

DEVON & SOMERSET FIRE & RESCUE AUTHORITY
(Annual Meeting)

8 June 2018

Present:-

Councillors Randall Johnson (Chair), Best, Biederman, Bown, Clayton, Coles, Colthorpe, Drear, Eastman, Ellery, Greenslade, Radford, Hannaford, Healey MBE (Vice-Chair), Mathews, Napper, Peart, Prowse, Redman, Saywell, Thomas, Trail BEM, Vijeh and Wheeler.

Apologies:-

Councillors Bowyer and Hendy.

DSFRA/1 **Election of Chair**

Councillor Colthorpe **PROPOSED**, with Councillor Trail BEM seconding, that Councillor Randall Johnson be elected Chair.

Councillor Ellery **PROPOSED**, with Councillor Greenslade seconding, that Councillor Healey MBE be elected Chair.

In accordance with Standing Order 26(3), the Authority then resolved to hold a secret ballot, following which it was

RESOLVED that Councillor Randall Johnson be elected Chair until the Annual Meeting of the Authority in 2019.

DSFRA/2 **Election of Vice-Chair**

Councillor Hannaford **PROPOSED**, with Councillor Trail BEM seconding, that Councillor Wheeler be elected Vice-Chair.

Councillor Bown **PROPOSED**, with Councillor Ellery seconding, that Councillor Healey MBE be elected Vice-Chair.

In accordance with Standing Order 26(3), the Authority then resolved to hold a secret ballot, following which it was

RESOLVED that Councillor Wheeler be elected Vice-Chair until the Annual Meeting of the Authority in 2019.

DSFRA/3 **Minutes**

RESOLVED that the non-restricted Minutes of the meeting held on 30 April 2018 be signed as a correct record.

DSFRA/4 **Proposed Change to Standing Orders**

In accordance with Standing Order 20, Councillor Randall Johnson had asked for an item to be placed on the agenda for this meeting to enable the Authority to consider amending its Standing Orders to allow for Committee etc. Chairs and Vice-Chairs to be appointed by the Authority at its Annual Meeting.

This item was considered in conjunction with a report from the Director of Corporate Services (DSFRA/18/11) which indicated that such a change would ensure that there was no period where Committee etc. Chairs and Vice-Chairs were not in place (i.e. between appointments to Committees at the Authority's Annual Meeting and the first meeting of each Committee) and would be consistent with similar procedures currently operating in three of the four constituent authorities appointing to this Authority.

Following debate, the Chair **MOVED**, with Councillor Wheeler seconding:

“that the Authority's Standing Orders be amended, with immediate effect, to provide for Committee etc. Chairs and Vice-Chairs, to be appointed by the Authority at its Annual Meeting and that the Clerk be authorised to amend Standing Orders to give reflect this”

The motion was then put to the vote whereupon it was

RESOLVED that the Authority's Standing Orders be amended, with immediate effect, to provide for Committee etc. Chairs and Vice-Chairs to be appointed by the Authority at its Annual Meeting and that the Clerk be authorised to amend Standing Orders to reflect this.

SEE ALSO MINUTE DSFRA/6 BELOW)

DSFRA/5

Review of Constitutional Governance Framework

(Councillors Saywell and Thomas each declared a personal, non-pecuniary interest [by virtue of their being appointed by the Authority as non-executive directors on the Board of Red One Ltd.] in the proposed granting of a dispensation by the Authority to enable those Members it appointed as non-executive directors on the Board of Red One Ltd to speak, but not propose motions or vote on, any items relating to Red One Ltd. coming before Authority meetings. Councillors Saywell and Thomas also left the room during the vote on this matter).

The Authority considered a report of the Director of Corporate Services (DSFRA/18/12) on the review of the Authority's constitutional governance framework (Standing Orders, Financial Regulations etc.). The documents remained by and large fit for purpose but had been updated, as necessary, to reflect the realignment of responsibilities following internal, structural changes or a change in external Treasury Management advice provision. Two specific amendments were, however, proposed:

- to Financial Regulations, to align procedures for reserves with those already in place for revenue budget virements;
- to the Treasury Management Policy, to give effect to a recommendation made by the Devon Audit Partnership (following a recent internal audit) that explicit limits in relation to 'dealing' be detailed.

