidance on the exercise of the discretionary power under the Consent sets out that, generally, it is expected that land should be sold for the best consideration reasonably obtainable. When disposing of land at an undervalue, authorities must remain aware of the need to fulfil their fiduciary duty and should have regard to their community strategy.
- 4.5. However, given the Authority’s narrow range of functions coupled with the fact that the Authority does not, nor has ever been required to, have a community strategy of the type envisaged by the Circular, it is suggested it would be more difficult to justify an undervalue sale for a purpose that could not be linked back to the functions of the Authority. Legal advice obtained supports this position, indicating that it could be difficult and potentially problematic for the Authority to justify exercising the discretionary power.
- 4.6. In light of these issues, it is proposed that the Authority policy in relation to the disposal of land should be that, as a general rule, disposals of land should be on the basis of the best consideration (price) that can reasonably be obtained and that any exercise of the discretionary power to dispose of land at undervalue will be taken with great care and on the basis of clear advice, with clear reasons recorded for the exercise of the discretionary power.

**MIKE PEARSON**  
**Director of Governance & Digital Services**

<b>REPORT REFERENCE NO.</b>	<b>DSFRA/20/14</b>
<b>MEETING</b>	<b>DEVON &amp; SOMERSET FIRE &amp; RESCUE AUTHORITY</b>
<b>DATE OF MEETING</b>	<b>23 OCTOBER 2020</b>
<b>SUBJECT OF REPORT</b>	<b>PROPOSED DISPOSAL OF TOPSHAM FIRE STATION</b>
<b>LEAD OFFICER</b>	<b>Chief Fire Officer</b>
<b>RECOMMENDATIONS</b>	<i>That Topsham Fire Station be disposed of on the basis of the best consideration that can reasonably be obtained, in accordance with Section 123 of the Local Government Act 1972</i>
<b>EXECUTIVE SUMMARY</b>	This paper outlines issues relating to the proposed disposal of Topsham fire station (“the station”) in line with the Authority decision at its extraordinary meeting on 10 January 2020 (Minute DSFRA/32(a)(iii) refers).
<b>RESOURCE IMPLICATIONS</b>	As indicated in the report.
<b>EQUALITY RISKS AND BENEFITS ANALYSIS</b>	N/A
<b>APPENDICES</b>	Nil.
<b>BACKGROUND PAPERS</b>	Report DSFRA/20/1 (Safer Together Programme [Service Delivery Operating Model] – Outcomes of Consultation on Reallocation of Resources) to the Authority extraordinary meeting on 10 January 2020 (and the Minutes of that meeting).

## **1. BACKGROUND**

- 1.1. At its extraordinary meeting on 10 January 2020, the Authority considered a report on the outcome of an extensive public consultation on proposals to re-allocate existing Devon & Somerset Fire & Rescue Service (“the Service”) resources to support a proposed new Service Delivery Operating Model to better address risks identified in the Integrated Risk Management Plan and to deliver a progressive, modern fire and rescue service. The proposals were designed to maximise existing resources by, amongst other things, removing appliances and stations which were not needed and reinvesting any proceeds into those areas where improved service was required.
- 1.2. The Authority resolved, amongst other things, to approve:

“relocation of Topsham fire station to Service Headquarters and relocation of one fire appliance to Middlemoor fire station (both existing Topsham fire engines to be relocated to Service Headquarters until an on-call crew can be established at Middlemoor), with a report on the proposed disposal of the Topsham site to be presented to the Authority at a future date.”

(Minute DSFRA/32(a)(iii) refers).
- 1.3. While work to relocate Topsham fire station (“the station”) has been impacted by the Covid-19 pandemic, it has been progressing with completion anticipated by December 2020, at which point disposal of the former station will be possible.
- 1.4. Elsewhere on the agenda for this meeting is a report (DSFRA/20/13) outlining the legal position on the disposal of land and inviting the Authority to approve a policy for this. This paper now addresses the proposed disposal of Topsham Fire Station in light of the contents of the earlier report.

