

Minutes of the meeting of the BUCKINGHAMSHIRE AND MILTON KEYNES FIRE AUTHORITY held on WEDNESDAY 17 DECEMBER 2014 at 10.00 am

**Present** Councillors Bendyshe-Brown, Busby (Chairman), Dransfield, Exon, Glover, Gomm (part), Huxley, Lambert, Morris, Reed, Schofield, Vigor-Hedderly, Watson, Webb and Wilson

**Officers:** M Jones (Chief Fire Officer), J Thelwell (Chief Operating Officer), G Britten (Director of Law and Governance), D Skinner (Director of Finance and Assets), L Swift (Director of People and Organisational Development) G Smith (Head of Service Development), M Osborne (Head of Service Transformation), J Parsons (Head of Service Delivery), M West (External Auditor), A Chart (Health and Safety Manager), S Gowanlock (Corporate Planning Manager), K Nellist (Democratic Services Officer), F Pearson (Group Manager Communications), E Andrews (Executive Assistant to Chief Fire Officer), G Barry (Information Governance and Compliance Manager), N Boustred (Group Manager Prevention and Protection Policy) and C Bell (Service Delivery Manager)

Five members of the Public

**Apologies:** Councillors Chilver and Mallen

**FA28****MINUTES**

RESOLVED –

That the Minutes of the meeting of the Fire Authority held on 22 September 2014, be approved and signed by the Chairman as a correct record.

**FA29****CHAIRMAN'S ANNOUNCEMENTS**

The Chairman announced that:

- a) working with Executive Committee colleagues two senior appointments had been made, he was very pleased with the appointments and how the process had been carried out.
- b) on the 23 October he had attended an MP's workshop in the Speakers Quarters of Parliament along with the Chief Fire Officer and several key officers. Discussions with local MPs had been very productive and there was a chance that we might gain an adjournment debate. He was grateful to the Chief Fire Officer's Executive Assistant Elizabeth Andrews for arranging the visit and John Bercow MP for hosting it.
- c) on the 24 October he was delighted to host the annual Long Service Awards Ceremony which was an excellent evening recognising the dedication of staff and those who go beyond the call of duty for the Firefighters Charity. He thanked Democratic Services Officer, Katie Nellist for arranging the event.

- d) he would like to thank those members who attended the Members Workshop on 29 October. The presence of Sir Ken Knight greatly assisted the deliberations and he had asked the Chief Fire Officer to secure Sir Ken's attendance at future workshops.
- e) on the 20 November he delivered the annual report to Buckinghamshire County Council and reported that it had been well received.
- f) in partnership with the British Automatic Fire sprinkler Association, a conference had been hosted at the MK Dons stadium on 27 November. He and the Vice Chairman had been in attendance and he was particularly pleased to see how well the Authority was received by the industry as being a leader in this particular area.
- g) he was aware the Fire Minister had written to Chief Fire Officers about the values and behaviours demonstrated during recent events. The Chief Fire Officer had responded sharing the Authority's Carr Review submission and details of many other unsavoury and sinister messages that had occurred since that time. The Fire Minister had telephoned him to talk about this and other issues.
- h) he had been delighted to welcome everyone to the Authority's annual Christmas Carol Service on Wednesday 10 December at the Church of Christ the Cornerstone, Milton Keynes. He thanked everyone involved for a wonderful evening, especially the ceremonial party, and announced the collection raised £230, which would be divided between the church and the Firefighters Charity.
- i) the Chief Fire Officer would update the Authority on the recent strike and Fire Brigades Union (FBU) Demonstration:

The Chief Fire Officer advised Members that he and the Chief Operating Officer had endured the usual abusive behaviour on social media.

Matt Wrack, General Secretary of the FBU had announced that the FBU intended to raise a legal case against the Authority, and that the FBU would publish its QC's Opinion about the strike.

The protest march had taken place with much noise and threatening demeanour but having previously announced that a legal case would be launched, the Chief Fire Officer was not sure what the FBU was trying to achieve. The strike itself had little impact on the Service and several emergency responses had been undertaken.

