

Minutes of the meeting of the EXECUTIVE COMMITTEE of the BUCKINGHAMSHIRE AND MILTON KEYNES FIRE AUTHORITY held on WEDNESDAY 19 November 2014 at 10.00 am

**Present:** Councillors Busby (Chairman), Dransfield, Gomm, Morris, Reed, Schofield and Webb

**Officers:** 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), M Osborne (Head of Service Transformation), J Parsons (Head of Service Delivery), E Andrews (Executive Assistant to Chief Fire Officer), F Pearson (Communication and Consultation Manager) and K Nellist (Democratic Services Officer)

Two members of the public

**Apologies:** Councillor Lambert.

**EX17 MINUTES**

RESOLVED –

That the Minutes of the meeting of the Executive Committee held on 17 September 2014, be approved and signed by the Chairman as a correct record, subject to 'Chairman' being added after Councillor Busby's name.

**EX18 QUARTER TWO BUDGET MONITORING PERFORMANCE AND DEBT MANAGEMENT APRIL – SEPTEMBER 2014**

The Vice Chairman introduced the report and advised members that the Authority was half way through the year and in a healthy position and the senior management team should be commended.

The Director of Finance and Assets advised members that the £238k underspend would be used to bring forward the ICT Strategy. Although a good news story, there were still on-going risks that needed to be monitored.

In answer to a question as to whether the underspend would have an impact on the precepts for next year it was explained there would be no impact other than allowing the Authority to manage a reduction in funding in future years.

In answer to a question on the underspend for the Retained Duty System (RDS) employees it was explained that the budget was set for the establishment which had been agreed, but at present there was a need to recruit more staff.

In answer to a question regarding the £25k overspend on contracted cleaning services it was explained that spend on contract cleaners still gave an underspend of over £67k.

RESOLVED –

1. That the latest projected outturn forecast for the Authority as at 30 September 2014 be noted.
2. That the budget virement (A) as detailed at the end of section 9 of the report be authorised.
3. That £238k of the projected underspend be used to fund projects from the ICT strategy to be brought forward from future years and would be accounted for as an additional revenue contribution to capital in 2014/15.

**EX19                      TREASURY MANAGEMENT PERFORMANCE 2014/15 – QUARTER 2**

The Vice Chairman advised members that this report was about how the Authority was investing its money in a safe way and doing very well. The accrued interest earned for the first half of 2014/15 was £65k, which was £30k higher than the budget for the six month period.

RESOLVED –

That the Treasury Management Performance 2014/15 – Quarter 2 be noted.

**EX20                      PROCUREMENT STRATEGY 2015-2020**

The Director of Finance and Assets advised members that it was an update to the existing strategy and the aim of the strategy was to set a clear framework for the procurement of goods, works and services within the Authority.

The Chairman advised members it was one of the most comprehensive procurement strategies he had seen in a local authority and thanked the team that had prepared it.

The Vice Chairman felt that the work done by the 'member challenge' process over the last few years had brought expenditure on unnecessary items down and there was now a clearer understanding of what the Authority wanted to purchase.

RESOLVED –

That the Procurement Strategy 2015-2020 be adopted for implementation.

**EX21                      RESPONSE TO CONSULTATION OF FIREFIGHTERS' PENSIONS SCHEME 2015: PROPOSALS FOR NEW GOVERNANCE ARRANGEMENTS**

The Lead Member for Human Resources and Equality & Diversity, introduced the report and explained to members that the report

set out the Authority's response on the draft Governance Regulations for the Firefighters' Pension Scheme 2015 following the six week consultation period which closed on 21 November 2014.

The Director of People and Organisational Development advised members that the new proposals set out the terms for the establishment of a new single national Scheme Advisory Board to be in place from April 2015 and the requirement for each fire and rescue authority to establish a local Pension Board, also by 1 April 2015.

An initial risk assessment had identified a number of potential risks.

An amendment to the recommendation having been moved and seconded it was:

RESOLVED –

That the Committee note and endorse the Authority's response to the consultation paper on the Firefighters' Pension Scheme 2015 Proposals for the new governance arrangements and note a follow up report would be presented once the final governance arrangements are announced.

## **EX22**

### **MEMBERS SCHEME OF ALLOWANCES 2015/16**

The Director of Legal and Governance advised members that payments and the process by which payments are approved can only be made in line with the statutory scheme.

The regulations require that combined fire authorities must have regard to the independent remuneration panels' recommendations from the constituent authorities and those recommendations are contained within the appendices of this report.

