

Buckinghamshire & Milton Keynes Fire Authority



Minutes of the Meeting of the EXECUTIVE COMMITTEE of the BUCKINGHAMSHIRE AND MILTON KEYNES FIRE AUTHORITY held on WEDNESDAY 8 FEBRUARY 2023 at 10.00 AM.

Present: Councillors Darlington, Hopkins, Rouse (Chairman) and Walsh

Officers: J Thelwell (Chief Fire Officer), M Osborne (Deputy Chief Fire Officer), G Britten (Director of Legal and Governance), M Hemming (Director of Finance and Assets), A Hussain (Deputy Director of Finance and Assets), A Carter (Head of Technology, Transformation and PMO), A Stunell (Head of Human Resources), K Nellist (Democratic Services Officer), C Bell (Head of Protection, Assurance and Development), M Hussey (Principal Accountant) and P Mould (Area Commander Industrial Action)

Remotely: Councillors Hall, Lambert (part) and McLean
S Tuffley (Head of Prevention, Response and Resilience)

Apologies: Councillors Christensen, Hall, Lambert, McLean

The Chairman advised the Committee that the meeting was being recorded and would be uploaded on to the Authority's YouTube channel after the meeting.

<https://www.youtube.com/channel/UCWmIXPWAscxpL3vIiv7bh1Q>

EX28 MINUTES

RESOLVED -

That the Minutes of the Executive Committee meeting held on Wednesday 16 November 2022, be approved, and signed by the Chairman as a correct record.

EARTHQUAKE IN TURKEY AND SYRIA

The Chairman advised that Members were as concerned as he was regarding the events in Turkey and Syria. The United Kingdom had mobilised 77 International Search and Rescue officers but was there anything Buckinghamshire Fire and Rescue Service (BFRS) were doing to support this.

The Chief Fire Officer informed Members there were two schemes in place in the United Kingdom. Urban Search and Rescue (USAR) teams one of which was here in Aylesbury, and International Search and Rescue (ISAR) which comprised of members of staff of other USAR teams. Currently this Service was not on the register for international deployment. What this Service does was play a pivotal role when events like this happen. It fills the gaps of other USAR teams that had been deployed. The reach of the BFRS USAR team in terms of national deployment would be broader than it would normally be, staff may be mobilised longer distances.

The Chairman advised that following the London Fire Brigade Review of Culture, other issues had come to light in other fire and rescue services, Dorset and Wiltshire Fire and Rescue Service being one. He asked the Chief Fire Officer to give a verbal update on this.

The Chief Fire Officer advised Members that the British fire and rescue service had an issue with its culture. The services need to focus and listen to people's experiences. People were coming forward, mainly after they had left a service, with evidence of abhorrent treatment in the workplace. These people did not feel able to raise these issues with their immediate line managers, middle manager, senior managers, with their union, or with HMICFRS, which showed the scale of the issue.

Following the London Fire Brigade report, there were a number of actions the Service had put in place, but this was not the only answer. There needed to be a broader discussion about how this Authority and the Service move forward to ensure that not one person in the Service should feel as though they can't come forward with these issues.

The Head of Human Resources advised Members that the Senior Management Team had spoken about this at every meeting, there had also been meetings with the Leadership Group, as there needed to be a coordinated approach and input was also needed from employees. At the meetings, officers talked about the London report, how it made people feel and what actions should be taken. There were a lot of actions and 33 outcomes from the report. Some of the areas looked at were advertising the Whistleblowing line.

The Code of Conduct and the Whistleblowing Procedures were already going through the governance process and would be approved at the Executive Committee on 22 March. These documents had also been sent to the Asian Fire Service Association the South-East Employers and four other fire and rescue services to get outside feedback.

The Head of Human Resources advised Members that the Service was reviewing all its old cases and had been asked for information by HMICFRS. There had also been Freedom of Information requests received.

The Head of Human Resources advised Members that with regard to the enhanced DBS checks carried out by the Service, some other fire and rescue services do not do any checks, and as from 3 February, the Authority had 330 members of staff with enhanced DBS.