## **2. LEGAL CONSIDERATIONS**

- 2.1. Report DSFRA/20/13 identifies that the legal basis for disposal of land by the Authority is contained in Section 123 of the Local Government Act 1972 (“the Act”) which provides that:
  - (1) Subject to the following provisions of this section, [the Authority] may dispose of land held by them in any manner they wish.
  - (2) Except with the consent of the Secretary of State, [the Authority] shall not dispose of land under this section, otherwise than by way of a short tenancy, for a consideration less than the best that can reasonably be obtained.
- 2.2. Report DSFRA/20/13 also identifies, though, that in pursuance of powers under the Act the [then] Secretary of State issued, in 2003, a General Disposal Consent (“the Consent”) providing local authorities (including this Authority) with a discretionary power to dispose of land at less than the best that can reasonably be obtained (i.e. at an undervalue) if the purpose of the disposal would be likely to contribute to the promotion or improvement of the economic well-being, social well-being or environmental well-being of the authority’s area or its residents.

- 2.3. Where authorities are considering exercising the discretionary power outlined above, they must remain aware of the need to fulfil their fiduciary duty in a way that is accountable to local people and should still seek to realise for themselves a benefit (either direct or indirect) that can be assessed in monetary terms. The Service is not aware of any potential circumstances where a sale at undervalue might support the Authority's policy objectives as set out in its Integrated Risk Management Plan. Accordingly, no options are being presented for a sale at undervalue.

**3. DISPOSAL OF TOPSHAM FIRE STATION**

- 3.1. As indicated above, the decision to relocate Topsham fire station and dispose of the land was based on the ability to reinvest funds to enable delivery of the new Service Delivery Operating Model which in turn is intended to enable the Service to effectively and efficiently match resources to those risks identified in the approved Integrated Risk Management Plan.
- 3.2. This objective will best be achieved by disposing of Topsham fire station for the best consideration that can reasonably be obtained (as supported by an independent valuation), in accordance with Section 123 of the Local Government Act 1972. The Authority is therefore recommended to authorise the disposal of Topsham fire station on the basis of securing the best consideration that can reasonably be obtained.

**LEE HOWELL**  
**Chief Fire Officer**

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<b>REPORT REFERENCE NO.</b>	DSFRA/20/15
<b>MEETING</b>	DEVON & SOMERSET FIRE & RESCUE AUTHORITY
<b>DATE OF MEETING</b>	23 OCTOBER 2020
<b>SUBJECT OF REPORT</b>	ENVIRONMENTAL STRATEGY
<b>LEAD OFFICER</b>	Director of Finance & Resourcing
<b>RECOMMENDATIONS</b>	<p><i>(a). that the Authority declares a Climate Emergency;</i></p> <p><i>(b). that the Service Environmental Strategy as appended to this report aimed at addressing, by adaptation and mitigation, climate change be endorsed;</i></p> <p><i>(c). that the Audit &amp; Performance Review Committee, in consultation with the Authority’s Climate Change and Sustainability Member Champions, be asked to develop appropriate targets and/or Key Performance Indicators (KPIs) to facilitate monitoring by that Committee of progress in implementing the Service Environmental Strategy.</i></p>
<b>EXECUTIVE SUMMARY</b>	Climate change is an issue requiring action at a national, regional and local level. This paper invites the Authority to formally recognise a climate emergency and sets out an Environmental Strategy whereby the Devon & Somerset Fire & Rescue Service (“the Service”) will, through adaptation and mitigation, seek to address climate change issues.
<b>RESOURCE IMPLICATIONS</b>	Any resources associated with implementation of the Environmental Strategy will be contained from within existing resources.
<b>EQUALITY RISKS AND BENEFITS ANALYSIS</b>	Not applicable
<b>APPENDICES</b>	A. Service Environmental Strategy
<b>BACKGROUND PAPERS</b>	<p><a href="#">Global Warming of 1.5°C – Report of the Intergovernmental Panel on Climate Change (IPCC)</a></p> <p><a href="#">Climate Emergencies – fire and rescue services</a></p>

