



Minutes of a meeting of the Leicester, Leicestershire and Rutland Combined Fire Authority held at County Hall, Glenfield on Wednesday, 8 February 2023.

PRESENT

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

Cllr. Hemant Rae Bhatia	Mr. R. Hills CC
Cllr. K. Bool	Mr. B. Lovegrove CC
Mr. S. L. Bray CC	Ms. Betty Newton CC
Cllr. A. Byrne	Mr. J. T. Orson CC
Cllr. L. Fonseca	Mr. C. A. Smith CC
Mr. K. Ghattoraya CC	Cllr. M. Valand
Mr. D. J. Grimley CC	Cllr. P. Westley

In attendance

Callum Faint, Chief Fire and Rescue Officer  
 Paul Weston, Assistant Chief Fire and Rescue Officer  
 Judi Beresford, Assistant Chief Fire and Rescue Officer  
 Amy Oliver, Treasurer  
 Lauren Haslam, Monitoring Officer  
 Karl Bowden, Area Manager

64. Apologies for absence.

Apologies for absence were received from Mr N Bannister CC, Councillor S Barton, Mr B Champion CC and Mr D Gamble CC.

65. Declarations of Interest.

Mr N Rushton CC, Mr R Hills CC, Mr B Lovegrove CC, Ms M E Newton CC, Mr J Orson CC, Mr S Bray CC, Mr K Ghattoraya CC, Mr D Grimley CC and Mr C Smith CC declared an 'other registrable' interest in Agenda Item 21 (Training Facility – Service Leadership and Development Centre: Project Update) as the proposed site is currently owned by Leicestershire County Council.

66. Urgent Items.

The Chairman had agreed to receive an urgent item from the Chief Fire and Rescue Officer relating to Firefighters being deployed to Turkey, following the recent earthquake. The update would be provided at Agenda Item 16.

67. 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:

- Community Risk Management Plan (CRMP)
- National Workshop

- Staff Engagement and Culture Survey

In relation to the CRMP, two CFA members were sought to join the Project Board. It was agreed that this would be Mr Lovegrove CC and Mrs Newton CC.

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

It was reported that no questions had been received.

69. Minutes.

The minutes of the CFA meeting held on 30 November 2022 were considered.

It was moved by Mr Rushton CC and seconded by Councillor Bhatia that the minutes of the CFA meeting held on 30 November 2022 be taken as read, confirmed and signed.

The motion was put and carried unanimously.

**RESOLVED:**

That the minutes of the CFA meeting held on 30 November 2022 be taken as read, confirmed and signed.

70. Minutes - Corporate Governance Committee.

The minutes of the Corporate Governance Committee meeting held on 23 November 2022 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 23 November 2022 be noted.

The motion was put and carried unanimously.

**RESOLVED:**

That the minutes of the Corporate Governance meeting held on 23 November 2022 be noted.

71. Variation of Order of Business.

The Chairman sought and obtained the consent of the CFA to vary the order of business from that set out on the agenda.

72. Exclusion of the Press and Public.

It was moved by Mr Rushton CC and seconded by Councillor Bhatia 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 items of business as defined in the paragraphs of Schedule 12A of the Act detailed below:

- Training Facility – Service Leadership and Development Centre 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 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.

73. Training Facility - Service Leadership and Development Centre Update.

Mr N Rushton CC, Mr R Hills CC, Mr B Lovegrove CC, Ms M E Newton CC, Mr J Orson CC, Mr S Bray CC, Mr K Ghattoraya CC, Mr D Grimley CC and Mr C Smith CC declared an 'other registrable' interest this item as the proposed site is currently owned by Leicestershire County Council. All members left the room prior to the start of the item and took no part in the discussion or decision making.

Councillor H R Bhatia – in the Chair

The CFA considered an exempt report of the Chief Fire and Rescue Officer which provided the options of land acquisition for the Fire Behaviour Unit and training facility and sought approval to progress with the recommended option. A copy of the report marked 'Agenda Item 21' is filed with these minutes.

The recommendations contained within the report were moved by Councillor Bhatia and seconded by Councillor Bool. The motion was put and carried unanimously.

**RESOLVED:**

That:

- a) the options available for the purchase of land to accommodate the learning and development training centre and combined vehicle workshops be noted; and
- b) Option 3, the site at Billesdon, be approved for progression to purchase.

