

**Non-Exempt Minutes of the Meeting of
Shropshire and Wrekin Fire and Rescue Authority
held on Monday, 13 February 2012 at 3.00 pm,
at Service Headquarters, Shrewsbury**

Present

Members

Councillors Adams, Mrs Barrow, Bennett, Mrs Blundell, Carter, Hartin, Hurst-Knight, Dr Jones, Mellings, Minnery (Vice-Chair), Murray, Picken, Price, Thompson and West (Chair)

Officers

Chief Fire Officer, Assistant Chief Fire Officer (Corporate, Performance and Operations), Assistant Chief Fire Officer (Human Resources), Treasurer, Head of Finance, Deputy Monitoring Officer, Corporate Services Manager and Executive Support Officer

1 Apologies for Absence

Apologies for absence had been received from Councillors Kiernan and Roberts.

The Fire Authority agreed that the Chair should send the Authority's best wishes to Councillor Kiernan, who is recovering from surgery.

2 Declarations of Interest

The Chair reminded Members that they should declare any personal and / or prejudicial interests at this point and that they should leave the meeting room before any item, in which they have a prejudicial interest, was discussed.

There were no declarations of interest.

3 Non-Exempt Minutes

Members received the non-exempt minutes of the Fire Authority meeting, held on 14 December 2011.

It was proposed by Councillor Picken, seconded by Councillor Dr Jones, and

Resolved that the non-exempt minutes of the Fire Authority meeting, held on 14 December 2011, be agreed and signed by the Chair as a correct record

4 Public Questions

No questions, statements or petitions had been received from members of the public.

5 Standards Committee Minutes

Members received the minutes of the Standards Committee meeting, held on 16 January 2012, and considered the resolution at item 5 relating to the Way Forward for Standards.

The Deputy Monitoring Officer (DMO) presented this item to the meeting and explained that the current standards regime will remain in place until 1 July 2012. Confirmation of the new regulations is still awaited but officers are confident that the detail will be similar to the proposals that are set out in the report. The DMO also informed the meeting that Standards for England had ceased to operate on 31 January 2012.

The DMO referred to the proposed Standards Committee and explained that the Committee would have no independent, non-elected members. It is suggested that the Committee be comprised of a member from each political party but that it does not form part of the political balance calculation. In order for this recommendation to be carried, there will need to be unanimous agreement from the Fire Authority.

Committee Clerk's note

Whilst it was stated that there needed to be unanimous agreement in relation to the Standards Committee not forming part of the political balance calculation, the law actually says that no member must vote against it. This means that Members could, if they wish, abstain from voting, in which case it would not be unanimous.

Councillor Minnery referred to Appendix A to report 5a and asked for clarification of how a sensitive interest should be declared. The DMO explained that there are already provisions in place to deal with this and that it would probably be best for the member concerned to indicate that they have an interest and to provide detail to the Monitoring Officer. The DMO also commented that issues such as this should become clearer, once the detail of the regulations is available.

Councillor Hurst-Knight asked if authorities will still be required to keep a record of any complaints, where the subject of the complaint has been cleared of the allegations. The DMO explained that under the Local Government and Public Involvement in Health Act 2007, authorities are required to keep a summary of all complaints for 6 years but there has been no indication of any new requirement to keep records such as this.

It was proposed by Councillor Bennett, seconded by Councillor Minnery, and

Resolved unanimously that the minutes of the Standards Committee meeting, held on 16 January 2012, be noted and that the recommendations at item 5 of the minutes, as given below, be agreed

Resolved that the Fire Authority agree:

- a) A Code of Conduct, as set out at Appendix A to the report, subject to the Monitoring Officer adding provisions that would cover the management of interests, as provided for in the Localism Act 2011 and regulations made under it;
- b) That the Code of Conduct include specific provisions requiring that the Member would leave the room when he/she has a disclosable pecuniary interest;
- c) That a Standards Committee be established with terms of reference, which include the oversight of the duty to promote and maintain high standards of conduct by Members of the Fire Authority, the consideration of Investigation Reports arising from complaints that a Member of the Fire Authority has breached the Code of Conduct and the granting of dispensations;
- d) That five Members sit on the Standards Committee, with a quorum of three Members, to consist of a Member from each political group, as far as practicable;
- e) Arrangements for dealing with complaints and making decisions about complaints that have been investigated, as set out in Appendix B to the report; and
- f) Arrangements for the appointment of an Independent Person by delegating authority to the Monitoring Officer to undertake the recruitment of an Independent Person, either solely for the Fire Authority or for a combined appointment for the Fire Authority, Telford & Wrekin Council and Shropshire Council together, as the Monitoring Officer considers most appropriate, whilst ensuring that a Recruitment Panel represents the interests of the Fire Authority.

6 Strategy and Resources Committee

Members received the minutes of the Strategy and Resources Committee meeting, held on 19 January 2012, and considered the recommendations at items 5, 8 and 10 of the minutes.

