

MINUTES OF THE MEETING OF THE ROYAL BERKSHIRE FIRE AUTHORITY (RBFRS)



Held on Monday 23 February 2015 at 6.30pm

Brigade Headquarters, Newsham Court, Pincents Kiln, Calcot,
Reading, Berkshire RG31 7SD

- Members:**
- (* present)
- | | |
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| * Councillor Frank Abe | * Councillor John Lenton |
| Councillor Debs Absolom | * Councillor Chris Maskell |
| * Councillor Alistair Auty | * Councillor Tom McCann |
| Councillor Joginder Bal | Councillor Iain McCracken |
| Councillor Christine Bateson | Councillor Eileen McElligott |
| * Councillor Phillip Bicknell | * Councillor Edward Plenty |
| Councillor Jeff Brooks | Councillor Ian Pittock |
| * Councillor Paul Bryant | Councillor Angus Ross |
| * Councillor David Burbage | * Councillor Ishrat Shah |
| * Councillor Colin Dudley | * Councillor Alan Ward |
| * Councillor Adrian Edwards | * Councillor Emma Webster |
| * Councillor Paul Gittings | * Councillor Richard Willis |
| * Councillor Pauline Helliard-Symons | |

- In Attendance:**
- Jan Chadaj (Interim Head of IT, IHIT)
Trevor Ferguson (Deputy Chief Fire Officer, DCFO)
Moira Fraser (Democratic Services Manager, DSM)
Andy Fry (Chief Fire Officer, CFO)
Paul Jacques (Group Manager, GM)
Becci Jefferies (Head of HR, HHR)
Paul Maynard (Area Manager, Response, AMR)
Andrew Parsons (Interim Head of Estates, IHE)
Linda Pye (Principal Policy Officer, PPO)
Fayth Rowe (Committee Officer, CO)
Anne-Marie Scott (Director of People and Organisational Development, DPOD)
Paul Southern (Assistant Chief Fire Officer, ACFO)
Nicole Targett (Head of Corporate Communications)
Andrew Vallance (Director of Resources, DR)

- Observers:**
- Officers, Royal Berkshire Fire and Rescue Service
Members of Representative Bodies
Members of the Public
Independent Persons (David Comben and Roger Penfold)

75. APOLOGIES OF ABSENCE

Apologies for inability to attend the meeting were received from Councillors Jeff Brooks, Ian Pittock, Iain McCracken and Angus Ross.

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76. DECLARATIONS OF INTEREST

There were no Declarations of Interest received from Members or Officers.

77. MINUTES OF THE MEETINGS HELD ON 25 JUNE 2014

Resolved that:

The Minutes of the meeting held on 14th January 2015 be approved as a true and correct record and signed by the Chairman.

78. PARTICIPATION OF THE PUBLIC UNDER STANDING ORDERS 19 AND 25

There was no participation of the public under Standing Orders 19 and 25.

79. RECEIPT OF ANNOUNCEMENTS

The Chairman made the following announcements:

- He welcomed David Comben and Roger Penfold to the meeting and noted that the appointment of Independent Persons would be discussed under agenda item 9 (urgent Item). He also welcomed David Holling (Head of Legal Services) and Andy Day (Head of Strategic Support) from West Berkshire Council to the meeting.
- The Chairman referred to an incident which had occurred on the afternoon of Saturday 7th February 2015 in Sandhurst where a lady had lost her life in an intense fire. The lady in question had been rescued from her flat and resuscitated but had subsequently lost her life. A full fire investigation would be undertaken in conjunction with Thames Valley Police. The Chairman had received a briefing on the incident and response times to the incident had been good. The Chairman had asked for his condolences to be passed on to the family of the lady who had lost her life.
- The Chairman also updated the meeting on a further incident in Burghfield on 7th February 2015. An off duty retained firefighter (Ian O'Rourke) had come across a road traffic accident where a car was on fire and had administered CPR on a gentleman who was suffering a suspected heart attack. When the fire crew arrived they had used a defibrillator to administer two separate shocks and the gentleman was brought back to life. The paramedic and air ambulance crews had been highly appreciative of the professionalism and skill of the attending crew and particularly thanked Ian O'Rourke who had remained on the scene to assist the crew despite being off duty. Councillor Emma Webster asked if thanks could be passed on to all the crews involved in the two incidents on 7th February 2015 and she suggested that Firefighter Ian O'Rourke should be asked to attend the Awards Ceremony.

If evidence was required of the commitment to public service that was woven into the very DNA of the Authority's firefighters, or, indeed, of the value in the decision to fund the provision of defibrillators on fire engines in Royal Berkshire, this account provided it.

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- The newly appointed Director of People and Organisational Development, Anne-Marie Scott, had just completed her first day's work with RBFRS. On behalf of the Fire Authority, the Chairman welcomed her and stated that he looked forward to working with her.
- The Chairman also took this opportunity to congratulate Paul Maynard who had been substantively promoted in the role of Area Manager Response.
- The Chairman gave a final reminder that the Awards Ceremony would be held on Friday 27th February 2015 at Bearwood College, Wokingham. He was looking forward to presenting well deserved awards to a number of recipients, and looked forward to seeing as many Members there for what, he was sure, would be a very special occasion.
- The FBU had announced a strike which would be held on 25th February 2015. Further details would be announced. Contingency arrangements had been put in place to ensure that the people of Berkshire were protected.
- Signing In - For security purposes, Members and visitors to this building were being asked to sign in at Reception. For those who had not signed in at Reception, a folder would be circulated. The Chairman also reminded all Members to sign out on leaving the premises.
- Councillor Emma Webster reminded Members that there was still an opportunity to sponsor fire fighters taking part in the 24 hour cycle challenge.
- Councillor Paul Bryant noted that the PSG had met that day and he was pleased to announce that the major issues had now been resolved and that the new control room was due to go live on the 25th March 2015.

