

DEVON & SOMERSET FIRE & RESCUE AUTHORITY

(Devon & Somerset Fire & Rescue Authority)

31 July 2024

Present:

Councillors Coles (Chair), Brazil, Carter, Clayton, Fellows, Gilmour, Hendy, Kerley, Lugger, Peart, Radford, Sproston, Sully and Trail BEM

Apologies:

Councillors Biederman, Best, Cook-Woodman, Kendall, Randall-Johnson, Power, Prowse, Roome and Sellis

In attendance:

Alex Hanson and Steve West – Co-Chief Executives of Red One Ltd. (for Part 2 only)

DSFRA/24/18 Minutes

a **Minutes of the Annual General Meeting held on 10 June 2024**

RESOLVED that the Minutes of the Annual Meeting held on 10 June 2024 be signed as a correct record.

b **Minutes of the Ordinary Meeting held on 10 June 2024**

RESOLVED that the Minutes of the Ordinary meeting held on 10 June 2024 be signed as a correct record.

DSFRA/24/19 Urgent Item - Networked Fire Services Partnership (NFSP) Control Mobilisation Procurement

In accordance with Section 100B(4) of the Local Government Act 1972, the Chair was of the opinion that this item should be considered at the meeting as urgent business on the grounds that the Authority was about to enter into a new contract imminently.

The Authority received for information a report of the Assistant Chief Fire Officer – Service Delivery – (DSFRA/24/33) on the procurement exercise undertaken in respect of the purchase of a new fire control mobilisation system for Devon & Somerset, Dorset & Wiltshire, Hampshire & Isle of Wight (and soon to be Kent) Fire & Rescue Services under the auspices of the Networked Fire Services Partnership (NFSP).

It was noted that the current mobilisation system for the NFSP had been in place since 2016 and was nearing the end of the initial contract in June 2025. Work had been ongoing for some time on the procurement of a new system lead by the legal team for Hampshire County Council on behalf of the Partnership. Kent was not previously part of the Partnership but was joining under the new contract which had an initial term of 6 years with the option for 4 one-year extensions.

Following due diligence in the procurement process, a new supplier had been selected with contract signing due week commencing 26 August 2024. It was anticipated that the system build would be undertaken between 26 March and 4 November 2025 with integration and testing to follow together with training and cutover to the new system planned between 11 February and 22 September 2026. The existing supplier had confirmed it would continue to support the old system until transition.

The Service had budgeted for £1.874m for implementation of the new system with first year running costs of £0.750m from the revenue budget for 2026-27 and £0.375m from a reserve created from the 2023-24 underspend.

DSFRA/24/20 Minutes of Committees

a Audit & Governance Committee

The Vice Chair of the Committee, Councillor Kerley, **MOVED** the Minutes of the meeting of the Audit & Governance Committee held on 16 July 2024 which had considered, amongst other things:

- The External Audit Plan 2023-24;
- An Internal Audit progress report;
- The draft Annual Statement of Assurance 2023-24;
- An update on the Corporate Risk Register;
- The Going Concern Review detailing the financial position of the Authority to 31 March 2024 and its ability to continue operating for the foreseeable future;
- The annual review of the Authority's Standards arrangements; and
- A report on progress against the Action Plan to address Areas for Improvement falling within the remit of the Committee as identified by His Majesty's Inspectorate of Constabulary & Fire & Rescue Services following the last inspection of the Service.

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

b Shareholder Committee

The Vice Chair of the Committee, Councillor Coles, **MOVED** the public Minutes of the meeting held on 22 July 2024 which had considered, amongst other things:

- The Forward Plan of work for the Committee in 2024-25;
- A report on the financial performance of Red One Ltd. during Quarter 1 of the 2023-24 financial year (to 31 May 2024); and
- the Red One Ltd Performance and Five-Year Business Plan.

RESOLVED

- (a). that the recommendations at Minutes SC/24/5 (as contained within the Appendix to report.SC/24/5)) be considered in conjunction with Minutes DSFRA/24/26 below;
- (b). That, subject to (a) above, the public Minutes be adopted in accordance with Standing Orders.

(Minutes DSFRA/24/25 and DSFRA/24/26 also refer).

c People Committee

The Chair of the Committee, Councillor Clayton, **MOVED** the Minutes of the meeting held on 26 July 2024 which had considered:

- A report as at Quarter 1 of the 2024-25 financial year on performance against those Key Performance Indicators agreed by the Committee against its three strategic priorities as approved by the Authority, and specifically an in-depth review of performance on:
 - Operational core competences;
 - Health and safety issues, including reportable incidents under the Reporting of Injuries, Diseases and Dangerous Occurrences (RIDDOR), accidents, personal injuries, vehicle incidents and near misses;
 - Sickness and the main reasons for absence;
 - A summary of capability, disciplinary and grievance cases;
 - Strategic workforce planning including staff turnover and attrition for all staff categories; and
 - An overview of the People Services System project.

