

DRAFT

**MINUTES OF THE MEETING OF ROYAL BERKSHIRE FIRE
AUTHORITY'S MANAGEMENT COMMITTEE**



Held on Monday 4 December 2017 at 6.30pm

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

Members:

- * Councillor Malcolm Alexander
- Councillor Phillip Bicknell
- (* *present*)
- * Councillor Paul Bryant
- * Councillor Colin Dudley
- * Councillor Paul Gittings
- * Councillor Pauline Helliard-Symons
- * Councillor Chris Maskell
- Councillor Tina McKenzie-Boyle
- * Councillor Angus Ross
- Councillor Atiq Sandhu
- * Councillor Emma Webster

In Attendance:

Alex Brown (Strategic Property Manager)
Doug Buchanan (Group Manager, Risk and Performance)
Conor Byrne (Head of Finance and Procurement)
Trevor Ferguson (Chief Fire Officer, CFO)
Steve Foye (Deputy Chief Fire Officer, DCFO)
Becci Jefferies (Head of Human Resources, Learning and Development)
Simon Jefferies (Assistant Chief Fire Officer)
Jacky Manning (HR Manager)
Katie Mills (Head of Corporate Services)
Linda Pye (Clerk)
Fayth Rowe (Committee Officer)
Trig Thomas (FBU Representative)
Tony Vincent (Head of Business and Information Systems)

Action

37. REPRESENTATIVE BODIES

Trig Thomas (FBU Representative) confirmed that he would like to address the Committee on items 4, 7 and 9.

38. APOLOGIES FOR ABSENCE

Apologies for inability to attend the meeting had been received from Councillors Tina McKenzie-Boyle and Phillip Bicknell.

39. DECLARATIONS OF INTEREST

In accordance with the provisions of the Fire Authority's Local Code of Conduct, Councillor Emma Webster stated that should the Theale Community Fire Station be discussed at the meeting she would declare a personal interest as she was a Member of West Berkshire Council's Eastern Area Planning Committee which included Theale in its remit. She also expressed a personal interest should Thames Valley Police be discussed as she was a Member of

the Police and Crime Panel. As her interests were personal and not an other registrable interest or a disclosable pecuniary interest, she would remain to take part in the debate and vote on the matter.

In accordance with the provisions of the Fire Authority's Local Code of Conduct, Councillors Angus Ross and Malcolm Alexander stated that should the Thames Valley Fire Control Service (TVFCS) be discussed at the meeting they would declare an appropriate interest as they were members of the TVFCS Joint Committee. They would therefore not participate in any debate on the TVFCS should it materialise.

In accordance with the provisions of the Fire Authority's Local Code of Conduct Trevor Ferguson (Chief Fire Officer), Steve Foye (Deputy Chief Fire Officer) and Simon Jefferies (Assistant Chief Fire Officer) declared a disclosable pecuniary interest in agenda item 7 and would therefore not take part in the debate.

40. MINUTES OF THE MEETING HELD ON 19 SEPTEMBER 2017 AND MATTERS ARISING

RESOLVED that: the minutes of the meeting held on 19 September 2017 be approved as a true and correct record and signed by the Chairman subject to the following amendments:

Page 19 – Item 31 Wholetime Establishment and Crewing - First paragraph – the last sentence to be amended to read *'This had necessitated temporary promotions with the result that this impacted on the ability to adequately man crew appliances.'* Also the first word in the fifth paragraph should read *'Steve'* and not *'Simon'*.

41. RECEIPT OF ANNOUNCEMENTS

The Chairman, Councillor Colin Dudley, made the following announcements:

Remembrance Sunday

At the beginning of November, the RBFA joined national events to commemorate Remembrance Sunday and remember all those who had sacrificed themselves to secure and protect our freedom. Events were held throughout Royal Berkshire with RBFRS staff and Fire Authority Members attending to pay their respects.

