



Hereford & Worcester Fire Authority

Full Authority

Wednesday, 14 February 2018, 10:30

## Minutes

**Members Present:** Mr R C Adams, Ms P Agar, Mr A Amos, Mr T D Baker-Price, Mr B Clayton, Mrs E Eyre BEM, Mr A Fry, Mr D Greenow, Ms K S Guthrie, Mr I D Hardiman, Mr Al Hardman, Mr M Hart, Dr C A Hotham, Mr J L V Kenyon, Mr R I Matthews, Mr P Middlebrough, Mrs F M Oborski MBE, Mr R J Phillips, Dr K Pollock, Mrs J Potter, Professor J W Raine, Mr P A Tuthill, Mr R M Udall, Mr S D Williams

**Also in attendance:** Mr J P Campion - West Mercia Police & Crime Commissioner

### 164 Apologies for Absence

Apologies were received from Cllr C. B. Taylor.

### 165 Declarations of Interest (if any)

In relation to item 9 (Pay Policy Statement), the Chairman, Cllr R.J. Phillips declared his membership of the Fire NJC (Employers), his Vice-Chairmanship of the Local Government NJC (Employers) and his membership of the LGA Fire Commission.

Cllr Mrs F Oborski also declared her membership of the LGA Fire Commission in relation to item 9 (Pay Policy Statement).

### 166 Chairman's Announcements

The Chairman made the following announcements:

- he had held several meetings with the Chief Fire Officer (CFO) and senior fire officers, and together with the Vice Chairman had carried out a visit to HQ staff;
- Group Leaders had met twice since the last Authority meeting, including a visit to Southwell House at Hindlip Park, which will accommodate Fire Control and Operational Policy Teams within the joint Operations and Command Centre. It was hoped that the next Fire Authority meeting could be held at Hindlip Park to provide

all Members with the opportunity to visit Southwell House;

- the Chairman had attended meetings of Fire NJC and an away day with Fire Scheme Advisory Board. In January, he was present as an Employer Representative at the launch of the jointly commissioned report, by Employers and Trade Unions, of the Report on Emergency Medical response by Fire and Rescue Services at the House of Commons, with the new Shadow Fire Minister in attendance;
- he had also attended meetings with other Fire Authority Chairs regarding the impending announcement of whether the PCC would take over governance of the Fire Services and had been in regular contact with Chairman of Shropshire Fire Authority;
- the Chairman was due to attend the Fire NJC, Fire Pension SAB, the next LGA Fire Conference and was awaiting confirmation of a date on the new inspection process. The Chairman also announced he was due to undertake the CFO's annual performance review.

[Cllr Raine entered the meeting]

## **167 Public Participation**

Mr Andrew Davies, a retired firefighter and resident of Malvern was registered to speak in order to voice opposition to the proposed downgrading of fire cover for the citizens of Malvern.

Mr Davies had grave concerns regarding the recommendation of the CFO and the options detailed in the report on Crewing Arrangements. Mr Davies stated that the options presented to the Fire Authority would result in firefighters losing their jobs.

Mr Davies also stated that:

- the timescale was being forced by the CFO and was unrealistic, therefore negotiations needed to be continued;
- reserves could be used instead of removing firefighter and watch commander posts; and
- staff were unaware of how systems such as self-rostering would work.

Mr Davies concluded by asking the Authority to reject the CFO's recommendation so that the service to the community and firefighter

safety would not be compromised.

[Cllrs Fry and Udall entered the meeting]

The CFO responded by informing the meeting that the negotiations had involved very productive discussions with both the FBU and FOA. The negotiations had been on-going for 12 months and had been further extended by two weeks. The CFO also explained that self-rostering was already in place within the organisation. Members were assured by the CFO that he would respond to the other issues raised by Mr Davies when he presented his report at item 8 [minute 171].

**168 Confirmation of Minutes**

**RESOLVED that the minutes of the meeting on 14th December 2017 be confirmed as a true record and signed by the Chairman.**

**169 PCC Business Case**

The Chairman informed the meeting that the announcement by Government regarding the outcome of the PCC Business Case on Fire Governance had not taken place but was anticipated in the next few weeks.

