

MINUTES OF THE EXECUTIVE COMMITTEE OF BEDFORDSHIRE FIRE AND RESCUE AUTHORITY

HELD ON 26 MAY 2022 AT 10am

Present: Councillors J Chatterley (Chair), K Choudhury, M Headley, and Y Waheed

CFO A Hopkinson, ACFO A Kibblewhite and ACO G Chambers were also present

Ms Deborah Evans Lawyers in Local Government (LLG) was also present for the public part of the meeting

Present virtually: Councillor Atkins (observing) and DCFO C Bigland

21-22/EC/53 Apologies

53.1 Apologies for absence were received from Councillor D McVicar and Mr J Atkinson. Councillor Waheed apologised for her late arrival.

21-22/EC/54 Declaration of Disclosable Pecuniary and Other Interests

54.1 Councillor Headley declared a pecuniary interest in agenda item no.7 as he undertook peer review work for the LGA and was on its payroll.

21-22/EC/55 Communications

55.1 The Chair referred to the Government's White Paper (consultation) particularly concerning the future governance of Fire Authorities, which had been received recently. He had liaised with Central Bedfordshire Council (CBC) on the matter and suggested that the other constituent councils should also be encouraged to make a response. He would circulate appropriate details to Executive Members. Councillor Headley agreed that it would be beneficial for all councils to make a response. CFO commented that it may be beneficial to engage with the combined fire authorities' group and local MP's. He added that the LGA and NFCC would shortly publish their revised "Fit for Future" strategy document which sets out their vision for the fire and rescue service. The Chair further commented that the LGA had had a number of political group meetings to decide its response. He added that a meeting had been arranged for 10 June 2022 with the Fire Commission members to discuss the White Paper. CFO confirmed that the consultation had been launched on 18 May 2022 for 10 weeks and would close on 26 July 2022. Members will receive a briefing at the FRA Annual General Meeting (AGM). Members would have opportunity to discuss the FRA response at the meeting of the Executive on 22 June 2022, a Member Development day on 7 July 2022 and another full FRA meeting on 20 July 2022, where it was hoped to provide the final draft FRA response. He suggested that the FRA consider delegating authority to sign off the FRA response to the Chair and this

would be included in the briefing paper at the AGM. A Member commented that it would be expected that the Monitoring Officer would assist with drafting the response.

- 55.2 The Chair provided an update on forthcoming events: Passing Out Parade 1 June 2022; AGM 7 June 2022; Awards Evening 9 June 2022; and Fire Commissioners' meeting 10 June 2022 (all day).

21-22/EC/56 Minutes

RESOLVED:

That the Minutes of the meeting held on 18 March 2022 be confirmed as a true record.

21-22/EC/57 Public Participation

- 57.1 Members noted that no questions had been received in accordance with the public participation scheme approved at the meeting of the Fire and Rescue Authority held on 5 April 2000 (Minute 99/fa/94 refers).

21-22/EC/58 Resourcing Options for the role of Monitoring Officer - review update

- 58.1 The CFO introduced his report which presented Members of the Fire & Rescue Authority (FRA) Executive Committee with information on progress towards replacing the Monitoring Officer (MO).
- 58.2 The CFO commented that LLG had started work on a review of the MO role for the Authority. An Options' report would be provided to the next Executive meeting to include the discussion arising from today's meeting.
- 58.3 The LLG representative confirmed that the organisation had been contracted to review the MO role to ensure that the Authority obtained the level of capability and resilience that it required to deliver current and future issues. It was suggested that the current level of resource was insufficient, with 30 days/year and one half day a week. There were a number of challenges to address: Pensions; IDRPs; and pay negotiations. Pro-active advice was required to be provided by the MO. It was deemed to be good practice to have regular meetings of the CFO, Section 151 Officer and the MO. This would assist with navigation to a changed future. The new MO role should help provide focus from a strategic perspective and support operational delivery. A decision would need to be made on the reporting line for the new MO eg. CFO or FRA Chair. It was noted that the Service and Authority currently outsourced a great deal of legal work and there was the potential with a new MO to provide expertise in some area(s), as well as having oversight of outsourced work, which should save resource. There were many governance challenges coming forward which would require legal guidance, as well as the opportunity to provide a link to Democratic Services and to advise on HR issues.

