

Minutes of the meeting of the BUCKINGHAMSHIRE AND MILTON KEYNES FIRE AUTHORITY held on WEDNESDAY 18 FEBRUARY 2015 at 11.00 am

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

**Officers:** J Thelwell (Chief Fire Officer), G Britten (Director of Legal and Governance), M Osborne (Deputy Chief Fire Officer), D Sutherland (Acting Director of Finance and Assets), L Swift (Director of People and Organisational Development) G Smith (Head of Service Delivery), J Parsons (Head of Service Development), M Hemming (Head of Finance [Deputy Director]), Tom Ogg (11KBW), Gerry Barry (Information Governance and Compliance Manager), Paul Holland (Area Manager Projects and Transformation), K Nellist (Democratic Services Officer), F Pearson (Communication and Consultation Manager)

2 members of the Public

**Apologies:** Councillor Schofield

**FA43 MINUTES**

RESOLVED –

That the Minutes of the meeting of the Fire Authority held on 17 December 2014, be approved and signed by the Chairman as a correct record.

**FA44 CHAIRMAN'S ANNOUNCEMENTS**

The Chairman announced that:

- a) he had received correspondence from the Fire Brigades Union (FBU) regarding the new pension arrangements. He had responded stating that the Authority would be implementing the new regulations as laid down before parliament. The Authority would do all it could to help staff maintain fitness so that they could continue to provide an excellent service to the community. A copy of the correspondence had been placed in the members' library.
- b) it was unfortunate that the FBU had announced they would be taking further strike action in relation to the pension dispute, this would be in the form of a 24 hour strike commencing at 0700 on Wednesday 25 February 2015.
- c) the new aerial appliance was now on the run at Great Holm Fire Station. This was an excellent addition to the fleet and had already been used and the feedback from staff had been overwhelmingly positive. The service had a reducing budget over the last five years but he was pleased that the Authority could still provide the best possible equipment for staff. Members would remember that the new vehicle was

purchased with Transformational fund monies from the Government.

- d) he was pleased to announce that the service had recently promoted Greg Smith to the role of Area Manager; Greg would be responsible for the day to day running of the fire stations and would also see the Fire Control Project through to its implementation. The Chief had also temporarily promoted Paul Holland into the role of Area Manager; Paul would be responsible for the planning and implementation of the public safety plan. He was pleased that the new team was being established and a smooth transition was taking place.

(Councillor Webb joined the meeting)

- e) the service continued to explore new ways of protecting the community and he could confirm that the Chief had met with the Chief Executive of South Central Ambulance Service to discuss how the service could further expand the medical response services that are already provided in South Buckinghamshire.
- f) the new Chief had met with the Chief Executives of Milton Keynes Council and Buckinghamshire County Council and also the leader of Milton Keynes Council and had an appointment to meet the leader of Buckinghamshire County Council.
- g) he intended to visit some fire stations in the coming months to engage with staff about the future and how they can help to influence and shape the service over the next five years and urged members to visit their local fire stations too.
- h) there had been a number of incidents locally that members would have been made aware of. He could report that crews responded well and did an excellent job and wanted to record his thanks to them.
- i) finally, he would ask the Chief Fire Officer if he had any comments he would like to make:

The Chief Fire Officer was disappointed that strike action had been called. The pensions regulations had been laid before Parliament and would come into effect this year and so the strike action was more of a protest strike. Unfortunately, the FBU had decided to call the strike at 0700 which means that the Authority's position still stands and it would not accept partial performance.

## **FA45**

### **COMMITTEE MATTERS**

#### **(a) SOA3 Order of Business, Agenda Procedure and Summons**

RESOLVED –

That the Authority Standing Orders be amended so that the following text is inserted at SOA3 (17):

"...or, where a Member has given consent for the summons to be transmitted in electronic form to a particular electronic address (and consent has not been withdrawn) sending it in electronic form to that address ..."

**(b) SOA11 Voting**

RESOLVED –

That the Authority Standing Orders be amended so that the following text is inserted at SOA11 as a new paragraph SOA 11 (6):

"Immediately after any vote is taken at a budget decision meeting of the Authority there must be recorded in the minutes of the proceedings of that meeting the names of the persons who cast a vote for the decision or against the decision or who abstained from voting".

**FA46**

**RECOMMENDATIONS FROM COMMITTEES**

**Executive Committee – 4 February 2015**

The Authority considered the recommendations of the Executive Committee held on 4 February 2015 relating to:

- Treasury Management Strategy 2015/16
- The Prudential Code, Prudential Indicators and Minimum Revenue Provision
- Medium Term Financial Plan (MTFP) 2015/16 to 2019/20

**(a) Treasury Management Strategy 2015/16**

The Authority considered the Treasury Management Policy Statement, the Treasury Management Strategy Statement and the Annual Investment Strategy for 2014/15.

