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**Minutes of the
Inaugural meeting of the Shadow Dorset and Wiltshire Fire and Rescue Authority
held at 1000 hours on 23 June 2015 at the Milton Hall Hotel, Salisbury**

Members present: Mr Abdul Amin, Mr Mark Anderson, Mr Les Burden, Mr Mike Byatt, Mr Ronald Coatsworth, Mr Malcolm Davies, Mr Christopher Devine, Mrs Beverley Dunlop, Mr Phil Eades, Mr Peter Edge, Mr Spencer Flower, Mrs Mollie Groom, Mr John Haines, Mr Colin Jamieson, Mrs Susan Jefferies, Mr Bob Jones, Mr Trevor Jones, Mr John Knight, Mrs Rebecca Knox, Mr Graham Payne, Mr Garry Perkins, Mr Christopher Rochester, Mr Ricky Rogers, Mrs Ann Stribley, Mr Joe Tray, Mrs Bridget Wayman, Mr John Wilson.

Officer attendance: Darran Gunter (Chief Fire Officer - Designate), DCFO John Aldridge, Mr Phil Chow, Ms Lindsay Gowland, Mr Derek James, Ms Jenny Long, Mr Jonathan Mair, CFO Simon Routh-Jones, Mrs Vikki Shearing, Mr Stephen Taylor, Ms Jill McCrae, Mrs Barbara Owen.

1. Election of Chairman and Vice-Chairman

- 1.1 Mr Jonathan Mair opened the meeting and sought the election of a Chairman.
- 1.2 **Resolved (unanimously):**
 - 1.2.1 **That Mr Christopher Devine and Mrs Rebecca Knox should share the Chairmanship and Vice-Chairmanship for the remainder of the shadow period until 1 April 2016, with Mrs Christopher Devine as Chairman until 1 October 2015 and Mrs Rebecca Knox as Chairman until 1 April 2016**
 - 1.2.2 **That the Chairmanship and Vice-Chairmanship of the Shadow Policy and Resources Committee be shared in accordance with minute 1.2.1.**

2. Apologies

- 2.1 Apologies were received from Mr Christopher Newbury, Mr Colin Lovell and Mr Ernie Clarke.

3. Code of Conduct and Declaration of Interest

- 3.1 There were no disclosures of pecuniary interests under the Localism Act.

4. Terms of Reference for the Shadow Authority

- 4.1 Mr Jonathan Mair introduced himself as Clerk to the Dorset Fire Authority and as Monitoring Officer (Designate) for the Shadow Authority. The Monitoring Officer introduced the Combination Order and Scheme agreed by Parliament in March 2015. He explained that in accordance with the Order and Scheme the terms of reference of the Shadow Authority were, as set out in the Schedule to the Combination Order Part 1, paragraph 1, to take all such steps as are necessary to bring the Combination into full operation on 1 April 2016.

5. Adoption of Proposed Standing Orders

- 5.1 The Monitoring Officer presented the proposed Standing Orders of the Authority and recommended their adoption.
- 5.2 He explained that the proposal was based on a detailed piece of work combining the best of each Authority's existing standing orders. He advised of a correction required for page 47, paragraph 51.2 which should refer to five constituent authorities going forward, not three as indicated in his paper.
- 5.3 Mrs Bridget Wayman advised that page 19 paragraph 59.1 should read Monitoring Officer.
- 5.4 Mr Colin Jamieson referred to Appendix 1 item 3 and the need to provide for the appointment of co-opted Members. He noted that there are none at present but potential provision for the future should be made. The Monitoring Officer clarified that this is a living document and subject to change where needed.
- 5.5 The Vice-Chairman suggested the opportunity should be taken to insert May/June to page 47, paragraph 51.2. This would avoid a situation where there could be a period of no formally nominated Fire Authority Members following local elections.
- 5.6 **Resolved: The adoption of the proposed Standing Orders be approved.**
- 5.7 **Action: The Monitoring Officer to make changes to the Standing Orders as agreed.**

6. Adoption of Member Code of Conduct

- 6.1 The Chairman introduced the proposed Member Code of Conduct item and informed Members that a preference had been indicated at the last Joint Committee in favour of the Dorset approach.
- 6.2 Mr Stephen Taylor continued to present the paper and advised that on balance of the two existing codes, Dorset's code provided more detail around expected behaviours and in particular behaviours between Members and officers. He reminded Members that it was a living document which may need reviewing in a year.