At the conclusion of this item, members who had left the room during the discussion and decision were invited to return for consideration of the remaining items on the agenda.

Mr Rushton CC – in the Chair

74. 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 October – 31 December 2022. A copy of the report marked 'Agenda Item 8' is filed with these minutes.

Arising from the discussion, the following points were raised:

- i) During this quarter, the Service had responded to 20 incidents involving fatalities. Given the nature of these incidents, the Service continued to support crews through the Trauma Risk Incident Management and the Occupational Health department. An item relating to welfare support for crews would be presented at the next meeting of the CFA.
- ii) There had been positive feedback from the community in relation to Home Safety Checks and following attendance at operational incidents. It was agreed that this should be filtered to staff. It was also noted that the Service had received one comment from the community during the quarter on how it could improve. This related to a wait for an ambulance and was beyond the control of the Service.

The recommendation contained within the report was moved by Mr Rushton CC and seconded by Councillor Bhatia. The motion was put and carried unanimously.

#### **RESOLVED:**

That the update provided on the key service delivery matters for the third quarter (1 October – 31 December 2022) be noted, in particular the continued improvement within prevention and protection over the three yearly average.

#### 75. Budget Strategy 2023/24 to 2025/26.

The CFA considered a report of the Chief Fire and Rescue Officer and the Treasurer which detailed the requirement for the Authority to set its Council Tax for 2023/24 and issue precepts to billing authorities before 1 March 2023, under the Local Government Finance Act 1992. A copy of the report marked 'Agenda Item 9' is filed with these minutes, along with a supplementary report which provided the formal resolutions.

A balanced revenue budget was proposed for 2023/24, which provided for new and existing pressures. Looking further ahead, funding was earmarked for the transition away from Day Crewing Plus, with a balanced budget expected for 2024/25 and a potential small deficit in 2025/26.

A three year capital programme was proposed, which would be funded from revenue without recourse to borrowing or leasing. An integrated property investment and maintenance programme was proposed, continuing to improve the estate, making it fit for contemporary service and staffing requirements.

Following the provisional local government finance settlement in December 2022, all fire authorities were expected to be able to increase Band D Council Tax by no more than £5 in 2023/24. This would make the financial position more sustainable and protect services. The principles had not yet been approved by Parliament, and it was therefore recommended to delegate the determination to the Treasurer.

The recommendations contained within the supplementary report were moved by Mr Rushton CC and seconded by Councillor Bhatia. The motion was put and carried unanimously.

**RESOLVED:**

To:

- a) approve the budget for 2023/24, and the budget strategy described in the report, subject to changes which reflect final rates figures notified by billing authorities, as now reported by the Treasurer;
- b) note that the final position is now showing a budget surplus of £597,000 following the notification of increased rates estimates for 2023/24 and a council tax collection surplus from billing authorities, together with the slight increase in the services grant following the final settlement publication. It is proposed that this overall surplus be added to the Capital Fund in 2023/24;
- c) approve the capital programme described at paragraphs 26-33, and authorise the Chief Fire and Rescue Officer to commit expenditure on schemes;
- d) note that no comments have been received from stakeholders on the draft budget;
- e) note that the aggregate of the tax bases communicated by billing authorities for 2023/24 is 340,270.50;
- f) agree the following amounts be calculated for the year 2023/24 in accordance with Section 42A and Section 42B of the Local Government Finance Act 1992:
  - i) £47,899,038 being the aggregate of the amounts which the Authority estimates for the items set out in Section 42(A) of the Act;
  - ii) £20,918,991 being the aggregate of the amounts which the Authority estimates for the items set out in Section 42(A)(3) of the Act;
  - iii) £26,980,047 being the amount by which (i) above exceeds (ii) above, calculated by the Authority in accordance with Section 42(A)(4) of the Act as its Council Tax Requirement for the year;
  - iv) £79.2900 being the amount at (iii) above divided by the amount at (e) above, calculated by the Authority in accordance with Section 42B of the Act as the basic amount of its Council Tax for the year;
- g) agree that the Authority, in accordance with Section 40 of the Act, issues precepts to each billing authority stating:
  - i) the amounts shown in the appendix to the resolution as the tax payable for each band;
  - ii) the amounts shown in the appendix as the precept payable by each authority;