## **1. BACKGROUND AND INTRODUCTION**

- 1.1. Climate change is the most serious and urgent challenge facing not just the communities of Devon and Somerset but across the world. In October 2018 a 'Special Report on Global Warming of 1.5°C' was published by the Intergovernmental Panel on Climate Change which:
- (a). describes the enormous harm that a 2°C average rise in global temperatures is likely to cause compared with a 1.5°C rise; and
  - (b). confirms that limiting Global Warming to 1.5°C may still be possible with ambitious action from national and sub-national authorities, civil society and the private sector.
- 1.2. The UK Government has recently committed to reducing carbon emissions to net zero by 2050 following advice from the Committee on Climate Change. Additionally, a number of local authorities (including this Authority's constituent authorities of Devon County Council, Somerset County Council, Plymouth City Council and Torbay Council) have declared climate emergencies and have either adopted, or are in the process of adopting, strategies to address the economic, social and environmental costs of climate change.
- 1.3. In its March 2020 publication "Climate Emergency – Fire and Rescue Services", the Local Government Association identified both current and future risks stemming from a failure to tackle, effectively, climate change. These include, of particular relevance to fire and rescue services:
- more frequent and more extreme flooding and coastal erosion, caused by wetter winters, heavier rain, stronger storms and rising sea levels;
  - more water shortages and higher drought risk, caused by hotter drier summers and less predictable rainfall;
  - more frequent and more extreme fires and wildfires; and
  - more damage to wildlife and the habitat on which it depends – in many cases, the damage may be existential.
- 1.4. There are two key elements to addressing climate change issues – adaptation and mitigation. For the Devon & Somerset Fire & Rescue Service ("the Service"), mitigation means reducing the Service's greenhouse gas emissions and carbon footprint, waste and pollution. Adaptation means reducing the vulnerability of communities served from climate change, thereby making the environment and communities safer. In an operational context, mitigation can be associated with emergency response and recovery work aimed at directly reducing the worst impacts of extreme weather events on local communities, when they occur.



- 1.5. While individuals can and should accept responsibility for living in a more sustainable way, they cannot be expected to make these changes on their own. All governments – nationally and locally - have a duty to limit the negative impacts of climate change. The Service recognises this and has developed the attached Environmental Strategy designed to reduce carbon dioxide equivalent (CO<sub>2</sub>eq) emissions in working towards carbon neutrality as quickly as possible and ultimately a “Carbon net positive” position.

## **2. SERVICE ENVIRONMENTAL STRATEGY**

- 2.1. The Service Environmental Strategy is attached at Appendix A to this report. The key themes of the Strategy (Our People; Our Buildings; Our Journeys; and Our Services) will require significant change and investment over time to support the overall goals of:

*Service 2020: Understanding the baseline impact of Service activities and then reducing emissions and waste from these activities.*

*Service 2030: carbon neutral or net carbon emissions means the Service is achieving an overall balance between emissions produced and those taken out of the atmosphere.*

*Service 2050: Carbon net positive approach means the Service will do more good than harm to the environment.*

- 2.2. As indicated, the first priority is to baseline existing Service activities and its carbon footprint to monitor progress. Work on this has already commenced. The changes required to meet the strategy goals require environmental factors to be central aspects of Service decision making priorities.
- 2.3. The Authority is therefore recommended to support the declaration of a climate emergency, to endorse the attached Environmental Strategy and to approve its ongoing monitoring through the Audit & Performance Review Committee.

**AMY WEBB**  
**Director of Finance & Resourcing**

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DEVON &  
SOMERSET  
FIRE & RESCUE SERVICE

# ENVIRONMENTAL STRATEGY



GREEN DSFRS

## Our vision

*Together we will work to end preventable fire and rescue emergencies, creating a safer world for you and your family.*

## **Climate changes are global issues and they have a direct impact on the safety of our communities.**

The UK has a legal requirement and target to bring its greenhouse gas emissions to net zero<sup>1</sup> by 2050. On the 1st May 2019 the UK Government declared a Climate Change Emergency. Our communities have seen extreme weather events becoming more common; flooding, heatwaves and storms and yet our populations will continue to grow. We have seen the introduction of Clean Air zones recognising the negative impact of pollution on health, wellbeing and wildlife. Devon and Somerset Fire and Rescue has a legal and moral responsibility to take action and care for our planet, our people and create a sustainable green future.

<sup>1</sup> Net zero means any emissions would be balanced by schemes to offset an equivalent amount of greenhouse gases from the atmosphere, such as planting trees or using carbon capture and storage technology.

## Green Goals

**Mitigation:** reducing our carbon footprint, greenhouse gas emissions, waste and pollution through new working practices, green initiatives and reducing demand on resources.

**Adaptation:** reducing the vulnerability to our communities from climate change through our prevention, protection and response activities, making our environment safer and supporting their wellbeing.