The Authority noted the main changes that were listed in the Executive Summary; and that the Strategy proposed to invest in enhanced money market funds to get a better rate of interest. The Strategy proposed that up to 10% of the portfolio could be invested with other local authorities for more than a period of one year and proposed to invest in certificates of deposit which could be traded in earlier if required.

RESOLVED –

That the Treasury Management Policy Statement, Treasury Management Strategy Statement and the Annual Investment Strategy for 2015/16 be approved.

### **(b) The Prudential Code, Prudential Indicators and Minimum Revenue Provision**

The Authority considered the Prudential Code, the Prudential Indicators and the Minimum Revenue Provision policy statement.

The Authority noted that the Prudential Code had been established to ensure the capital investment plans were affordable, prudent and sustainable, and equated to an acceptable level of risk to the Authority.

The Authority was currently in an over-borrowed position but due to the prohibitive penalties early repayment of borrowing was not an option. The Authority would therefore ensure that no additional borrowing be undertaken for the foreseeable future.

RESOLVED –

That the Prudential Indicators and the Minimum Revenue Provision Statement be approved.

### **(c) Medium Term Financial Plan (MTFP) 2015/16 and 2019/20**

The Vice Chairman introduced the report previously presented to the Executive Committee held on the 4 February 2015, which included the updated addendum which covered the increase in business rates (£488k) and Council Tax receipts (£216k).

As the updated information was not available to discuss at the Executive Committee meeting, the Vice Chairman advised members that with the additional money available and with anticipated reserves at the end of the year of £15M he would like to recommend that the Authority reduces the precept by 1% (£182K). This will give a Council Tax precept of £58.54 for a band D equivalent property.

The Chief Fire Officer advised members that the Authority was in a better position than previously thought, but members needed to be aware that a rise in Council Tax may be required should the position change in future years. Members also needed to be mindful of the public safety plan which was agreed at the Authority meeting in December 2014. There were a number of proposals in the plan which identified that the Authority may need to redesign how the service was delivered with fewer staff and staff working in different ways.

The Vice Chairman advised members that a very robust budget challenge process ensured a much scrutinised capital programme.

The general fund balance calculation was about likelihood and risk and the calculation is reasonable.

RESOLVED –

That the report and Statement of the Chief Finance Officer be noted.

That the capital programme for 2015/16 and the indicative capital programme for 2016/17 to 2019/20 be approved.

That the General Fund balance be maintained at the current level (£3.7 million) and the estimated movements in earmarked reserves be noted.

It being moved by Councillor Dransfield and seconded by Councillor Gomm it was

RESOLVED -

That the recommendation be amended from a recommended Council Tax precept of £59.13 for a band D equivalent property (no increase from 2014/15) to a Council Tax precept of £58.54 for a band D equivalent property (1% reduction from 2014/15).

Details of the recorded vote are set out below:

	For	Against	Abstained
Bendyshe-Brown	✓		
Busby	✓		
Chilver	✓		
Dransfield	✓		
Exon	✓		
Glover	✓		
Gomm	✓		
Huxley	✓		
Lambert	✓		
Mallen	✓		
Morris	✓		
Reed	✓		
Vigor-Hedderly	✓		
Watson	✓		
Webb	✓		
Wilson			✓

It being moved by Councillor Dransfield and seconded by Councillor Gomm it was

RESOLVED -

That a Council Tax precept of £58.54 for a band D equivalent property (1% decrease) and the revenue budget be approved.

Details of the recorded vote are set out below:

	For	Against	Abstained
Bendyshe-Brown	✓		
Busby	✓		
Chilver	✓		
Dransfield	✓		
Exon	✓		
Glover	✓		
Gomm	✓		
Huxley	✓		
Lambert	✓		
Mallen	✓		
Morris	✓		
Reed	✓		
Vigor-Hedderly	✓		
Watson	✓		
Webb	✓		
Wilson			✓

**FA47**

**ANNUAL REPORT ON REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA)**

The Director of Legal and Governance thanked the Information Governance and Compliance Manager for compiling the report, and advised the Authority that this was an annual report on the use of the powers given to the Authority under the Regulation of Investigatory Powers Act 2000 (RIPA). The statutory guidance requires that the Authority be given an update at least annually on the use by the Authority of surveillance and use of covert human intelligent sources (CHIS) and have the opportunity to review the CHIS and the Surveillance Policy annually.

The Information Governance and Compliance Manager advised members that the changes were highlighted in the report and also asked members to note the Authority had not used these powers.

The Deputy Chief Fire Officer advised members that the types of circumstances when the Authority would use these powers was extremely rare and other measures would be undertaken first.