Subsequently, the FBU had been successful in gaining a debate from an early day motion. The debate was held on 16 December

and the attempt to put down the government's proposals was defeated. The matter of the future of firefighter pensions seemed to be defined even if the dispute was not concluded.

**FA30**

## **RECOMMENDATIONS FROM COMMITTEES**

### **Executive Committee – 19 November 2014**

The Authority considered the recommendations of the Executive Committee held on 19 November 2014 relating to:

#### **(a) Members' Allowances**

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

RESOLVED –

That the Scheme for Members' Allowances for 2015/16 be adopted.

#### **(b) Appointment of the Authority's future Chief Fire Officer/Chief Executive**

"That the Authority be recommended to approve the remuneration for the Chief Fire Officer/Chief Executive as £138,500 per annum on appointment".

RESOLVED –

That the remuneration for the Chief Fire Officer/Chief Executive as £138,500 per annum on appointment be approved.

**FA31**

## **EXCLUSION OF PRESS AND PUBLIC**

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 the report contained information relating to an individual; and Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 as the report contained information relating to the financial or business affairs of a person; and on those grounds it was considered the need to keep information exempt outweighed the public interest in disclosing the information, so that the meeting could consider the following matter:

Appointment of the Chief Operating Officer/DCFO

(The Chief Fire Officer, Chief Operating Officer, Director of People and Organisational Development, Director of Legal and Governance and the Democratic Services Officer remained)

**FA32**

## **APPOINTMENT OF THE CHIEF OPERATING OFFICER/DEPUTY CHIEF FIRE OFFICER**

RESOLVED:

1. That Mick Osborne is selected as Chief Operating Officer/DCFO to commence in post on 7 February 2015.
2. That the remuneration for the post of Chief Operating Officer/DCFO at the date of appointment be £115,000 per annum.
3. That Mick Osborne becomes Chief Operating Officer/DCFO designate on 1 January 2015.

**FA33**

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

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 Annex to Appendix 1 contained information relating to the financial or business affairs of a person (other fire and rescue authorities); and on those grounds it was considered the need to keep information exempt outweighed the public interest in disclosing the information, so that the meeting could consider the following matter:

Interim report into injury compensation payments

It was agreed by all members that the authorities named in Appendix 1 would not be discussed.

(Public and Officers readmitted)

The Chairman congratulated Jason Thelwell on his recent appointment to Chief Fire Officer and Mick Osborne on his appointment to Chief Operating Officer/DCFO.

**FA34**

### **INJURY AWARDS: INTERIM REPORT**

The Director of Legal and Governance advised members that since the report had been completed on 24 November, eight further fire authorities had indicated they had an issue. A national meeting was to be held on 19 December 2014 for all affected fire authorities.

The Director of Legal and Governance had commissioned the interim report as there had been a delay in completion of the full report. This was because some of the issues were still unresolved as the investigation was pursuing lines of enquiry that related to current employees/former employees and also the role of Buckinghamshire County Council.

It was mentioned in the report that the accounts were approved in line with a verbal update from the Chief Finance Officer by the Overview and Audit Committee at its meeting on 24 September 2014, in fact the Audit opinion was issued at the full Authority meeting on 22 October 2014.

The Chairman of the Overview and Audit Committee and some members were increasingly concerned about the potential reputational risk to the Authority, as it was the only authority that had not had its accounts signed off due to this issue. Although the interim accounts were on the Authority's website, The Chairman of the Overview and Audit Committee asked the External Auditor to comment on this matter.

The External Auditor firstly apologised for not attending the Overview and Audit Committee meeting on 3 December 2014.

The External Auditor advised that he could not comment on the position of other fire and rescue authorities as to whether their accounts had been signed off. The External Auditor wanted to hold open the audit as not complete to ensure continued engagement because of the outstanding issues that still needed to be dealt with on the legalities of the potential reimbursement and on the investigation.

The Chief Fire Officer advised members that this was the only Authority to commission an investigation before the audit of accounts had been finalised. Other fire and rescue authorities had not declared their position until after their accounts had been signed off. There can be no further damage to the Authority's reputation from this; it is a technical issue and its rating as an Authority would not be affected by these events.