The Chairman was honoured to be asked the Mayor of Bracknell Forest and Fire Authority Member, Councillor Tina McKenzie-Boyle to lay a wreath on behalf of RBFA at the remembrance service in Bracknell's newly opened town centre on Sunday 12 November 2017. Amidst all the brand new shops and restaurants it was important to remember those who had made the ultimate sacrifice on our behalf in both World Wars and of course the conflicts since then. The Chairman thanked all in the Service that took the time to remember all those who had made the ultimate sacrifice.

AFSA Conference

For the first time, Royal Berkshire Fire and Rescue Service had hosted the Asian Fire Service Association's (AFSA) annual conference in Slough on 29 and 30 November 2017. Together with RBRS staff, the Chairman had welcomed delegates from fire and rescue services across the Country to the ninth AFSA conference, to discuss the importance of ensuring an inclusive workforce that represented the diversity of communities and the people it

served. There were a series of case studies and invaluable insights from a broad range of leading public, private and voluntary sector professionals. The Chairman was delighted to open the conference alongside AFSA Chair, Mohammed Ali. There was a good turnout on both the days and he was informed by the organisers that it was one of the best attended events they had ever held.

The Chairman was also pleased to announce that Royal Berkshire Fire and Rescue Service had received the Shining Light Organisational Award at the Awards Ceremony which recognised its work with AFSA over the past 12 months.

Equality, Diversity and Inclusion Forum

The first meeting of the Equality, Diversity and Inclusion (EDI) forum would take place on Wednesday, 6 December 2017. The forum was comprised of staff who had volunteered from various departments throughout the organisation. It would examine issues of equality, diversity and inclusivity and was an opportunity to help better understand issues within the workplace and examine how the Fire Authority could create opportunities for people to work together effectively.

The Chairman was pleased to confirm that Councillors Tina McKenzie-Boyle and Carol Jackson-Doerge would also be working with the new Forum on behalf of the Fire Authority and its members.

Workplace Mental Health Award

On 16 November 2017, the Royal Berkshire Fire and Rescue Service was named as runners-up for the Workplace Mental Health Award at the Thames Valley Business Magazine Awards 2017. Its highly trained staff dealt with a range of challenges in the workplace which was why mental health was a key organisational priority. Whilst it was recognised that more could be done, this was great recognition of the support that was currently in place. The Chairman stated that this was a fantastic achievement and well done to all involved.

Pay Award

Following the update at the last Management Committee, negotiations regarding the pay award for those on grey book terms and conditions remained ongoing. However, whilst those discussions continued, the National Employers had proposed that the NJC agreed to uplift salaries by 1%, including professional development payments, backdated until 1 July 2017.

The FBU decided to consult its members on this proposal and the outcome of the consultation would be considered at a meeting of its Executive Council between 5 and 7 December 2017.

Ensuring a Fair Deal for Berkshire

As set out in the Fire Authority's strategic commitment and reiterated at the annual Members' Workshop in September, ensuring a fair deal for Berkshire was of the utmost importance given the new and emerging financial pressures the Fire Authority was facing following the Grenfell Fire.

The Chairman wanted to update Members on the extensive work that had been undertaken to ensure a local and national awareness of these new pressures which it was believed could only be met with greater flexibility to set Council Tax levels locally. Members would see on the agenda for the meeting that evening the recent response to the Local Government Technical Finance Consultation which set out this position and the call for greater flexibility.

The Chairman was pleased to confirm meetings had now been scheduled to take place with all local MPs to conclude prior to the Council Tax precept levels being set for 2018/19. To date, two of these meetings had already been concluded positively with undertakings on the part of these MPs to look into the situation further.

Shortly, Members would all be receiving a briefing note and graphics that could be used to illustrate the need for flexibility which would help in championing this issue. To accompany this, Members would also be receiving a proposed motion which would be used in local authorities as a call to action to support the need for greater flexibility to ensure the continuation of critical life saving protection, prevention and response services for the people of Berkshire. As an illustration of this information, there were copies of the letter and graphics used in support of the recent MP meetings available should Members wish to take a copy for reference in the meantime.