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- 6.3 There was debate around the suitability of each Authority's existing model, many preferring Wiltshire's lighter and less prescriptive approach, but concern that there was no mention of 'respect'. Some preferred Dorset's approach as it was thought to provide the public with more reassurance and was less ambiguous. Recognising the importance of this, it was agreed that respect could be included in the Wiltshire model in paragraph 1. It was also agreed that, irrespective of which model was adopted, further work needed to be done to align the Member code and new Service values.

- 6.4 **Resolved: That the Wiltshire approach be adopted, amended to include reference to respect.**

7. Member/Officer Protocol

- 7.1 The Chairman introduced the proposed Member/Officer Protocol which Mr Stephen Taylor presented. He advised that the Joint Committee considered the protocol at its recent meeting and were in support of the recommendations.
- 7.2 The Vice-Chairman emphasised the importance of having regard to behaviours and language used in formal meetings. She proposed that the document is reviewed when the Full Authority is in place after the 1 April 2016. Mr Bob Jones seconded this proposal.
- 7.3 **Resolved: All agreed to adopt the Member/Officer protocol.**

8. Terms of Reference for Shadow Policy and Resources Committee

- 8.1 The Chairman provided a background to the Committee, from the original Combination Oversight Board through to the current Joint Committee. He explained that at the last meeting of the Joint Committee consideration was given to the emerging initial governance arrangements and explained how a Policy and Resources Committee (P&R Committee) could replace the Shadow Joint Committee.
- 8.2 The Monitoring Officer presented the terms of reference, reminding Members that the P&R Committee needed to be in place between now and 1 April 2016 to oversee on a more frequent basis than the full Shadow Authority could and bring into effect all necessary arrangements to establish the Dorset and Wiltshire Fire and Rescue Authority. He advised a correction in item 4, paragraph 4. The reference to two existing authorities needs to be removed to be replaced with Shadow P&R Committee. Also, an addition to the terms of reference: To receive, for noting purposes only, reports on audit outturns of the Dorset Fire Authority and the Wiltshire and Swindon Fire Authority to support preparations for establishing the Authority in 1 April 2016. There was a discussion around the management and audit arrangements.
- 8.3 Mr Bob Jones sought clarity around the process of closing respective the accounts for 2014/15. Mr Mike Byatt added that it is important to make clear the distinction in the interim

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period to receive and not monitor so that this does not distract or confuse the responsibilities of the two existing Authorities. Mr Phil Chow clarified that the separate Authorities would continue to receive their audit letters. The Chief Fire Officer (Designate) advised Members that they can be assured that there is no circumventing or removal of governance responsibilities. The Shadow P&R will receive the reports to air these in the spirit of good governance. The Monitoring Officer suggested he include additional wording to make it clear that this is for 2014/15 position only, and that the Shadow P&R Committee are merely being sighted on respective audit reports.

- 8.4 **Action: The Monitoring Officer to amend the Terms of Reference to reflect the position for audit responsibilities to be for 2014/15 only.**
- 8.5 Members then debated the use of 'monitor' and 'manage' within the proposed terms of reference, in particular with reference to branding. The Chief Fire Officer (Designate) confirmed that the final decision for branding was needed in July as there were a number of tight timelines that needed to be adhered to. It was noted that, although the branding options could be approved in July by the Shadow P&R Committee, the paper could be circulated by email to all Members of the Shadow Authority to give all Members an opportunity to identify issues to be considered by the P&R Committee. The Chief Fire Officer (Designate) then indicated that a commitment also needed to be made within the next 4-6 weeks associated with the Strategic Hub.
- 8.6 The Chief Fire Officer (Designate) reminded Members that papers for the Shadow P&R Committee are in the public domain and are made available publically available within statutory notice periods. He confirmed that papers would be emailed to all Members before the meeting.
- 8.7 Mr Mike Byatt questioned use of the word 'monitor' in the recommended terms of reference and added that Members need to feel confident and assured around their role and governance suggesting that Members do not 'manage', but 'determine'. Other Members agreed with this position. They should delegate to the P&R Committee with the need where appropriate to engage with all Members through electronically circulated papers where any concerns could be raised at the Shadow P&R Committee. Mr Mike Byatt proposed changing 'manage' to 'determine' and to delegate to the Shadow P&R Committee.
- 8.8 Mr Philip Eades expressed dissatisfaction with the existing size of the Shadow Authority. He also feared that the governance arrangements, with the bulk of members not part of the Shadow P&R Committee, would result in two tiers of Members. He believed it would be building in bureaucracy and was concerned over the efficiency and transparency of the future governance arrangements if the size of the Authority is not reconsidered. Mrs Beverley Dunlop also expressed concern about governance arrangements as she wanted to be certain that there was proper scrutiny of these functions and that they are valuable and useful.

