

KENT AND MEDWAY FIRE AND RESCUE AUTHORITY

MINUTES of a Meeting of the Kent and Medway Fire and Rescue Authority held at Kent Fire and Rescue Service Headquarters, The Godlands, Tovil, Maidstone on Wednesday, 17 October 2012.

PRESENT:- Mr B R Cope (Chairman), Mr M J Angell, Mr R E Brookbank, Mr L Christie, Mr H J Craske, Mr D S Daley, Mr J A Davies, Mr K A Ferrin MBE, Mr A V H Gulvin, Mr W A Hayton, Mr V B Hewett, Mr D A Hirst, Mr P J Homewood, Mr S J G Koowaree, Mr J F London, Mr R J Parry and Mrs P A V Stockell.

APOLOGIES:- Mrs A Allen, Mr R B Burgess, Mr A R Chell, Mr P Godwin, Mr M J Harrison, Mr T G Mason, Mr M J Northey and Mr R Tolputt.

OFFICERS:- The Chief Executive, Miss A Millington; the Director, Finance and Corporate Services, Mr C Kerr; the Director, Operational Policy and Resilience, Mr S Demetriou; the Assistant Director, Service Delivery, Mr S Bone-Knell; the Assistant Director, Finance, Mrs A Kilpatrick; the Head of Policy and Performance, Mr J Finch; and the Clerk to the Authority, Mr S C Ballard.

UNRESTRICTED ITEMS

17. Membership Changes

(Item A1)

- (1) Members and officers stood in silence in memory of Mr M B Robertson, Leader of the Authority's Liberal Democrat group, who had died suddenly on 10 August; of Sheena Forth, formerly an Equalities Adviser in the HR section, who had died on 26 September; and of Firefighter Alan Soards of Suffolk Fire and Rescue Service, who had died during a water training exercise on 2 October.
- (2) Members noted that Kent County Council had appointed Mr D S Daley to serve on the Authority in place of Mr Robertson, and the Chairman welcomed him to the meeting.

18. Work with Ukrainian Fire Service

(Item A2)

Firefighter M Pitney of Blue Watch, Ashford, presented the Chairman with an award received from the Eastern Alliance for Safe and Sustainable Transport (EASST) in gratitude for the Authority's assistance to the Ukrainian Fire Service.

19. Minutes - 14 June 2012

(Item A4)

RESOLVED that the Minutes of the Authority meeting held on 14 June 2012 be approved and signed by the Chairman as a correct record.

20. Human Resources and Equalities Committee – 3 July 2012

(Item A5)

RESOLVED that the Minutes of the Human Resources and Equalities Committee meeting held on 3 July 2012 be noted.

21. Planning and Performance Committee – 5 July 2012

(Item A6)

RESOLVED that the Minutes of the Planning and Performance Committee held on 5 July 2012 be noted.

22. Audit and Governance Committee – 12 July 2012

(Item A7)

RESOLVED that the Minutes of the Audit and Governance Committee held on 12 July 2012 be noted

23. Foundations for the Future

(Item B1 - Report by Chief Executive)

- (1) Members considered the approach being taken to the development of five primary strategies as part of the ongoing programme to refresh the Authority's policy framework.
- (2) RESOLVED that the approach to the development of the five primary strategies relating to people, businesses, resilience, environment and staff, as set out in the report, be endorsed.

24. Integrated Risk Management Plan – Towards 2020 Update

(Item B2 - Report by Chief Executive)

- (1) Members considered a report on the Integrated Risk Management Plan (IRMP) for next year; the draft text of the IRMP, entitled 'Towards 2020 Update'; and the draft text of the Consultation Questionnaire.
- (2) Revised pages for the Towards 2020 Update and Questionnaire, setting out amended options for the level of Council Tax in 2013/14 to take account of recent Government announcements that a further grant would be offered to local authorities for 2013/14 in return for freezing Council Tax, were tabled at the meeting.
- (3) RESOLVED that, subject to the Chief Executive being authorised to make any further final textual changes which may be necessary, publication for consultation of the draft Integrated Risk Management Plan (Towards 2020 Update) and questionnaire, as set out at Appendices 1 and 2 to the report respectively (but amended as described in sub-paragraph (2) above), be approved.