Whitley Wood Firefighters Fundraising for Children at Royal Berkshire Hospital

For the second year in a row, firefighters from Red Watch at Whitley Wood Fire Station had embarked on a County-wide challenge to raise money to fund Christmas presents for children who would be spending their Christmas on the Dolphin or Lion ward at the Royal Berkshire Hospital, instead of at home with their families. The firefighters had been working with the Ward Sister so that they could make sure that each gift would be carefully selected for each child that would be staying over Christmas. There were over 40 beds on the ward and the firefighters were hoping that with the generosity of the public and local community, each bed would have a present waiting for that child.

The firefighters had already had some success in securing toy donations, but they were still hoping for further donations. If Members would like to donate to such a worthy cause, please contact Fayth Rowe who would be able to provide the JustGiving link.

Urgent Late Item

The Chairman had agreed to accept an urgent late item as part of the agenda that evening by virtue of section 100B (4) (b) of the Local Government Act 1972. The urgent item related to the recently published Government Consultation on enabling the 'representative model' as set out in the Police and Crime Act 2017. It was proposed that this item would be taken following agenda item 9.

42. ISSUES ARISING FROM THE AUDIT AND GOVERNANCE COMMITTEE

No reports had been referred to the Management Committee by the Audit and Governance Committee.

43. 'VOLUNTARY SCHEME PAYS' IN THE FIREFIGHTER PENSION SCHEMES

(Trevor Ferguson, Steve Foye and Simon Jefferies left the meeting at 6.50pm)

Trig Thomas, FBU Representative, thanked the Committee for letting him speak on this complicated issue. The concerns which had been raised by the FBU were based around whether the cost would be met from the Pension Scheme and would there be any cost to Pension Scheme members through less pension payouts or increased costs. He urged Members to ask for

clarification on these points. He also drew the Committee's attention to Appendix A on page 30 of the agenda paragraph 6(ii) where it was also recommended that the member should be required to make an initial contribution of £2,000 from their own finances towards the resultant AA tax charge.

Becci Jefferies, Head of HR and Learning and Development (HHRLD), stated that in April 2017 the Fire Authority had considered a report relating to an individual and 'Voluntary Scheme Pays' arrangements. At that time it was indicated that the Government would be considering changes to legislation but as any amendments to the regulations would not be in place for some time, legal advice had been sought as to whether it was lawful and appropriate for the Fire Authority to apply Voluntary Scheme Pays in the circumstances indicated.

Whilst the Home Office considered amendment to the legislation to allow a Fire and Rescue Authority to use Voluntary Scheme Pays in certain circumstances, changes were not expected to take place before 31st January 2018. The report therefore outlined the position on the Annual Allowance arrangements as they related to firefighter pension schemes and detailed changes to those arrangements that led to the need for the Authority to consider whether Voluntary Scheme Pays arrangements should be made for affected individuals before changes were made to regulations. Becci Jefferies highlighted the main points of the report as follows:

Annual Allowance - Becci Jefferies stated that each taxpayer had an Annual Allowance which might be allocated to his or her pension 'pot' without incurring liability to tax. Tax would usually be paid if savings in the individual's annual pension savings growth went above the Annual Allowance which was currently £40k a year for the 'Pension Input Period'.

Scheme Pays – Scheme Pays was a mechanism which allowed an individual to ask the pension scheme administrator to pay any tax charge due in relation to an excess of pensions savings above the Annual Allowance. In return there was a reduction in pension benefits. Mandatory Scheme Pays had been used with the firefighters' pension schemes since 2012. Mandatory Scheme Pays was only required to meet the charge arising from the element of pension input in the scheme over £40,000. However, due to HMRC introducing 'tapering' of this £40,000 allowance for the 2016/17 tax year there were now circumstances where the firefighter did not have the right to make a Mandatory Scheme Pays election for the tax relating to the difference between the 'tapered' (a minimum of £10k) allowance and the £40k allowance. In these circumstances the additional tax liability could be covered by a Voluntary Pays Scheme arrangement and was relatively common practice in other pension schemes.

