North Yorkshire Fire and Rescue Authority

Minutes of the meeting of the Authority held on Wednesday 20 June 2012 at 11.00 am at North Yorkshire Fire Training Centre, Oaklands Way, off Stillington Road, Easingwold.

Present:-

County Councillor John Fort BEM (in the Chair); County Councillors Andrew Backhouse, Bernard Bateman MBE, John Blackie (as Substitute for Philip Barrett), David Blades (as Substitute for Stephen Shaw), J W Marshall, Chris Metcalfe, Chris Pearson, Peter Popple and Caroline Seymour.

City Councillors Keith Aspden, Ken King and Chris Steward.

Apologies for Absence:-

Apologies for absence were received from County Councillors Michael Heseltine and Neville Huxtable.

Copies of all documents considered are in the Minute Book

200. Membership of the Authority

Considered –

The report of the Secretary to the Authority advising that the City of York Council, on 24 May 2012, had appointed/re-appointed Councillors Keith Aspden, Lynn Jeffries, Ken King and Chris Steward to serve on North Yorkshire Fire and Rescue Authority.

Resolved –

That the report be noted.

201. Minutes

Resolved –

That the Minutes of the meeting held on 8 February 2012 be taken as read and be confirmed and signed by the Chairman as a correct record.

202. Exclusion of the Public

Resolved –

That, in pursuance of Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of each of the items of business listed in column 1 of the following table on the grounds that they each involve the likely disclosure of exempt information as defined in the paragraph specified in column 2 of Part 1 of Schedule 12A to the Local Government Act 1972 as amended by the Local Government (Access to Information)(Variation) Order 2006:–

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203. **Questions or Statements from Members of the Public**

There were no questions or statements from members of the public.

204. **Provisional Outturn 2011/12 and 2012/13 Budget Update**

 Considered –

The report of the Director of Finance and Service Development providing details of the provisional outturn for 2011/12, the Explanatory Foreword to the Accounts for the year ended 31 March 2012, and an update on the 2012/13 Budget.

**Resolved –**

That the report be noted.

205. **Annual Governance Statement**

Considered –

The report of the Director of Finance and Service Development seeking approval of the Annual Governance Statement for 2011/12. The Statement, together with a detailed matrix of evidence of officer compliance in its production, had been considered by the Audit and Performance Review Committee on 23 April 2012.

**Resolved –**

That the Annual Governance Statement, as set out at Appendix A to the report, be approved for publication alongside the Statement of Final Accounts for 2011/12.

206. **Proposed Corporate Report 2012/13**

Considered –

The report of the Chief Fire Officer/Chief Executive seeking approval of the proposed Corporate Report 2012/13, together with a proposed suite of Corporate Objectives and Performance Indicators which had been considered by the Audit and Performance Review Committee on 23 April 2012.

In introducing the report, the Chief Fire Officer/Chief Executive referred to the Performance Indicator relating to the percentage of new entrants into the Service from a black and minority ethnic background. He advised that it had been intended to use information from the latest census as the 2012/13 target for that Performance Indicator. However, such information had not yet been published. He asked the Authority whether it wished to continue to use the 2011/12 target of 5.7% or to suspend that target pending publication of the census information. Members expressed a preference for retaining the 5.7% target for 2012/13.

**Resolved –**

(a) That the draft Corporate Report 2012/13, as circulated with the Agenda for today’s meeting, be approved, subject to final typographical corrections and an amendment to show the recent change to the Authority’s membership.
(b) That the Corporate Objectives and Performance Indicators, as set out at Appendix A to the report, be approved, subject to the 2012/13 target for the Performance Indicator relating to the percentage of new entrants into the Service from a black and minority ethnic background being maintained at 5.7% pending census data review in 2013/14.

207. Local Ethical Framework Developments

Considered –

The report of the Monitoring Officer setting out the recommendations of the Standards Committee concerning arrangements for the Authority’s future local standards framework.

In introducing the report, the Monitoring Officer:-

(a) circulated copies of Statutory Instrument 2012 No. 1464 which had been laid before Parliament on 8 June 2012 and recommended that the provisions relating to Interests, as set out in the draft Code at Appendix 1 to the report (pages 48 – 52 of the papers for today’s meeting), be replaced with the table within Statutory Instrument 2012 No. 1464; and

(b) presented a further recommendation for the Authority’s consideration, namely, that the Authority should delegate authority to the Chief Fire Officer/Chief Executive, following consultation with the Monitoring Officer and the Authority Chairman, to appoint the Independent Persons once they had been identified through the recruitment process.