25. New Standards Regime

(Item B3 – Report by Clerk to the Authority)

- (1) Following the decisions taken by the Authority and the Audit and Governance Committee at previous meetings, Members considered the final three elements on which it needed to make decisions in order to implement the new Standards arrangements in accordance with the requirements of the Localism Act 2011.
- (2) During discussion, Members expressed concern that, under the Kent Arrangements for Dealing with Code of Conduct Complaints, which had previously been adopted by the Authority, there was no right of appeal for the subject member against decisions of the Monitoring Officer and Hearings Panel on allegations of breaches of the Code of Conduct. Mr Christie then moved, Mr Davies seconded, as an amendment to the recommendations in the report, that the Kent Secretaries' Group should be asked to review this issue.
- (3) RESOLVED that:-
 - (a) the new Code of Conduct for Members attached as Appendix 1 to the report be formally adopted;
 - (b) the Kent Secretaries' Group be requested, when it reviews the Kent Code of Conduct and related documents, to consider amending the Arrangements for Dealing with Code of Conduct complaints to provide a right of appeal for the subject member against decisions of the Monitoring Officer and Hearings Panel;

- (c) the existing text of the Authority's Standing Orders dealing with Interests (Section 6) be replaced by the following wording:-
- 6.1 *If any Member has a disclosable pecuniary interest (as defined in the statutory Regulations made under the Localism Act 2011) or an Other Significant Interest (as defined by the Authority's Code of Conduct for Members) in any matter being considered at a meeting of the Authority or one of its Committees or Panels, he or she must act in accordance with the requirements of the Code of Conduct.*
- 6.2 *Where a Member is present at a meeting of the Authority or one of its Committees or Panels, and has a Disclosable Pecuniary Interest or Other Significant Interest in any matter being considered at that meeting, he or she must withdraw from the meeting room while the matter is being discussed or voted upon, unless:-*
- (a) *a dispensation for the Member concerned in respect of the interest is in effect;*
- (b) *the Member has only an Other Significant Interest in a matter and wishes to make representations, answer questions or give evidence on that matter at the meeting in accordance with the Code of Conduct.*
- (d) Mrs Janet Waghorn be appointed as the Authority's Independent Person for an initial period of four years;
- (e) in accordance with the decision of the Audit and Governance Committee at its meeting on 12 July (Minute 14), and following the appointment by Kent County Council of Mr Michael George as its Independent Person, it be noted that Mr George would act as the Authority's Independent Person should Mrs Waghorn be unable to do so, and vice versa.

26. Responses to Consultations

(Item B4 - Report by Chief Executive)

- (1) Members considered proposals for the approach to be taken to responding to consultations from billing authorities about Council Tax Reduction Schemes, and noted a number of other responses to consultation which had been dealt with as urgent business.
- (2) RESOLVED that:-
- (a) the approach to be taken to responding to consultations from billing authorities about Council Tax Reduction Schemes, described in paragraphs 6-8 of the report, be approved;
- (b) the responses to consultation dealt with as urgent business under the Scheme of Delegations to the Chief Executive, and attached as Appendices 1, 2 and 3 to the report, be noted.

27. National Framework

(Item B5 - Report by Chief Executive)

- (1) Members considered a report highlighting the key issues for the Authority from the final version of the National Framework, and a draft response to a Government consultation on proposed guidance for Statements of Assurance which the National Framework will require fire and rescue authorities to publish annually.
- (2) RESOLVED that:-

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- (a) the draft response to the Government consultation on proposed guidance for Statements of Assurance, attached as Appendix 2 to the report, be approved;
- (b) the other information about the National Framework contained in the report be noted.

28. Performance Update

(Item C1 - Report by Chief Executive)

- (1) Members considered a report which described current progress against the Corporate Plan for 2012/13; provided details of some of the initiatives taken to support the delivery of key targets; and set out the latest position on financial performance and budget monitoring.
- (2) RESOLVED that the contents of the report be noted.