Scheme members who built up pension benefits in more than one Scheme (members of the 1992 or 2006 Scheme who transitioned into the 2015 Scheme) would have pension benefits grow in both Schemes until retirement. By virtue of accruing pension growth across two rather than one Scheme, there was an increased likelihood that although a Scheme member's total annual pension growth across both Schemes might exceed £40k or a tapered AA, the pension growth in any one of the Schemes might fall short of the HMRC AA limit and as such they would not be eligible to use MSP to pay the AA tax charge.

Voluntary Scheme Pays – Voluntary Scheme Pays worked in the same way as Mandatory Scheme Pays where the tax liability was paid by the pension

scheme and the cost recovered by a reduction in the individual's pension.

There was no express statutory authorisation of Voluntary Scheme Pays within the Firefighters' Pension Scheme 1992, the two steps required to implement Voluntary Scheme Pays were explored. The two relevant steps were:

- Step 1 – the FRA had to make a decision to pay the Annual Allowance charge to HMRC on behalf of the member;
- Step 2 – the FRA had to then adjust the member's benefit to reflect the payment that was made in respect of the excess over the Annual Allowance.

Step 2 was specifically permitted by the statutory framework. In regard to Step 1 the Authority's discretionary powers were considered with specific focus on whether there was an statutory restriction.

In the exercise of its powers under Section 5A of the Fire and Rescue Services Act 2004, the Authority had to demonstrate that it had acted reasonably. Overall legal opinion was of the view that the decision to grant Voluntary Scheme Pays would be in the scheme of the Authority's powers and that the two steps could be met.

Cost to the Authority – this had been addressed with the Home Office advising that if it was determined by the Authority that Voluntary Scheme Pays could be used the cost would be met from the Pension Scheme Account not by the Authority. Conor Byrne clarified that there would be no detrimental cost to the Pension Scheme nor any benefit – it was merely to cover the tax bill and that any money paid out would be recouped by a reduction in the individual's pension.

The report noted that the Home Office proposal was not a guarantee that legislation would change and any change in legislation was not likely to occur before voluntary scheme determination needed to be made by 31st January 2018. It was therefore recommended that the Authority should agree to Voluntary Scheme Pays for any individuals affected.

Councillor Colin Dudley asked how many members this would apply to and Becci Jefferies confirmed that she was currently aware of two members who would be affected.

Councillor Emma Webster asked how the Fire Authority could be certain of the impact as there were peaks and troughs and therefore it was impossible to say what the impact would be. Becci Jefferies confirmed that some people would already be eligible through the Mandatory Pays Scheme. The Voluntary Pays Scheme was not explicit in legislation as yet.

Councillor Emma Webster referred to paragraph 3.16 of the report and asked why Step 2 set out in that paragraph was different to that set out on page 31 of the agenda in Appendix A paragraph 13. Becci Jefferies confirmed that it had been taken from the original report which had gone to the Fire Authority. Councillor Colin Dudley also referred to paragraph 3.16 and queried why the FRA had to make the decision. Becci Jefferies confirmed that the FRA would need to make the decision for the Pension Scheme to pay the allowance.

Councillor Emma Webster referred to page 30 of the agenda, paragraph 6 (ii) which recommended that the member should be required to make an initial contribution of £2,000 from their own finances towards the resultant Annual Allowance tax charge. She asked why that had not been included in the recommendation. Becci Jefferies agreed that it could be included although not

currently in legislation.