The Chief Fire Officer asked Members to review the Code of Conduct when it came to the next Committee meeting, as they could provide a different, valuable, outside perspective.

The Chairman welcomed the tone as after reading the LFB report, Members needed to reassure themselves that the culture at this Service was right, and the fact that there was no complacency and indeed no defensiveness was a really important place to start. The Service had the support of Members to do what needed doing.

The Deputy Director of Finance and Assets advised Members that he intended to visit every watch on every station to talk about his experiences, and also show them a video on racial discrimination.

Head of
Human
Resources

EX29 MATTERS ARISING FROM THE PREVIOUS MINUTES

The Chairman advised that:

- EX24 a) Longer term profile of the Wholetime Establishment Road Map: to be picked up in Item 6.
- b) Impacts of some of the scenarios at year end: to be picked up in Item 6.
- c) The number of ex Police Officers who had applied to be firefighters, the Member who had requested this information had been updated after the meeting: In cohort 7 there were two, in cohort 8 there were no police, but Prison Service, RAF and Army. Cohort 9 starting in March, there were RAF, a Paratrooper and a Paramedic.
- d) A briefing note following the budget statement due the following day to be sent to Members: this had been done.

EX25 a) There were four complaints and one compliment for September: this information was reported to Members at the December Authority meeting.

b) The trend against previous years to be included and an extraction of the upheld measure: this would be added to the Performance Measures to come to the next Committee meeting.

c) More details required in terms of appraisal completion: this was reported to Members at the December Authority meeting.

d) The Chairman felt it would be helpful to have the carbon emissions and recycling measures in place and it would be helpful to have a target date: these would be added to the Performance Measures.

EX30 DISCLOSURE OF INTERESTS

There were no disclosures of interest.

EX31 BUDGET MONITORING REPORT APRIL 2022 – DECEMBER 2022

The Lead Member for Finance and Assets, Information Security and IT introduced the report and advised Members that the budget outturn was showing a favourable position which was to be welcomed, but there were two major issues yet to be resolved. A massive increase in utility costs, and not yet having a resolution to the firefighters pay negotiations. Both had potential to have huge impacts on the MTFP.

The Deputy Director of Finance and Assets advised Members that the report in Appendix A set out the Authority's revenue and capital spending position as at 31 December 2022, together with the projected outturn position for the financial year. The budget of £33.480m compared to the forecast outturn of £33.223m gave a forecast year end underspend of £0.257m. Furthermore, the level of funding was showing a favourable variance of £0.418m which had resulted in an overall net underspend of £0.674m against the expenditure budget. A couple of key changes Members may have noticed in the report related to outturn projections taking into account pay awards higher than 5%, and also, the workforce plan now projecting into 2023/24 showing when the Authority would achieve an operational establishment of 300.

The Deputy Director of Finance and Assets also advised Member that some of the risks were not highlighted on this outturn. The cost of industrial action and a decision on the pay award was still to be decided, both of which could easily remove any underspend the

Authority was currently reporting.

The Head of Human Resources advised Members of the current position regarding recruitment. There were six firefighter apprentices who commenced on 3 January 2023. There was a further 16 firefighters apprentices and one competent firefighter commencing on 1 March and there were two on hold for the October course (working for the armed forces and were unable to be released in time for March). The firefighter recruitment for October was opening on 20 February. In terms of transferees, there was on call and wholetime Crew Commander and Watch Commander, for internal and external transferee recruitment opening on 17 February.

The Head of Human Resources confirmed there would be an establishment of 294 at the end of Quarter 4.

The Chairman stated the work undertaken with apprenticeships and in National Apprenticeship week being able to say that 116 apprentices had started with this Service since 2017, was excellent.

RESOLVED –

That the provisional outturn forecast for the Authority as of 31 December 2022 be noted.

EX32 THE PRUDENTIAL CODE, PRUDENTIAL INDICATORS AND MINIMUM REVENUE PROVISION

The Principal Accountant advised Members that this was a technical paper and was presented annually to this Committee with final approval at the Authority meeting on 15 February. This paper supports the Medium-Term Financial Plan (MTFP) which was being presented today. The Prudential Code was established to ensure the capital investment plans were affordable, prudent and sustainable, and that treasury management decisions were taken in accordance with good professional practice.

