

DEVON & SOMERSET FIRE & RESCUE AUTHORITY

18 December 2017

Present:-

Councillors Randall Johnson (Chair), Best, Chugg, Coles, Colthorpe, Eastman, Ellery, Greenslade, Hannaford, Healey MBE (Vice-Chair), Hendy, Hosking, Peart, Prowse, Redman, Riley, Saywell, Thomas, Vijeh and Wheeler.

Apologies:-

Councillors Biederman, Bown, Burridge-Clayton, Leaves, Napper and Trail BEM.

DSFRA/47 **Minutes**

RESOLVED that the Minutes of the meeting held on 20 October 2017 be signed as a correct record.

DSFRA/48 **Address by Retained Firefighters Union**

The Authority received an address from the Retained Firefighters Union (RFU) setting out its position statement on the draft Integrated Risk Management Plan (IRMP) currently being consulted on.

The RFU accepted that the make-up of communities and risks posed had changed over time but sought assurance that any detailed proposals stemming from the IRMP would also be subject to appropriate consultation. In making provision to address risks, the RFU also highlighted the need to ensure a healthy, appropriately trained workforce.

DSFRA/49 **Minutes of Committees**

a **Resources Committee**

The Chair of the Committee, Councillor Coles, **MOVED** the Minutes of the meeting held on 15 November 2017 which had considered, amongst other things:

- a report on treasury management performance as at the second quarter of the current (2017-18) financial year;
- a report on treasury management strategy;
- a report on the acquisition of water misting systems for appliances; and
- a report on financial performance as at the second quarter of the current financial year.

RESOLVED

- (i). that the recommendation at Minute RC/8 (Treasury Management Strategy) to amend the Terms of Reference for the Resources Committee by adding the following, advisory, role be approved:

“to give preliminary consideration to and recommend to the Authority a provisional budget and Council Tax requirement **and the Treasury Management and Investment Strategy and Minimum Revenue Provision (MRP) Statement** for the forthcoming year.”
- (ii). that, subject to (i) above, the Minutes be adopted in accordance with Standing Orders.

b Red One. Ltd. Non-Executive Directors Appointments Panel

The Chair of the Panel, Councillor Randall Johnson, **MOVED** the Minutes of the meetings of the Panel held on 4 and 14 December 2018 which had shortlisted, interviewed for and appointed to:

- a non-executive director to Chair the Board of Red One Ltd. (“the Company”); and
- a non-executive finance director for the Company.

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

(SEE ALSO MINUTE DSFRA/50 BELOW)

c Human Resources Management & Development Committee

The Vice-Chair of the Committee, Councillor Chugg, **MOVED** the Minutes of the meeting held on 12 December 2017 which had considered, amongst other things:

- a report on absence management and the health of the organisation;
- a report on requests for retirement and re-employment made in accordance with the Authority’s current Pay Policy Statement;
- a report on the Authority’s Pay Policy Statement proposed for the forthcoming (2018-19) financial year; and
- updates on workforce culture, diversity and inclusion.

RESOLVED

- (i). that the recommendation at Minute HRMDC/18 (Localism Act 2011 – Pay Policy Statement 2018-19) be considered in conjunction with the item elsewhere on the agenda for this meeting;
- (ii). that, subject to (i) above, the Minutes be adopted in accordance with Standing Orders.

(SEE ALSO MINUTE DSFRA/53 BELOW)

DSFRA/50 Commercial Governance - Developments

(Councillors Healey, Saywell and Thomas each declared personal, non-pecuniary interests in this item by virtue of being Authority-appointed non-executive directors on the Board of Red One Ltd.)

At the commencement of this item, the Authority considered whether, in light of the interests declared, Councillors Healey, Saywell and Thomas should participate in consideration of the matter and

RESOLVED that Councillors Healey, Saywell and Thomas be allowed to speak but not to propose Motions or vote on the issue.