In response to Members’ questions, the Monitoring Officer advised that she would be producing guidance notes for Members concerning the interests which they now had to register under the new regime, including relevant interests of Members’ spouses which legislation required Members to register.

Members expressed support for a suggestion from the Authority Chairman that he should write to the Independent Members on the Standards Committee to thank them for all the work they had undertaken on that Committee.

Resolved –

(a) That the Authority’s duty to promote and maintain high standards of conduct be discharged as set out below and from time to time in such other ways as the Monitoring Officer, in consultation with the committee/sub-committee which has standards functions delegated to it, may deem appropriate:

(i) Establishing arrangements for the Authority to deal with standards functions.

(ii) Adopt new/revise existing, ethical statements.

(iii) Continue to promote ethical issues through planned and monitored Member training, including Member induction training.

(iv) Continue to produce Standards Bulletins.

(v) Continue, where appropriate, to consider wider procedures/issues which point to the ethical health of the Authority.
(vi) Use of the Fire Service’s website to promote the standards regime ultimately put in place.

(vii) Publicity when the new/revised Code and supporting standards regime is established by the Authority and from time to time as appropriate.

(b) That the Authority’s standards functions be delegated to the Audit and Performance Review Committee, with a sub-committee of that Committee (comprising not more than four Members) being responsible for standards and standards complaint handling issues the Committee being necessarily subject to the rules in relation to proportionality.

(c) That there be two Substitutes on the Standards Sub-Committee, one being a NYFRA Audit and Performance Review Committee Member from North Yorkshire and one being a NYFRA Audit and Performance Review Committee Member from York.

(d) That the Standards Sub-Committee meet twice per annum to ensure that the Authority’s statutory duties under the Act in relation to promotion and maintenance of high standards of conduct by Members are fulfilled.

(e) That the Standards Sub-Committee meet on an ad hoc basis to deal with any alleged breach of the new Members’ Code of Conduct.

(f) That the Standards Sub-Committee have a role in relation to issues raised by or in relation to persistent and/or vexatious complainants.

(g) That the draft new Members’ Code of Conduct attached at Appendix 1 to the report be approved, to be effective from 1 July 2012, subject to the provisions relating to Interests on pages 48 – 52 of the papers for this meeting being replaced with the interests requirements as set out in the new legislative framework.

(h) That, under the new standards regime effective from 1 July 2012, Members and voting Co-opted Members be required to sign an undertaking to comply with the Code before acting in such capacity.

(i) That the Authority publicise its adoption/revision of the Code on the Fire Service’s website and Intranet.

(j) That the Authority includes provision in the Authority’s Standing Orders requiring Members to withdraw from the meeting room where they have a disclosable pecuniary interest.

(k) That the complaint handling procedure attached at Appendix 4 to the report be approved and effective from 1 July 2012.

(l) That the Independent Persons not be co-opted members on any committee or sub-committee which has standards functions delegated to it under the new framework, but be invited to its meetings.

(m) That the Independent Persons be reimbursed for travelling and expenses.
(n) That the Monitoring Officer be designated as Proper Officer to receive written requests for a dispensation by Members and Co-opted Members under the new standards regime effective from 1 July 2012.

(o) That the power to grant dispensations to Members and Co-opted Members under the new framework be delegated to the committee/sub-committee which has standards functions delegated to it, after consultation with the Independent Person, and that power be delegated to the Monitoring Officer to grant dispensations (after consultation with the Independent Person) where the timescales are such that a Standards Sub-Committee meeting cannot be convened and where the Monitoring Officer has consulted every available Member of the Standards Sub-Committee, all of whom consent to the granting of the dispensation (all with effect from 1 July 2012).

(p) That authority be delegated to the Chief Fire Officer/Chief Executive, following consultation with the Monitoring Officer and the Authority Chairman, to appoint the Independent Persons once they have been identified through the recruitment process.

(q) That the Chairman write, on behalf of the Authority, to thank the three Independent Members on the Standards Committee for all the work they have undertaken on that Committee.

208. Appointments to Committees

Considered –

The report of the Secretary to the Authority seeking the Authority’s approval of Groups’ nominations for the appointment of Members and Substitutes to serve on the Authority’s Committees and on the new Standards Sub-Committee.