The Prudential Indicators presented here demonstrate that the current plans for capital investment meet these criteria and present an acceptable level of risk to the Authority. Minimum Revenue Provision was a statutory charge to the General Fund, which ensured that the Authority had sufficient cash balances to repay borrowing upon maturity, reducing the refinancing risk.

Since 2015/16, there had been sufficient funds set aside to cover the repayment of the long-term borrowing, this could be seen in the background paper. Historically, early repayment of these loans had not been an option due to the prohibitive penalties on early repayment. However, due to the rise in interest rates since

December 2021, it may be more feasible to repay some of the long-term borrowing early. Officers were authorised to make early repayments within the prudential limits where, having consulted with the treasury advisors, there was an opportunity to do this on beneficial terms. There were also no plans for additional borrowing according to the MTFP.

The Chairman asked that although the decision on borrowing was one delegated to officers, was there a level at which they would engage and seek approval.

The Director of Finance and Assets advised that it would not be done formally, as when an opportunity presented itself, the decision would need to be taken immediately as interest rates may move and it may change the decision, but obviously it would be run past the Lead Member to get their oversight as part of that decision.

RESOLVED –

That the recommendations below be approved for submission to the Authority:

1. That the Prudential Indicators for 2023/24 be approved.
2. That the Minimum Revenue Provision policy statement be approved.

EX33 MEDIUM TERM FINANCIAL PLAN (MTFP) 2023/24 TO 2027/28

The Lead Member for Finance and Assets, Information Security and IT introduced the report and advised Members that a lot of work had been undertaken but there was a lot of uncertainty over a large proportion of this budget and the Authority still had one of the lowest Precepts which also provided additional challenge.

The Deputy Director of Finance and Assets advised Members that the revised appendices presented the revenue and capital Medium Term Financial Plan (MTFP) for the financial years 2023/24 to 2027/28. It had been a challenging year with inflation reaching double figures and having a significant impact on the cost of the expenditure budget.

There had been a significant change in the council tax precept flexibility for Fire and Rescue Authorities (FRAs). The referendum threshold had increased from 2% to 3% throughout the MTFP. Furthermore, the government proposed additional precept flexibility to FRAs to increase their precept by up to £5 for 2023/24 only without the need to hold a referendum. This additional flexibility was welcomed and reflected in the MTFP.

The Revenue Support grant had increased in line with the Consumer Price Index (CPI) whilst the Firelink grant would reduce

by 20% and the pension grant funding would continue on a flat-cash basis. The Service was verbally notified in January 2023 that the grant funding for the Urban Search and Rescue (USAR) capability hosted at Aylesbury would end on 31 March 2024. This would reduce the amount of fire specific grant funding from 2024/25 onward by a further £817k per annum, meaning the Service would no longer receive any fire specific grant funding from 2026/27 onwards.

The Deputy Director of Finance and Assets advised Members that the tables in the revised appendices replace the versions of Appendix 1 and Appendix 2 originally published. They had been updated following confirmation from the billing authorities of amounts receivable from national non-domestic rates (NNDR) and council tax (the statutory deadline for which was 31 January).

The Settlement Funding Assessment (SFA) for 2022/23 has been revised upwards from £8.610m to £11.338m (an increase of £2.728m). Future years' forecasts had been updated to reflect this movement and the additional funding has been forecast to transfer into reserves. The Council Tax surplus figure for 2022/23 had been revised upwards from £190k to £335k (an increase of £145k) as one of the billing authorities had recently confirmed their surplus which was not available at the time of producing the papers.

The Chief Fire Officer asked Members to note that when looking at pay, there were other parts of the national pay claim including, an uplift in pay for control staff, an uplift in CPD payments to the highest level, all these would have an effect the final amount the Authority would pay.

The Chairman shared officers caution around reserves and recognised the volatility in utilities could come back. It was really important to keep the Authority on a sustainable financial footing. The one off payments should be approached with caution and should not be used as ongoing costs.