## Green Foundations

2,000+ people, 80+ premises, 112 front line appliances, 300+ support vehicles, 2 counties covering 4000sq miles with 18,000 miles of road. We need to understand the current impact our service has on the environment. We know we have the capability to make lasting changes and implement these environmental goals. Our first priority is to invest in resources, data analysis and some key project's to make some immediate carbon reduction changes and for the future we will plan our greatest changes around our key themes: **Our People, Our Buildings, Our Journeys** and **Our Services.**

## Our People – *working smarter, cleaner and greener*

We can all make positive behaviour changes to make our service and our communities more green and sustainable. As a Service we will:



Deliver “Smarter Ways of Working”, supported by technology and flexible working arrangements



Introduce an environmental officer, champions and develop a Carbon Literacy training package



Deliver environmentally friendly people changes and initiatives

## Our Buildings – *green and sustainable*

Our buildings vary in purpose, design, condition and efficiency. Our plan is to reduce our carbon footprint through green or low carbon technologies and sustainable designs. We will:



**Measure, monitor and publish our energy, water and waste consumption**



**Introduce green, low carbon, renewable and carbon offsetting initiatives**



**Reduce our waste, water and utilities; removing single use plastics and improve recycling facilities at all our sites “less plastic more fantastic”**



**Encourage green spaces, introduce sustainable designs for the benefit of employees, communities, wildlife and to offset carbon emissions**



## Our Journeys – *travelling less and talking more*

How we manage our fleet, journeys and travel requirements will make a significant contribution to our environmental impact and our daily lives. Our journeys for work and commuting need to consider the best way to reduce our carbon footprint as well as improving our wellbeing and helping to reduce the risk of accidents on our roads. We will:



Implement telematics to understand, map and reduce our journeys



Reduce the number of vehicles and introduce alternative fuel vehicles in to our fleet



Introduce incentives for our staff to undertake greener travel

## Our Services – *reducing demand and risk*

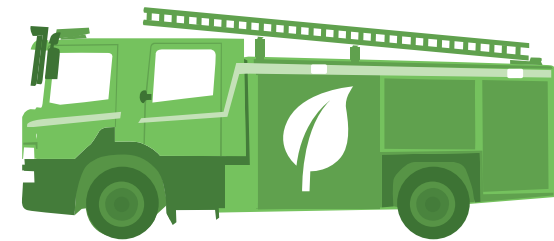
Fires and accidents have a significant impact on the environment; destruction of life, property, wildlife and creating contamination and emissions. To support our response, protection and prevention strategies we will:



**Introduce firefighting procedures, techniques and technologies to reduce environmental impact**



**Analyse and report on our operational and training activities in terms of environmental impact**



**Adopt working practices that recognise our environmental aims**

## Our Green Action Plan – *making green outcomes happen*

Reducing the effects of climate change cannot happen overnight. This is a long term strategy but we need to start taking immediate action to become more environmentally aware and proactive. Our plan for creating a green sustainable future is aligned to what we have set out above and plan to do over the following 18 months, 3 years and seeing our greener outcomes by 2030.



**Immediate Future 18 months**

- ✓ Provide funding to deliver our action plan
- ✓ Making waste reduction a priority
- ✓ Work collaboratively with DEFRA, Environmental Agency, and others to identify and deliver best practice
- ✓ Introduce environmental factors and impacts in our decision making processes
- ✓ Develop self-service processes to reduce inefficiency and remove paper-based systems
- ✓ Putting greater emphasis on environmental changes with our energy companies and third party providers
- ✓ Introduce electric vehicle charging points at our pilot sites
- ✓ Design green and carbon reduction initiatives into our new building schemes
- ✓ Establish fleet telematics system and start to implement
- ✓ Work with Water Companies to understand impacts of firefighting use of water
- ✓ Measure and publish our current environmental impact in terms of emissions, waste, water and utilities
- ✓ Encourage behaviour change and share good ideas for improvement with our staff, partner organisations and wider community.

To consider through the Fire Authority, Chief Fire Officer and Executive Leadership Team our declaration of a climate change emergency and actively promote our strategy with partner organisations and wider community.

