

Minutes of the Meeting of the EXECUTIVE COMMITTEE of the BUCKINGHAMSHIRE AND MILTON KEYNES FIRE AUTHORITY held remotely on WEDNESDAY 10 FEBRUARY 2021 at 10.00 AM.

**Present:** Councillors Hall (part), Hopkins (Chaired the meeting in the absence of the Chairman), Lambert (part), Marland (part), McCall, McLean and Walsh

**Officers:** J Thelwell (Chief Fire Officer), M Osborne (Deputy Chief Fire Officer), G Britten (Director of Legal and Governance), M Hemming (Director of Finance and Assets), A Hussain (Deputy Director of Finance and Assets), L Taylor (Principal Accountant), Anne-Marie Carter (Head of Technology, Transformation and PMO), D Norris (Head of Prevention, Response and Resilience), C Bell (Head of Protection and Assurance), M Crothers (Programme Manager) and K Nellist (Democratic Services Officer)

**Apologies:** Councillor Clarke OBE

Live webcast broadcast:

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

The Director of Legal and Governance confirmed the webcast was live.

The Director of Legal and Governance welcomed Members to the February Meeting of the Executive Committee of the Buckinghamshire & Milton Keynes Fire Authority and confirmed that the meeting was being live streamed on the Buckinghamshire Fire & Rescue Service YouTube channel. Following the meeting, a recording would continue to be available on this channel and it was also being recorded, should there be any technical difficulties.

(Councillor Hopkins chairing)

**EX29 MINUTES**

RESOLVED –

That the Minutes of the meeting of the Executive Committee held on Wednesday 18 November 2020, be approved and signed by the Chairman as a correct record.

**EX30 DISCLOSURE OF INTERESTS**

Councillor David Hopkins declared he had recently joined the Board of the Milton Keynes Development Partnership.

**EX31 QUESTIONS**

The Director of Legal and Governance advised that Councillor Hopkins had submitted a written question regarding “the consequences/ramifications for the Authority of a major incident

being declared by the Leader of Buckinghamshire Council in relation to Covid-19.”

The Deputy Chief Fire Officer advised Members that the declaration of a major incident was a collaborative declaration following a multi-agency meeting on 30 December 2020. Major incidents were defined by the Civil Contingencies Act 2004 and the actual definition was “an event or situation with a range of serious consequences which required special arrangements to be implemented by one or more emergency responder agency”. An emergency responder agency could be any one or two category responders as defined in the Act, one of which was a local authority. Back in March 2020, a major incident (Covid-19) was declared by the Local Resilience Forum (LRF), for the whole of the Thames Valley area, this stayed in place until August 2020, when the first Covid wave started to dissipate and the LRF moved to a position of major incident standby.

The declaration of the major incident, declared on 30 December 2020, was reviewed by the Strategic Coordination Group (SCG) on 31 December 2020 and it was agreed by all partners involved that the whole of the Thames Valley had moved into major incident status due to the demand being placed across the region on all responder agencies and in particular the health system.

With regard to what additional support that can bring, it highlighted that resources were very stretched, particularly in health, and mutual aid could be requested through the SCG and Local Resilience Forums (LRF) and a mutual aid cell had been set up. Additionally, any requests for military aid to the civil authority arrangements can then be channelled through the LRF, on behalf of any agency declaring that major incident.

A major incident was defined as one that is “beyond the scope of business-as-usual operations, and is likely to involve serious harm, damage, disruption or risk to human life or welfare, essential services, the environment or national security” in addition “the severity of the consequences associated with a major incident are likely to constrain or complicate the ability of responders to resource and manage the incident”.

(Councillors Lambert and Marland joined the meeting)

## **EX32**

### **CHRISTMAS FLOODS – VERBAL UPDATE**

The Head of Prevention, Response and Resilience gave Members an update on the flooding that had taken place over the Christmas period in North Buckinghamshire and Milton Keynes causing an increase in activity for the Thames Valley Fire Control. The Service dealt with multiple flooding incidents, particularly in the villages north of Milton Keynes. Many of the areas of focus were main roads, where there was a significant number of cars stranded in rising water with occupants unable to safely exit their cars unassisted. At one stage, Thames Valley Fire Control received a call every minute and dealt with approximately 320

incidents during the period. The Service attended over 160 incidents, most of which were flood related and there were a number of rescues carried out from multiple properties.