80. ISSUES ARISING FROM THE AUDIT AND GOVERNANCE COMMITTEE

There were no issues arising from the Audit and Governance Committee.

81. QUESTIONS FROM MEMBERS UNDER STANDING ORDER 30

There were no questions from Members under Standing Order 30.

82. NOTICES OF MOTION UNDER STANDING ORDER 44

The following Notice of Motion under Standing Order 44 had been received from Councillor Paul Gittings:

“This fire authority notes:

The additional pressure on its budget as a result of the industrial action in connection with the firefighters' pension dispute.

The failure of the Coalition Government to reach a negotiated settlement with firefighters in England in the dispute.

The more pragmatic approaches taken to resolve the issue by the devolved administrations in Scotland, Wales and Northern Ireland.

Labour's Early Day Motion 454 of December 15 -- sponsored by Ed Miliband -- which called for a fair deal for English firefighters on the pensions issue.

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The subsequent statements made in Parliament by the Fire Minister and the Secretary of State for DCLG that firefighters over 55 years of age, who fail the fitness test, will be guaranteed redeployment or an unreduced pension.

The fire authority further believes:

That firefighters in the Berkshire Fire and Rescue Service exemplify the very best in public service in protecting our residents at the risk of their own lives.

That firefighters should be rewarded for those efforts with a fair and equitable pension scheme upon retirement.

That expecting firefighters to remain on active service until the age of 60 still potentially puts both them and the public at risk.

This fire authority therefore resolves to:

Write to the Fire Minister, Penny Mordaunt MP, to urge her to re-open negotiations with the FBU in England to reach a negotiated settlement in this dispute as has been the case in Scotland, Wales and Northern Ireland.

Write to the Secretary of State, Eric Pickles MP, to request he clarifies his statement regarding unreduced pensions to ascertain that those guarantees will not impose future financial liabilities on this fire authority and potential challenge under employment and equality legislation.”

Councillor Paul Gittings stated that this Motion had been submitted some two weeks previously and prior to the latest period of industrial action. However, the proposed industrial action brought into focus the issues raised in the Motion. Firefighters had been dealt an unfair hand by the Government and the Motion presented a sensible and pragmatic approach. Government Ministers appeared to be brushing the issues under the carpet and making guarantees that they could not keep. The cost of the dispute to the RBFRS was £800k and rising and this also had an impact on staff morale as their pensions were being threatened. There was a risk that any liability would end up with this Fire Authority.

Councillor Edward Plenty seconded the Motion. He noted that a negotiated settlement had been agreed in Scotland, Wales and Northern Ireland and he questioned why that was not the case in England. The Motion sought a pragmatic approach as, if the negotiations were close to conclusion, then it was worthwhile putting in further effort to try and resolve the issues.

Councillor Alan Ward responded that there were two sides in any negotiation and that it had been the FBU rather than the Government who had failed to negotiate a settlement. The industrial action was having a severe impact on the Fire Authority's budget and it was as yet unknown what the final costs would be. The taxpayers of Berkshire would have to pick up the costs if funding was not forthcoming from the Government. The pension scheme for firefighters in Berkshire was one of the best schemes in existence. The cost of retiring at 55 would be in the region of £57-£95k for those on a lower grade to around £140k to £190k for an Area Manager. The firefighters in the RBFRS were some of the best in the service and it was not possible to negotiate a deal locally in Berkshire as funding was not available. The FBU stated that firefighters should not be expected to remain on active service up to 60 years of age as it would put members of the public at risk. However, the union did not worry about putting lives at risk whilst they were taking strike action. The Bill had been passed and would come into effect on 1st April 2015. He asked the Fire

Authority to reject the Motion and to applaud the Coalition Government for the efforts made in trying to resolve the issues.

Councillor Pauline Helliard-Symons stated that there were three reasons why the Motion should not be supported – (1) People were living longer and were fitter as knowledge was readily available on how to follow a healthy lifestyle. 20 years ago 55 would have been the right age but now people remained fit and healthy up to the age of 70 and beyond; (2) the nation could not afford it – what was suggested was a nonsense and the country was still recovering financially from the last Labour Government; and (3) Anyone who was genuinely ill at the age of 55 could still retire with no loss to their pension. She therefore felt that it was pointless to support the Motion.

Councillor Paul Bryant agreed that as long as firefighters were fit and could still do their job then they should remain in post as long as they liked. If a firefighter had to retire as a result of ill-health then they should be encouraged to stay on and should be redeployed in order to benefit the community.

Councillor Phillip Bicknell said that it was his 60th birthday that day and he felt fit. He felt that RBFRS should consider coming out of the national arrangement as its firefighters were doing a brilliant job. Industrial action meant that people's lives were put at risk.

Councillor David Burbage quoted the following from Margaret Thatcher '*The problem with **socialism** is that you eventually run out of other people's money.*'

Councillor Paul Gittings responded that the FBU was not affiliated to the Labour Party. The firefighters' pension rights were being eroded and they were being asked to pay more but would get less. He stated that most firefighters did not retire on the sums suggested by Councillor Alan Ward. In respect of the statement that firefighters could retire on ill health grounds at 55 and still receive their full pension was good. However, an inability to climb ladders or to fight fires would not necessarily be recognised as genuine illness. Most of the firefighters in Berkshire belonged to the FBU which was why the industrial action had cost the Fire Authority so much. Firefighters were proud of the fact that they belonged to the FBU and were proud of the job that they did.

The Motion was put to the vote and declared **LOST**.

83. RECOMMENDATIONS OF COMMITTEES

It be noted that agenda item 13 had been recommended from the Audit and Governance Committee on 10th December 2014.

84. APPOINTMENT OF THE INDEPENDENT PERSONS TO THE FIRE AUTHORITY

Trevor Ferguson, the Deputy Chief Fire Officer (Monitoring Officer), presented a report which confirmed the appointment of an Independent Person and a Deputy for the purpose of the Localism Act 2011, for a period of three years.