- h) note the view of the Treasurer that reserves are adequate during 2023/24, and that estimates use to prepare the budget are robust;
- i) note the medium-term financial outlook and forecasts presented at Appendix 6 of the report, and the financial challenges ahead;
- j) approve the treasury strategy and prudential indicators described in paragraphs 63-65 of the report, and Appendices 3 and 4, including that the new upper threshold for locally held bank accounts shall take immediate effect;
- k) approve the proposed capital strategy described in paragraphs 66-68 of the report and Appendix 4, and confirm that the CFA would not wish to undertake commercial investment;
- l) note the equality implications arising from the budget, as described at paragraphs 69-76 of the report;
- m) approve the scheme of virement, described at Appendix 5 to the report;
- n) note that the vacant post of Area Manager for Tri-Service Control is to be deleted and removed from the revenue budget;
- o) note that the relevant basic amount of Council Tax for 2023/24 is not excessive in accordance with principles issued under section 52ZC of the Act and expected to be approved by Parliament (being an increase of £5 at Band D); and that, since those principles have not yet been approved, to delegate the determination under section 52ZB of the Act to the Treasurer; and
- p) note that should the Treasurer not be able to make the determination referred to above, that resolutions a – n above shall be deemed not to be approved, and that an emergency meeting of the CFA shall be convened.

#### 76. Pay Policy Statement.

The CFA considered a report of the Chief Fire and Rescue Officer seeking approval of the Leicestershire Fire and Rescue Service's Pay Policy Statement for 2023-24 for subsequent publication on the CFA's website. A copy of the report marked 'Agenda Item 10' is filed with these minutes.

The recommendation contained within the report was moved by Mr Rushton CC and seconded by Councillor Bhatia. The motion was put and carried unanimously.

#### **RESOLVED:**

That the Leicestershire Fire and Rescue Service's Pay Policy Statement 2023-24 be approved for subsequent publication on the CFA's website.

#### 77. Review of Member's Allowances Scheme.

The CFA considered a report of the Solicitor and Monitoring Officer which presented an update in relation to the Leicester, Leicestershire and Rutland Combined Fire Authority's Members' Allowance Scheme following the National Joint Council (NJC) annual pay award. A copy of the report marked 'Agenda Item 11' is filed with these minutes.

At its meeting on 2 December 2021, the CFA had reviewed and approved the arrangement for the indexation of the CFA Members' Allowance Scheme which meant that the Basic and Special Responsibility Allowance would continue to be index-linked to the NJC Local Government Employee (Support Staff) Pay Award for a period of two years between April 2021 and April 2023. In July 2022, the NJC made a final pay offer to local government employees which was for a flat rate increase on all spinal column points of £1,925, to be implemented from 1 April 2022.

The current CFA allowances were £3,309 pa. The impact of applying the flat rate pay award to this would result in an uplift in allowances to £5,234 and an effective increase of 58.6% pa. It was therefore recommended that the allowances were 'frozen' at the current rate pending a full review of the Members' Allowances Scheme in 2023.

The recommendations contained within the report were moved by Mr Rushton CC and seconded by Councillor Bhatia. The motion was put and carried unanimously.

### **RESOLVED:**

That:

- a) the existing allowance scheme, as approved by the Combined Fire Authority in December 2021, following review by the Independent Remuneration Panel be approved without change for 2022/23; and
- b) a full review of the CFA Members' Allowance Scheme be undertaken in 2023 to include the matters prescribed in the relevant 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.

### **78. HMICFRS - 2022 Inspection Outcome for Leicestershire Fire and Rescue Service.**

The CFA considered a report of the Chief Fire and Rescue Officer which shared the outcome of the latest inspection carried out by His Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) in the summer of 2022. A copy of the report marked 'Agenda Item 12' is filed with these minutes.

The publication of the 2022 inspection results had shown significant improvement, with the Service now being rated as 'good' in nine areas and 'requires improvement' in only two – making the best use of resources and preventing fires and other emergencies.

Arising from the discussion, the following points were raised:

- i) Details in the report relating to the service in numbers showed that LFRS was above the national average in all areas, with the exception of finance/budget.
- ii) The Chief Fire and Rescue Officer acknowledged that there were still areas for improvement and work would be undertaken to achieve these. A key issue was the number of high risk vulnerable people awaiting a fire risk assessment, which

was very high at the time of the inspection. However, assurance was given that more resources had now been committed to this area and the number had already reduced significantly. It was hoped that this would be further reduced by the end of the year.