The Thames Valley Local Resilience Forum arranged partner teleconferences and provided regular updates to partners on forecasts throughout the entire period, with information from the Environmental Agency and the Met Office, including other predictions from a range of sources. The Local Resilience Forum would be carrying out a learning debrief towards the end of February, where local partner agencies would be invited to attend and any learnings from this event would be identified and addressed.

A Member asked for reassurance that when there had been incidents in the past, there had been issues with data sharing between different agencies, and if these now had been resolved; and whether the Authority should be asking for example the Environmental Agency to dredge/de-silt the rivers or explain why they don't do it anymore and increase the risk of flooding.

The Head of Prevention, Response and Resilience responded by reiterating that the Authority had a good working relationship with all partner agencies through the Local Resilience Forum, and as mentioned, there would be a debriefing at the end of February and if there were any particular issues arising out of the flooding, these would be identified. Also, within the Service there was an Operational Assurance Team who regularly hold debriefs on a number of incidents and that informs any changes within the Service. Any learnings would also be shared nationally through the National Operational Learning Forum.

A Milton Keynes Member advised that the Water Flood Management Group at Milton Keynes Council had met on the 13 January 2021, along with the Environment Agency, and a Section 19 flood investigation report would be produced under the Milton Keynes flood investigation policy; and provided details of MKC's Head of Environment and Flood Water Management Officer with whom Authority officers could liaise in respect of the debrief. The report would be produced following investigation of the impacts of the floods in December and what caused them.

The Chief Fire Officer advised Members that in terms of identifying the risks, prevention was always better than emergency response and the Service would help in anyway it could with regard to the debrief, and in terms of any issues that need to be raised.

A Member asked if the Buckinghamshire Fire and Rescue Service website was updated regularly with current information in terms of guidance to residents on flooding and was advised that the website was up to date with current information and the public were regularly informed about ongoing incidents, via the website, Twitter and Facebook.

A Member asked about the statutory duty of a fire and rescue service with regard to flooding and was advised they don't have a statutory duty to attend flooding, but this Service was very proactive in its response to flooding. As Members may be aware, there were two boats within the Service, at Newport Pagnell and Beaconsfield and both were registered on the national flood asset register which was held by DEFRA. There was a wide area flooding capability on most fire stations, whereby crews could respond to relatively low levels of moving water to be able to effect rescues to support communities more widely.

A Member asked if the outcomes from the Local Resilience Forum debrief could be brought back to a future meeting and was advised that it could.

### **EX33**

### **BUDGET MONITORING REPORT APRIL – NOVEMBER 2020**

The Principal Accountant advised Members that the report set out the Authority's revenue and capital spending position as at 30 November 2020, together with the projected outturn position for the financial year. The current expenditure forecast of £31.698m against a budget of £31.339m resulted in an overspend of £358k. However, due to the additional funding of £847k received in year in relation to Covid, Protection Grants and Airwave, there was a net overall underspend of £489k.

The summary of variances seen within each Directorate, was as follows:

- Corporate Core was showing a £16k underspend which related to underspend in legal costs and consultations with the public (Public Safety Plan) as well as courses and conference fees postponed due to Covid; offset by unachievable interest income on investments and additional audit fees not budgeted for.
- Finance & Assets was showing an overspend of £48k which predominantly related to West Ashland revenue costs which would be partially covered by charges to South Central Ambulance Service and Thames Valley Police, not currently reflected in the forecast. This was offset by underspend relating to vacant posts within the directorate that have been now filled or recruitment delayed due to Covid.
- People & Organisational Development was showing an underspend of £69k mainly relating to underspend seen within employee costs. In addition, Thames Valley collaboration costs of £13k were not expected during the current financial year.
- Delivery, Corporate Development & Planning was currently projecting a £104k underspend. Covid response costs of

£845k were reported within this directorate (including the £230k that has been transferred to a Covid-19 reserve as approved by this Committee in September) was offset by underspend seen within Wholetime and On-call direct employee costs. This was due to a number of wholetime posts not at the top of pay scales and employees being on the 2015 pension scheme which would see a lower contribution rate than budgeted for in the 1992 scheme.