Councillor Minnery drew Members' attention to item 7 of the minutes and commented that the extent of public support for Shropshire Fire and Rescue Service should be very reassuring to Members.

Councillor Minnery explained that the appendix to item 10 in the minutes would need to be considered in closed session due to the confidential nature of the information that it contains.

It was proposed by Councillor Minnery, seconded by Councillor Mrs Barrow, and

Resolved that the minutes of the Strategy and Resources Committee meeting, held on 19 January 2012, be noted and that the recommendations at items 5, 8 and 10 of the minutes, as given below, be agreed

Item 5

Financial Performance to December 2011, including the Mid-Year Treasury Review 2011/12

Resolved that the Fire Authority:

- a) Note the position of the revenue budget;
- b) Approve virements to the revenue budget where requested;
- c) Note the position on the capital programme;
- d) Note performance against prudential indicators to date in 2011/12; and
- e) Note the mid-year review of treasury activities for 2011/12.

Item 8

Adequacy of Provisions and Reserves and Robustness of Budget

Resolved that the Fire Authority:

- a)
 - i) Agree the reserves and provisions, as set out in the report; and
 - ii) Note the Treasurer's assurances covering the robustness of the 2012/13 budget and adequacy of the reserves and provisions.

Item 10

Capital Programmes 2012/13 to 2016/17 and Prudential Guidelines

Resolved that the Fire Authority:

- a) This recommendation was agreed in closed session – please see item 8 of these minutes;
- b) Approve the Prudential Indicators and the Treasury Strategy for 2012/13; and
- c) Approve the Minimum Revenue Provision 2012/13.

7 Local Government Act 1972

It was proposed by Councillor Minnery, seconded by Councillor Jones, and

Resolved that, under section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting room for the following items on the grounds that they involved the likely disclosure of exempt information, as defined by the provisions of Part I of Schedule 12(A) to the Act, by virtue of Paragraphs 1, 2, 3 and 4

8 Capital Programme 2012/13 to 2016/17 and Prudential Guidelines (Paragraph 3)

Members received the paper on Capital Programmes 2012/13 to 2016/17 and Prudential Guidelines (the appendix to paper 6c).

It was proposed by Councillor Price, seconded by Councillor Minnery, and

Resolved that the Fire Authority agree the paper on Capital Programmes 2012/13 to 2016/17 and Prudential Guidelines (the appendix to paper 6c on this agenda)

9 Fire Authority Exempt Minutes (Paragraphs 1, 2, 3 and 4)

Members received the exempt minutes of the Fire Authority meeting, held on 14 December 2011.

It was proposed by Councillor Minnery, seconded by Councillor Hartin, and

Resolved that the exempt minutes of the Fire Authority meeting, held on 14 December 2011, be agreed and signed by the Chair as a correct record

10 Strategy and Resources Committee Exempt Minutes (Paragraphs 3 and 4)

Members received the exempt minutes of the Strategy and Resources Committee meeting, held on 19 January 2012.

Resolved that the exempt minutes of the Strategy and Resources Committee meeting, held on 19 January 2012, be noted

At this point (3.35 pm) the meeting reverted to open session.

11 Revenue Budget, Capital Programme and Medium Term Financial Planning

This report incorporated the recommendations, made by the Strategy and Resources Committee on 19 January 2012 for the Fire Authority's 2012/13 budget, updated on changes since the Committee met, and confirmed the use of assumptions for medium-term financial planning.

The Head of Finance (HoF) advised the meeting that reports 11 and 12 needed to be considered together and presented these to the meeting. The HoF also tabled two documents in relation to report 11. These were a revised version of the table at paragraph 6 of the report and a projection of the impact of a 6p per week increase in the precept over the years 2012/13 to 2016/17. Copies of both documents are attached to the signed minutes.

Councillor Minnery reminded Members that decisions about future years' precept levels cannot be made at present but projections do need to be made for planning. Councillor Minnery then proposed the recommendations, as set out in the report, and this was seconded by Councillor Mrs Barrow.

Councillor Hartin commented that, as there appears to be clear public support for an increase in precept to protect front line services, the Fire Authority should start to build in an assumption that it will levy an additional 1p per week, per household, in future years. He, therefore, proposed that recommendation a) in the report be amended to:

- a) A revenue budget for 2012/13 and a forward financial projection to 2016/17, as set out in revised section 6 of the report (as tabled), subject to the inclusion in the Medium Term Corporate Plan of the option to maintain a 6p increase, in addition to the option to reduce to a 5p increase, for future years.

This proposed amendment was seconded by Councillor Dr Jones. Councillor Minnery did not object to its incorporation into the recommendations that he had already proposed.

It was

Resolved unanimously that the Fire Authority approve:

- a) A revenue budget for 2012/13 and a forward financial projection to 2016/17, as set out in revised section 6 of the report (as tabled), subject to the inclusion in the Medium Term Corporate Plan of the option to maintain a 6p increase, in addition to the option to reduce to a 5p increase, for future years;
- b) Incorporating these projections into its Medium Term Corporate Plan;
- c) The draft Medium Term Corporate Plan 2012/13 to 2016/17, as set out on the website.