Councillor Paul Bryant noted that only two members would potentially be affected by this and therefore it was a relatively minor matter in terms of the pension scheme. Becci Jefferies confirmed that two members would be affected in the current year. If they were not eligible for Mandatory Scheme Pays they could elect for Voluntary Scheme Pays.

Councillor Colin Dudley clarified that the pension scheme would be paying the tax liability and that the member would receive a lower pension as a result of the tax liability which had been paid on their behalf. The Mandatory Scheme Pays is provided within the schemes already but as the Fire Authority had a couple of members who were not eligible for Mandatory Scheme Pays, Voluntary Scheme Pays could be applied. Those high earner members could be asked to pay £2,000 towards the Annual Allowance Tax Charge. If the tax liability was paid by the pension scheme then the member would receive a lower pay out when they retired. Councillor Dudley queried what would happen if that member moved to a different fire authority. Conor Byrne confirmed that this would be possible provided that it was within the UK.

Councillor Colin Dudley proposed that the recommendation as set out in the report be approved as he felt that the £2,000 would confuse the issue. The Committee had been assured that the cost to the pension scheme would balance out. This proposal was not accepted.

Councillor Emma Webster stated that if there was no cost then she would have expected that to be set out clearly within the report. This was such an important issue and she felt that the implications were not clear. She did not want to tie the fire authority into something and she therefore felt that this item should be deferred and if necessary a special meeting be set up to consider it once the implications were clarified. Becci Jefferies responded that the report did state in paragraph 3.22 that there would be no cost to the fire authority. Councillor Colin Dudley clarified that it did say that the cost would be met from the Pension Scheme Account and not by the fire authority. Conor Byrne confirmed that it was based on actuarial assumptions and would be dependent on how long people lived. Only two people would be affected in this authority and therefore there would be no material impact on contribution rates. Councillor Paul Bryant stated that if the item was deferred he would like to know exactly what additional information would be required for the next meeting. Councillor Emma Webster responded that none of the Members on this Committee were pension experts and she felt that she did not know enough to make a decision at this stage. There was no clarity around the impact on the pension scheme and she questioned why the £2,000 payment had not been included in the recommendation.

Councillor Colin Dudley asked if clarification could be provided that evening as he was reluctant to defer the issue. In particular he would like clarification as to whether there would be a cost to the pension scheme that would need to be borne by members now or in the future. Councillor Paul Bryant said that it was impossible to make a definitive statement as that would be dependent on how long members lived. Councillor Chris Maskell stated that the focus seemed to be on the pension scheme and not the two members involved. There was a hint that more people would be affected in the future and he asked what the impact would be on the two members affected. Becci Jefferies replied that it was difficult to say as it was dependent on the tax liability. There was already a Mandatory Scheme Pays in effect. The Voluntary Scheme Pays was not yet written into legislation but it was expected to be.

Councillor Emma Webster proposed that the item should be deferred to a future meeting and this was seconded by Councillor Chris Maskell.

Councillor Paul Gittings agreed that it would be helpful to have some clarification on what implications this scheme would have and the sums of money involved. Becci Jefferies stated that there would not be any further guidance between now and when the Committee reconvened. Councillor Paul Bryant could not see what additional information the Committee would receive if it deferred the item and therefore he could see no point in deferring. Councillor Colin Dudley agreed. He would therefore not support deferral.

Councillor Emma Webster said that she would support the original recommendation if it included the £2,000 and also included the fact that there would be no cost to the pension scheme. Councillor Dudley said that that would not be possible as it was dependent on an actuarial assumption which might fluctuate. The motion to defer the item was put to the vote and was lost. Councillor Colin Dudley therefore went back to the substantive motion and recommendation and this was seconded by Councillor Pauline Helliar-Symons. Councillor Dudley asked if there were any amendments to the recommendations. Councillor Emma Webster asked if the £2,000 contribution referred to in paragraph 6(ii) of Appendix A on page 30 of the agenda be included. The recommendation outlined in the report and the amendment suggested by Councillor Webster was put to the vote and was agreed.