- Statutory Accounting and Contingency overspend of £500k related to additional revenue contribution to capital as approved by this Committee in September.

The Principal Accountant advised Members that the Capital Programme for 2020/21 of £3.025m, included £1.809m worth of carry forward capital projects from 2019/20. Most of the capital works related to West Ashland. The forecasted year-end variance for Property Review (£2.686m) was expected to be offset by additional capital receipts and contributions which would result in a net variance of around £1m against the forecast expenditure.

A Member asked what was the latest position with regard to Covid-19 costs and the use of funding, given that the forecast was only until the end of November and the position may have changed.

The Deputy Director of Finance and Assets advised that the Authority had been given two allocations, £90k in March 2020 and £606k within this financial year, a total of £696k. The current projection looked like all the funding would be utilised. Following on from that, the Government had made another tranche of funding available, and having collated all the figures, the Authority would be putting in a bid for around £140k. This was predominantly due to the support it had given to South Central Ambulance Service, with some of its operational staff being seconded to drive ambulances and also the support the Authority had given to the mass vaccination programme. None of those costs were covered in the existing allocation of funding so the Authority was looking to access some of the additional funding being made available.

A Member asked about the property portfolio, in particular West Ashland, and recalled there was concern about one of the professional teams involved in the project and there had been discussions about getting some of the fees returned.

The Director of Finance and Assets advised that at present, work was ongoing to finalise the final account. It had taken longer than anticipated, partly due to Covid but also the complexity of finalising the figures. Once there was a final figure on the final account, the Authority would look at the possibility of what could potentially be recovered from the professional teams in terms of delays caused by design costs, design problems etc. It was still

to be investigated over the coming months and Members would be kept up to date with progress.

RESOLVED –

That the latest projected outturn forecast for the Authority as at 30 November 2020 be noted.

**EX34**

**THE PRUDENTIAL CODE, PRUDENTIAL INDICATORS AND MINIMUM REVENUE PROVISION**

The Deputy Director of Finance and Assets advised Members that this was a technical report presented annually and it was in essence the Authority putting money aside in order to pay its long-term debt. The Authority had set aside £47k in order to pay off its debt and had already made sufficient revenue provision to cover the repayment of its gross borrowing. However, due to prohibitive penalties the early repayment of this borrowing was not currently an option. The Authority had no plans for additional borrowing in the foreseeable future, according to the current Medium Term Financial Plan. It was recommended that the Authorised Limit for 2021-22 continued to be set at £2m higher than the Operational Limit to allow for the effective management of cashflow in relation to capital receipts from land sales.

A Member asked what was the benefit of having made this sufficient revenue provision and was advised that the revenue provision was made in accordance with the Authority's Efficiency Plan. Back in 2015/16 the Authority wanted to identify potential savings in the revenue budget, so by setting this amount aside it does not have to allocate around £250k per year for a minimum revenue position.

RESOLVED –

That the Authority be recommended to approve:

1. The Prudential Indicators for 2021-22;
2. The Minimum Revenue Provision policy statement.

**EX35**

**MEDIUM TERM FINANCIAL PLAN (MTFP) 2021/22 TO 2025/26**

The Deputy Director of Finance and Assets advised Members that the report presented the proposed revenue and capital Medium Term Financial Plan (MTFP) for the financial years 2021/22 to 2025/26. The MTFP was closely linked to the Financial Strategy, approved in December 2020 which was the link between the Authority's long-term service objectives and its financial capacity. The financial settlement by Government had recently been announced and within the settlement it confirmed that authorities without any specific council tax freedoms, could increase council tax by up to 1.99% without the need for a referendum.

The Deputy Director of Finance and Assets advised Members that the Authority had also seen a reduction in its Council Tax base by 0.65%. For comparison, in previous years the Council Tax base had increased in the region of 1.5% to 2%. To counter some of this reduction, the Government had announced an additional £670m unringfenced grant that would be distributed to authorities in recognition of the increased costs of providing local Council Tax support following the Covid-19 pandemic. Indicative figures published on 18 December 2020 show the Authority would receive in the region of £336k which had been reflected in the projections under the heading Council Tax Support Grant.