- iii) A member felt that further consideration needed to be given to how to better reflect the communities represented by the Service and how to promote the positive work of the Service to ethnic minority and under represented communities. This would be looked into.

Members wished to pass on their thanks to the Chief Fire and Rescue Officer and all other members of staff.

The recommendation contained within the report was moved by Mr Rushton CC and seconded by Councillor Bhatia. The motion was put and carried unanimously.

### **RESOLVED:**

That the HMICFRS inspection report and outcomes, along with the significant improvements and developments that the Service has achieved, be noted.

#### 79. Industrial Action Update.

The CFA considered a report of the Chief Fire and Rescue Officer which provided an update on the latest information regarding Industrial Action (including strike action) by the Fire Brigades Union (FBU). A copy of the report marked 'Agenda Item 13' is filed with these minutes.

It was reported that two offers had been made to the FBU – one of 2% and one of 5%, both of which had been rejected. Both of these offers had been made prior to confirmation of the financial settlement from the Government and following the strike ballot, there had been a unanimous vote for strike action. Separately, London Fire Brigade had made a local pay offer to its staff – a 6% increase in pay in 2022/23 and a 5% increase in 2023/24. This was currently being considered.

A series of meetings were due to take place this week, including with the NJC, and there was a likelihood that a new pay offer would be made. A further meeting of the FBU was due to take place and if no offer could be agreed, it was expected that dates for industrial action would be released. The Chief Fire and Rescue Officer confirmed that LFRS was service planning for the worst case scenario.

It was possible that as well as full periods of strike action, trade unions could take action short of strike, an example of which was when an employee chose to undertake some of their contracted duties but not all of them; this was defined as partial performance. In these circumstances, the CFA may require the employee to comply fully with their contract or stay away from the workplace without pay. However, the CFA could decide to accept partial performance and pay the employee only for the work they performed. Although no industrial action was desired, it was recommended that the CFA would accept partial performance (if part of legal industrial action) to ensure that the best level of response and provision to meet statutory duties was available. It was also recommended that delegated authority be given to the Chief Fire and Rescue Officer, Treasurer and Monitoring Officer to determine the levels of stoppages of pay, based reasonably, proportionately and consistently on the action taken.



The recommendations contained within the report were moved by Mr Rushton CC and seconded by Councillor Bhatia. The motion was put and carried unanimously.

**RESOLVED:**

That:

- a) The update be noted;
- b) the CFA accepts the principle of partial performance (as part of legal industrial action) as detailed in paragraph 32 of the report; and
- c) delegated authority be given to the Chief Fire and Rescue Officer, Treasurer and Monitoring Officer to jointly determine the levels of stoppages of pay, based reasonably, proportionately and consistently on any partial performance action taken.

80. Culture within the Fire and Rescue Service.

The CFA considered a report of the Chief Fire and Rescue Officer which highlighted the recent independent review into the culture of London Fire Brigades and the local context within Leicestershire Fire and Rescue Service. A copy of the report marked 'Agenda Item 14' is filed with these minutes.

Arising from the discussion, the following points were raised:

- i) Following a firefighter from the London Fire Brigade taking his own life, an independent review was commissioned into the culture of the Service. This found a deeply concerning culture and unacceptable events and behaviours. The review stated that some of these behaviours would likely be present across the sector, not just within London.
- ii) LFRS was in a very different place than London Fire Brigade, but officers appreciated that some elements would possibly exist to varying degrees. As a result, an independent cultural and engagement survey had been completed. The results of this would be cross mapped against London's report and action put in place to ensure that LFRS had a positive, healthy and inclusive culture.
- iii) The first HMICFRS inspection of LFRS in 2019 had identified that the 'People' pillar required improvement, along with all of the subsets. As a Service, LFRS had reflected heavily on this and had introduced a number of areas to improve its culture. This had seen LFRS move forward positively, with the 2022 inspection finding the Service 'good' in the People pillar. However, it was acknowledged that there were still areas of concern, for example the use of outdated terminology. The Service was keen to move away from its workforce being very male dominated and white, and although slow progress was being made with this, it was felt that the use of sexist language could have an impact on how the Service appeared to potential new applicants.
- iv) LFRS had commissioned an independent staff engagement and culture survey, and there had been a 52% return rate from across the Service. The full findings from this would be presented to the next meeting of the CFA, but this would

provide a local baseline for LFRS culture which could then be matched against the findings of the London Fire Brigade report; any similarities would be the most appropriate plan for delivery and monitoring. It was noted there had been a lower rate of BME staff completing the survey, and the reason for this would need to be considered.