RESOLVED:

That the report be noted and the revised policy be approved.

**FA48**

**EMERGENCY SERVICES MOBILE COMMUNICATIONS PROGRAMME (ESMCP)**

The Authority considered the Emergency Services Mobile Communications Programme (ESMCP) report.

The Head of Service Delivery advised members that the ESMCP was a government sponsored interoperability programme for Fire, Police and Ambulance Services. The current Airwave contract cannot provide broadband data solutions which services are becoming more reliant on. As the current contract is due to expire at the end of 2016, the government is seeking to extend this contract until a new system cut over can be achieved. It is anticipated that the Authority will cut over to the new system in 2018.

The Head of Service Delivery also advised members that there may be a potential cost to the Authority, but at this time the cost was not known.

RESOLVED:

1. That the ESMCP programme and progress to date be noted.
2. That the fact that the potential costs to the Authority have yet to be identified be noted.

**FA49**

**BMKFA PAY POLICY PRINCIPLES AND STATEMENT 2015/16**

The Director of People and Organisational Development advised the Authority that the purpose of this report was to recommend approval for the Pay Policy Principles and Statement for 2015/16, thus achieving compliance with the requirements of sections 38 to 40 of the Localism Act 2011.

The Pay Policy Principles and Statement had been revised and minor amendments made to Section 17 'Pay Multiple' where data had been updated.

Strategic resourcing options were being considered on how best to adapt and refresh the workforce in order to deliver the recently approved Public Safety Plan 2015 to 2020 and for this reason the Director of People and Organisational Development asked members to note that the pay policy statement could be reviewed by the full Authority within year once the outcomes from the resourcing review is carried out.

In answer to a question regarding whether the Authority would become a 'Living Wage' employer, it was advised that if an in year review were carried out this would be considered and an in

year revision to the Pay Policy would be recommended to a future meeting of the Authority.

RESOLVED -

1. That the Pay Policy Principles and Statement be adopted and published as its statutory Pay Policy Statement for 2015/16.
2. That the requirement for an in year review of the Pay Policy Principles and Statement, if outcomes from the resourcing review impact on this policy, be noted.

#### **FA50**

#### **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 Appendix 1 contains information relating to an individual; and Paragraph 2 of Part 1 of Schedule 12A of the Local Government Act 1972, as Appendix 1 contains information which is likely to reveal the identity of an individual; and Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 as Appendix 1 contains information relating to the financial or business affairs of any particular person (including the authority holding that information); and Paragraph 5 of Part 1 of Schedule 12A of the Local Government Act 1972 as Appendix 1 contains information in respect of which a claim to legal professional privilege could be maintained in legal proceedings, 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:

Injury Awards: Final Report Appendix 1

F Pearson (Communication and Consultation Manager) and members of the public left the meeting.

#### **FA51**

#### **INJURY AWARDS: FINAL REPORT**

The Authority considered the Injury Awards: Final Report and its recommendations:

Recommendation 1: Buckinghamshire and Milton Keynes Fire Authority (BMKFA) should review its arrangements for the administration of its pension fund. Specifically, BMKFA should consider:

(a) whether to bring the function in-house; or (b) whether a new administrator of the firefighters' pension fund should be appointed.



Recommendation 2: BMKFA should review its arrangements for external audit and financial assurance, including whether it is possible or desirable to change its current appointed auditor.

Recommendation 3: BMKFA should review its processes for handovers between leavers and joiners. In particular, BMKFA should consider whether departing staff members should be required to set out (e.g. in a meeting and/or written briefing note) all the information that is relevant to the on-going and future tasks in that role. The requirement should apply at least to the senior managers at BMKFA.

Recommendation 4: BMKFA should fully support efforts within the Fire Finance Network to encourage greater information sharing and cooperation on financial matters.

Recommendation 5: BMKFA should develop a policy within human resources for dealing with injury awards under the 2006 Compensation Scheme to complement the policies addressing ill-health retirements.

RESOLVED –

1. That the contents of the Injury Awards: Final Report be noted.
2. That the correspondence from the DCLG to the Authority be noted.
3. That the recommendations of the investigator be agreed.
4. That the Director of People and Organisational Development be instructed to undertake the review in line with Recommendation 1 of the Final Report in consultation with the Lead Member for Human Resources and Equality and Diversity.
5. That the acting Chief Finance Officer be instructed to undertake the review in line with Recommendation 2 of the Final Report in consultation with the Chairman of the Overview and Audit Committee.

## **FA52**

### **DATE OF NEXT MEETING**

The Authority noted that the next meeting of the Fire Authority will be held on Wednesday 10 June 2015 at 11am.

THE CHAIRMAN CLOSED THE MEETING AT 12.30PM