Under the Localism Act 2011 the Fire Authority was required to appoint an Independent Person to advise in relation to allegations of breaches of the Code of Conduct by Members. The Independent Person had three roles:

(a) They **must** be consulted by the Fire Authority (Monitoring Officer) before any finding as to whether the Member had failed to comply with the Code of Conduct, or a decision to take any action in respect of that Member.

(b) They **may** be consulted by the Fire Authority in respect of a Code of Conduct complaint at any other stage; and

(c) They **may** be consulted by a Member or co-opted Member of the Fire Authority.

The Act gave direction to appoint "one or more" Independent Persons but provided that each Independent Person had to be consulted before a decision was taken on a complaint which had been investigated. It was recommended that the Fire Authority should appoint one Independent Person and a Deputy in order to avoid a conflict situation arising during a complaints process.

15 applications had been received and three applicants were shortlisted for interview. A selection panel comprising of the Chairman of the Authority, the Chief Fire Officer and the Monitoring Officer conducted interviews on 10th February 2015. The recommendations of the Panel were that David Comben be appointed to the role of Independent Person and Roger Penfold to the role of Deputy Independent Person.

An Independent Person was not a member of the Fire Authority and did not come within the Scheme of Members Allowances. In considering the Scheme of Members Allowances in 2013, South East Employers, the Independent Assessors, at the Fire Authority's invitation, also looked at the remuneration of the Independent Person (Min 406 FA 26/06/13 referred). Their recommendation was that the Independent Person or a named substitute be paid £120.20 per meeting whenever called to attend any of the offices of the Fire Authority by the Monitoring Officer. This sum was also intended to cover any preparation that was required prior to such a meeting.

Councillor John Lenton asked how many times the Independent Person had been consulted in the last two or three years. It was reported that the Independent Person had not been officially consulted during that period but updates had been given from time to time.

Councillor Colin Dudley confirmed that he had been a Member of the Panel who had interviewed the candidates. The two candidates who had been selected had impressed the Panel with their level of expertise.

Resolved that:

The Fire Authority approve the recommendation of the Selection Panel, to appoint:

- David Comben to the role of "Independent Person", and
- Roger Penfold to the role of "Deputy Independent Person".

85. FLOODING PRESENTATION

Paul Jacques, Group Manager, gave a presentation to Members of the Fire Authority on the 2014 Flooding Review.

Paul Jacques confirmed that 2013/2014 had been the wettest winter in England and Wales since 1766 and the wettest January/February for 100 years. The South of England had received double the long-term average rainfall in a short period and the

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Thames Valley area in particular had witnessed severe flooding. West Berkshire and the Royal Borough of Windsor and Maidenhead had been the worst hit in Berkshire.

A number of different types of flooding had been experienced:

- Severe fluvial (river) flooding in Datchet and Wraysbury due to the Thames breaching its banks;
- Serious groundwater flooding combined with fluvial flooding predominantly in areas of West Berkshire;
- Surface water (pluvial) flooding across the county with often all three types of flooding being experienced.

There were three main bodies dealing with large scale emergencies – the Thames Valley Local Resilience Forum (TVLRF), the National Co-ordination Advisory Framework (NCAF) and the RBFRS. NCAF was the way that the national Fire Service would react to such an incident by using a co-ordinated approach. Registered assets such as High Volume Pumps and boats could be moved to areas where they were needed. All three components would be involved in the pre-planning and response element of an emergency but the local authority would lead on the recovery phase.

In terms of pre-planning a number of plans were in place such as the TVLRF Adverse Weather Plan, the TVLRF Multi-agency Flood Plan, local authority plans which linked to the TVLRF Plans and RBFRS's Widespread Flooding Plan (January 2014).

The response from the RBFRS had consisted of three main priorities:

- Emergency response – responding to flood related emergencies;
- Practical assistance – providing resources to flood hit communities;
- Psychological support – maintaining a physical presence in flood hit communities (hearts and minds). This had proved to be key and had made a real difference to local communities.

In the months leading up to the major incident call rates had been relatively low. A major incident was declared by West Berkshire on Friday 7th February 2014 in relation to groundwater issues. A Thames Valley major incident was declared on Sunday 9th February 2014 following 14 severe flood warnings which posed a threat to life.

Some of the success factors for the RBFRS in terms of delivering the strategy included the operation competence over a protracted and intense period and the integration with the TVLRF major incident arrangements. RBFRS had also successfully integrated and supported FRS personnel and equipment from 35 supporting Fire and Rescue Services. Nationally, this had been the largest FRS mobilisation of crews and appliances since World War Two and RBFRS had received more 'assets' than any other Fire and Rescue Service. Crews came from as far as Cumbria and Tyne and Wear and assisted for prolonged periods, often in arduous conditions.

The additional crews and equipment provided included:

- 18 additional fire appliances
- 13 High Volume Pumps (HVPs) and additional hose

- 15 HVP support crews
- 14 additional officers for command
- 19 Type B and C water rescue 'boat' teams
- 7 HVP and Flooding Tactical Advisors and Enhanced Logistical Support

Paul Jacques showed examples of some of the emergency response and practical assistance which had been given over that period. He advised that this had been a huge operational undertaking which required a whole organisational effort. Many staff had worked for long hours which at times had been quite intense. The return to 'business as usual' following the emergency took some time.

After the flooding incident the HVP vehicles had had to be decontaminated as flood water was dirty. This task had been undertaken in-house which had saved money.

In terms of lessons learnt it was found that existing plans were comprehensive but generic. Detailed pre-planning for specific geographic and demographic risk would have been beneficial. Risk intelligence from previous incidents and detailed EA predictive modelling and local knowledge should be used. Plans were required which would specify the type and quantity of FRS response required for the desired outcome. The RBFRS played a central role in delivering the major incident strategic aims. Operational competence, integration with the TVLRF arrangements and logistical support to the substantial FRS 'mobilisation' had been key success factors. However, a broader understanding and application of the DEFRA Floor Rescue Concept of Operations would have been beneficial.