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- 8.9 The Chairman advised that there was an agreed review of governance arrangements planned for 2017 which would include a review of the number of Members. The Vice-Chairman suggested that the October seminar is amended to include a full meeting of the Shadow Authority to strengthen the wider engagement of elected Members.
- 8.10 Members then voted on a number of issues, whilst agreeing to maintain the size of the Authority until the planning governance review. Mr Philip Eades asked that his disagreement be recorded over the size of the new Authority and the current review timetable.
- 8.11 **Resolved:**
- 8.11.1 **That the terms of reference of a Shadow P&R Committee be agreed, as amended with:**
- a. The word 'monitor' to be replaced by 'determine'.
 - b. The references to the Dorset Fire Authority and the Wiltshire and Swindon Authority in paragraph 4 be removed.
 - c. An additional term of reference being added 'to receive, for noting purposes only, reports on audit outturns of the Dorset Fire Authority and the Wiltshire and Swindon Fire Authority'.
- 8.11.2 **That an additional meeting of the Shadow Authority take place in October.**
- 8.11.3 **That papers be circulated by email for comment to all members prior to meetings of the Shadow P&R Committee.**

9. Adoption of Finance, Procurement and Contract Regulations

- 9.1 Mr Phil Chow introduced himself as Treasurer to the Wiltshire and Swindon Fire Authority and presented the proposed Finance, Procurement and Contract Regulations. He confirmed that it had been developed in line with the CIPFA model and in compliance with common standards and practice, using a combination of both Authority's existing regulations. Mr Phil Chow confirmed that there will be provision for flexibility where needed in financial thresholds in relation to the need to obtain six tenders and this will be included in the procedural framework.
- 9.2 **Resolved: All Members accepted the recommendations to adopt the Finance, Procurement and Contract Regulations.**

10. Member Allowances

- 10.1 The Chairman introduced the options paper relating to Member Allowances. Following queries from Members, the Monitoring Officer indicated that four of the Shadow Authority Members are not currently Members of the Dorset Fire Authority or the Wiltshire and

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Swindon Combined Fire Authority and would therefore not be drawing an allowance from either Authority. He clarified that a decision was required for the interim position of the Shadow Authority up until the 1 April 2016.

- 10.2 Members were advised of the need to have in place a Members' Allowance Scheme. The Monitoring Officer indicated that ordinarily in their constituent councils Members would receive definite recommendations from their independent remuneration panels on the amount of the basic allowance, any special responsibility allowances and arrangements for reimbursement of travel. In the current arrangement, the Shadow Authority had no independent panel of its own and so instead views had been sought from members of the five independent panels. This had resulted in a range of views rather than a definite recommendation. For the basic allowance recommendations from the panel members ranged from £3,000 through to £1,500.
- 10.3 Mrs Ann Stribley commented that a basic allowance of £3,000 would be £400 pa more than that paid to current Members of the Wiltshire and Swindon Combined Fire Authority.
- 10.4 Mrs Beverley Dunlop stated that she felt that for those coming from an Authority where an allowance is paid, much of the work in the current Fire Authority should reduce and there should not be a situation where potentially three lots of allowance are being drawn. She commented that setting an amount for all would not work because of the anomalies that exist.
- 10.5 The Monitoring Officer explained that it was not open to the Authority to pay differential amounts of basic allowance. He also reminded Members that individually it was open to any Member to elect not to draw an allowance to which he or she was entitled.
- 10.6 Mr Graham Payne supported this approach. He felt that the principle of Members being able to access a basic allowance should be enshrined at this meeting and it should be up to an individual to take all, part or none of that allowance. He stated that many Members are working hard on the Combination and it is important to recognise this given the need to ensure arrangements for the new Authority are in place for 1 April 2016.
- 10.7 The Vice-Chairman proposed that no Member receiving an allowance will receive any further allowance, but the four who are not would get £1,500. The Chairman stated that this was not a legal option, the £1,500 would need to be available to all Members, with an understanding that it is only taken if an individual wishes to.
- 10.8 Mrs Ann Stribley stated that the purpose of the Combination is to save money which could be achieved by saving potential increases in allowances for the next nine months. Mr Peter Edge reported that Wiltshire Members receive an allowance that is £1,000 less than in Dorset.
- 10.9 Upon being put to the vote:

