

Minutes of the meeting of the EXECUTIVE COMMITTEE of the BUCKINGHAMSHIRE AND MILTON KEYNES FIRE AUTHORITY held on WEDNESDAY 14 MAY 2014 at 10.00 am at MILTON KEYNES COUNCIL OFFICES

**Present:** Councillors Busby, Dransfield (part), Edwards, Gomm, Lambert (part), Morris and Reed

**Officers:** M Jones (Chief Fire Officer) J Thelwell (Chief Operating Officer), G Britten (Director of Legal and Governance), D Skinner (Director of Finance and Assets), L Swift (Director of People and Organisational Development), J Parsons (Head of Service Delivery), M Osborne (Head of Service Transformation), D Sutherland (Resources Manager) E Andrews (Executive Assistant to Chief Fire Officer) and K Nellist (Democratic Services Officer)

1 Member of Public

**Apologies:** Councillor Schofield

#### **EX43 CHAIRMAN'S ANNOUNCEMENTS**

The Chairman announced that, as Members would be aware, the peer challenge that was postponed last September and was now due to go ahead the week commencing 9 June 2014.

The original summary report that was produced had been updated over recent months to reflect continued improvement.

A copy of the updated report was available in the Members' Library.

#### **EX44 MINUTES**

RESOLVED –

That the Minutes of the meeting of the Executive Committee held on 5 February 2014, be approved and signed by the Chairman as a correct record.

(Councillor Dransfield joined the meeting)

#### **EX45 FLEET STRATEGY 2014-2017**

The Director of Finance and Assets explained to Members that the Fleet Strategy was part of a larger strategic review of the Resources portfolio which had begun eighteen months ago.

The aim of the Fleet Strategy was to set a clear framework for the management of vehicle assets within the Authority. Extensive research had been undertaken and Members agreed it was a very detailed report.

RESOLVED –

That the Fleet Strategy 2014-2017 as set out in Annex 1 of the report be adopted for implementation.

## **EX46**

### **PARTNERSHIP GOVERNANCE FRAMEWORK**

(Councillor Lambert joined the meeting)

The Committee considered the Partnership Governance Framework. As part of the continuous audit process a number of audit recommendations were made, including a review of the Partnership Governance Framework.

An internal and external review of all parts of the partnership framework had been carried out. The internal scrutiny looked at current partners and their relevance to the service delivery of Buckinghamshire & Milton Keynes Fire Authority and an independent external reviewer used set criteria recommended by the Chartered Institute of Public Finance and Accountancy (CIPFA) to review the remaining partnerships. All partnerships had been reviewed and a number of recommendations had been made.

A discussion ensued as to what else might fall within the definition of 'Partnership' and therefore be included in the Partnership Register and that a further review by the Executive Committee of external partnership arrangements should be undertaken.

At a recent Fire Commission meeting attended by the Chairman and Vice-Chairman, a discussion was held as to whether there should be a statutory obligation for flood rescue by fire and rescue authorities.

It was felt that if fire and rescue authorities were given a statutory obligation, there would be no additional funding from Government. Fire and rescue authorities have a statutory responsibility for rescue as set out in the Fire and Rescue Services Act 2004.

The Chief Fire Officer said that historically the Chief Fire Officers Association (CFOA) were very much in favour, as following the floods of 2007 the Pitt Review said such responsibilities should be given to fire and rescue authorities, but two successive Governments had not enacted it. He also felt there was money available to deal with flooding but it would not come from the Government grant.

The Chief Fire Officer also said that flooding was only one emergency the Authority needed to be prepared for and that the Thames Valley area was well provided for in terms of emergency planning.

RESOLVED –

1. That Members approve the partnership strategy;

2. That the principles set out in Paragraph 9 of the Partnership Strategy be adopted as the Partnership Policy.

It being moved and seconded it was

RESOLVED –

3. That the Executive Committee receives a review in 12 months of Member and Officer participation in external partnership arrangements.

**EX47**

**BUDGET MONITORING PERFORMANCE AND DEBT MANAGEMENT APRIL 2013 – MARCH 2014 (PROVISIONAL OUTTURN)**

The Vice-Chairman introduced the report and advised Members that it was another good news story. The residual favourable variance for the year of £170k was a good outturn and the Chief Fire Officer and Senior Management Team should be congratulated for the good work on achieving this outcome.