The FRS role had been essential in providing support to communities as was the ability to provide sufficient numbers of competent personnel who had been trained and equipped to work in widespread flood conditions. The FRS also had the ability to scale up or down both locally and nationally 24/7.

Reports had been received that communities had felt isolated and unsupported and RBFRS responded by trying to get troops out on the ground to provide a reassuring presence. The 'hearts and minds' element was as important as practical assistance in many ways. The Fire Service brand was one that was trusted and respected.

The review had highlighted two overarching 'strategic' key findings:

- (1) The fundamental role of the FRS in responding to widespread flooding even though the FRS had no statutory responsibility to do anything;
- (2) The ability to respond was inextricably linked to the ability to call upon 'national' FRS capability.

On an operational level, one area RBFRS could benefit from was the procurement of inflatable boats of a type used by other FRS's. The current boat based at Station 1 was an excellent 'platform' for working on the Thames, but was too large to be launched at locations which were more suited to inflatable craft.

Councillor Frank Abe thanked Paul Jacques for such a wonderful presentation and he reiterated that firefighters did a fantastic job. RBFRS had provided a near perfect response to the flooding in 2014 and he asked whether the Fire Authority would be able to deal robustly with a similar situation should it happen again and what could be done locally to assist. Paul Jacques confirmed that the lessons which had been learnt both locally and nationally had been huge as the area had never seen flooding on that scale before. National arrangements had been put to the test. West Berkshire

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had produced a 170 page report and a considerable amount of joint learning had arisen as a result of the incident. If a similar event happened again then one key lesson learnt was that it was important to work and plan together earlier and assets would be put to use earlier. At the time the Environment Agency had been extremely stretched and had run out of support at one stage. West Berkshire had put together different plans for specific areas and that involved Fire Authority assets such as HVPs or boats. In terms of future support Paul Jacques stated that it was essential that Members had an understanding about their local communities and what the capability was within them.

Councillor Chris Maskell noted that the Fire Authority had been severely tested but had come through well and he asked how the meteorological office fitted in in terms of predictions. Paul Jacques confirmed that they were constantly revising and remodelling their software to provide more accurate and detailed data which would assist with planning for such events in the future.

Councillor Emma Webster asked if the Fire Authority would be better prepared in the future. Paul Jacques confirmed that the Fire Authority would be more equipped due to the work which had been undertaken with the LRF. However, there was still a lot of work to be done. Councillor Webster asked what role the Flood Incident Managers had provided. It was noted that the Flood Incident Managers had not been used to the correct capacity and neither had they been brought in early enough.

Councillor Paul Bryant noted that in the past the Fire Authority had tried to make a case to the Government about water rescue being a statutory duty but that it had not been successful and he wondered if it was time to try again. The CFO confirmed that making it a statutory duty would not make that much difference at the moment as if necessary the Fire Service could respond nationally. However, it would be a good observation to make to the Government that the RBFRS was reliant on the national capability.

Councillor Pauline Helliard-Symons asked what the plans were in relation to obtaining inflatable boats. Paul Jacques confirmed that the Fire Authority needed to look at securing a couple of small powered boats and the Chairman advised that this would be taken through the IRMP Working Party for consideration.

In response to a query about the emotional support which had been provided Paul Jacques advised that those households affected had had discussions with insurers and the Environment Agency had also put in measures to provide support. The Fire Service had done as much as it could in providing the 'hearts and minds' support and signposting local communities as to where help could be accessed. A prevention strategy had been put in place to give reassurance to affected communities.

Councillor Tom McCann referred to standing assets and alternative ways of providing assistance. He noted that a lot of people lived and worked on the Thames and had facilities and assets which could be made available. The river communities along the Thames had also been affected by the flooding and he asked what work had been undertaken with businesses in that area as they would have local knowledge which might prove to be useful. Paul Jacques responded that volunteer services had been integrated into the response to the flooding and the Fire Service did use local people that had those sorts of skills and assets but it was necessary to ensure that volunteers all worked to the same skill levels and protocols as part of the solution.

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Councillor John Lenton confirmed that he was the Ward Member for Wraysbury and he thanked Paul Jacques for all the support provided. He referred to the Environment Agency's Flood Ambassadors who had managed to get lost in Wraysbury. He asked if the Fire Authority had the full support of local authorities and whether there were any further lessons which could be learnt. In terms of local planning Datchet and Wraysbury had a bespoke plan around what assets they had but further work was still required. Some of the Flood Ambassadors had been good but others not so good.

Councillor Paul Gittings stated that due to climate change the area could see more incidents of this nature and he asked what lessons could be learnt from local authorities as some emergency planning was not as good as it could be. Paul Jacques confirmed that some areas were more proactive than others. The emergency planning provision in the eastern and western end of the district was good and some of this best practice was being shared to ensure that all areas of the district were brought up to the required standard.

Councillor Phillip Bicknell felt that one of the key areas of support for local residents had been the 'hearts and minds' support provided by the Fire Service and he queried whether the Fire Service should be controlling the co-ordination and whether this support was as important as assets. Paul Jacques confirmed that the 'hearts and minds' support had been very important and that there were almost too many troops on the ground in the early stages i.e. Fire, Police and Army. What worked well was a joint tasking approach – the Army were best placed to deliver sandbags, the Fire Authority for pumping and the Police for joint intelligence assessment and tasking. This approach worked particularly well in the West of the District.

The CFO confirmed that the flooding in 2014 had been a rising tide event which grew over time. The people affected on the ground often thought that nothing was being done unless they actually saw someone in uniform in the area. That was when the psychological support had been particularly important.

Councillor David Burbage welcomed the lessons learnt from the event but noted that he had not had sight of the report as yet. Paul Jacques confirmed that the report had been written but that it was a long document with around 17 appendices. He was currently working on an Executive Summary document which would be made available as soon as possible. Councillor Burbage asked if all the information could be provided to Members as a matter of urgency.