The Deputy Director of Finance and Assets advised Members that without sufficient time to undertake a full comprehensive spending review due to the Covid-19 Pandemic, the Government had effectively rolled forward amounts within the settlement funding assessment for 2020/21 and increased these by the rate of inflation as at September 2020. The exception was the pension grant funding which was a flat cash settlement and expected to be included in future years' settlement funding assessment and subject to review as part of the anticipated three-year comprehensive spending review. It was anticipated that next year the Government would revert to a three-year comprehensive spending review whereby all funding would be subject to review.

The Deputy Director of Finance and Assets advised Members that in terms of the Authority's budget setting process, this year officers reverted back to the incremental budgeting setting approach when developing the budget proposal for 2021/22. With the projected reductions in council tax base and business rates funding, the budget setting process was scrutinised by Officers and Members to ensure only proposals which added value for money were approved.

The Deputy Director of Finance and Assets advised Members as to the contents of an updated Appendix 1 and updated Appendix 2 from those contained in the Agenda Pack and that the figures within them could not yet be finalised as more data was still being received in respect of National Non-Domestic Rates information from Buckinghamshire Council. As the situation was dynamic further revised Appendices 1 and 2 would be provided to the Authority meeting on 17 February which would be the figures on which the Authority would base its decision to approve the revenue budget, capital programme, and precept.

RESOLVED –

That the Authority be recommended to:

- 1(a) Note and have due regard to the report and Statement of the Chief Finance Officer (see section 8 of Annex A).

- 1(b) Approve a Council Tax precept of £67.16 for a band D equivalent property (a 1.99% increase from 2020/21 - equal to 2.5p per week) and the revenue budget as set out in Appendix 1.
- 1(c) Approve the capital programme as set out in Appendix 2.
- 2 Not hold a referendum to increase Council Tax above the 2% threshold for 2021/22.
- 3 Note that a referendum may need to be considered for 2022/23 depending on the outcome of the Comprehensive Spending Review.

### **EX36**

#### **RESPONSE TO THE PROVISIONAL LOCAL GOVERNMENT FINANCE SETTLEMENT 2021-22: CONSULTATION PAPER**

The Director of Finance and Assets advised Members that this report was to update Member on the response to the Consultation published on 17 December 2020, with a deadline for responses of 16 January 2021. In accordance with the Scheme of Delegation to Officers, the response was discussed with the Chairman and Lead Member before submission. This paper detailed the content of the submission for the attention of the Authority.

The response solely focuses on question two, which seeks views on the council tax referendum principles for 2021-22. Despite representations made by this Service and the National Fire Chiefs Council in the lead up to the provisional settlement, no additional precept flexibility had been made available to fire and rescue authorities.

The response to the Consultation also made reference to the Authority's HMICFRS inspection report that notes serious concerns as to whether the Service has the resources it needed to meet its foreseeable risk, despite being highly efficient and having an innovative deployment model which, if better funded, would be a cost-effective way of keeping people safe.

A Member asked if the Authority had received a response to the letter it sent to the Fire Minister and was advised that the Group Leaders had sent a joint letter in December and a response had just been received. It basically advised that there was no opportunity for any flexibility, but they would like to meet with officers to look at other ways of meeting our reduced funding besides increasing flexibility in Council Tax. This was not the response the Authority was looking for, but officers would engage positively with officials from the Home Office.

RESOLVED –

That the response to the Consultation be noted.

### **EX37**

#### **MEMBERS' ALLOWANCES**



The Director of Legal and Governance advised Members that this was presented for recommendation by this Committee to the full Authority Meeting on 17 February 2021. As a standalone fire and rescue authority, the Authority had a wide discretion in adopting an Annual Scheme of Allowances. The only proviso was that the Authority must have regard to the recommendations of the Independent Remuneration Panels of its two constituent councils.

The Director of Legal and Governance advised Members that the proposed Scheme of Allowances for the year 2021/22 was based on a 0% increase from the current financial year. The Scheme of Allowances had been linked to the NJC annual pay award for firefighters since 2012/13. The recommendation was that this indexation be suspended for 2021/22 rather than apply the 2% increase. There are no other changes proposed in the Annual Scheme.

