

Minutes of a meeting of the Leicester, Leicestershire and Rutland Combined Fire Authority held at County Hall, Glenfield on Thursday, 2 December 2021.

PRESENT

Mr. N. J. Rushton CC (in the Chair)

Mr. N. D. Bannister CC	Mr. K. Ghattoraya CC
Cllr. S. Barton	Mr. D. J. Grimley CC
Cllr. Hemant Rae Bhatia	Mr. R. Hills CC
Cllr. K. Bool	Mr. B. Lovegrove CC
Mr. G. A. Boulter CC	Ms. Betty Newton CC
Mr. S. L. Bray CC	Mr. J. T. Orson JP CC
Mr. B. Champion CC	Cllr. Elaine Pantling
Cllr. L. Fonseca	Cllr. M. Valand

In attendance

Callum Faint, Chief Fire and Rescue Officer
 Lauren Haslam, Monitoring Officer
 Colin Sharpe, Deputy Director of Finance, Leicester City Council
 Paul Weston, Assistant Chief Fire and Rescue Officer
 Karl Bowden, Interim Assistant Chief Fire and Rescue Officer
 Gavin Barker, Mazars
 Leah Parsons, Mazars
 Anna Poole, Democratic Services Officer
 Gemma Duckworth, Democratic Services Officer

47. Apologies for absence.

No apologies were received.

48. Declarations of interests.

It was noted that all members of the Committee would have a personal interest in agenda item 16 – Review of the Members’ Allowance Scheme - Report of the Independent Remuneration Panel as all were eligible to receive allowances.

No further declarations were made.

49. Urgent items.

There were no urgent items.

50. Chairman's Announcements.

The Chairman’s announcements were circulated in advance of the meeting, a copy of which is filed with these minutes. The announcements covered the following matters:

- Inspection by Her Majesty’s Inspectorate of Constabulary and Fire and Rescue Services.

- Performance – Leicestershire Fire and Rescue Service
- National Awards

Members commended the Chief Fire and Rescue Officer and his team for the excellent performance achieved and also commended the three staff shortlisted for the national awards.

51. Public Participation/ CFA Rules of Procedure Rule 9 - Member Questions.

It was reported that no questions had been received.

52. Minutes of the previous meeting.

The minutes of the CFA meeting held on 22 September 2021 were considered.

It was moved by Mr. N. J. Rushton CC and seconded by Councillor E. Pantling that the minutes of the CFA meeting held on 22 September 2021 be taken as read, confirmed and signed.

The motion was put and carried unanimously.

RESOLVED:

That the minutes of the CFA meeting held on 22 September 2021 be taken as read, confirmed and signed.

53. Minutes of the Corporate Governance Committee meeting held on 14 July 2021.

The minutes of the Corporate Governance Committee meeting held on 14 July 2021 were considered.

It was moved by Councillor K. Bool and seconded by Mrs. M. E. Newton CC that the minutes of the Corporate Governance meeting held on 14 July 2021 be noted.

The motion was put and carried unanimously.

RESOLVED:

That the minutes of the Corporate Governance meeting held on 14 July 2021 be noted.

54. Statement of Accounts and Annual Governance Statement.

The CFA considered a report of the Treasurer which sought approval for the Annual Statement of Accounts and Annual Governance Statement 2020/21 and provided an update on the work of the External Auditor. A copy of the report, and the supplementary report, marked "Agenda Item 8" is filed with these minutes.

Mr. Gavin Barker of Mazars attended the meeting and gave assurance that good processes were in place to support the financial arrangements, the quality of the financial statements was good, as were the working papers that underpinned the audit. He commended officers for their support during the audit.

Mr. Barker explained that the audit had been delayed due to the impact of Covid-19 and issues with the retention and recruitment of staff at Mazars, which were issues seen throughout the sector.

Members were informed that an unqualified opinion on the financial statements could be issued. However, the audit work on the Value for Money arrangements could not yet be concluded due to the difficulties within the sector. The National Audit Office had allowed an extension in the timetable for this of up to three months of reporting the opinion. Guidance was awaited from Her Majesty's Treasury on the production of the Whole of Government accounts, and a delay was expected. As a result, the Audit Completion Certificate could not yet be issued.

It was moved by Mr. N. J. Rushton CC and seconded by Councillor E. Pantling that

- a) the auditor's Audit Completion Report (ISA 260 Report) to those charged with governance and the recommendations contained within it, attached at Appendix A if the report, be noted;
- b) the following be approved:
 - i. the Statement of Accounts 2020/21, attached at Appendix B of the report.
 - ii. the Annual Governance Statement 2020/21, attached at Appendix B of the report.
 - iii. the letter of representation submitted by the Treasurer, attached at Appendix C of the report; and
- c) the Treasurer be authorised to approve any minor amendments to the Annual Accounts and Annual Governance Statement, subject to a report to the CFA at the next meeting.