Groups submitted their nominations to the meeting.

Resolved –

(a) That City Councillor Lynn Jeffries be appointed as the following:-

(i) Audit and Performance Review Committee – First-named Substitute for City Councillors Ken King, Keith Aspden and Chris Steward.

(ii) Appeals Committee – First-named Substitute for City Councillor Ken King.

(iii) Appointments Committee – Second-named Substitute for City Councillor Keith Aspden.

(b) That County Councillors Andrew Backhouse and Peter Popple and City Councillors Ken King and Chris Steward be appointed as Members of the Standards Sub-Committee, that County Councillor Caroline Seymour be appointed as a Substitute Member on the Sub-Committee for County Councillors Andrew Backhouse and Peter Popple, and that City Councillor Keith Aspden be appointed as a Substitute Member on the Sub-Committee for City Councillors Ken King and Chris Steward.
209. **Appointments to Member Forums, Informal Working Groups and of Member Champions/Lead Members**

Considered –

The report of the Secretary to the Authority seeking appointments, for 2012/13, of Members to Informal Working Groups and of Member Champions/Lead Members.

Resolved –

(a) That membership of the Informal Working Group to Appraise the Chief Fire Officer, for the period ending on the date of the Authority’s meeting in June 2013, comprise the Authority Chairman and Vice-Chairman, who shall take soundings from leading Members of the other political Groups.

(b) That the following Members be re-appoint as Member Champions/Lead Member for the period ending on the date of the Authority’s meeting in June 2013:

   (i) Risk Assessment Member Champion – Chairman of Audit and Performance Review Committee.

   (ii) Equality and Diversity Member Champion – County Councillor Caroline Seymour.

   (iii) Health and Safety Lead Member – County Councillor Bernard Bateman MBE.

(c) That it be noted that there are no active Member Forums at present and therefore no appointments are required to be made. *(Later during this meeting, the Authority agreed to set up an Informal Member Forum to consider the consultation exercise regarding the possible closure of Snainton Fire Station (Resolution (c) of Minute 218 refers).*

210. **Appointments to Outside Bodies**

Considered –

The report of the Secretary to the Authority inviting the Authority to appoint its representatives to outside bodies to serve until the date of the Authority’s meeting to be held in June 2013.

RESOLVED –

That the following Members be appointed to the outside bodies listed below, to serve until the meeting of the Authority to be held during June 2013:

- Local Government Yorkshire and Humber – Chairman of the Authority. Substitute: Vice-Chairman of the Authority.

- Local Government Yorkshire and Humber Employers’ Committee – Chairman of the Authority. Substitute: Vice-Chairman of the Authority.
Local Government Association’s:-

- Fire Services Commission - Chairman
- Urban Commission - City Councillor Chris Steward
  - County Councillor John Fort BEM
- Rural Commission - County Councillor Caroline Seymour
  - County Councillor Michael Heseltine
- General Assembly - County Councillor John Fort BEM
  - County Councillor Caroline Seymour
  - County Councillor Stephen Shaw
  - City Councillor Keith Aspden
- Craven Crime and Disorder Reduction Partnership - County Councillor Philip Barrett
- Hambleton and Richmondshire Crime and Disorder Reduction Partnership - County Councillor Caroline Seymour
- Harrogate District Crime and Disorder Reduction Partnership - County Councillor J W Marshall
  - Substitute: vacant
- Ryedale Local Strategic Partnership Board - County Councillor Stephen Shaw
  - Substitute: vacant

211. Review of Service Level Agreements

Notes:

(a) Prior to consideration of this item of business, Carole Dunn and Ruth Gladstone left the meeting room because they were employed by North Yorkshire County Council.

(b) All County Councillors present at this meeting, with the exception of County Councillor Peter Popple, had been granted dispensations by the Standards Committee to enable them to speak, vote and be included within the quorum at meetings of the Authority where issues relating to the award of contracts between the Authority and North Yorkshire County Council were considered.

Considered –

The report of the Director of Finance and Service Development concerning a review of the external provision of professional support services.

Resolved –

That the Service Level Agreements with North Yorkshire County Council in respect of Monitoring Officer, Legal, and Secretarial Services be extended until 31 March 2017, subject to:-
(a) the agreement of North Yorkshire County Council;
(b) market testing of hourly rates for Legal Services; and
(c) moving to an hourly rate calculation for Secretarial and Monitoring Officer Services.