The Director of Legal and Governance explained to members that the removal of allowances in the event that a members was suspended by their standards committee, was taken out of the scheme by the Authority two years ago because under the Localism Act 2011 it is no longer permissible to suspend a member, therefore it is not permissible to withhold allowances.

In answer to a question as to whether the Authority had to take note of a constituent authority's responses to its own independent remuneration panel's recommendations, it was advised that the regulations only require that Authority to have due regard of the recommendations of the panels.

RESOLVED –

That the Authority be recommended to adopt the Scheme for Members' Allowances for 2015/16.

**EX23**

**EXCLUSION OF PUBLIC AND PRESS**

RESOLVED –

That the public and press be excluded from the meeting by virtue of Paragraph 3 of part 1 of Schedule 12A of the Local Government Act 1972 as appendix 1 of the report contains information relating to the financial or business affairs of any particular person (including the authority holding that information) and on those grounds it is considered the need to keep information exempt outweighs the public interest in disclosing the information, so that the meeting may consider the following matter:

Delivering Legal Services through an Alternative Business Structure

The Executive Assistant to the Chief Fire Officer, the Communication and Consultation Manager and the two members of the public left the meeting.

**EX24**

**Delivering Legal Services through an Alternative Business Structure**

The Director of Legal and Governance advised members that at its meeting on 17 July 2013 the Committee delegated responsibility to the Chief Fire Officer to negotiate terms of entry into the alternative business structure, to provide legal services to a wider client base.

The Director of Legal and Governance did not envisage the Chief Fire Officer being required, after consultation with the Chairman, to make any significant amendments. It was noted that the certificate of incorporation of the company was 'Buckinghamshire Law+', but it had now been required to change it to 'Buckinghamshire Law Plus'.

RESOLVED –

1. That the terms of participation by the Authority in the company 'Buckinghamshire Law Plus' as set out in the Shareholders' Agreement be endorsed.
2. That the post-holder of Chief Fire Officer/Chief Executive of the Authority, ex officio, be appointed as a director to the board of the company.

3. That the post-holder of Chief Fire Officer/Chief Executive of the Authority, ex officio, be authorised to act as the Authority's representative as shareholder of the company.
4. That authority be delegated to the Chief Fire Officer/Chief Executive to make any amendments to the Shareholder's Agreement needed to gain agreement prior to completion in consultation with the Chairman.

## **EX25**

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

RESOLVED –

That the public and press be excluded from the meeting by virtue of Paragraph 1 of part 1 of Schedule 12A of the Local Government Act 1972 as appendix 2 of the report contains information relating to an individual; and Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 contains information relating to the financial or business affairs of a person and on those grounds it is considered the need to keep information exempt outweighs the public interest in disclosing the information, so that the meeting may consider the following matter:

Appointment of the Authority's Future Chief Fire Officer/Chief Executive

The Chairman asked the Chief Operating Officer, the Head of Service Transformation, the Head of Service Delivery and the Director of Finance and Assets to leave the room.

## **EX26**

### **APPOINTMENT OF THE AUTHORITY'S FUTURE CHIEF FIRE OFFICER/CHIEF EXECUTIVE**

**In accordance with Section 100B(4)(b) of the Local Government Act 1972 the Chairman ruled that the Committee should consider the Appointment of the Authority's Future Chief Fire Officer/Chief Executive Report as an urgent item in order to allow the Committee to approve the appointment of a Chief Fire Officer/Chief Executive designate before February 2015.**

There was only one member of the Executive Committee who had not been able to attend the interview selection process for the new Chief Fire Officer/Chief Executive. The Chairman felt that with the members and the help of Sir Ken Knight, it was a very robust and defensible process.

The Director of People and Organisational Development advised members that it was noted in Appendix 1 that if the first stage, considering an internal candidate was not successful, the selection would be widened to external candidates.

Members asked that a press release be issued as soon as possible advising that Jason Thelwell had been appointed the new Chief Fire Officer/Chief Executive from February 2014.

RESOLVED –

1. That Jason Thelwell be selected as Chief Fire Officer/Chief Executive to commence in post on 7 February 2015.
2. That Jason Thelwell becomes Chief Fire Officer/Chief Executive designate on 1 January 2015.
3. That the Authority be recommended to approve the remuneration for the Chief Fire Officer/Chief Executive set out in Appendix 2 as £138,500 per annum on appointment.

[Press and Public re-admitted]

**EX27**

**DATE OF NEXT MEETING**

The Committee noted that the date of the next Executive Committee would be held on Wednesday 4 February 2014 at 10.00am.

THE CHAIRMAN CLOSED THE MEETING AT 11AM.