RESOLVED that:

- The contents of the report be noted;
- It be agreed that the Voluntary Scheme Pays should be applied to all individuals meeting the relevant criteria as set out in the report;
- It was agreed that the member should be required to make an initial contribution of £2,000 (for high earners only) from their own finances towards the resultant Annual Allowance tax charge.

(Trevor Ferguson, Steve Foye and Simon Jefferies rejoined the meeting at 7.40pm)

44. EXTENSION TO THE BENENDEN PROVISION

Jacky Manning, HR Manager, stated that the Benenden employee healthcare scheme had been in place since 1st March 2017 and currently had 390 members. The report provided a cost benefit analysis of the scheme to date and sought Member approval to extend the scheme on an ongoing basis. Based on the evidence to date the cost of providing the scheme was outweighed by the monetary and non-monetary benefits to staff.

It was queried whether local authority Members could join and the Chief Fire Officer confirmed that this was something that could be looked into.

JM to action

RESOLVED that:

- The health care provision, currently provided by Benenden, be approved as a permanent employee benefit.

45. FINANCE UPDATE

Trig Thomas, FBU Representative, was pleased to see that the National

Employers were suggesting that the NJC should agree to uplift salaries by 1% backdated to 1st July 2017 whilst negotiations continued. He felt that a pay rise based around inflation would be the likely outcome. There had been years of real term pay cuts or pay freezes which had not helped firefighters to pay their bills.

Conor Byrne, Head of Finance and Procurement (HOFP), provided an update to Members on current financial issues.

Negotiations on Uniformed Pay Award:

Negotiations on the pay award continued and were likely to result in an in-year settlement based around the inflation figure and the National Employers had suggested that the NJC agree to uplift salaries by 1% backdated to 1st July 2017. The FBU had decided to consult its members on this suggestion at a meeting of the Executive Council which would take place from 5th to 7th December 2017. Given the uncertainty around pay awards, the Fire Authority were holding vacant posts from the restructure of Service Delivery and Risk and Performance and not filling vacancies in the RSU to meet this in-year pressure. However, these savings were one-off and would cease once the posts were filled in the following year and therefore saving or additional income would need to be found from elsewhere.

Fire Authority Response to the 2018/19 Finance Settlement Consultation:

The Government had issued a technical consultation paper on the 2018/19 Local Government Finance Settlement which had run for six weeks from 14th September to 26th October 2017. As Management Committee was not scheduled to meet during the consultation period the Chairman had responded in a letter which was attached to the report at Appendix A. He apologised that there had been no Management Committee meeting during the consultation period to consider his response.

Councillor Paul Bryant referred to page 43 of the agenda and noted that RBFRS would need to respond to 1,000 building regulation consultations and he asked if that was additional to what was already undertaken. The Deputy Chief Fire Officer believed that they would be additional but he confirmed that he could clarify that. Increased consultations would be expected over time but it was too early to be sure that this stage.

SF to action

Revenue and Capital Budgets:

A fundamental restructure of Service Delivery and Risk and Performance had taken place in September 2017 which required a mid-year restructure of the chart of accounts, coding structure and budget allocations within the finance system. In addition, new reporting tools and budget reports were being developed to enhance budget monitoring at a devolved level. A significant level of training would be required to ensure that new post holders were aware of their financial responsibilities and to understand the tools available to them to monitor their budgets effectively. It was anticipated that the new cost centre structure and monitoring arrangements would be in place by the end of December so that detailed monitoring of new revenue budgets could commence.

Progress against capital schemes as at the end of Quarter 2 of 2017/18 was set out in Appendix B.