[Cllr Hotham entered the meeting]

**170 Budget and Precept 2018/19 and Medium Term Financial Plan**

The Treasurer reported that the Authority had previously reviewed the revised Medium Term Financial Plan (MTFP) which identified a cumulative budget gap (after the approved use of reserves) of £0.947m by 2021/22. The budget gap had been reviewed by the Policy and Resources Committee on 31st January 2018 following the receipt of further information regarding resources.

The final information on resources had now been made available to the Treasurer, who explained that there were still various elements of uncertainty for future years, such as the continuation of the Revenue Support Grant, whether Fire Authorities would be included in the new rates retention process and uncertainty around the continuation of grants such as Firelink. The Treasurer also informed the meeting that the Billing Authorities had now planned for future council tax-base increases that were lower than in previous MTFP forecasts.

The Treasurer presented the expenditure requirement to the Authority, informing Members that the Policy and Resources Committee had considered the level of pay award provision and considered it prudent to provide for an annual 2% increase across the MTFP. The Reserves Strategy was summarised by the Treasurer who highlighted that the Authority had previously confirmed the Budget Reduction Reserve be used to close the budget gaps in the MTFP until major efficiencies came in to play. Based on the assumptions set out by the Treasurer this resulted in a balanced budget to 2021/22 and an indicative core budget gap of £0.697m in 2022/23 and £0.616m in 2023/24.

The Treasurer reminded Members that reserves could only be used once and set out the risks that were present in setting a net budget at £32.236m. The Chairman informed Members that in setting the budget they needed to ensure stability. He explained that the potential increase in staff pay would require an increase in Council Tax as there was no guarantee with regards to funding from Government, however the MTFP and Reserves Strategy had lessened the impact.

Following a question regarding the level of reserves the Treasurer confirmed that there was no specific guidance, although the Audit Commission had stated that 15% of the overall budget was not unreasonable. The ability of an organisation to maintain and replenish reserves had to be taken into account, therefore with regards to Hereford & Worcester the Treasurer stated that a level of £1.5m was appropriate. The Treasurer stated that reserves could only be used once and the Chief Fire Officer explained that all reserves were currently allocated, including those used for equipment to support front-line staff.

**RESOLVED that:**

***i) the Capital Budget and Programme (as set out in Appendix 1 of the report) be approved;***

***ii) the Revenue Budget (as set out in Appendix 4 of the report) be approved;***

***iii) the Medium Term Financial Plan (as set out in Appendix 5 of the report) be approved;***

***iv) as set out in Appendix 6 of the report, the Authority calculates that in relation to the year 2018/19:***

***a) the aggregate expenditure it will incur will be £32,610,000.00;***

***b) the aggregate income it will receive will be £9,735,854.00;***

**c) the net amount transferred from financial reserves will be £298,438.00;**

**d) the net collection fund surplus is £167,475.00;**

**e) the net amount of its Council Tax Requirement will be £22,575,808.00;**

**f) the basic amount of Council Tax will be £81.90 (Band D);**

**g) the precept demands on the individual Billing Authorities are:**

- Bromsgrove £2,991,897.11**
- Herefordshire £5,583,743.01**
- Malvern Hills £2,494,832.90**
- Redditch £2,134,166.59**
- Worcester £2,582,184.16**
- Wychavon £4,048,774.02**
- Wyre Forest £2,740,210.21**

**v) the Reserves Strategy (as set out in paragraphs 59-65 and Appendix 7 of the report) be approved;**

**vi) the Investment Strategy (as set out in paragraphs 72-77 of the report) be approved;**

**vii) the fees and charges for 2018/19 (as set out in Appendix 8 of the report) be approved; and**

**viii) the Statement of Prudential Indicators and Minimum Revenue Provision Policy (as set out in Appendix 9 of the report) be approved.**

## **171      Crewing Arrangements**

The Chief Fire Officer (CFO) explained that in 2014 the Authority had set the standard crewing on all fire engines as four firefighters and agreed to use reserves to provide crews of five on as many occasions as possible for an initial period of two years. In February 2017, the Authority agreed to revert to crews of four as the additional funding from reserves had been exhausted and tasked officers to develop a plan to provide crews of five on as many occasions as possible, at no additional cost and with no change to service provision.