The Authority considered a report of the Director of Corporate Services (Clerk to the Authority) (DSFRA/17/34) on progress to date in establishing enhanced, robust and proportionate governance arrangements for Red One Ltd. (“the Company”)

Reviews over the past 18 months or so had identified a range of areas where improvements might be secured and more recently Elemental CoSec, a firm specialising in commercial governance, had been commissioned to work with the Company, on behalf of the Authority as sole shareholder (member), in addressing these issues. This involved the development of a good governance manual and the drafting of new Articles of Association for the Company.

The Clerk to the Authority meeting advised further that, at a meeting held on 15 December 2017, the Board of Red One Ltd. had resolved to propose to the Authority (as sole shareholder [member] in the Company) a Special, Written Resolution to adopt in their entirety the new Articles of Association for the Company as drafted.

RESOLVED

- (a). that the Authority (as sole shareholder [member] for Red One Ltd. – “the Company”) approves the Written Special Resolution proposed by the Board of the Company that the existing Articles of Association be removed in their entirety and substituted by the new Articles of Association as attached to the Written Special Resolution;
- (b). that the Clerk to the meeting be authorised to authenticate and signify consent to the Written Special Resolution for and on behalf of the Authority;
- (c). that, subject to (a) and (b) above, the report be noted.

(SEE ALSO MINUTE DSFRA/52 BELOW).

DSFRA/51 Chief Fire Officer Appraisal Process

The Authority considered a report of the Director of Corporate Services (Clerk to the Authority) (DSFRA/17/35) on a proposal to establish small Panel to undertake a more formalised process for appraisal of the Chief Fire Officer. It was proposed that the Panel should have delegated authority to approve any developmental action (including associated costs) as may be identified from the appraisal process.

RESOLVED that a Chief Fire Officer’s Appraisal Panel be established, comprising the Authority Chair, one Member from each of the other two main political parties (for the current [2017-18] municipal year Councillor Best [for the Liberal Democrats]; Labour nomination to be confirmed) and a fourth Member to be determined by the Authority (Authority Vice-Chair, Councillor Healey for the current municipal year) with Terms of Reference as identified in paragraph 2.3 of report DSFRA/17/35.

DSFRA/52 Confirmation of Scheme of Members’ Allowances 2018-19

(Councillors Healey, Saywell and Thomas each declared a personal interest in this matter by virtue of being Authority-appointed non-executive directors on the Board of Red One Ltd.)

The Authority considered a report of the Director of Corporate Services (Clerk to the Authority) (DSFRA/17/36) on the proposed Scheme of Members’ Allowances to operate for the forthcoming (2018-19) financial year. The relevant Regulations required the Scheme to be approved and published by the Authority prior to the commencement of the financial year in question.

RESOLVED

- (a). that, given the changes in governance to the operation of Red One Ltd. (“the Company”), as referred to earlier on the agenda for this meeting, the special responsibility allowance (SRA) currently payable to Authority Members appointed as non-executive directors on the Company Board be discontinued with effect from 1 April 2018 on the basis that, going forwards, all director remuneration would be paid directly by the Company;
- (b). that, subject to (a) above, the Scheme of Allowances to operate for the 2018-19 financial year, as set out in paragraphs 2.2 and 2.3 of report DSFRA/17/36, be approved; and

- (c). that the Clerk to the Authority be authorised to publicise details of the Scheme so confirmed in one or more local newspapers circulating in the area served by the Authority.

(SEE ALSO MINUTE DSFRA/50 ABOVE).

DSFRA/53 Localism Act 2011 - Pay Policy Statement 2018-19

The Authority considered a report of the Director of Corporate Services (Clerk to the Authority) (DSFRA/17/36) to which was attached the proposed Pay Policy Statement to operate for the Authority for the forthcoming (2018-19) financial year. The Localism Act required such a statement, setting out the Authority's policy towards a range of issues relating to the pay of its workforce (particularly senior staff and the lowest paid employees), to be approved prior to the commencement of each financial year and published, as a minimum, on the Authority's website.

