

REPORT REFERENCE NO.	DSFRA/16/11
MEETING	DEVON & SOMERSET FIRE & RESCUE AUTHORITY (Annual Meeting)
DATE OF MEETING	26 MAY 2016
SUBJECT OF REPORT	SCHEDULE OF APPOINTMENTS TO COMMITTEES, OUTSIDE BODIES ETC.
LEAD OFFICER	Clerk to the Authority
RECOMMENDATIONS	<p>(a) <i>that, in accordance with Standing Orders, appointments be made to Committees etc. as shown in Part A of Appendix A to this report for the 2016-17 municipal year, the term of office to be until the Authority annual meeting in 2017;</i></p> <p>(b) <i>that the appointment of Mr. David Watson as the Authority's Independent Person as required by the procedures introduced by the Localism Act 2011, for a further twelve months until the Authority's annual meeting in 2017 be confirmed;</i></p> <p>(c) <i>that appointments be made to Outside Bodies as shown in Part B of Appendix A for the 2016-17 municipal year, the term of office to be until the Authority's annual meeting in 2017 unless otherwise indicated;</i></p> <p>(d) <i>that:</i></p> <p style="padding-left: 40px;">(i). <i>that the revision to the Terms of Reference to the Resources Committee indicated at paragraph 3.5 (and required consequential to adoption of Contract Standing Orders) be endorsed; and</i></p> <p style="padding-left: 40px;">(ii). <i>that, subject to (i) above, the Terms of Reference for the Authority Committees etc. as set out Appendix B to this report be confirmed.</i></p>
EXECUTIVE SUMMARY	<p>Appendix A to this report sets out appointments to Authority Committees, outside bodies etc., with Appendix B listing the Terms of Reference for each of the Authority's committees etc. under the current structure.</p> <p>The Authority is invited to make appointments to committees and outside bodies and confirm the Terms of Reference.</p>
RESOURCE IMPLICATIONS	Any resource implications associated with attendance at committee and outside body appointments etc. will be met from the approved budget for Members Allowances
EQUALITY RISKS AND BENEFITS ASSESSMENT (ERBA)	N/A

APPENDICES	A. Appointments to Committees, Working Parties etc. and Outside Bodies. B. Terms of Reference of Committees
LIST OF BACKGROUND PAPERS	None.

1. BACKGROUND AND INTRODUCTION

- 1.1 Following its establishment in 2007 the Authority put in place a committee structure to assist it in discharging its functions and also determined to make appointments to a number of outside bodies (e.g. the Local Government Association etc.) whose objectives accord with furthering the interests of the Authority.
- 1.2 Appointments to these are traditionally made at the Authority's Annual Meeting. Appended to this paper is a schedule setting out these appointments. This report now highlights a number of issues associated with this.

2. SCHEDULE OF APPOINTMENTS – GENERAL

- 2.1 The appended Schedule indicates the allocation of places to Committees and Outside Bodies for the previous (2015-16) municipal year for illustration purposes only. It should not be interpreted as any form of recommendation in relation to appointments for the forthcoming, 2016-17, municipal year.
- 2.2 The Authority is reminded that its Standing Orders require that appointments to Committees etc. take account of the principles of political proportionality as set out in the Local Government and Housing Act 1989. Officers have developed a spreadsheet to assist with this calculation which, whilst essentially an officers working tool, has previously been circulated to Members. The spreadsheet also identifies the balance of appointments by constituent authorities.
- 2.3 The Authority is invited to make appointments to those Committees and outside bodies as set out in the appended Schedule.

3. COMMITTEE STRUCTURE AND TERMS OF REFERENCE

- 3.1 As indicated previously, the Authority – following its establishment in April 2007 – formulated a committee structure with associated Terms of Reference to assist in the discharge of its functions.
- 3.2 This structure has evolved over the years to reflect changing needs. Most recently, following a review of commercial governance arrangements, the former Commercial Services Committee was abolished earlier this year with the appointment of three Authority Members as non-executive directors to the Board of Red One Ltd.
- 3.3 At its Annual Meeting in May of last year the Authority adopted Contract Standing Orders in place of the former Contract and Procurement Regulations (Minute DSFRA/15/5(c) refers). The new Contract Standing Orders were drafted to reflect legislative changes (notably the new European Procurement Regulations, which came into force on 26 February 2015), the development of a new Corporate Procurement Strategy for the Service and internal changes in responsibilities, working practices and systems stemming from the new Procurement Strategy.
- 3.4 The Terms of Reference of the Resources Committee currently contain the following reference to the former Contract and Procurement Regulations:
7. *In accordance with Procurement and Contract Regulations:-*
- *to determine from time to time contract financial thresholds for the purpose of determining the appropriate tendering process to be applied;*

- *to authorise further negotiations with tenderers following receipt of tenders in circumstances other than those currently provided for in Procurement and Contract Regulations;*
- *to accept a tender other than that providing best value for money when it is considered such acceptance is in the best financial interests of the Authority or it is considered there are other special circumstances.*

3.5 This reference to the former Procurement and Contract Regulations should have been amended at the time of approving the successor document but was overlooked. The latter two bullet points would now conflict with revised procurement legislation (one of the drivers behind the introduction of the new Contract Standing Orders) and as such it is proposed that the Terms of Reference of the Resources Committee be amended as indicated below to reflect the new legislative position and the systems now in place for the Authority (note the numbering has changed in the revised Terms of Reference):

6. *In accordance with Contract Standing Orders, to authorise any increase in high/low contract financial thresholds for the purpose of determining officer responsibility.*

3.6 The Terms of Reference for the existing Committee structure – amended to reflect the proposed revision to the Resources Committee Terms of Reference - are set out at Appendix B to this report.

3.7 The Authority is invited to confirm the revised Terms of Reference.

MIKE PEARSON
Clerk to the Authority