- v) In response to a query around what further work could be done to encourage women and BME groups to consider the Fire Service as a career, it was stated that the Senior Leadership Team needed to promote a diverse culture. However, this was something that they could not necessarily control and all staff needed to be responsible for challenging any cultural issues. Assurance was given that the diversity of the workforce was improving and slow progress was being made through recruitment campaigns. It was also stated that elected members could play a role in their local communities by advocating the Fire Service as a good place to work.
- vi) Concern was raised by a member that three female firefighters had stated that they had not been given a fair opportunity to apply for promotion. The Chief Fire and Rescue Officer reported that a new member of staff had recently been appointed to assist with this. Further consideration would be given to how the Service was recruiting staff and where people were being lost in the selection process.

The recommendations contained within the report were moved by Mr Rushton CC and seconded by Councillor Bhatia. The motion was put and carried unanimously.

**RESOLVED:**

- a) That the update be noted; and
- b) That the findings from the staff engagement and culture survey be presented to the next meeting of the CFA.

81. Calendar of Meetings 2023/24.

The CFA considered a report of the Solicitor and Monitoring Officer seeking approval for the proposed dates for meetings of the Combined Fire Authority, Corporate Governance Committee and the Local Pension Board for 2023-24. A copy of the report marked 'Agenda Item 15' is filed with these minutes.

The recommendation contained within the report was moved by Mr Rushton CC and seconded by Councillor Bhatia. The motion was put and carried unanimously.

**RESOLVED:**

That the calendar of meetings for 2023-24, which sets out the dates for meetings of the Combined Fire Authority, Corporate Governance Committee and the Local Pension Board be approved.

82. Urgent items.

The Chairman had agreed to receive a verbal update from the Chief Fire and Rescue Officer on the recent earthquake in Turkey and Syria. He reported that four

Leicestershire firefighters would be part of the International Search and Rescue Team, which comprised over 70 highly trained volunteers and search dogs, helping to actively seek and rescue survivors. It was expected that the firefighters would be in Turkey for at least two weeks and the Chief Fire and Rescue Officer would be receiving daily updates.

Members of the CFA wished to place on record their thanks to the firefighters for their additional service. A further update would be provided to the next meeting of the CFA, if required.

83. Date of Next Meeting.

The next meeting of the Leicester, Leicestershire and Rutland Combined Fire Authority will be held on 21 June 2023 at 10.00am.

84. Exclusion of the Press and Public.

It was moved by Mr Rushton CC and seconded by Councillor Bhatia 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 items of business as defined in the paragraphs of Schedule 12A of the Act detailed below:

- Forge Health
- Update on 999 Call Handling and Mobilising System, 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 items of business as defined in the paragraphs of Schedule 12A of the Act detailed below:

- Forge Health
- Update on 999 Call Handling and Mobilising System, 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.

85. Forge Health.

The CFA considered an exempt report of the Chief Fire and Rescue Officer which provided an update on the progress made in closing Forge Health Limited. A copy of the report marked 'Agenda item 19' is filed with these minutes.

The recommendation contained within the report was moved by Mr Rushton CC and seconded by Councillor Bhatia. The motion was put and carried unanimously.

**RESOLVED:**

That the update be noted.

86. Update on 999 Call Handling and Mobilising System.

The CFA considered an exempt report of the Chief Fire and Rescue Officer which provided an update on progress made by officers with regard to the mobilising system. A copy of the report marked 'Agenda Item 20' is filed with these minutes.

A further update on the proposed solution would be provided to the next meeting of the CFA.

The recommendation contained within the report was moved by Mr Rushton CC and seconded by Councillor Bhatia. The motion was put and carried unanimously.

**RESOLVED:**

That the report and actions taken since the previous meeting be noted.

10.00 - 10.46 am  
08 February 2023

CHAIRMAN