212. **Review of Members’ Allowances**

Considered –

The report of the Director of Finance and Service Development advising of changes to the Scheme for Members’ Allowances recommended by the Audit and Performance Review Committee. Appendix A to the report set out proposed rates for Subsistence Allowances, rail and air travel, travel by private car, and travel by taxi.

Members noted that the HMRC was looking again at its rate for travel by private car, that the Authority’s Scheme of Members’ Allowances would be kept under review, and that a further report would be submitted to a future meeting of the Authority if necessary.

Resolved –

That, with effect from 1 July 2012, the changes to the Scheme of Members’ Allowances, as set out at Appendix A to the report, be approved.

213. **Control and Mobilising System Update**

Considered –

The report of the Director of Finance and Service Development providing an update on progress with the Control and Mobilising project, including information about preparation of an updated bid for funding from CLG.

Resolved –

That the report be noted.

214. **Community Safety Update**

Considered –

The report of the Assistant Chief Fire Officer/Director of Community Safety providing an update on Community Safety and Service Delivery activities.

During debate, Members commended, in particular, the Vulnerable Persons Intervention Partnership and the involvement of North Yorkshire Fire and Rescue Service in that initiative.

Resolved –

That the report be noted.

215. **Support Services Update**

Considered –
The report of the Deputy Chief Fire Officer/Director of Support Services providing an update on Support Services projects, policy developments and relevant legislative changes. The report included information regarding North Yorkshire Fire and Rescue Service having won, for the sixth consecutive year, a Gold Medal in the RoSPA Occupational Health and Safety Awards for 2012 and having also been awarded Highly Commended in the Emergency Services Sector.

**Resolved –**

That the report be noted.

216. **Audit and Performance Review Committee – Meeting held on 23 April 2012**

**Resolved –**

That the draft Minutes of the meeting of the Audit and Performance Review Committee held on 23 April 2012 be noted.

217. **To receive questions from Members of the Authority in accordance with Standing Order 5**

No questions were raised.

The following items were considered in private and the public have no rights of access to the related reports

218. **IRMP Proposal – Snainton Fire Station**

Considered –

The report of the Chief Fire Officer/Chief Executive presenting a proposal in respect of Snainton Fire Station.

Following questions and debate, Members expressed support for the recommendations submitted to the meeting by the Chief Fire Officer/Chief Executive.

**Resolved –**

(a) That a full public consultation exercise regarding the possible closure of Snainton Fire Station be undertaken.

(b) That the conclusion from the consultation exercise be reported to the Authority’s meeting to be held on 12 December 2012 and that an update be submitted to the Authority’s meeting to be held on 26 September 2012.

(c) That an Informal Member Forum be established to consider the on-going consultation concerning this proposal, to comprise those Authority Members who express an interest to the Chief Fire Officer/Chief Executive in serving on that Forum.
219. **CLG Capital Grant Bid 2012**

Considered –

The report of the Deputy Chief Fire Officer/Director of Support Services providing details of the CLG Capital Bidding Round 2013-2015 and requesting the Authority’s approval to submit a bid for capital grant for the York project.

Members expressed support for the recommendations submitted to the meeting by the Deputy Chief Fire Officer/Director of Support Services and commended the officers for the detailed work they had undertaken in relation to this bid.

**Resolved –**

(a) That the report be noted.

(b) That the bid be approved in principle and be submitted to CLG before the deadline of 2 July 2012.

(c) That authority be delegated to the Chief Fire Officer/Chief Executive to approve the final financial data prior to bid submission.

220. **Review of Senior Management Structure and Operational Command Arrangements**

Considered –

The report of the Chief Fire Officer/Chief Executive presenting a proposal in respect of the senior management structure and operational command arrangements.

Members expressed support for the recommendations submitted to the meeting by the Chief Fire Officer/Chief Executive.

**Resolved –**

(a) That the phased implementation of a reduced senior management structure and the Gold and Silver Command arrangements, as set out in the report, be approved, subject to the completion of consultation and negotiations with relevant staff and their representative bodies.

(b) That a report be submitted to a future meeting, following conclusion of the negotiations, seeking approval to a variation to pay elements and a proposed amended Pay Policy Statement.

The meeting concluded at 12.55 pm.

RAG/ALJ