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

DSFRA/24/21 Medium Term Financial Plan

The Authority received for information a report of the Treasurer (DSFRA/24/28) which provided an update against the Medium-Term Financial Plan for the Authority's funding, income and expenditure forecasts for the next five years (2024-25 to 2028-29), as required by the Fire & Rescue National Framework for England.

A debate ensued during which various questions were raised on the costs of introduction of the Annualised Hours project and the costs of new Personal Protective Equipment (PPE) which the Treasurer duly answered.

Reference was also made to the income to be derived by the Authority in future from council tax relating to second homes. The point was made that some local authorities were taking the conscious decision to re-invest such income back into matters such as housing and the question was asked as to whether this Authority could consider such an approach. The Treasurer responded that this matter could be looked into although he was unsure of the legislative power for a Fire & Rescue Authority to do so which differed from that of a Local Authority.

Reference was also made to the project being undertaken to deliver savings from the response to false Automatic Fire Alarm (AFA) calls. It was noted that a full report on this matter would be submitted to the next meeting following conclusion of the internal and external consultation exercises being undertaken.

DSFRA/24/22 Executive Board Structure 2024

The Authority considered a report of the Chief Fire Officer (DSFRA/24/29) on the proposal to implement a permanent structure for the Executive Board following the temporary arrangements put into place following the secondment of the substantive Chief Fire Officer, Lee Howell, in May 2023. The report set out at Appendix A details of the establishment at Executive Board level, the temporary structure put in place in May 2023 and the proposed new structure to be implemented post 13 September 2024 on retirement of the substantive Chief Fire Officer. The report also set out the rationale behind the proposed changes in structure post 13 September 2024.

Additionally, the Chief Fire Officer recommended the appointment of Andrew Furbear, Head of Finance, as the permanent Treasurer to the Authority, given his appointment was temporary pending the appointment of the new Chief Fire Officer and structure that would be in place at Executive Board level thereafter.

The Chief Fire Officer advised the Authority that only himself and ACFO G Taylor were the only permanent members of the Executive Board currently. He referred to the factors involved in reaching his view on a new structure which included external drivers such as new and emerging risks, the people improvement journey through His Majesty's Inspectorate of Constabulary & Fire & Rescue Services (HMICFRS) and a change in government, amongst others. He added that the current level of work was not sustainable within the current structure with only 4 Executive Board Members as there was insufficient resilience. He also referred to the need to maintain the operational rota requirement.

The Authority sought clarification of the cost of the new structure. The Chief Fire Officer responded that the new structure would be more cost efficient as it contained Gren Book (non-operational) posts which did not attract the same allowance for operational availability as the Grey Book roles. The changes would need to be included in a revised Pay Policy Statement should the Authority endorse this proposal which would be submitted once recruitment was completed.

The Authority further requested a review of the proposed structure once in place for 12 months to ensure that the Chief Fire Officer had achieved the resilience required which he indicated he was content to submit.

RESOLVED

- (a). That the proposed Executive Board structure set out on page 44 of report DFRA/24/29 in Appendix A be endorsed and adopted;
- (b). That the existing Head of Finance, Andrew Furbear, be appointed on a permanent basis as the Authority's proper officer by virtue of section 112 of the Local Government & Finance Act 1989 (Treasurer);
- (c). Subject to (a). and (b). above, the report be noted.

DSFRA/24/23 Red One Ltd. - Authority Appointed Non-Executive Director

Councillors Brazil and Radford each declared a non-pecuniary interest in this matter by virtue of being Authority-appointed non-executive directors on the Board of Red One Ltd. In accordance with the dispensation granted by the Authority, Councillor Brazil did not participate in the debate and Councillor Radford left the room during consideration of this item and voting thereon.

The Authority considered a report of the Clerk to the Authority (& Monitoring Officer) (DSFRA/24/30) upon the re-appointment of an Authority appointed Non-Executive Director to the Board of Red One Ltd. following expiry of the term on 11 August 2024.

The Clerk to the Authority (& Monitoring Officer) advised that, further to the submission of the report circulated with the agenda and papers for the meeting, the current incumbent had indicated that he would be re-standing for election to Devon County Council and would like to continue his appointment to the Board of Red One Ltd. Given that County Council elections were set for 1 May 2025, the Clerk indicated that the re-appointment would be effective until 30 April 2025 whereupon confirmation would be forthcoming of the outcome of the County Council elections and whether Councillor Radford had been re-elected and successful in re-appointment to the Authority. At that point, a process would be instigated for Authority appointed Non-Executive Director on the Board of Red One Ltd.