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- 10.10 **Resolved: That the basic allowance be set at £1,500 for all Members of the Shadow Authority.**
- 10.11 Members went on to consider the recommendations associated with the Special Responsibility Allowance (SRA). Although the paper recommended twice the basic allowance, Swindon's IRP recommended three times the basic allowance. Mr Bob Jones proposed two times and this was seconded by Mr Colin Jamieson. Mr Philip Eades was opposed to the receipt of an allowance.
- 10.12 The Chairman clarified that the Chairman position would be split so that each fulfilled the role for a six month period. He confirmed that both Chairmen are equally involved in discussion with the Chief Fire Officers and will both also Chair the Shadow P&R Committee.
- 10.13 On it being put to the vote:
- 10.14 **Resolved: That a Special Responsibility Allowance at a rate of twice the basic allowance be payable to each of the two Chairmen.**
- 10.15 Members then went on to consider the options for an allowance for membership of the shadow P&R Committee. This had been variously recommended by the independent panel members at one times basic allowance or 0.5 basic allowance.
- 10.16 Mr Spencer Flower proposed 0.5 times and Mr Colin Jamieson seconded this.
- 10.17 Mr Philip Eades requested assurance that payments made by the Dorset Fire Authority and the Wiltshire and Swindon Authority connected with the work of the Joint Committee would cease so that members would not receive a second special allowance. The Monitoring Officer gave this assurance.
- 10.18 **Resolved: That a Special Responsibility Allowance at a rate 0.5 times the basic allowance be payable to members of the Shadow P&R Committee.**
- 10.19 **Resolved: All Members agreed that travel and subsistence reimbursements would remain consistent with each Authority as present with the addition of a dependent/carers allowance.**
- 10.20 The Monitoring Officer reported that the Swindon's independent panel had asked that early consideration should be given to a reduction in the number of Members of the Authority. They considered that a membership of 30 is too large for a single purpose authority.
- 10.21 The Chairman advised that it has always been agreed that a review of membership would take place within two years once steady state is established.
- 10.22 Mr Philip Eades questioned that this could mean three years' time from now, two years from April 2016 and if so he would urge the Shadow Authority to bring this timescale forward. He

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suggested bringing it forward to after the elections in May. Mrs Beverley Dunlop agreed with this suggestion.

- 10.23 Mr Bob Jones queried that guidance was received to maintain an Authority at 30. It was confirmed that the Combination Order indicated up to 30 Members. The Monitoring Officer confirmed the need to have an outcome within two years from now and The Chief Fire Officer (Designate) suggested that the 2017 elections are used as a milestone to complete this work. Mrs Ann Stribley suggested a decision should be made, ready to come into effect in May 2017.
- 10.24 Mr Graham Payne queried the legitimacy of the Authority making a decision to reduce membership without ratification by Statutory Instrument. If this is the case, the potential for longer timescales and delays needs to be considered. The Monitoring Officer agreed to liaise with government officials over this issue.
- 10.25 The Chairman Devine suggested that the Monitoring Officer should provide guidance at the October Authority meeting, but suggested it was common sense to go for amendments prior to local elections in 2017.
- 10.26 **Action: The Monitoring Officer to provide an outline paper for the next Shadow Authority meeting in October 2016 regarding the way forward for amending membership of the Authority.**
- 10.27 **Resolved: All Members agreed this approach.**

11. Programme of Shadow Authority Meetings and Seminars for 2015/16

- 11.1 The Vice-Chairman expressed the importance of Members being available for scheduled meetings. Changing dates is extremely difficult given the number of people involved in these meetings and the reliance the agenda and timescales have on officer work programmes. She asked that Members provide good notice of items for agendas - it may be possible to change these but not meeting dates. The Vice-Chairman also proposed that an additional meeting of the Shadow Authority is set for the 23 October 2015.
- 11.2 **Resolved: All Members agreed to an additional Shadow Authority meeting on the 23 October 2015.**
- 11.3 **Resolved: The Chairman confirmed that all Members were happy with the scheduled dates.**

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- 12.1 Mr Philip Edge raised a concern that these meetings are being held in a private sector environment.
- 12.2 The Chairman reported that City Hall was unavailable for this date. The Chief Fire Officer (Designate) assured Members that the costs are comparable.
- 12.3 Mr Gary Perkins requested that an approach is made to the Council to provide Members with free parking when in Salisbury on council business and Mr Philip Edge suggested the same from Dorset County Council.
- 12.4 **Action: The Monitoring Officer to follow up with request to Salisbury City Council for free parking for Members and advise Chairman of the outcome.**
- 12.5 The date of the next meeting was confirmed as 23 October 2015 following the Members Seminar.

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