## Longer term

### Medium Horizon 18 months-3 years

- ✓ Review and benchmark our sustainable performance measurements
- ✓ Develop our systems and processes to capture the relevant information to analyse and improve our sustainable performance
- ✓ Introduce high environmental standards in our requirements for goods, services and works
- ✓ To improve fleet utilisation and reduce numbers of vehicles and journeys
- ✓ Introduce new fleet technologies and alternative fuels to reduce emissions
- ✓ Extend our electric vehicle charging point scheme
- ✓ Explore retrofitting renewable energy generation on our larger sites
- ✓ Influence across our local authority area for safe and sustainable building designs and urban developments.

### By 2030

- ✓ Seek to influence council partners for reductions in business rates as a result of renewable energy schemes
- ✓ Work with the Environment Agency to ensure that our training and operations are carried out within agreed standards
- ✓ Recognise the financial and wellbeing benefits from our environmental investments and plan for 2050
- ✓ Be proactive in our approach to climate related consultations and seek input from our local communities and support from wider government and agencies for our climate change initiatives.



**DEVON &  
SOMERSET**  
FIRE & RESCUE SERVICE

<b>REPORT REFERENCE NO.</b>	<b>DSFRA/20/16</b>
<b>MEETING</b>	<b>DEVON &amp; SOMERSET FIRE &amp; RESCUE AUTHORITY</b>
<b>DATE OF MEETING</b>	<b>23 OCTOBER 2020</b>
<b>SUBJECT OF REPORT</b>	<b>MEMBERS' ALLOWANCES FURTHER CONSIDERATIONS – STANDARDS COMMITTEE</b>
<b>LEAD OFFICER</b>	<b>Director of Governance &amp; Digital Services</b>
<b>RECOMMENDATION</b>	<i>That the Authority makes no changes to the Approved Scheme of Members' Allowances.</i>
<b>EXECUTIVE SUMMARY</b>	<p>At its budget meeting on 18 February 2020, the Authority considered the outcome of an independent review intended to inform the setting of Member allowances to operate for the next four financial years (up to and including the financial year 2023-24). In debating this issue, reference was made to the time commitments incurred by those Members involved in Standards Committee hearings. Consequently, it was resolved (Minute DSFRA/40[m] refers):</p> <p style="padding-left: 40px;">“that the Clerk review the position on the payment of a Special Responsibility Allowance for Members of the Standards Committee and submit a report on this to a future meeting”.</p> <p>This paper now sets out information to enable the Authority to consider whether or not it would wish to introduce such a special responsibility allowance (SRA).</p>
<b>RESOURCE IMPLICATIONS</b>	Should a special responsibility allowance be introduced, this could result in an overspend against the budget for Members allowances for the current financial year. For future financial years, an appropriate amount would be factored in to budget proposals to be presented to the Authority.
<b>EQUALITY RISKS AND BENEFITS ANALYSIS</b>	N/A
<b>APPENDICES</b>	Nil.
<b>BACKGROUND PAPERS</b>	<p>A. The Local Authorities (Members' Allowances) (England) Regulations 2003.</p> <p>B. The Localism Act 2011 (and Regulations made thereunder).</p> <p>C. Report DSFRA/20/8 (Devon &amp; Somerset Fire &amp; Rescue Authority Approved Scheme of Members' Allowances 2020-21) to the Authority budget meeting on 18 February 2020 (and the Minutes of that meeting).</p>

## 1. BACKGROUND

- 1.1. At its budget meeting on 18 February 2020, the Authority considered the outcome of an independent review intended to inform the setting of Member allowances to operate for the next four financial years (up to and including the financial year 2023-24). In debating this issue, Members made reference to the time commitments incurred by those Members involved in Standards Committee hearings. Consequently, it was resolved (Minute DSFRA/40[m] refers):

“that the Clerk review the position on the payment of a Special Responsibility Allowance for Members of the Standards Committee and submit a report on this to a future meeting”.

- 1.2. This paper now sets out information to enable the Authority to consider whether or not it would wish to introduce such a special responsibility allowance (SRA).

## 2. LEGISLATIVE POSITION

### ***Standards Issues***

- 2.1. The Localism Act 2011 (“the Act”) replaced the previous ethical (standards) regime, which until that point featured a mandated Code of Conduct and oversight by the [then] Standards Board for England. The Act abolished this former regime and replaced it with one whereby:
- (a). a duty was placed on relevant authorities to promote and maintain high standards of conduct by members and co-opted members of the authority (Section 27(1));
  - (b). relevant authorities are required to develop and adopt a Code of Conduct; and
  - (c). relevant authorities must have in place arrangements under which:
    - (i) allegations of Code breaches can be investigated (Section 28(6)(a); and
    - (ii) decisions on allegations can be made (Section 28(6)(b)).