The Motion was put and carried unanimously.

RESOLVED:

That

- a) the auditor's Audit Completion Report (ISA 260 Report) to those charged with governance and the recommendations contained within it, attached at Appendix A if the report, be noted;
- b) the following be approved:
 - i. the Statement of Accounts 2020/21, attached at Appendix B of the report.
 - ii. the Annual Governance Statement 2020/21, attached at Appendix B of the report.
 - iii. the letter of representation submitted by the Treasurer, attached at Appendix C of the report; and
- c) the Treasurer be authorised to approve any minor amendments to the Annual Accounts and Annual Governance Statement, subject to a report to the CFA at the next meeting.

55. Day Crewing Plus Duty System Update.

The CFA considered a report of the Chief Fire and Rescue Officer concerning further activity undertaken regarding withdrawal from the Day Crewing Plus duty system. A copy of the report marked "Agenda Item 9" is filed with these minutes.

Members were informed that engagement with staff had generated a low level of feedback. Alternative methods of engagement, such as Video LOG (VLOG), 'Chat with the Chief' events and face-to-face meetings would be used to re-energise the campaign to encourage further feedback from staff on the proposals. A further report would be presented to the CFA in February 2022.

It was moved by Mr. N. J. Rushton CC and seconded by Councillor E. Pantling that

- a) the pre-engagement activity undertaken to date and any proposed further activity (detailed in paragraphs 12-19 of the report), be noted; and
- b) a further update be presented to the CFA on 9 February 2022.

The Motion was put and carried unanimously.

RESOLVED:

That

- a) the pre-engagement activity undertaken to date and any proposed further activity (detailed in paragraphs 12-19 of the report), be noted; and
- b) a further update be presented to the CFA on 9 February 2022.

56. Firefighters' Pension Scheme - Age Discrimination Remedy Update.

The CFA considered a report of the Pension Scheme Manager concerning the age discrimination/immediate detriment related to the Firefighters' Pension Scheme. A copy of the report marked "Agenda Item 10" is filed with these minutes.

The Pension Scheme Manager assured members that the Authority had done everything it could to address the issue of immediate detriment. However, this week, the Home Office had withdrawn its existing informal and non-statutory guidance and had advised Fire and Rescue Authorities not to process any immediate detriment cases before legislation was in place. This was completely unexpected.

In addition, the Home Office clarified that additional funding would not be available for those costs which were paid outside of the pension account, that were not considered to be legitimate expenditure under the pension scheme regulations and any associated administration costs, including any charges from pension administrators. These would need to be funded locally by each fire and rescue authority from local budgets. This new advice was accompanied by guidance from Her Majesty's Treasury which clarified that the Government would not meet the cost of any tax implications for pension scheme members or the FA.

The Pension Scheme Manager explained that, in light of this guidance, he recommended that the CFA followed the Government's advice and therefore recommended that the Memorandum of Understanding and the Framework were not adopted at this time as had

been detailed in the report. He recognised that the position placed the FA at risk of legal proceedings by those affected, and advised that a risk assessment would be carried out as the detailed implications became clearer.

Communications were planned with those that would be affected following the CFA meeting. The Chairman added that it was important to explain to pension scheme members that the CFA had no choice in making this decision, and explained that he would move revised recommendations in light of the Government guidance.

It was moved by Mr. N. J. Rushton CC and seconded by Councillor E. Pantling that

- a) It be agreed that, in light of the communications received on 29 November 2021 from the Home Office and Her Majesty's Treasury, that action to address the immediate detriment be paused at this time; and
- b) Once the national sector response becomes clearer, the CFO and Pension Scheme Manager review the implications for LFRS and, following consultation with relevant parties, present a report to the CFA at the earliest opportunity.

The Motion was put and carried unanimously.

RESOLVED:

That

- a) It be agreed that, in light of the communications received on 29 November 2021 from the Home Office and Her Majesty's Treasury, that action to address the immediate detriment be paused at this time; and
- b) Once the national sector response becomes clearer, the CFO and Pension Scheme Manager review the implications for LFRS and, following consultation with relevant parties, present a report to the CFA at the earliest opportunity.

57. National Scheme for Auditor Appointments managed by Public Sector Auditor Appointments Ltd.

The CFA considered a report of the Treasurer concerning the appointment of an external auditor to the CFA for a five-year period from 2023/24 to 2027/28. A copy of the report, and supplementary report, marked "Agenda Item 11" is filed with these minutes.