Councillor Tom McCann asked who had been in charge of the response to the event. The CFO responded that essentially no-one was in charge. The LRF and Strategic Co-ordinating Group had agreed a number of co-ordinated objectives which had been filtered down to the relevant individual agencies.

The Chairman thanked Paul Jacques for providing such an interesting and informative presentation and he asked if Paul could pass on thanks from the Fire Authority for the fantastic work and support provided during the flooding incident.

Resolved that:

- The report be noted;
- The report and Executive Summary on the review of the flooding incident to be circulated to all Members of the Fire Authority as soon as possible.

86. BUDGET 2015/16

Andrew Vallance, Director of Resources & Authority Treasurer (DR), presented a report which would enable the Fire Authority to finalise the Budget requirements and set the precept for 2015/16.

The Management Committee had met on 9th February 2015 and considered a budget based on accepting the Government's offer of a 1% Council Tax freeze grant. The Management Committee recommended that:

- The Band D Council Tax Precept should remain at £60.66;
- The Government's offer of a 1% Council Tax Freeze Grant should be accepted;
- That a Transition Fund of £2m should be set up; and
- That the Capital Programme listed in Appendix C be accepted.

The recommended budget of £33.837m was set out in Appendix A which showed a decrease of £547k or 1.59% compared to 2014/15. It had been assumed that general inflation would be 1% in 2015/16 and that pay awards would be 1% each year.

The baseline formula funding income for the Fire Authority announced in the Local Government Settlement was £12.660 million, a reduction of £1.297 million (9.3%) from the £13.957 million received in 2014/15, plus existing freeze grant of £667,632.

Section 42A of the Local Government Finance Act 1992 as amended required precepting authorities to have regard to the level of reserves needed for meeting estimated future expenditure when calculating the Council Tax requirement. Within the existing statutory and regulatory framework, it was the responsibility of the Authority Treasurer to advise on the level of reserves that should be held and to ensure that there were clear protocols for their establishment and use. In order to assess the adequacy of unallocated general reserves when setting the budget, finance directors should take account of the strategic, operational and financial risks facing the authority. Appendix A set out the most significant risks facing the Authority for the following year and the size and likelihood of each risk. The reserves would also allow the Fire Authority to fund, in the short-term, any unexpected pay rises. Under Section 25 of the Local Government Act 2003, the Authority Treasurer was obliged to report on the robustness of the estimates and the adequacy of the proposed financial reserves. The DR (Authority Treasurer) believed that the estimates set out in this report were robust and that the proposed reserve of £2.3 million was sufficient to ensure the Fire Authority's wellbeing in the next financial year.

A saving of £200k was shown within Appendix A. This represented a reduction in the retained firefighters' salary budget to reflect likely vacancies.

In 2013/14 the Authority had been able to increase the Council Tax by £5 per Band D property. In 2013/14 and 2014/15, the additional funds raised had been placed in the Development Fund to enable the Authority to finance the replacement of Dee Road fire station. Sufficient funds had now been provided and it would therefore be possible to use the additional income of £1.5 million a year to balance the revenue budget. As a result it was anticipated that no further savings would be required in 2015/16.

Whichever Government was formed after the 2015 General Election, it was certain

that austerity measures would continue for the life of the next parliament. Local government, including fire authorities, would continue to receive a disproportionate share of the reductions as it was regarded as an unprotected service, unlike other services such as health or overseas aid. It was anticipated that grant might reduce by up to £2.5 million by 2018/19 and the future budgets were therefore modelled on a 10% decrease in grant income. Although no indicative grant figures were available, it was anticipated that a Comprehensive Spending Review would take place post the May 2015 election.

It should be stressed that there would be an increasing volatility in the funding available, as income from NNDR would fluctuate due to economic growth or decline, as well as the effects of revaluations or relocation decisions by large companies moving into or out of the county. The authority had received an additional £475k this financial year and a further increase of £49k as a result of increases to the collection fund from the unitary authorities.

Should the economy continue to recover strongly, there was likely to be considerable house-building in Berkshire over the next five years, particularly if planning constraints were relaxed. This could lead to a substantial increase in the taxbase, which would offset much of the predicted reduction in grants, particularly in the medium-term. Indicative figures from the six Berkshire unitaries appeared to show a 2.4% increase in the taxbase for 2015/16. This increase was more than double the increase experienced in previous years. In addition collection rates had not been affected by changes to the benefits system.

Given that no savings were immediately required in 2015/16, the opportunity was available to spend the year planning and putting in place measures necessary to achieve the substantial savings required in future years. The current working assumption was that up to £2.5 million savings a year would be required by 2019, but the Authority would need to monitor the volatility of this figure due to changes in the funding available from NNDR and growth of the Council taxbase. Officers would endeavour to gather as much information from the billing authorities as possible.

It was proposed that a transition fund would be required to enable the Fire Authority to invest to save and to manage a roll out of action plans to deliver the required savings in the future. It was therefore suggested that a sum of £2m should be set aside in this budget process. Categories of expenditure might include:

- Additional temporary staff to manage and deliver projects
- Redundancies
- Leadership programme
- Investment in collaborative initiatives, such as co-responding
- Investment to generate income, including the new trading company
- Investment in areas related to the new policy direction, such as purchasing equipment, training etc.
- Pump-priming new initiatives that would be funded by commissioning bodies in the longer term

The Capital Programme for 2015/16 was attached at Appendix C and it was expected that significant premises developments would possibly be required once the IRMP had been reviewed. The Government had introduced a new system of bidding for capital grant from 2015/16. The total sum available had been reduced to £45 million per annum, from £70 million. Such transformation funds would only be

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available for proposals such as sharing premises with the police or ambulance services, or converting wholetime posts to the retained model.

Appendix D set out the mid year treasury management report. The authority would continue to invest in low risk options by ensuring that funds were placed in call accounts. Appendix E included the prudential indicators under the new capital financing regime. The 2015/16 fees and charges were set out in Appendix F. In the main these had been increased by 1% in line with inflation.