It was also proposed that the Authority grant a dispensation to those Members it appointed as non-executive directors on the Board of Red One Ltd. to enable these Members to speak, but not propose motions or vote on, issues relating to Red One Ltd. coming before Authority meetings. In the absence of such a dispensation, such Members would (under the Authority's Code of Conduct) be required to declare personal interests and leave the room during debates on such matters which it was felt was contrary to the rationale for making such appointments.

Councillor Coles **MOVED**, with Councillor Colthorpe seconding:

“that the relevant recommendation as set out in report DSFRA/18/12 be amended to add the words ‘...and leave the room during any vote on the issue’”.

This was put to the vote and declared **CARRIED**, whereupon Councillor Colthorpe **MOVED**, with Councillor Randall Johnson seconding, that the amended recommendations as set out in report DSFRA/18/12 be approved. This was put to the vote and declared **CARRIED** whereupon it was

RESOLVED

- (a) that the Authority grants a dispensation to those Members it appoints as non-executive directors on the Board of Red One Ltd. to speak, but not propose motions or vote on and to leave the room during any vote on, any item on Red One Ltd. coming before any meeting of the Authority (or its Committees) for consideration;
- (b) that the proposed revisions to Financial Regulations and the Treasury Management Policy as identified in paragraphs 3.5 and 3.8 respectively of report DSFRA/18/12, be approved.
- (c) that the changes to Financial Regulations and the Treasury Management Policy (to reflect either internal structural changes or a change in external provider), as identified in paragraphs 3.4 and 3.7 of the report, be endorsed;
- (d) that the revisions to the Code of Conduct and Standing Orders to give effect to earlier decisions of the Authority, as identified in the report, be noted; and
- (e) that, subject to (a) to (d) above, the constitutional framework documents as listed in paragraph 1.1 of the report be endorsed.

(SEE ALSO MINUTE DSFRA/6 BELOW)

DSFRA/6 Schedule of Appointments to Committees, Outside Bodies etc.

The Committee considered a report of the Director of Corporate Services (DSFRA/18/13) on appointments to the Authority's committees and to outside bodies for the forthcoming (2018-19) municipal year. Amongst other things, the report identified the following issues:

- a proposed amendment to the Terms of Reference for the Resources Committee to reflect the additional provision to be included in Financial Regulations (see also Minute DSFRA/5 above);
- a proposed clarifying amendment (in relation to the granting of dispensations) to the Terms of Reference of the Standards Committee; and
- a proposal to increase the size of the Standards Committee from five to seven Members.

Committee Terms of Reference incorporating the proposed revisions highlighted above were appended to the report. A draft, populated Schedule of Appointments was tabled at the meeting.

Councillor Redman moved, with Councillor Trail BEM seconding:

- (a). that membership of the Standards Committee be increased from five to seven members;
- (b). that the populated draft Schedule of Appointments as tabled at the meeting, and amended to reflect revised preferences expressed at the meeting, be approved; and

- (c). that, subject to the above, the recommendations in report DSFRA/18/13 (modified as required by earlier decisions of the Authority) be approved.

This was put to vote and declared **CARRIED**, unanimously, whereupon it was

RESOLVED

- (a) that membership of the Standards Committee be increased from five to seven Members;
- (b) that, in accordance with Standing Orders (as revised), appointments be made to Committees etc. for the forthcoming (2018-19) municipal year as shown below, the term of office to be until the Authority's Annual Meeting in 2019:

Audit & Performance Review Committee

Councillors Bowyer, Clayton, Healey MBE, Mathews, Napper, Saywell and Wheeler.

Chief Fire Officer's Appraisals Panel

Councillors Randall Johnson, Best, Hannaford and Vijeh.

Community Safety & Corporate Planning Committee

Councillors Colthorpe, Eastman, Ellery, Prowse, Radford, Redman and Trail BEM.

Human Resources Management & Development Committee

Councillors Best, Bown, Clayton, Hannaford, Peart, Thomas and Vijeh.

Resources Committee

Councillors Biederman, Coles, Drean, Greenslade, Hendy, Peart and Radford.