### ***Members’ Allowances***

- 2.2. The Local Authorities (Members’ Allowances) (England) Regulations 2003 (“the Regulations”) govern the payment of allowances to members of relevant authorities (including combined fire and rescue authority). The Regulations provide that a relevant authority must make each year a scheme of allowances that:
- (a). **must** provide for the payment of an allowance to each member of the authority, with the amount of the allowance to be the same for each member (the “basic allowance”) (Regulation 4(1)(a)); and
  - (b). **may** provide for the payment of other allowances “to such members of the authority as have special responsibilities in relation to the authority as are specified in the Regulations” (“special responsibility allowances”) (Regulation 5(1)).



- 2.3. Guidance issued by the [then] Office of the Deputy Prime Minister in April 2001 set out that:
- “Basic allowance is intended to recognise the time commitment of all councillors, including such inevitable calls on their time as meetings with officers and constituents and attendance at group meetings. It is also intended to cover incidental costs such as the use of their homes”.
- 2.4. Special Responsibility Allowances (SRAs) are defined in Regulation 5(1) (a) to (i). For completeness, this Regulation is reproduced in full at Appendix A to this report but those SRAs currently relevant to the Authority are:
- (a). presiding at meetings of a committee or sub-committees of the authority, or a joint committee of the authority and one or more other authorities, or a sub-committee of such joint committee (Regulation 5(1)(c));
  - (b). representing the authority at meetings of, or arranged by, any other body (Regulation 5(1)(d));
  - (c). acting as a member of a committee or sub-committee of the authority which meets with exceptional frequency or for exceptionally long periods (Regulation 5(1)(e)); and
  - (d). carrying out such other activities in relation to the discharge of the authority’s functions as require of the member an amount of time and effort equal to or greater than would be required of him by any one of the activities mentioned in sub-paragraphs (a) to (h) of Regulation 5(1) (whether or not that activity is specified in the scheme) (Regulation 5(1)(i)).
- 2.5. While the Regulations require an authority to make an allowances scheme before the beginning of each financial year, they also allow for schemes to be amended in-year (Regulation 10(3)).
- 2.6. The Regulations do not require this Authority to have an Independent Remunerations Panel but do require this Authority to “have regard to” any recommendations made by the Independent Remunerations Panels of its constituent authorities when making or amending its scheme (Regulation 19(2)). This Authority has, though, previously resolved to commission an independent consultant to undertake a full review of its allowances scheme to inform allowances to operate for a four year period. The last review was undertaken in 2019, to inform allowances payable from the 2020-21 financial year.

### **3. STATISTICAL AND COMPARATIVE INFORMATION**

- 3.1. Since 2012, there have been a total of 8 Committee/hearing panel meetings, as summarised in the table below:

<b>Date and type of meeting</b>	<b>Duration of Meeting (hrs:mins)</b>
28 November 2016 (hearing)	4:15
9 April 2018 (meeting)	1:37
14 October 2018 (pre-hearing)	1:15
26 October 2018 (hearing)	8:30

<b>Date and type of meeting</b>	<b>Duration of Meeting (hrs:mins)</b>
3 December 2018 (hearing)	0:40
8 April 2019 (meeting)	2:00
22 November 2019 (hearing)	1:50
6 August 2020 (meeting)	0:26