RESOLVED –

That the Authority be recommended to adopt a Scheme for Members' Allowances for 2021/22 (Appendix C).

**EX38**

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

The Programme Manager advised Members that this was the latest update regarding the Emergency Services Mobile Communications Programme (ESMCP). Updates had tended to concentrate on the publication of the full business case which had been delayed again, so this paper focused on other programme activities that have been taking place.

The Programme Manager advised that there has been some movement regarding the provision of a Direct Network Provider or DNSP link into Buckinghamshire Fire and Rescue Service (BFRS). This was the link that would give direct access into the Emergency Services Network from BFRS Headquarters. The Regional Programme Manager for the East Midlands had collated the issues raised by all regions and passed them onto the Programme Technical Lead for further discussion.

The Programme Manager advised Members that BFRS had now received two ESN devices, a vehicle device that had been passed to Thames Valley Police for installation into their vehicles for road testing and a handheld device which BFRS would retain for walk testing of 'not spots' and buildings.

The Programme Manager advised that one area causing concern was the recruitment of a Regional Programme Manager for the South-Central Region. A recruitment campaign took place in October/November last year and two candidates were offered the role. Unfortunately, neither of them decided to accept and a further campaign was being run, however the remaining candidate had, this week, withdrawn due to family illness. The contract to provide an RPM by MottMacdonald finished on 15

January and the role was currently being shared by the three Project Managers from the SC region. This would continue until the end of March when it would be reviewed.

RESOLVED –

That the ESMCP update be noted.

(Councillor Hall left the meeting)

**EX39**

**LATE URGENT ITEM: PRINCIPAL OFFICERS COVID-19 ARRANGEMENTS BETWEEN THE THAMES VALLEY FIRE AND RESCUE AUTHORITIES**

(The Chairman agreed to the consideration by the Committee of a late urgent item on the grounds that it was necessary to recommend the implementation of contingency arrangements and for these to be agreed by the three Thames Valley fire and rescue authorities' governance bodies within a short timescale).

Director of Legal and Governance advised Members that a unique challenge presented by the ongoing Covid-19 pandemic created risks to the three Thames Valley fire and rescue authorities in being able to ensure that their response functions remain intact and undiminished in the event of the reduced availability of their cadre of Principal Officers due to illness or self-isolation.

The Director of Legal and Governance advised Members that the recommendation the Committee was being asked to endorse was to agree the principles of a Principal Officer sharing agreement in the terms set out in Appendix A. A report and draft agreement in identical terms were presented to Royal Berkshire Fire Authority last Wednesday and agreed unanimously; and a decision by the portfolio holder at Oxfordshire County Council was expected to follow shortly. This would be, to his knowledge, the first such agreement in the country and builds on the successes of the single mobilising function provided by the Thames Valley Fire Control Service for the three Thames Valley fire and rescue services.

RESOLVED –

That the agreement at Annex A, subject to any minor amendments required for completion by the three participating Thames Valley fire and rescue authorities be approved for sealing.

**EX40**

**EXCLUSION OF PRESS AND PUBLIC**

It being moved, it was

RESOLVED –

That the Press and Public be excluded from the meeting by virtue of Paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972, as the minutes contain information relating to any individual; and Paragraph 3 of Part 1 of Schedule 12a of the Local Government Act 1972 as the minutes contain information relating to the financial or business affairs of a person (including the Authority); and on these grounds it is considered, at this moment in time, that the need to keep information exempt outweighs the public interest in disclosing the information.

The Chairman advised viewers of the live webcast that the meeting would now go into private session.

**EX41 EXEMPT MINUTES**

RESOLVED –

That the Exempt Minutes of the meeting of the Executive Committee held on Wednesday 18 November 2021, be approved and signed by the Chairman as a correct record.

**EX42 DATE OF NEXT MEETING**

The Committee noted that the date of the next Executive Committee meeting would be held on Wednesday 24 March 2021 at 10.00am.

THE CHAIRMAN CLOSED THE MEETING AT 11.24 AM.