Within a month of this request, officers had published proposals to change crewing arrangements and following detailed consultation with staff and community representatives, including Malvern and Evesham

Town Councils, a set of proposals was presented to the staff representative bodies. The CFO informed the meeting that by November 2017 officers and the FBU had brokered the 'Terms of Agreement' that the FBU had recommended its members accept, which included an increase in the number of wholtime firefighters to be facilitated through savings achieved from a reduction in the number of watch commander posts on the establishment.

In early January 2018, further station-based meetings took place with affected staff and the negotiators from both the Service and from the FBU. As a result of these meetings, amendments were made to the 'Terms of Agreement' and following a request by the FBU in early February, further modifications were made and an 'Alternative Option' developed.

The CFO stated that the following negotiating principles were followed by officers in their discussions with FBU negotiators:

1. any proposed duty system had to meet the requirements of the Authority's Community Risk Management Plan;
2. parity was needed with staff roles in other areas of the organisation so that all staff worked for the hours they were paid and managers had a level of responsibility commensurate with their role;
3. the subject of all negotiations had to be legal and appropriate; and
4. proposals needed to be financially viable and sustainable.

The local FBU Brigade Committee had been due to vote on the proposals on 13th February, however no vote had taken place.

The CFO therefore recommended that the Authority agree to continue to seek a collective agreement for a further two week period, however should the FBU Brigade Committee vote to reject the 'Alternative Option' and the 'Terms of Agreement' or should there again be no vote on either proposal then the 'Terms of Agreement' be implemented.

The CFO advised that if the Authority chose not to approve the recommendation, the existing duty systems would remain therefore it would not be possible for fire engines to be crewed with five firefighters and crews of four would remain the Service standard.

The Chairman stated that a fallback position was needed if a collective agreement could not be reached.

There was concern amongst some Members that industrial relations could be damaged if a collective agreement could not be reached. Cllr Udall put forward a motion, seconded by Cllr Oborski that the Authority

defer the item and delegate the Policy and Resources Committee to make a decision at its next meeting on 28th March 2018. A vote was taken and the motion was lost.

***RESOLVED that officers continue to seek collective agreement with representative bodies on the new crewing arrangements, however if collective agreement cannot be achieved by 1st March 2018 then officers be authorised to implement the 'Terms of Agreement' as previously agreed with the Fire Brigades Union.***

## **172 Pay Policy Statement**

The Deputy Chief Fire Officer presented the Pay Policy Statement 2018/19 and supporting information for approval by the Authority. The requirement to prepare and publish annual pay policy statements was a legal requirement to enable the public to take an informed view of whether local decisions on all aspects of remuneration were fair and made best use of public funds.

***RESOLVED that the Pay Policy Statement and supporting information be approved for publication.***

## **173 Members' Allowances Scheme 2018/19**

Members considered a report from the Head of Legal Services which requested that the level of Members' Allowances for 2018/19 be determined.

***RESOLVED that there be no change to the level of Members' Allowances for 2018/19.***

## **174 Fire Authority and Committee Dates**

The Head of Legal Services provided the Authority with the meeting dates for 2018/19.

***RESOLVED that the meeting dates for 2018/19 be noted.***

## **175 Minutes of the Audit and Standards Committee**

The Chairman of the Committee reported the proceedings of the Audit and Standards Committee meeting held on 24th January 2018.

***RESOLVED that the minutes of the Audit and Standards***

***Committee meeting held on 24th January 2018 be received and noted.***

**176 Minutes of the Policy and Resources Committee**

The Vice-Chairman of the Committee reported the proceedings of the Policy and Resources Committee meeting held on 31st January 2018.

***RESOLVED that the minutes of the Policy and Resources Committee meeting held on 31st January 2018 be received and noted.***

The Meeting ended at: 11:45

Signed:.....

Date:.....

Chairman