- 58.4 The LLG representative suggested that the options to consider included: recruit a MO for the FRA/Service say 2.5/3 days a week; share a MO with another FRA; buy in a MO service from a neighbouring or constituent council.
- 58.5 The Chair commented that he was aware of the amount of current expenditure in respect of outsourcing legal advice, therefore if a MO could be employed who could assist the Service this would be beneficial and cost effective. He considered whether there could be a conflict of interest from time to time with having a “shared” option. The LLG representative further commented that local authorities usually employed one MO to provide advice for the organisation and to Members. She added that one MO could not be expected to have expertise in all the areas in which advice could be required. However perhaps the MO might have one area of expertise and be able to provide oversight of work outsourced.
- 58.6 Members commented that: the current MO worked one half day/week for the FRA; also there would be a need to consider the extra cost of employing for an increased number of hours, as this would result in less resource to spend elsewhere from the budget.
- 58.7 ACO Chambers advised that last year £43,000 had been spent on legal fees in total, with around £30,000 being on direct legal work. This varied each year, however there was usually an on-going requirement for HR advice.
- 58.8 The LLG representative suggested that a way forward was for her to write a report based on the discussion by the Executive, with the new role to support the Service as well as the FRA. She added that she could make initial confidential enquiries with other Fire Authorities regarding potential opportunities for sharing a MO resource. This would enable a range of costed options to be brought back to the FRA. A Member commented that this new role would need to be cost effective and show value for money.
- 58.9 CFO advised that a report would be prepared for the next meeting of the Executive on 22 June 2022 where it was hoped that agreement would be given to recruit to the new role. He agreed that any growth needed to be justified and resourced. He added that he understood that Mr Atkinson had indicated that he would remain in his current role until a new appointment was made.

RESOLVED:

1. That the content of the paper, having discussed the proposals and next steps, be acknowledged.
2. That the review continue on the basis and present final options to the Executive on 22nd June.

21-22/EC/59 Independent Review of Governance

- 59.1 The Assistant Chief Officer (ACO) introduced his report which presented Members of the Fire & Rescue Authority (FRA) with options for an independent review of governance. He highlighted the three options which had been set out in the report and asked the Executive to choose their preferred option.

- 59.2 The Chair commented that the report under discussion was connected to the Government White Paper. He added that he had his own views on the review of governance in the White Paper and wondered why the Government was trying to force a change of governance when Inspections had indicated that there was already good governance throughout fire authorities.
- 59.3 ACO commented that this provided a good opportunity to strengthen the Authority's position, also there did not seem to be any benefit in moving to a different model which did not help the Service.
- 59.4 The Chair, having received confirmation from CFO that the White Paper was a consultation document therefore there would be time for a review, commented that each Council could appoint Members to the Fire Authority, with one of those being a "Lead", then, when there was an election for Chair of the FRA it could be taken from that cohort of three "Lead" Members.
- 59.5 In response to a question CFO advised that the Government could impose a change in governance as it had with Police & Crime Commissioners. The LLG representative added that these matters inevitably would take time and the review could also provide useful guidance for a new Monitoring officer when they were in post.

RESOLVED:

1. That having discussed the contents of the report the preferred approach to be Option 2 to commission the LGA to undertake the review.

(Note: Councillor Headley declared a pecuniary interest in the above item and was not present for the discussion or the decision.)

21-22/EC/60 Disposal of Assets under the Scheme of Delegated Authority

- 60.1 The Assistant Chief Fire Officer (ACFO) introduced her report which provided an update on the disposal of obsolete vehicle and equipment assets.
- 60.2 ACFO highlighted the plan to dispose of equipment as set out at Section 2, table 1A of the report. This also showed the equipment which had been disposed of in the previous year, at auction. Paragraph 2.3 of the report indicated the equipment which had been kept for longer than the usual three year life cycle. She also mentioned the NFCC request to support the Ukraine Fire Service. CFO reminded Members of the on-going relationship and support provided to the Kenyan Fire Service.
- 60.3 The following responses were provided to questions from Members:
- A zero value in the accounts referred to the book value where equipment was kept longer than the life cycle.
 - The cost of a van was circa £22,000 and a response car was circa £25,000. A report was to be brought to Members concerning the potential for purchasing electric vehicles which were generally more expensive than current vehicles used.
 - Vehicles were routinely being retained for longer than the three year cycle where possible.

The Chair suggested that the presentation of the tables in future reports could be reviewed, to include: the original cost; the written down value; and the amount likely to be achieved on disposal.

RESOLVED:

1. That the content of the report be acknowledged.
2. That the disposal of the equipment assets detailed in the report, which collectively have the potential to achieve income over the £10,000 threshold under the scheme of delegated authority, be authorised.

21-22/EC/61 Work Programme

- 61.1 The Executive received its updated work programme and was invited to request additional reports for the Executive Committee meetings.
- 61.2 CFO introduced the report and highlighted the main issues for consideration within the programme. The items which had been recently discussed, in terms of a response to the White Paper, recruitment of a MO and the Governance review, would need to be included in the programme.
- 61.3 CFO re-iterated that the Executive Committee provided an opportunity to raise issues as a sounding board in advance of the Full FRA meetings.

RESOLVED:

1. That the Work Programme be received and the cyclical agenda items be noted.
2. That the Work Programme be updated to include the suggested items listed above.

62. Local Government Act 1972, Schedule 12A, Paragraphs 1, 4 and 5 of Part 1: Exclusion of the Public

RESOLVED:

That, pursuant to Sections 100A(2) and 100A(4) of the Local Government Act 1972, the public be excluded from the discussion of the following items on the grounds that the matters to be discussed involve the likely disclosure of exempt information as defined in Paragraphs 1, 4 and 5 of Part 1 of Schedule 12A to the Act (as amended):

Item

62. Immediate Detriment
63. Targeted Use of Abatement Policy

The meeting closed at 12.06pm.