The Chairman advised Members that the Authority should take the full precept, as it would put the Service under a lot of pressure if it was not taken.

A Member asked if the Authority lost the grant for the provision of USAR, what impact would it have on the provision within Buckinghamshire and Milton Keynes, and by definition the effect nationally and even internationally, and what could be done about it.

The Chief Fire Officer advised Members that it would have a huge effect. The USAR team was integrated and there for national deployment, but also local deployment and regional deployment.

The Urban Search and Rescue team and the heavy rescue facilities that the team provided, cover the whole of the Thames Valley. All the services within the Thames Valley had written into their risk management plans that this Service had a USAR team. If the USAR team here was not available, the next team would be in Essex, Hampshire or the West Midlands and the attendance time would be hours. The Authority was doing everything it possibly could to keep this team in Aylesbury.

(Councillor Lambert joined the meeting (remotely) and Councillor Hall left the meeting (remotely))

The Director of Finance and Assets advised Members that the Reserves Strategy would be presented at a future Executive or Authority meeting.

RESOLVED –

That the recommendations below be approved for submission to the Authority:

1. It is recommended that:
 - (a) The report and Statement of the Chief Finance Officer (see section 8 of Annex A) be noted.
 - (b) A Council Tax precept of £77.16 for a band D equivalent property (equal to an increase of 10p per week) and the revenue budget as set out in Appendix 1 be approved.
 - (c) The capital programme as set out in Appendix 2 be approved.

EX34 RESPONSE TO THE PROVISIONAL LOCAL GOVERNMENT FINANCE SETTLEMENT 2023-24: CONSULTATION

The Director of Finance and Assets advised Members that with regard to the referendum principle for a Band D property, last year it was limited to lower quartile fire services in terms of the £5 flexibility. This year it was available to all fire and rescue services, which was a real positive for the sector and recognition of the pressures it was facing. Overall, it was a very good settlement for the sector and this response due to the deadline, was for noting, as it had already been submitted in consultation with the Chairman and Lead Member.

RESOLVED –

That the response to the consultation be noted.

EX35 MEMBERS' ALLOWANCES

The Chairman advised that the recommendations were for this to go to the Authority meeting next week, with the proposal of either 0%, 2% or 5% increase in allowances; or an increase not aligning to

Director of
Finance
and Assets

the 'Grey Book'. Historically the allowances had been linked to the 'Grey Book'.

The Director of Legal and Governance confirmed that as set out in the report, since 2011 the indexation had been linked to the 'Grey Book' pay awards for the year preceding the financial year to which the annual scheme would apply. In 2021/22 the Authority agreed to suspend that indexation for that year.

The Chairman proposed that as it did not feel right while the Authority was in the middle of discussions over the pay settlement for 'Grey Book', that the Authority progress with re-linking to 'Grey Book' and any increase should be held back until there was a settlement through the National Employers, then it should apply to Members' Allowances.

Members were all in agreement of the recommendation from the Chairman.

It being moved and seconded:

RESOLVED -

That the recommendations below be considered for submission to the Authority:

That a Scheme of Members' Allowances for 2023/24 be adopted index linked to the 2022/23 'Grey Book' pay award.

EX36 DATE OF NEXT MEETING

The Committee noted that the date of the next Executive Committee meeting would be held on Wednesday 22 March 2023 at 10.00am (venue to be confirmed if MKCC Chamber is available).

Democratic
Services
Officer

EX37 EXCLUSION OF PUBLIC AND PRESS

RESOLVED –

It was moved and resolved that the public and press representatives from the meeting by virtue of Paragraph 1 of Part 1 of Schedule 12a of the Local Government Act 1972, as the report contains information relating to any individual; and Paragraph 3 of Part 1 of Schedule 12a of the Local Government Act 1972, as the report contain information relating to the financial or business affairs of a person (including the Authority); and on these grounds it is considered the need to keep information exempt outweighs the public interest in disclosing the information.

EX38 INDUSTRIAL ACTION UPDATE

The Committee considered the presentation, details of which were

noted in the confidential/exempt minutes.

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THE CHAIRMAN CLOSED THE MEETING AT 11.36