The Clerk suggested amendments to the recommendations set out within report DSFRA/24/30 to reflect the following:

- (a). That Councillor Radford be re-appointed as Authority appointed Non-Executive Director on the Board of Red One Ltd. until 30 April 2025;
- (b). That the Clerk to the Authority (& Monitoring Officer) be authorised to instigate a process to identify suitable candidates for appointment as Authority appointed Non-Executive Directors on the Board of Red One Ltd.

Councillor Sully **MOVED** (seconded by Councillor Trail BEM) the above recommendations which were, upon a vote, declared **CARRIED** , whereupon it was

RESOLVED

- (a). That Councillor Radford be re-appointed as Authority appointed Non-Executive Director on the Board of Red One Ltd. until 30 April 2025;
- (b). That the Clerk to the Authority (& Monitoring Officer) be authorised to instigate a process to identify suitable candidates for appointment as Authority appointed Non-Executive Director on the Board of Red One Ltd.

DSFRA/24/24 Exclusion of the Press and Public

RESOLVED that the press and public, with the exception of Officers 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 Paragraphs 1, 2, 3 and 5 of Part 1 of Schedule 12A (as amended) to the Local Government Act 1972, namely:

- information relating to an individual and information likely to reveal the identity of an individual, respectively – Minutes DSFRA/24/25 & DSFRA/24/26 and DSFRA/24/27;
- the financial or business affairs of any particular person (including the authority holding that information) – Minutes DSFRA/24/27 & DSFRA/24/28; and
- information in respect of which a claim to legal or professional privilege could be maintained in legal proceedings – Minutes DSFRA/24/26 & DSFRA/24/27.

DSFRA/24/25 Restricted Minutes of the Ordinary Meeting of the Authority held on 10 June 2024

(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 Brazil and Radford each declared a non-pecuniary interest in this matter by virtue of being Authority-appointed non-executive directors on the Board of Red One Ltd. In accordance with the dispensation granted by the Authority, Councillors Brazil and Radford participated in the debate but neither participated in any voting thereon.

RESOLVED that the restricted Minutes of the Ordinary Meeting held on 10 June 2024 be signed as a correct record.

DSFRA/24/26 Restricted Minutes of the Shareholder Committee held on 22 July 2024

(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 Brazil and Radford each declared a non-pecuniary interest in this matter by virtue of being Authority-appointed non-executive directors on the Board of Red One Ltd. In accordance with the dispensation granted by the Authority, Councillors Brazil and Radford participated in the debate but neither participated in any voting thereon.

The Vice Chair of the Committee, Councillor Coles, **MOVED** the restricted Minutes of the meeting held on 22 July 2024 which had considered, amongst other things:

- The Forward Plan of work for the Committee in 2024-25;
- A report on the financial performance of Red One Ltd. during Quarter 1 of the 2023-24 financial year (to 31 May 2024); and
- the Red One Ltd Performance and Five-Year Business Plan.

RESOLVED

- (a). that the recommendation at Minutes SC/24/5 be approved; and
- (b). That, subject to (a). above, the Restricted Minutes be adopted in accordance with Standing Orders.

(Minute DSFRA/24/20b above also refers.)

DSFRA/24/27 Red One Ltd. - revised Articles of Association

(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 Brazil and Radford each declared a non-pecuniary interest in this matter by virtue of being Authority-appointed non-executive directors on the Board of Red One Ltd. In accordance with the dispensation granted by the Authority, Councillors Brazil and Radford participated in the debate but neither participated in any voting thereon.

The Authority considered a report of the Clerk to the Authority (& Monitoring Officer) (DSFRA/24/31) as sole shareholder upon the revised Articles of Association (fourth edition) for Red One Ltd. (the company) as considered at the previous meeting on 10 June 2024 (Minute DSFRA/24/15 refers).

RESOLVED

- (a). That the Articles of Association in the form attached (at Appendix A of report DSFRA/24/31) be adopted as the Articles of Association of the Company in substitution for and to the exclusion of the existing Articles of Association;

- (b). that the Authority (as sole shareholder) authorises the Clerk to sign the statement on its behalf (signifying consent) and return this to the Company for forwarding on to Companies House together with the revised Articles; and
- (c). That, subject to (a). and (b). above, the report be noted.

DSFRA/24/28 Red One Ltd. - Business Opportunity

(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 Brazil and Radford each declared a non-pecuniary interest in this matter by virtue of being Authority-appointed non-executive directors on the Board of Red One Ltd. In accordance with the dispensation granted by the Authority, Councillors Brazil and Radford participated in the debate but neither participated in any voting thereon.

The Authority considered a joint report of the Clerk to the Authority (& Monitoring Officer) and Co-Chief Executives of Red One Ltd. (DSFRA/24/32) setting out details of a request for the establishment of a joint venture via either of the mechanisms set out within Appendix A of the report circulated.

The Meeting started at 10.00 am and finished at 12.20 pm