In response to a query from the Chairman the DR noted that the RBFRS was the third lowest precepting authority in the country.

Councillor Alan Ward was pleased to propose the budget. He congratulated the DR and his team for the efforts that they had put into ensuring that the authority was in such a good financial position. While he accepted that the fiver for fire initiative had not received universal support from all Members it had put the authority on a good footing and no Council Tax increases had been needed since it was introduced in 2013/14. The funding had been invested wisely and had been used to support the relocation from Dee Road. As this approach was no longer required it would be included in the base budget which had therefore increased for the current financial year but would therefore not result in an increase in future years.

He noted that the economy in Berkshire was buoyant which had resulted in a significant increase in the tax base. There were however pitfalls ahead and the authority would therefore have to remain vigilant in terms of the budget. Councillor Colin Dudley seconded the motion but reserved his right to speak.

Councillor Paul Gittings also supported the budget and he too thanked the DR and his team for getting the authority into this good financial position. He acknowledged that the authority had benefitted from the fiver for fire scheme. He noted that the budget included a proposal not to increase Council Tax and that the authority remained one of the lowest precepting authorities in the country. He cautioned that there would be major challenges ahead irrespective of who won the May 2015 elections.

Councillor Gittings then proposed an **amendment** to the budget. He recommended that the following be inserted as an additional recommendation 2.8 'That a proportion of the transition fund, a sum to be agreed by the Management Committee, be used to fund a feasibility study of a full merger of the Buckinghamshire, Berkshire and Oxfordshire Fire Services to form a combined Thames Valley Fire and Rescue Service and that the results of the feasibility study be reported back to the Management Committee. The amendment was seconded by Councillor Edward Plenty.

Councillor David Burbage stated that in his opinion the amendment was premature and that it would require a policy change to be considered before any budgetary changes were made.

Councillor Paul Bryant stated that although he had some sympathy with the proposal the place to raise it was not in the budget debate. The control room was now in place and the authorities could now seek more opportunities for co-operation in the future.

Councillor Emma Webster was concerned that this proposal was being raised at the meeting without any advance notice and she was concerned about how the other authorities would perceive it. She therefore asked the Chief Fire Officer and the

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Chairman to contact the two other fire services to explain the context as they might receive press enquiries.

Councillor Chris Maskell stated that the request was for a feasibility study to take place. The authority was being asked to agree to look at the possibility of a merger before approaching the other authorities. A merger could generate considerable savings which could be passed onto tax payers.

Councillor John Lenton stated that he supported more collaborative working and that he supported discussions but that this should happen before money was spent on a feasibility study.

Councillor Tom McCann supported time and resources being used to look at what activities could work better together but that it was not appropriate to preset the outcome of any enquiry.

Councillor Philip Bicknell felt that it was important that discussions took place prior to any money being spent on this initiative.

The Chairman was concerned that this amendment had not been raised prior to the meeting. He stated that Members had seen the proposed budget in January and that would have been the time to raise any queries with Officers. This approach meant that Officers would not have had time to consider the proposal. It also did not afford the opportunity to forewarn the other authorities that funding for a feasibility study of a merger would be discussed at this meeting which the other authorities might be opposed to.

Councillor Alan Ward felt that it was extraordinary to propose this amendment at the budget meeting. In his opinion a policy should be developed before deciding to set aside any budget for a feasibility study. He was concerned that this debate was taking place in a public forum without the courtesy of the other authorities being notified. While he acknowledged that mergers could save money he was concerned about this proposal. Unitary Authorities had been set up to ensure that authorities were closer to their people. If this merger was to be adopted it was possible that the service would be run from Aylesbury or Oxford. He therefore urged Members to reject the amendment.

The Amendment was put to the vote and declared **LOST**.

The discussion then returned to the Substantive Motion. Councillor David Burbage stated that he was pleased to support the budget. He noted that the level of house building had surprised the local authorities too. However, unlike the DR he thought that this trend would continue for some time. He stated that he would like to see the budget for retained firefighters preserved. He did not want the authority to give up on trying to recruit and retain these employees and that he would support initiatives to encourage the promotion of this role. He noted that the Capital Programme included a lot of expenditure on IT. He highlighted that funding for 71 databases had been set aside and he thought that this number seemed a lot for the fire service. He therefore urged the authority to check that this number was needed before any money was spent on them.

Councillor Tom McCann stated that he was generally supportive of the budget. He was concerned that the fact that the authority was the third lowest precepting authority in the country was seen as a 'badge of honour'. He was of the opinion that it was more important to deliver value for money and to ensure that a quality service

was provided to residents. He urged the service to maximise savings by making best use of retained services and that this area should be given more attention.

Councillor Paul Bryant commented that he too had been surprised at the number of IT projects included in the Capital Programme and he had therefore discussed the projects with the Head of IT. It had been explained to him that, for various reasons, over time the systems had become out of date and needed upgrading. He was confident that the authority was moving in the right direction and that this would be money well spent.

Councillor Alan Ward stated that he felt that the budget represented good value for money and he was therefore pleased to propose it.

Resolved that:

2.1 In accordance with the Local Government Finance Act 1992 as amended (“the Act”), the following amounts be calculated for the year 2015/16:

2.1.1 The aggregate council taxbase of the six Berkshire unitary authorities has been notified as £322,661.06;

2.1.2 (a) £34,482,916.90 being the aggregate of the amounts which the Fire Authority estimates for the items set out in Section 42A (2)(a) to (d) of the Act.

(b) £646,000 being the aggregate of the amounts which the Fire Authority estimates for the items set out in Section 42A (3) (a) to (b) of the Act.

(c) £33,836,916.90 being the amount by which the aggregate at (2.1.2a) above exceeds the aggregate at (2.1.2b) above.