In answer to a question regarding how long the Authority can go with unsigned accounts, the External Auditor advised that the accounts could not be signed off until the issue had been resolved.

RESOLVED -

1. That the contents of the Injury Awards: Interim Report be noted.
2. That the correspondence from the Authority to the DCLG be noted.

## **FA35**

### **INTERPRETING THE ACCOUNTS: KEY FINANCIAL RATIOS**

The Director of Finance and Assets advised members that the initial analysis showed that the Authority was currently in a strong financial position.

The Authority had already taken action to strengthen its position further, by ensuring that no additional borrowing was required to fund the on-going capital programme. The ratios would strengthen as long-term borrowing was repaid in line with the maturity profile (there was currently no incentive to repay borrowing early due to the substantial early repayment premiums that would be incurred).

RESOLVED –

That the report be noted.

(Councillor Gomm left the meeting)

**FA36**

**THAMES VALLEY FIRE CONTROL PROJECT**

The Vice Chairman advised members that the project should have 'cut over' (gone-live) on 10 December but this had not happened. There was to be a specially convened meeting on 19 December which would be attended by the Vice Chairman and Councillor Reed. Although technically not members of the project group until the go live date, the Vice Chairman and Councillor Reed would be pushing for an early implementation date.

The Head of Service Development also concurred that the project had not 'cut over' on 10 December due to on-going issues with BT. There was a new proposed revised draft project plan to cut over next year which would be given to members at the meeting on 19 December.

The Head of Service Development advised members that the main priority now was to maintain the control room function in Buckinghamshire up until the new cut over date. The Head of Service Development was confident that staff would be able to maintain the Buckinghamshire Control Room until a revised date was given. BT had now completed the work, and testing of the equipment was underway.

RESOLVED –

That the report be noted.

**FA37**

**PROTECTION POLICY**

The Head of Service Delivery introduced the report and advised members that the Protection Policy had been reviewed and amended to take into account the Authority's requirement under the Regulatory Reform (Fire Safety) Order 2005, to enforce the provisions of the Order and to do so in accordance with the Regulators' Code.

The Policy was also designed to reinforce the Authority's strategy of encouraging and supporting business development through education and information coupled with light touch enforcement when necessary.

The Lead Member for Community Protection urged members to support this excellent evidence based policy, and advised the need to encourage businesses to come to Buckinghamshire and Milton Keynes and to encourage our own constituent authorities

to build safer buildings incorporating sprinkler systems and to encourage others to do the same.

RESOLVED –

That the Protection Policy be approved.

### **FA38**

#### **LGA PEER REVIEW CHALLENGE REPORT**

The Chairman advised members that he was disappointed with the report in that the initial feedback given was somewhat different from the completed final report.

The Chief Fire Officer agreed with the Chairman. The report found many things the Authority would have expected, but it did not look at how the Authority performed, how much it cost, and what the outcomes were for the citizens it served.

Other Lead Members also involved in the Peer Review process were disappointed that the initial feedback at the final meeting was not reflected in the final report.

The Authority thanked Group Manager Neil Boustred for all his hard work in organising the Peer Review.

RESOLVED –

That the LGA Fire Peer Challenge final report be noted.

### **FA39**

#### **PUBLIC SAFETY PLAN**

The Chief Fire Officer introduced the report advising members it was an evidential based report including a large consultative process and thanked officers for producing such an excellent report.

The Chief Operating Officer advised the Authority that the evidence showed that demand was falling and the configuration of stations needed to change. The Chief Operating Officer felt it was important to praise staff and encourage them to be part of moving this forward and determining their own future within the service. Change was needed and the Public Safety Plan showed over the next five years how the Authority could implement that change.

The Head of Service Transformation was delighted to present this report to the Authority as it set out the plans and proposals for the next five years, and demonstrated the Authority's ambition to remain one of the highest performing and innovative authorities in the country.