- 3.2. Based on the above, the average length of a hearing panel was 3 hours 18 minutes. It should be noted, though, that:
- (a). hearings panels meet only as and when required;
  - (b). the number/frequency of hearing panels is very low (only 5 since 2012 i.e. less than one hearings panel meeting per year);
  - (c). since 2012, there has only been one municipal year (2018-19) where more than one hearings panel has been held; and
  - (d). the hearing on 26 October 2018 could be regarded as exceptional in terms of its length and complexity. If this and the associated pre-hearing panel held on 14 October 2018 are removed from the average calculation, then the average length of a hearing panel drops to 2 hours 47 minutes.
- 3.3. The average length of a Standards Committee meeting was 1 hour 21 minutes. The average length of other committee meetings (based on meetings held during the 2018-19 municipal year) was 1 hour 47 minutes. It should be noted, though, that:
- (a). for the main, standing committees (i.e. Resources Committee; Human Resources Management & Development Committee; Audit & Performance Review Committee; Community Safety & Corporate Planning Committee), there are usually four meetings (minimum of three) in a normal municipal year; and
  - (b). the Standards Committee meets only as when required, but the expectation is that there will usually be a minimum of one meeting per municipal year (to review the Code of Conduct and arrangements for dealing with alleged breaches).
- 3.4. Based on the above:
- (a). a Member of a main standing committee might expect to spend, on average, a minimum of 4 hours 25 minutes (3 meetings) or maximum of 5 hours 53 minutes (four meetings) attending meetings in any one municipal year;
  - (b). in comparison, a Member of the Standards Committee might expect to spend, on average, a minimum of 1 hour 21 minutes (one meeting of Standards Committee only) attending meetings in any one municipal year, or possible maxima of:
    - (i). 2 hours 42 minutes (two Standards Committee meetings)
    - (ii). 4 hours 8 minutes (one Standards Committee; one hearing panel at 2 hours 47 minutes);

(iii). 6 hours 55 minutes (one Standards Committee; two hearings panels at 2hours and 47minutes);

3.5. The average maxima indicated in (i) and (ii) of the above paragraph fall below the average maximum attendance for other standing Committee meetings, while the average maximum at (iii) exceeds the maximum attendance for other standing Committee meetings by only one hour in any one year. Given the low frequency of both Standards Committee and hearings panel meetings since 2012, the data indicates that it is unlikely that this maximum would be reached in any one normal municipal year.

3.6. As previously indicated, the basic allowance payable to all Authority members is intended to cover issues such as committee attendance. By way of further context:

- (a). the duration of the exceptional hearing panel meeting on 26 October 2018 featured in the statistical information provided to the independent consultant when undertaking, in 2019, the last major review of the Authority's allowances scheme to inform allowances to be payable from the 2020-21 financial year. Despite the inclusion of this information, the review report made no recommendation as to payment of an SRA for Members of the Standards Committee;
- (b). A review of the Authority's standards arrangements – prompted by practical experience and in light of the recently-published report of the Committee for Standards in Public Life (CSPL) on operation of the ethical regime under the Localism Act 2011 ("the Act") - was undertaken by the Standards Committee in April 2019. As a result of that review, the Committee approved revised arrangements for handling complaints; and
- (c). None of the constituent authorities appointing to this Authority pay an SRA in relation to Standards matters to their Members. Additionally, desktop research of the other 19 combined fire and rescue authorities has indicated that none pay such an allowance.

#### **4. APPLICATION TO THIS AUTHORITY**

4.1. Given the statistical and comparative information set out in the previous section, it is felt that it would be difficult to attach an SRA either to membership of the Standards Committee or a hearing panel drawn from the Committee, as:

- (a). neither could reasonably be said to meet, normally, with exceptional frequency or for exceptionally long periods (Regulation 5(1)(e)); and
- (b). the basic allowance payable to all Authority members is intended to cover meeting attendance and associated preparation work. It is difficult to see how membership of the Standards Committee or hearings panels is so significantly different from this as to represent "such other activities in relation to the discharge of the authority's functions as require of the member an amount of time and effort equal to or greater than would be required of him by any one of the activities mentioned in sub-paragraphs (a) to (h) of Regulation 5(1)" (Regulation 5(1)(i)).

- 4.2. Since establishment of the arrangements in accordance with the Localism Act 2011, there has been only one hearing that would fit the definition of lasting for an exceptionally long period. While a similar situation could happen again, the data and wider experience does not suggest that this is a reasonable probability.

**5. SUMMARY AND CONCLUSION**

- 5.1. The evidence since 2012 is that the Standards Committee does not meet with exceptional frequency or, with the exception of one hearing in October 2018, for exceptionally long periods (Regulation 5(1)(e)).
- 5.2. The duration of the exceptional hearing panel meeting in October 2018 was known to the independent consultant when undertaking the last major review of the Authority's allowances scheme to inform allowances to be payable from the 2020-21 financial year and the review report made no recommendation as to payment of an SRA for Members of the Standards Committee.
- 5.3. None of the constituent authorities appointing to this Authority pay an SRA in relation to Standards matters to their Members and none of the other 19 combined fire and rescue authorities appear to pay such an allowance.
- 5.4. Finally, the independent consultant who conducted the last review in 2019 has been consulted and fully concurs with the contents and conclusions of this report.