The Director of Finance and Assets also referred the Committee to the residual favourable variance of £170k and advised that money had been put aside throughout the year, rather than at the end of the year as in previous years. He also advised there was a degree of slippage in terms of capital, which related to property, vehicles and control but would be caught up with within the year.

In respect of the retirement profile, the Director of Finance and Assets stated that the establishment line flattened, but when the Authority launched a new Integrated Risk Management Plan (IRMP) things could change.

The Chief Fire Officer was particularly pleased to advise that reserves had not been used and although it had been a tough year, the Authority was coming out of it with a net underspend.

The Chief Fire Officer also told Members that the IRMP would not be based solely on cost. It would be based on the Authority's IRMP and on the plummeting risk levels in society. He told Members there were fewer calls, deaths and injuries every year, and this steady decline was an appropriate and balanced way to measure a reduction in the workforce by looking at the risks that were prevalent to the people served and protected and that would be the approach recommended to the Authority.

A question was asked regarding the Employee Direct Costs saving of £710k and whether there was any direct relationship to vacancies the Authority was carrying and not recruiting for. It was explained that there were a lot of costs taken out by using consultants and temporary staff. Working practices had not changed but had become more efficient. An example was Control: staff had left and not been replaced as the Authority was moving to the new Control room partnership later this year.

A question was asked regarding the completion date of the Control room project. The date for completion was given as 10 December 2014.

RESOLVED -

1. That the provisional outturn forecast for the Fire Authority as at 31 March 2014 be noted.
2. That the residual balance of the underspend be transferred to the redundancy and early retirement reserve once the final outturn figures have been confirmed.
3. That the £3,058k financing of carried forward capital commitments for slipped schemes be approved.
4. That the virements as detailed at the end of section 10 of the report be authorised.
5. That the capital budget virement as detailed at the end of section 10 of the report be authorised.
6. That delegated authority be given to the Treasurer in consultation with the lead member for finance to authorise any late changes to the movements in reserves and capital slippage amounts resulting from accounting adjustments needing to be made during the year-end closedown process.
7. That should any changes to the amounts referred to above be required, then the Treasurer will report these to Members at the next available meeting.

#### **EX48**

#### **TREASURY MANAGEMENT PERFORMANCE 2013/14 - QUARTER 4**

The Committee noted that this was the final quarter of the first year since the Authority had been investing in its own name. The report highlighted the performance of the in-house treasury management function for the fourth quarter 2013/14.

The Committee also noted that the accrued interest earned for 2013/14 was £126k, which was £56k higher than the budget for the year and £62k higher than the interest that would have been earned under the previous Service Level Agreement with Buckinghamshire County Council.

The Vice-Chairman observed that although the counterparty list showed incredibly secure and highly rated organisations, there was still an exceedingly small risk which was previously covered by Buckinghamshire County Council.

RESOLVED -

That the Treasury Management Performance 2013/14 - Quarter 4 report be noted.

#### **EX49**

#### **EXCLUSION OF PUBLIC AND PRESS**

RESOLVED -

That the press and public be excluded from the meeting by virtue of Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended), as the following Agenda item contained information relating to the financial or business affairs of an individual; and Paragraph 4 of Part 1 of Schedule 12A of the Local Government Act 1972 as it also contained information relating to actual, or contemplated, consultations or negotiations in connection with labour relations and on all these grounds it was considered the need to keep information exempt outweighed the public interest in disclosing the information, so that the committee could consider the following matter:

Exempt minutes

(Officers with the exception of the Director of Legal and Governance and the Democratic Services Officer left the meeting)

## **EX50**

### **EXEMPT MINUTES**

A question was asked and answered regarding the recording of votes.

RESOLVED –

That the Exempt Minutes of the meeting of the Executive Committee held on 5 February 2014, be approved and signed by the Chairman as a correct record.

(Councillor Morris left the meeting)

(Officers re-joined the meeting)

At the direction of the Chairman the Chief Fire Officer and Chief Operating Officer were requested to give a verbal update to the Executive Committee on the recent industrial action which had taken place over the Mayday weekend.