Councillor Angus Ross referred to paragraph 3.12 where it stated that the authority was likely to need to recommence borrowing from 2018/19 in order to fund its capital programme. He hoped that work was being undertaken at

present to see whether it would be beneficial to borrow now whilst rates were low. Conor Byrne confirmed that work would be undertaken over the next month or so as to what reserves needed to be used and what would need to be borrowed etc. and that would be presented to the next Management Committee meeting. The current capital programme had a higher number of schemes and were under better control and the majority were being delivered at budget cost which was good news.

Councillor Pauline Helliard-Symons referred to paragraph 3.2 and said that it was sad that members had been advised to withdraw from the EMR trials from 18th September 2017. She also referred to paragraph 3.11 and asked if the fact that each additional 1% increase in pay equated to around £250k could be emphasised. She congratulated the Chairman on the excellent letter he had sent in relation to the 2018/19 Finance Settlement Consultation.

RESOLVED that:

- The latest position in relation to the negotiations on the pay award for uniformed staff be noted;
- The Authority's response to the Government consultation on the 2018/19 Local Government Finance Settlement be noted;
- The budget monitoring update in relation to revenue and capital budgets be noted.

46. FORWARD PLAN

The Royal Berkshire Fire Authority Forward Plan for the period 19th December 2017 to 30th April 2017 was noted.

RESOLVED that:

- The Forward Plan be noted.

46a. URGENT ITEM – ENABLING POLICE AND CRIME COMMISSIONERS TO SIT AND VOTE ON COMBINED FIRE AND RESCUE AUTHORITIES

Katie Mills, Head of Corporate Services, gave a presentation on enabling Police and Crime Commissioners (PCCs) to sit and vote on Combined Fire and Rescue Authorities (FRAs).

It was noted that consultation opened on 27th November 2017 on the application of the 'representation model' of the Policing and Crime Act 2017. Application of this model required amendment of combination schemes amended under Fire and Rescue Services Act 2004. The consultation related to 'enabling' powers only. The consultation would close on 15th January 2018 which was the reason why this had been included on the agenda as an urgent item.

The 2017 Act outlined the 'representation model' whereby PCCs could be represented on a FRA and treated as a member of that authority with voting rights, where a FRA agreed. The 'representation model' was an alternative model to the PCCs taking responsibility for fire and rescue services by replacing fire authorities.

- (A) Subject to paragraphs B and C, the Authority may appoint a relevant

police and crime commissioner to be a member of the Authority.

- (B) A relevant police and crime commissioner may only be appointed as a member of the Authority in response to a request by the commissioner.
- (C) If a relevant police and crime commissioner makes such a request the Authority must:
 - consider the request,
 - give reasons for its decision to agree to grant or refuse the request, and
 - publish those reasons in such a manner as it thinks appropriate.
- (D) Paragraph E applied where the Authority appointed a relevant police and crime commissioner to be a member of the Authority and the police and crime commissioner made arrangements under section 18 of the Police Reform and Social Responsibility Act 2011(1) to delegate their attendance at a meeting of the Authority.
- (E) A person who attends a meeting of the Authority on behalf of a relevant police and crime commissioner:
 - might speak at the meeting but not vote, and
 - was not to be treated as a member of the Authority for any purpose.

Councillor Emma Webster queried whether the Fire Authority wanted a PCC to be represented on the Fire and Rescue Authority. Councillor Colin Dudley confirmed that there were three elements in the Police and Crime Act 2017 which applied to Fire Authorities. A PCC could put forward a business case to take over a Fire and Rescue Authority. Councillor Dudley confirmed that he had met with the PCC who had agreed not to take that forward as it was felt that any amalgamation would only dilute services to the people of Berkshire. The Fire Authority had to show commitment to collaboration and therefore to give the option of representation onto the Fire Authority could only be a good thing. The PCC would only have one vote and any deputy attending on his behalf would not have a vote at all. The PCC was a person who had been elected and it was important to share the commitment to collaboration with Thames Valley Police. For those reasons Councillor Dudley confirmed that he was fully supportive. The Chief Fire Officer confirmed that he felt that other Fire Authorities would support this proposal. Councillor Emma Webster stated that she would abstain from the vote.