The report identified that the main difference between the proposed version and previous versions related to the salaries of senior officers on the Service Executive Board and to changes in the structure of that Board. Salaries of other staff had been reviewed to reflect nationally agreed pay increases.

The proposed Pay Policy Statement for 2018-19 had been considered by the Human Resources Management & Development Committee meeting on 12 December 2017 which had resolved to recommend its approval to the Authority (Minute HRMDC/18 refers).

RESOLVED that, in accordance with the recommendation of the Human Resources Management & Development Committee, the Pay Policy Statement to operate for the 2018-19 financial year, as appended to report DSFRA/17/36, be approved.

(SEE ALSO ITEM DSFRA/49(c) ABOVE).

DSFRA/54 Authority Budget Meeting 2018 - Proposed Change of Date

The Authority considered a report of the Director of Corporate Services (Clerk to the Authority) (DSFRA/17/38) on a proposed change of date for the Authority's budget setting meeting in 2018.

RESOLVED that the Authority budget meeting in 2018 be held on Friday 16 February 2018, commencing at 10.00hours at Service Headquarters.

DSFRA/55 Appointment of Police & Crime Commissioners to the Authority - Consultation on Enabling Regulations

The Authority considered a report of the Director of Corporate Services (Clerk to the Authority) on a Home Office consultation seeking views on the proposed enabling legislation to enable Police & Crime Commissioners to become, on request, members (with speaking and voting rights) of combined fire and rescue authorities ("the representation model"), as introduced by the Policing & Crime Act 2017.

Responses to the consultation were required by 15 January 2018. The report identified that while the consultation was largely as anticipated in terms of Police & Crime Commissioners becoming members of combined fire and rescue authorities, the proposals also envisaged that Police and Crime Commissioners unable to attend fire and rescue authority meetings should instead be able to send a representative to speak but not vote.

In debating a possible response to the consultation, Members expressed the following views:

- that, while there was no objection to Police & Crime Commissioners becoming members of combined fire and rescue authorities, the ability to send a representative to speak but not vote would create an inequitable position by giving Police & Crime Commissioners a right that would not exist for any other Member; and
- that, if the government was nonetheless minded to allow for such representation, it should be on the basis of a designated, named individual able to speak but not vote.

RESOLVED that the Chief Fire Officer be authorised to respond to the consultation, following consultation with the Chair, on behalf of the Authority and along the lines as indicated above.

DSFRA/56 Chair's Announcements

The Authority received for information a list of activities undertaken by the Chair on behalf of the Authority since its last meeting.

DSFRA/57 Chief Fire Officer's Announcements

The Chief Fire Officer reported for information on:

- the Coroner's narrative verdict following the inquest into the death at the fire that occurred at Sussex Road, Plymouth, on 19 October 2016;
- confirmation that the Devon & Somerset Fire & Rescue Service ("the Service") would be in the third tranche of the newly-instigated inspection regime for fire and rescue services to be undertaken by Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS). The third tranche of inspections was anticipated to commence in the Spring of 2019;
- preliminary feedback from the recently-undertaken peer assessment of the Service undertaken under the auspices of the Local Government Association;
- a visit to the Service on 15 December from the Home Office Government Strategy and Transformation Team. A fire-specific team from the Home Office were scheduled to visit the Service on 19 December;
- success by the Service in securing two awards:
 - a silver in the Learning Technologies Team category of the international Learning Technologies Awards 2017; and
 - winner of the Emergency Services Partnership of the Year category of the Fire Magazine Excellence in Fire & Emergency Awards 2017;
- progress with testing the Rapid Intervention Vehicles (RIVs) planned for implementation into the Service as part of the "tiered response" concept.

DSFRA/58 Exclusion of the Press and Public

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

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

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

DSFRA/59 Restricted Minutes

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

RESOLVED that the restricted Minutes of the Authority meeting held on 20 October 2017 be signed as a correct record.

The Meeting started at 10.00 am and finished at 11.35 am