The consultation approach taken was agreed at the June Authority meeting and followed best practice. This included a

number of methods including public and staff focus groups, an online questionnaire and other direct forms of consultation with key stakeholders including representative bodies and even directly to local MPs which was unique.

Comprehensive feedback had been both received and analysed as contained within the appendices to the report, and members would also note the management responses to the feedback received.

The Head of Service Transformation thanked the Corporate Planning Manager Stuart Gowanlock for his hard work in bringing all these reports together and also the Lead Member for Community Protection for her assistance and contributions throughout the process.

The Lead Member for Community Protection thanked all the officers involved for an excellent report.

In answer to a question regarding the number of calls, the number of turn outs and the reduction in the number of firefighters, the Head of Service Transformation advised members that the number of calls had been declining, the trend was down while the population was increasing. Accidental dwelling fires had reduced and injuries as a result of those accidental dwelling fires was down by over 65%. The calls were reducing and accidental fires which were the most risky had been reduced, but it was too simplistic to compare the reduction in calls to the reduction in numbers of firefighters.

In answer to a question raised as to why the FBU in their submission to the consultation raised the subject of the senior officers' earnings (as this was already a matter of public record), the member wanted to be advised of the pay and conditions of the Fire Brigades Union's senior staff. The Chief Fire Officer advised that, whilst not a matter for the Authority, all trade unions are required by the Trade Union and Labour Relations Act to submit annual accounts and, to assist the member, this information would be placed in the Members' Library.

In answer to a question as to whether there was a more compact version of the plan that could be given to Parish Councils, the Head of Service Transformation advised that one would be emailed to members and placed in the Members' Library.

RESOLVED -

1. that the 2015-20 Public Safety Plan be adopted subject to the following modification – that the active consideration or pursuit of alternative service delivery models (proposal five at page 20 of the PSP shown at Annex 1) for core services i.e. those required to meet statutory duties, be excluded from the plan;



2. that officers be directed to proceed with the further development of proposals one to four specified at page 20 of the 2015-20 Public Safety Plan (Annex 1) having regard to the consultation feedback as they are progressed and undertake further consultations with stakeholders potentially affected by any specific changes arising from their implementation;
3. that the Chief Fire Officer be granted discretion to determine the sequencing and timing of the work required to further progress the proposals.

(Councillor Gomm re-joined the meeting)

#### **FA40**

#### **HEALTH AND SAFETY ANNUAL REPORT**

The Authority considered the Health and Safety annual report which detailed performance from 1 April 2013 to 31 March 2014 and in doing so, recognised that the Service was performing well.

The Health and Safety Manager advised members that the Authority had another very pleasing year with regard to safety performance, both operationally and support staff.

The statistics collated by the Department for Communities and Local Government (DCLG) regarding injuries to firefighters and operational crews showed the service had come out top for the least number of injuries possible in six out of the eight categories. The aim was to be top in all categories.

As a service the Authority's excellent record of safety had been maintained, particular throughout the periods of industrial action. So far through forty-six periods of strike action, there had only been one safety event which was minor vehicle damage; this was down to the commitment and professionalism of all staff that worked throughout the periods of industrial action.

Finally, the Health and Safety Manager gave special thanks to the Lead Member for Health and Safety, Councillor Schofield for his on-going support to the department, which was much appreciated.

Members wished to record their congratulations to all staff on an excellent safety performance.

RESOLVED –

That the annual Health and Safety Report 2013/14 be noted.

#### **FA41**

#### **DATE OF NEXT MEETING**

The Authority noted that the next meeting of the Fire Authority is to be held on Wednesday 18 February 2015 at 11am.

**FA42**

**THE CHIEF FIRE OFFICER'S RETIREMENT**

The Chairman paid tribute to the Chief Fire Officer who would be retiring before the next full Authority meeting and made a presentation on behalf of the Authority.

The Chief Fire Officer responded, offering his gratitude for the support shown by the Authority and stating his pride at having served the taxpayers of Buckinghamshire and Milton Keynes.

THE CHAIRMAN CLOSED THE MEETING AT 12.45pm

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