Councillor Paul Gittings was uneasy about allowing voting rights but he could see the merits around collaboration. The PCC was not elected to the Fire Authority and he felt that this was a political compromise.

Councillor Paul Bryant felt that it did make things more complicated but it did seem to be a reasonable compromise.

Councillor Pauline Helliard-Symons was also uneasy about allowing voting rights and she asked if it was possible to agree to him becoming a member of the Fire and Rescue Service but that she should not have voting rights. It was confirmed that this was not possible.

Councillor Malcolm Alexander asked if the PCC was a voting member was it possible for him to take a lead role. This would be a decision that the Chairman would make.

Councillor Colin Dudley moved the recommendation to enable the 'representation model' as outlined in the 2017 Act. This was seconded by Councillor Malcolm Alexander.

Councillor Angus Ross stated that he would not be able to support this recommendation as he could not understand why County brigades had been excluded. If the Police were involved then the Ambulance Service should also be included. The PCC was not an elected member of the Fire Authority.

Councillor Colin Dudley responded that he understood the position taken by Councillor Ross and it would form a mandate for the next PCC elections. The Fire Authority did have a duty to collaborate and this might be a good way to move forward.

The recommendation was carried on the vote and it was noted that Councillor Emma Webster abstained.

RESOLVED that:

- The Chairman to respond on behalf of Royal Berkshire Fire Authority agreeing with the proposed amendments to the combination schemes of Fire and Rescue Authorities (FRAs) to enable the 'representation model' as outlined in the 2017 Act.
- It was noted that the 'representation model' was an alternative model to PCCs taking direct responsibility for fire and rescue services.

47. DATE OF THE NEXT MEETING

Resolved that the next meeting of Management Committee would take place on Tuesday 6th February 2018 at 6.30pm in the Brigade Headquarters, Pincents Kiln, Calcot, Reading, RG31 7SP.

48. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED 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, 3 and 5 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.

49. CAPITAL PROJECTS CLOSEDOWN

Simon Jefferies (Assistant Chief Fire Officer) presented a confidential report which sought a decision from the Fire Authority on the next steps for the Newsham Court (Service Headquarters) and Wokingham Community Fire Station capital projects.

RESOLVED that:

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

50. PROPERTY CAPITAL PROJECTS – SALE OF WINDSOR UPDATE

Alex Brown, Strategic Property Manager, presented a confidential report on the sale of the old Windsor Fire Station site in St. Marks Lane.

RESOLVED that:

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

51. PROPERTY CAPITAL PROJECTS – THEALE COMMUNITY FIRE STATION UPDATE

Alex Brown, Strategic Property Manager, presented a confidential update report on the Theale Community Fire Station which was one of the agreed projects currently moving forward within the Property Capital Projects Department.

RESOLVED that:

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

52. PROPERTY CAPITAL PROJECTS – CROWTHORNE COMMUNITY FIRE STATION

Alex Brown, Strategic Property Manager, presented a confidential update report on the Crowthorne Community Fire Station which was one of the agreed projects currently moving forward within the Property Capital Projects Department.

RESOLVED that:

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

53. PROPERTY CAPITAL PROJECTS – CAVERSHAM ROAD COMMUNITY FIRE STATION UPDATE

Alex Brown, Strategic Property Manager, presented a confidential update report on the Caversham Road Community Fire Station which was one of the agreed projects currently moving forward within the Property Capital Projects Department.

RESOLVED that:

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

54. ADULT SAFEGUARDING REVIEW

Simon Jefferies, Assistant Chief Fire Officer, presented a confidential update report on the background to a planned Safeguarding Adult Review in connection with a fatality at an accidental dwelling fire in May 2017.

RESOLVED that:

- The recommendation as set out in the exempt report be noted.

(The meeting closed at 8.46pm)