(d) £14,049,025 being the aggregate of the sums which the Fire Authority estimates will be payable for the year in respect of redistributed non-domestic rates and revenue support grant.

(e) A surplus of £215,272 being the net aggregate of the surpluses and deficits on billing authorities’ Collection Funds to be received in 2015/16.

(f) £19,572,619.90 being the amount at (2.1.2c) less the amount at (2.1.2d) above, less the amount at (2.1.2e) above, calculated by the Fire Authority in accordance with Section 42A (4) of the Act as its council tax requirement for the year.

(g) £60.66, being the amount at (2.1.2f) above divided by the aggregate council taxbase at (2.1.1) above, calculated by the Fire Authority, in accordance with Section 42B(1) of the Act, as the basic amount of its Council Tax for the year.

(h) The Fire Authority, in accordance with Section 40(2)(a) of the Act, hereby sets the following amounts of Council Tax for the year 2015/16 for each of the categories of dwellings shown below:

Valuation Band	£
A	40.44
B	47.18
C	53.92
D	60.66

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E	74.14
F	87.62
G	101.10
H	121.32

Being the amounts given by multiplying the amount at (2.1.2g) by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Fire Authority, in accordance with Section 47(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

- (i) The Fire Authority, in accordance with Section 40(2)(b) of the Act, hereby sets the following amounts payable as precepts by the billing authorities for the year 2015/16:

Authority	Taxbase	Precept	Collection Fund Surplus/ (Deficit)	Net Yield from Council Tax
Bracknell Forest	42,695.00	2,589,878.70	21,571.00	2,611,449.70
Reading	50,155.00	3,042,402.30	85,578.00	3,127,980.30
Slough	38,462.60	2,333,141.32	32,108.00	2,365,249.32
West Berkshire	62,084.00	3,766,015.44	(3,059.00)	3,762,956.44
Windsor & Maidenhead	64,107.26	3,888,746.39	63,574.00	3,952,320.39
Wokingham	65,157.20	3,952,435.75	15,500.00	3,967,935.75
Total	322,661.06	19,572,619.90	215,272.00	19,787,891.90

- (j) The Fire Authority determines that in accordance with the set of principles set by the Secretary of State for Communities and Local Government for the year, its relevant basic amount of Council Tax for 2015/16 is not excessive.

- 2.2 The Medium Term Financial Plan set out in Appendix A be approved.
- 2.3 The proposed Capital Programme set out in Appendix C be approved.
- 2.4 The mid-year Treasury Management report in Appendix D be approved.
- 2.5 The Prudential Indicators, Treasury Strategy and Investment Strategy set out in Appendix E be approved.
- 2.6 The fees and charges set out in Appendix F be approved.
- 2.7 The creation of a Transition Fund of £2 million, funded from reserves be approved.

(Councillor Alan Ward left the meeting at 7.50pm)

87. ESTABLISHMENT OF A PENSIONS BOARD

Andrew Vallance, Director of Resources (DR), advised the Fire Authority of the new governance arrangements for public sector pensions put in place by the Public Services Pensions Act 2013 and sought agreement to the establishment of a Pension Board effective from April 2015.

Lord Hutton in his review of public service pension provision in 2011 set out recommendations to the Government on pension arrangements that were sustainable and affordable in the long term, and fair to both the public service workforce and the taxpayer. He also identified a case for stronger governance of all public service pension schemes and that there was a legitimate role for representatives of the workforce to be formally involved. The Public Services Pension Act 2013 gained Royal Assent on 25th April 2013 and put in place the legislative framework for the new governance arrangements for public service pension schemes. In relation to the Firefighters' Pension Schemes in England, the Act set the Secretary of State as the responsible authority and the function was discharged by the Secretary of State for Communities and Local Government.

The Act required regulations to provide for the establishment of a national 'Scheme Advisory Board' with responsibility for providing advice to the responsible authority; the Secretary of State for the Department of Communities and Local Government (DCLG), on the desirability of changes to the Scheme, when requested. The DCLG had previously consulted on regulations to implement the Firefighters' Pension Scheme 2015. The draft regulations made provision for the definition of 'scheme manager', which was the Fire and Rescue Authority (FRA). The scheme manager was responsible for the administration of the scheme. The final regulations were awaiting publication. The Act further required regulations to provide for the establishment of a Pension Board to assist each scheme manager.

There was some delegated authority to the Chief Fire Officer in relation to scheme administration in the Royal Berkshire Fire and Rescue Service (RBFRS) with other decisions on scheme management mainly taken by the Management Committee, as appropriate. The aim of the local Pension Board was to provide greater scrutiny of decisions made by FRAs, particularly where these had been made by individuals.

The local Pension Board had to be established by no later than 1 April 2015 and whilst it did not have to be fully operational by this date it was anticipated that it should be operational within a reasonably practical period after 1 April 2015 (being no longer than four months). It was recommended that the local Pension Board for the Royal Berkshire Fire Authority (RBFA) would consist of four representatives; two employer representatives (officers) and two pension scheme member representatives. Member representatives would represent members of the Firefighters' Pension Scheme and might also be trade union representatives. It was proposed that the Fire Brigades Union (FBU) should be approached to nominate two union representatives to sit on the board as they currently were the only significant union. This could be reviewed if circumstances changed. Employer representatives were appointed for the purpose of representing employers. These might be, but were not limited to, Councillors or Officers of the authority so long as they were not in a position where they were responsible for making decisions on the pension scheme. As decisions on pensions matters were undertaken by the Authority and Officers of the Corporate Management Team, these individuals were precluded from being an

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employer representative. It was therefore proposed that Heads of Service within RBFRS should be approached to undertake the role. Subject to the approval of the Authority to proceed with the membership as outlined above, nominations from the FBU would be sought. In addition, Heads of Service would be approached. The Chief Fire Officer, in conjunction with the Director of People and Organisational Development would identify a fair and transparent process for any appointment where the number of interested parties exceeded places available. As the Pension Board would require a chair it was proposed that this was a board appointed chair and that the process of undertaking the role of chair was alternated between employer and member representatives from meeting to meeting. This to be agreed at the first meeting of the Pension Board.