**MIKE PEARSON**

**Director of Governance & Digital Services**

**REGULATION 5(1), THE LOCAL AUTHORITIES (MEMBERS' ALLOWANCES)  
(ENGLAND) REGULATIONS 2003**

**Special Responsibility Allowances (NOTE: those categories applicable to the Devon & Somerset Fire & Rescue Authority are indicated in *bold, italics*).**

“A scheme made under this Part may provide... for the payment for each year for which that scheme relates of an allowance (“special responsibility allowance”) to such members of the authority as have such special responsibilities in relation to the authority as are specified in the scheme and are within one or more of the following categories:

- (a). acting as leader or deputy leader of a political group within the authority;
- (b). acting as a member of an executive where the authority are operating executive arrangements within the meaning of Part II of the Local Government Act 2000;
- (c). ***presiding at meetings of a committee or sub-committee of the authority, or a joint committee of the authority and one or more other authorities, or a sub-committee of such a joint committee;***
- (d). ***representing the authority at meetings of, or arranged by, any other body;***
- (e). ***acting as a member of a committee or sub-committee of the authority which meets with exceptional frequency or for exceptionally long periods;***
- (f). acting as the spokesman of a political group on a committee or sub-committee of the authority;
- (g). acting as a member of an adoption panel within the meaning of the Adoption Agencies Regulations 1983;
- (h). acting as a member of any committee or sub-committee that deals with any function arising under any enactment authorising the authority to license or control the carrying on of any activity;
- (i). ***carrying out such other activities in relation to the discharge of the authority's functions as require of the member an amount of time and effort equal to or greater than would be required of him by any one of the activities mentioned in sub-paragraphs (a) to (h) (whether or not that activity is specified in the scheme)."***

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<b>REPORT REFERENCE NO.</b>	<b>DSFRA/20/17</b>
<b>MEETING</b>	<b>DEVON &amp; SOMERSET FIRE &amp; RESCUE AUTHORITY</b>
<b>DATE OF MEETING</b>	<b>23 OCTOBER 2020</b>
<b>SUBJECT OF REPORT</b>	<b>ADDITIONAL AUTHORITY MEETING</b>
<b>LEAD OFFICER</b>	<b>Director of Governance &amp; Digital Services</b>
<b>RECOMMENDATIONS</b>	<i><b>That an additional full Authority meeting be held on Wednesday 16 December 2020, commencing at 10.00hours.</b></i>
<b>EXECUTIVE SUMMARY</b>	<p>Social distancing restrictions as a result of Covid-19, together with Regulations introduced in response to the pandemic, meant that a reduced programme of Authority meetings was initially put in place for 2020/21. Red One Ltd. has been affected similarly by the pandemic and would normally have held an Annual General Meeting in June or July.</p> <p>The Authority's Standing Orders provide that the Authority's calendar of meetings may be varied (either by addition, re-arrangement or cancellation) at full Authority meetings. Having now successfully established the facility to hold 'virtual' meetings, the Authority is asked to consider holding an additional meeting on 16 December 2020 to consider, amongst other things: a progress report on implementing the changes within the Safer Together Programme agreed at the meeting of the Authority on 10 January 2020; the outcome of the external review of the Authority's governance arrangements undertaken by the Centre for Governance &amp; Scrutiny; and to also facilitate an Annual General Meeting of Red One Ltd.</p>
<b>RESOURCE IMPLICATIONS</b>	Nil.
<b>EQUALITY RISKS AND BENEFITS ANALYSIS</b>	N/A
<b>APPENDICES</b>	Nil.
<b>BACKGROUND PAPERS</b>	Nil.

**MIKE PEARSON**  
**Director of Governance & Digital Services.**

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

**23 OCTOBER 2020**

### **AGENDA ITEM 14 – EXCLUSION OF THE PRESS AND PUBLIC**

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

***For Agenda items 15 and 16***

- Paragraph 3 (information relating to the financial and business affairs of any particular person – including the authority holding that information).

***For Agenda item 17***

- Paragraph 1 (information relating to an individual); and
- Paragraph 2 (information likely to reveal the identity of an individual).

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By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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