Standards Committee

Councillors Bown, Drean, Ellery, Prowse, Redman, Thomas and Trail BEM.

Capital Programme Working Party

Councillors Bown, Greenslade, Healey and Wheeler

Equality & Diversity Member Champion

Councillor Redman.

Climate Change & Sustainability Member Champion

Councillor Clayton.

Local Pensions Board

Councillor Greenslade

- (c) that, in accordance with Standing Orders (as revised), Chairs and Vice-Chairs be appointed to the following standing Committees as indicated, the term of office to be until the Authority's Annual Meeting in 2019 (**NOTE:** proposers and seconders indicated in brackets):

Audit & Performance Review Committee

Chair: Councillor Healey MBE (prop. Cllr. Napper; 2nd Cllr. Clayton)
Vice-Chair: Councillor Napper (prop. Cllr. Wheeler; 2nd Cllr. Clayton)

Chief Fire Officer's Appraisals Panel

Chair: Councillor Randall Johnson (prop. Cllr. Redman; 2nd Cllr. Peart)

Vice-Chair: Councillor Vijeh (prop. Cllr. Redman; 2nd Cllr. Peart)

Community Safety & Corporate Planning Committee

Chair: Councillor Redman (prop. Cllr. Colthorpe; 2nd Cllr. Trail BEM)
Vice-Chair: Councillor Eastman (prop. Cllr. Colthorpe; 2nd Cllr. Trail BEM)

Human Resources Management & Development Committee

Chair: Councillor Bown (prop. Cllr. Hannaford; 2nd Cllr. Clayton)
Vice-Chair: Cllr. Vijeh (prop. Cllr. Hannaford; 2nd Cllr. Clayton)

Resources Committee

Chair: Councillor Coles (prop. Cllr. Biederman; 2nd Cllr. Peart)
Vice-Chair: Councillor Greenslade (prop. Cllr. Biederman; 2nd Cllr. Peart)

Standards Committee

Chair: Councillor Thomas (prop. Cllr. Bown; 2nd Cllr. Ellery)
Vice-Chair: Councillor Ellery (prop. Cllr. Thomas; 2nd Cllr. Bown).

- (d) 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 2019, be confirmed;
- (e) that appointments be made to Outside Bodies as shown for the forthcoming (2018-19) municipal year, the term of office to be until the Authority's Annual Meeting in 2019 unless otherwise indicated:

LOCAL GOVERNMENT ASSOCIATION (LGA)

(i) Fire Commission

Authority Chair and Councillor Coles.

(ii) General Assembly

Authority Chair (exercising 2 Service and 1 Corporate votes);
Councillors Bown, Redman and Wheeler (each exercising 1 Service vote).

SOUTH WEST COUNCILS

Authority Chair.

SOUTH WEST PROVINCIAL COUNCIL

Councillor Bown.

- (f) that, in relation to the Terms of Reference of the Resources Committee:
 - (i) the proposed revision identified in paragraph 2.4 of report DSFRA/18/13 be approved; and
 - (ii) the clarifying amendment identified at paragraph 2.5 of the report be endorsed;
- (g) that the proposed revisions to the Terms of Reference of the Standards Committee as identified in paragraphs 2.7 and 2.11 of the report be approved;
- (h) that, subject to (d) and (e) above, the Terms of Reference to Committees etc. as set out at Appendix B to this report be endorsed.

(SEE ALSO MINUTES DSFRA/4 AND DSFRA/5 ABOVE)

(NOTE: The Authority adjourned for fifteen minutes – from 11.45 to 12.00hours – between confirming membership of Committees etc. for the 2018-19 municipal year and the subsequent appointment of Chairs and Vice-Chairs to Committees).

DSFRA/7 Draft Calendar of Meetings 2018-19

The Authority considered a report of the Director of Corporate Services (DSFRA/18/14) to which was appended a draft Calendar of Authority Meetings for the 2018-19 municipal year.

RESOLVED that the draft Calendar of Authority Meetings for the 2018-19 Municipal Year be approved.

DSFRA/8 Restricted Minutes

The Chair determined that this item should be deferred for consideration at the Ordinary Meeting to commence at the conclusion of this meeting.