It was anticipated that a small budget of around £1,000 would be required to address the costs associated with Pension Board meetings. In addition to expenses, it was proposed that a small payment was made to employer and member representatives of £100 per meeting. In addition, training costs would also need to be met in the first year as board members acquired the knowledge and understanding to undertake their role, this was a legal requirement. Training for board members would be provided by the DCLG, further details regarding this provision were awaited. It was recommended that the board should meet twice a year. At the first meeting of the local Pension Board, the terms of reference should be reviewed. This would enable consideration of the final regulations which should by then be published.

Councillor Colin Dudley queried whether the newly appointed Independent Persons could be appointed to the Board. Officers stated that specific expertise was required and that in this case it would not be appropriate to do so.

Councillor John Lenton felt that it was a nonsense as it merely collected money and handed it over and therefore did not manage the fund. It would only be used to scrutinise decisions such as early retirements etc. Under the regulations the Board members would be required to have a full knowledge of pension funds within four months of being elected and he felt that they would be hard pressed to work though the seven modules in that timescale.

Resolved that:

- The requirement to establish a local Pension Board be noted;
- That membership of four on the Pension Board be approved: two employer representatives (officers) and two members of the pension scheme;
- The process by which appointments to the board would be managed be approved; and
- The attached terms of reference be approved.

88. ROYAL BERKSHIRE FIRE AUTHORITY - PAY POLICY STATEMENT 2015/16

Becci Jefferies, Head of Human Resources (HHR), sought approval of the draft Pay Policy Statement for 2015/16 prepared for the Fire Authority to meet its obligation under Section 38 (1) of the Localism Act 2011.

At its meeting on 25 March 2013, the Management Committee had resolved that the

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Audit and Governance Committee should review the Pay Policy Statement for 2014/15. The same approach for the 2015/16 policy had been adopted and the draft policy was taken to the Audit and Governance Committee meeting of 10 December 2014.

Sections 38 to 43 of the Localism Act 2011 required that relevant authorities in England should prepare a Pay Policy Statement for each financial year. Pay Policy Statements had to be approved by a meeting of the full Fire Authority and subsequently published. A draft Pay Policy Statement for the Royal Berkshire Fire Authority (RBFA) for the forthcoming year (2015/2016) had been drafted and was set out in Appendix 1. It took into account guidance issued by the Department of Communities and Local Government in February 2012 and Supplementary Guidance in February 2013. The draft statement also took account of the recently published Local Government Transparency Code 2014. The draft Pay Policy Statement reflected the Fire Authority's long-standing policies regarding pay and benefits.

The Pay Policy Statement had been updated since it was presented to the Audit and Governance Committee and included the National Joint Council for Local Government Services pay award. The Pay Policy Statement would be further amended to incorporate final pay figures as at the end of the financial year prior to the statement being published.

Councillor Colin Dudley asked if there were any major changes to the Statement from the previous year. The HHR stated that there were a few minor changes in relation to the number of staff etc. but the format remained the same.

Resolved that:

- The Pay Policy Statement for 2015/16 be approved.

89. PROGRAMMES OF FIRE AUTHORITY MEETINGS AND WORKSHOPS 2015/16

Councillor Emma Webster raised concerns about the scheduling of the Management Committee in relation to Fire Authority meetings. It was agreed that Officers would discuss this with Councillor Webster offline.

Resolved that:

- That the Programme of Fire Authority meetings and workshops be approved.
(Councillors Ishrat Shah, Edward Plenty, Alistair Auty, Frank Abe and Richard Willis left the meeting at 7.55pm)

90. 2014/15 BUDGET MONITORING

Andrew Vallance informed Members of revenue and capital outturns against budgets up to the end of December 2014.

It was noted that as at the end of December 2014 the revenue outturn was £102k below the profiled budget.

Expenditure on retained firefighters remained below budget despite the work of the Retained Support Unit and the effects of industrial action. However, the costs of the

industrial action had resulted in an overall overspend against profiled employee budgets. £40k had been carried forward from the previous year for training which remained unspent due to ongoing action short of strike.

Expenditure on the 'Other Employee Costs' line was above the profiled budget as a result of recruitment costs of senior employees and recruitment relating to industrial action. The Repairs and Maintenance budget was underspent as the Estates team had had to focus on the delivery of strategic building projects. Expenditure on hydrant repairs was below budget as Thames Water had failed to deliver some repairs in line with its contractual obligations and had therefore had to provide its services free of charge. Strategic Miscellaneous costs were over budget due to the publicity costs of industrial action. Legal costs were ahead of budget due to additional expenditure incurred in relation to the Authority's major projects and programmes.

Income was running ahead of profiled budget due to additional mast income and reimbursement of court fees in relation to prosecution cases.

Capital expenditure to the end of December 2014 was £498k and was set out in detail in Appendix D.

Resolved that:

- The report be noted.

91. FORWARD PLAN

Resolved that:

- The Forward Plan be noted.

92. DATE OF THE NEXT MEETING

Wednesday 22nd April 2015 at 6.30pm in the Lynda Kenyon Room, Brigade Headquarters, Pincents Kiln, Calcot, Reading, Berkshire, RG31 7SD

93. EXCLUSION OF THE PRESS AND PUBLIC

That under Section 100(A)(4) of the Local Government Act 1972 (as amended), the public be excluded from the meeting for the following Agenda Items on the grounds that they involve the likely disclosure of exempt information, as defined in Paragraphs 1, 2 and 3 of Part I of Schedule 12A of the said Act indicated and is exempt information if, and so long as, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

94. DISPOSAL OF WINDSOR FIRE STATION

The Committee considered an exempt report.

Resolved that:

- The recommendations as set out in the exempt report be agreed.

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(The meeting commenced at 6.30pm and concluded at 9.20pm)