It was moved by Mr. N. J. Rushton CC and seconded by Councillor E. Pantling that the invitation from the Public Sector Audit Appointments Limited to opt into the sector-led option for the appointment of external auditors to principal local government and police bodies for five financial years from 1 April 2023 until 31 March 2028, be accepted.

The Motion was put and carried unanimously.

RESOLVED:

That the invitation from the Public Sector Audit Appointments Limited to opt into the sector-led option for the appointment of external auditors to principal local government and police bodies for five financial years from 1 April 2023 until 31 March 2028, be accepted.

58. Service Delivery Update.

The CFA considered a report of the Chief Fire and Rescue Officer which gave an update on the key service delivery performance for the period 1 July – 30 September 2021. A copy of the report marked “Agenda Item 12” is filed with these minutes.

In response to questions, members were informed that LFRS were the fourth most effective FRS nationally for fire protection activities, which had been an immense improvement. In addition, the number of absences due to Covid-19 was not significant at present, although a number of non-vaccinated people within the workforce had needed to self-isolate.

Members commended the increase in fire protection activities, especially during the period when the Service was affected by Covid-19.

It was moved by Mr. N. J. Rushton CC and seconded by Councillor E. Pantling that the update provided on the key service delivery matters for the period 1 July – 30 September 2021, be welcomed, particularly

- a) The increase in the number of fire safety checks (in residential homes) and fire protection visits (in commercial premises) carried out;
- b) The introduction of a questionnaire to seek community feedback following Home Safety Checks and the positive impact the visits are having on behavioural change.
- c) The high number of smoke and carbon monoxide alarms being installed in homes to ensure the safety of residents within the local community.

The Motion was put and carried unanimously.

RESOLVED:

That the update provided on the key service delivery matters for the period 1 July – 30 September 2021, be welcomed, particularly

- a) The increase in the number of fire safety checks (in residential homes) and fire protection visits (in commercial premises) carried out;
- b) The introduction of a questionnaire to seek community feedback following Home Safety Checks and the positive impact the visits are having on behavioural change.
- c) The high number of smoke and carbon monoxide alarms being installed in homes to ensure the safety of residents within the local community.

59. Leicestershire Fire and Rescue Service Response to the Covid-19 Pandemic.

The CFA considered a report of the Chief Fire and Rescue Officer concerning the positive feedback received from staff and partners on the Leicestershire Fire and Rescue Service’s response to the Covid-19 pandemic in the period March 2020 – August 2021. A copy of the report marked “Agenda Item 13” is filed with these minutes.

Members were informed that all internal and external stakeholders, including trade unions and staff, were consulted and invited to be involved in the debrief.

It was moved by Mr. N. J. Rushton CC and seconded by Councillor E. Pantling that the positive feedback received from staff and partners on the Service's response to the Covid-19 pandemic in the period March 2020 – August 2021, be noted.

The Motion was put and carried unanimously.

RESOLVED:

That the positive feedback received from staff and partners on the Service's response to the Covid-19 pandemic in the period March 2020 – August 2021, be noted.

60. Development of Canteen area at Headquarters.

The CFA considered a report of the Chief Fire and Rescue Officer seeking approval to proceed with development work in the canteen area within the Headquarters building in order to maximize the use of the space and improve functionality. A copy of the report marked "Agenda Item 14" is filed with these minutes.

It was moved by Mr. N. J. Rushton CC and seconded by Councillor E. Pantling that

- a. the changing environment of the rental market affecting options for the development of the canteen area at the Headquarters building, be acknowledged;
- b. Option 3 - development of the canteen area at the Headquarters building into Learning and Development facilities, as set out on paragraphs 32 - 38 of the report, be approved; and
- c. the Chief Fire and Rescue Officer be authorised to proceed with the re-development of the canteen area.

The Motion was put and carried unanimously.

RESOLVED:

That

- a. the changing environment of the rental market affecting options for the development of the canteen area at the Headquarters building, be acknowledged;
- b. Option 3 - development of the canteen area at the Headquarters building into Learning and Development facilities, as set out on paragraphs 32 - 38 of the report, be approved; and
- c. the Chief Fire and Rescue Officer be authorised to proceed with the re-development of the canteen area.

61. Review and Revision of the Constitution of the Combined Fire Authority.

The CFA considered a report of the Monitoring Officer which sought approval for the proposed changes to the Combined Fire Authority's Constitution. A copy of the report, and supplementary report, marked "Agenda Item 15" is filed with these minutes.

It was moved by Mr. N. J. Rushton CC and seconded by Councillor E. Pantling that the proposed changes to Part 2 – Constitutional Framework of the Constitution, as set out in the Appendix to the report, be approved.

The Motion was put and carried unanimously.

RESOLVED:

That the proposed changes to Part 2 – Constitutional Framework of the Constitution, as set out in the Appendix to the report, be approved.