It was reported by the Chief Fire Officer (CFO) that industrial action had taken place on the 2, 3 and 4 May with discontinuous action being employed; that emergency cover was tested (more tested than on previous occasions) but the Service continued to deliver its high quality services. He had implemented his decision not to accept part shift performance, which he had announced on 3 January 2014.

In spite of no representations on that issue being made by any staff member or representative of staff members in the intervening five-month period, the National Executive Committee of the Fire Brigades Union had visited pickets outside fire stations in Buckinghamshire and Milton Keynes.

The CFO stated that for an issue on which no formal concern had been expressed and remains to be expressed formally, the technique appeared to be one of running a hate campaign on

twitter, facebook and other social media, but not to negotiate with managers.

There had been a massive lobby which the CFO described as a 'snowstorm', where many elected people had been lobbied; and a lot of the correspondents asked for their details to be kept confidential whilst deliberately and actively misleading the people they corresponded with. The CFO stated his view that this was bad enough as a technique, but worryingly some of the correspondents (including people in high office, and elected members on other local authorities) were subsequently expressing concerns over what they had been told before establishing the facts.

The CFO reported that he had read many personalised assaults against him and other senior staff but that there would be no negotiation on these matters whilst personal abuse and threats remain. Until such time as the FBU stop their agents from doing it, or come out with a positive statement against such behaviours, he would not allow his managers to deal with them.

He reported that he had plenty of evidence to give to the Carr Review on Trade Union intimidation, which he would make available through the Members library; that he sincerely hoped that many of the people claiming to be acting on behalf of the FBU on social media are actually not, and are not employed by the Fire Brigade at all; and that there had been some bullying in this service of people who chose to work by those who didn't. He stated that he took a very severe view of this and that it was intolerable.

It was reported that in December the economics of the strike action was costing £10k-£12k per day. However over the weekend in question £30k was saved instead of costing £30k – a net benefit of £60k – and the citizens of Buckinghamshire and Milton Keynes were still protected.

It was reported by the Chief Operating Officer (COO) that there had been 12 strikes so far, and that the FBU targeted these strikes on specific times, the run up to Guy Fawkes night, Christmas, New Year's, Bank Holiday weekends and they are designed specifically to give the most relief for the people who are on strike and cause the most disruption to the people who chose to work.

The COO stated that there are other Authorities who have recruited people, given them two weeks' training and cover the strikes in that way, whereas this service uses its professionally trained people who volunteer to work in the event of strike action. When considering whether to accept partial performance, there are a number of things considered: public safety; the views of the community; elected representatives; and the views of the people who are working.

If partial performance had been accepted for the weekend in question, people would have been asked to come in at 11am on Saturday morning, work all the way through till 4am Sunday morning, go home for 2 hours and then come back in at 7am, to then distribute all the fire engines again and then go home at 6pm the next evening.

The COO observed that people have a dispute, and that dispute is between the Government and the FBU, but the Authority still has a responsibility to ensure there are enough fire engines available and make sure the people who work are supported, so when decisions on partial performance are taken, they are sound operational decisions.

The COO added that he had seen the level of vitriol against the Chief Fire Officer and seen some of the words that had been used (which were an absolute disgrace) about a lawful position adopted by an elected Authority.

A discussion was held by Members who showed their support for the Chief Fire Officer in the face of the totally unacceptable personal attacks and vilifications made against him; that the FBU need to reflect on the personalisation of this dispute which is totally unacceptable; that Members were being hypocritically criticised as an organisation over the way in which the Authority managed the situation by an organisation that had withdrawn its labour; that whilst supportive of people withdrawing their labour Members felt they should not then challenge the Authority on the way it managed that situation; and that those members of staff who worked must continue to receive the thanks of the Authority.

### **Councillor Reg Edwards**

A presentation was made by the Chairman and Chief Fire Officer to Councillor Reg Edwards who was retiring as a Councillor from Milton Keynes Council and Buckinghamshire and Milton Keynes Fire Authority. Councillor Reg Edwards responded.

THE CHAIRMAN CLOSED THE MEETING AT 11.40 AM.