62. Review of the CFA Members' Allowance Scheme - Report of the Independent Remuneration Panel.

The CFA considered a report of the Monitoring Officer which presented the report of the Independent Remuneration Panel established to review the Leicester, Leicestershire and Rutland Combined Fire Authority's Members' Allowance Scheme. A copy of the report, and supplementary report, marked "Agenda Item 16" is filed with these minutes.

The CFA were appreciative of the Independent Remuneration Panel for carrying out the review into the CFA Members' Allowance Scheme.

It was moved by Mr. N. J. Rushton CC and seconded by Councillor E. Pantling that

- a) The report of the Independent Remuneration Panel established to review the Leicester, Leicestershire and Rutland CFA's Members' Allowances Scheme, be noted;
- b) The arrangement for indexation of the Leicester, Leicestershire and Rutland CFA's Members' Allowance Scheme to the NJC Employee (Support Staff) Pay Award continues on an annual basis applied on 1 April each year, effective from 1 April 2021 until 2023; and
- c) That a full review of the CFA Members' Allowance Scheme be undertaken in 2023 and that this includes a review of the matters prescribed by the Regulations at that point which is likely to include:
 - i. Members' allowances rates and the arrangement for indexation;
 - ii. Roles which should receive the Special Responsibility Allowances.
 - iii. Travel and Subsistence Allowances; and
 - iv. Independent Members' Allowances.

The Motion was put and carried unanimously.

RESOLVED:

That

- a) The report of the Independent Remuneration Panel established to review the Leicester, Leicestershire and Rutland CFA's Members' Allowances Scheme, be noted;
- b) The arrangement for indexation of the Leicester, Leicestershire and Rutland CFA's Members' Allowance Scheme to the NJC Employee (Support Staff) Pay Award

continues on an annual basis applied on 1 April each year, effective from 1 April 2021 until 2023; and

- c) That a full review of the CFA Members' Allowance Scheme be undertaken in 2023 and that this includes a review of the matters prescribed by the Regulations at that point which is likely to include:
- i. Members' allowances rates and the arrangement for indexation;
 - ii. Roles which should receive the Special Responsibility Allowances.
 - iii. Travel and Subsistence Allowances; and
 - iv. Independent Members' Allowances.

63. Date of Next Meeting.

The next meeting of the Leicester, Leicestershire and Rutland Combined Fire Authority will be held on 9 February 2022 at 10:00am.

64. Exclusion of the Press and Public.

It was moved by Mr. N. J. Rushton and seconded by Councillor E. Pantling that under Section 100(A) of the Local Government Act 1972 the public be excluded from the meeting on the grounds that it will involve the likely disclosure of exempt information during consideration of the following item of business as defined in the paragraphs of Schedule 12A of the Act detailed below:

- Training Facility – Service Leadership and Development Centre: Project Update, as defined in Paragraph 3; and

that, in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

The Motion was put and carried unanimously.

RESOLVED:

That under Section 100(A) of the Local Government Act 1972 the public be excluded from the meeting on the grounds that it will involve the likely disclosure of exempt information during consideration of the following item of business as defined in the paragraphs of Schedule 12A of the Act detailed below:

- Training Facility – Service Leadership and Development Centre: Project Update, as defined in Paragraph 3; and

that, in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

65. Training Facility -Service Leadership and Development Centre: Project Update.

The CFA considered an exempt report of the Chief Fire and Rescue Officer concerning the progress of land acquisition for the Fire Behaviour Unit and developments undertaken to assess the potential to facilitate training delivery within the existing estate. A copy of the report marked "Agenda Item 20" is filed with these minutes.

It was moved by Mr. N. J. Rushton CC and seconded by Councillor E. Pantling that it be noted that

- a. The process of progressing and prioritising a refined shortlist of sites suitable for fire behaviour training continues, to determine suitability;
- b. Assessing the potential to facilitate training delivery within the existing estate has commenced;
- c. The requirement for a spend of £141,500 as detailed in Paragraph 16 of the report to achieve a suitable design to procure a contractor, and;
- d. A further progress update be presented to the CFA at its meeting on 9 February 2022.

The Motion was put and carried unanimously.

RESOLVED:

That it be noted that

- a. The process of progressing and prioritising a refined shortlist of sites suitable for fire behaviour training continues, to determine suitability;
- b. Assessing the potential to facilitate training delivery within the existing estate has commenced;
- c. The requirement for a spend of £141,500 as detailed in Paragraph 16 of the report to achieve a suitable design to procure a contractor, and;
- d. A further progress update be presented to the CFA at its meeting on 9 February 2022.

10.00 - 11.03 am
02 December 2021

CHAIRMAN