12 Revenue Budget: 2012/13 Precept

This report sought Fire Authority approval to a budget for 2012/13; Council Tax levels for 2012/13; and precepts on billing authorities and related matters.

An amended version of the report, which took account of legislative changes, was tabled to the meeting. A copy of the document is attached to the signed minutes.

Councillor Mellings commented that the proposed budget, as set out in the report, gives the Fire Authority flexibility and places it in a good position to meet service and community needs. Councillor Mellings also pointed out an amendment in Appendix C to the report where the 'Balance at 31 March' for the Extreme Weather Reserve should read 312 not 303.

It was proposed by Councillor Price, seconded by Councillor Minnery and

Resolved unanimously that the Fire Authority approve:

- a) That a net budget requirement is set at £21,748,050 (calculated in accordance with the provisions of the Local Government Finance Act 1992, as amended);
- b) A total council tax requirement of £14,025,534 to be levied on the billing authorities;
- c) Approve a Council Tax resulting in a basic amount of Council Tax at Band D calculated in accordance with the provisions of the 1992 Act of £86.93;

- d) Approve, under the 1992 Act, as amended:
- i) The amount of Council Tax calculated for each category of dwelling in each billing authority's area, as follows:

Band	2012/13 Council Tax
	£ p
A	57.95
B	67.61
C	77.27
D	86.93
E	106.25
F	125.57
G	144.88
H	173.86

- ii) The amount calculated as payable by billing authorities for 2012/13, as follows:

Council	Precept £
Shropshire Council	9,562,104
Borough of Telford & Wrekin Council	4,463,430
	14,025,534

- e) That the Treasurer:
- i) Issue the necessary precepts and information to the billing authorities in accordance with legislative requirements and be authorised to make any amendment to the above to reflect the final approved budget, after consultation with the Chair and Vice-Chair of the Fire Authority; and
- ii) Is authorised to make payments required from, and to, reserves and provisions within the approved budget strategy and within the Authority's Financial Rules, in conjunction with the Chair and the Vice-Chair;
- f) Approve the revenue budget and pensions account, illustrated in Appendix A, for budgetary control in accordance with approved standing orders;
- g) Approve the Best Value Accounting – Code of Practice Provisional Revenue Account at Appendix B; and
- h) Approve the schedule of reserves and provisions at Appendix C.

13 Draft Service Plan 2012/13

This report set out proposals for the annual Service Plan 2012/13 to support delivery of the Fire Authority's 'Medium Term Corporate Plan'.

It was proposed by Councillor Dr Jones, seconded by Councillor Carter, and

Resolved that the Fire Authority:

- a) Approve the proposed contents and layout of the proposed Service Plan 2012/13 (as appended);
- b) Delegate responsibility to the Strategy and Resources Committee to review, revise and recommend to the Fire Authority performance targets for 2012/13; and
- c) Delegate responsibility to the Audit and Performance Management Committee to monitor the Service's performance in relation to the Service Plan targets for 2012/13, and to advise the Strategy and Resources Committee of performance to date for 2011/12 (that may influence the setting of future targets)

14 Draft Response to Fire and Rescue Service National Framework Consultation

The Fire and Rescue National Framework sets out the Coalition Government's expectations for fire and rescue authorities in England. This report summarised the Framework and set out a proposed response on behalf of the Fire Authority to the current consultation exercise.

The Assistant Chief Fire Officer (Corporate, Performance and Operations) (ACFO CPO) drew Members' attention to paragraph 1.3 of the draft National Framework, which states that 'Each fire and rescue authority must produce an integrated risk management plan that identifies and assesses all fire and rescue related risks that could affect their communities, including those of a cross-border, multi authority and/or national nature'. The ACFO CPO explained that this mandates fire authorities to assess all risks and thereafter protect, prevent and respond to incidents, but does not necessarily provide funding to enable this. It should also be noted that the draft Framework focuses on localism.

Councillor Hartin commented that the proposed response to the consultation is clear and sets out the difficulties that could arise together with the issue of funding. Councillors Dr Jones and Price echoed these views.

It was proposed by Councillor Hartin, seconded by Councillor Price, and

Resolved that the Fire Authority:

- a) Note the contents of this report;
- b) Agree the proposed response to the consultation questions, set out in the appendix to the report; and
- c) Authorise officers to submit the agreed response on behalf of the Fire Authority.

15 Pay Policy Statement

This report provided the proposed Pay Policy Statement for the consideration of the full authority, as required under the Localism Act 2011.

The Assistant Chief Fire Officer (Human Resources) (ACFO HR) explained that the proposed Pay Policy Statement has been based on draft guidance and Members are asked to agree it as proposed with the caveat that the Statement will be amended to reflect any changes in the published guidance.

Councillor Hartin asked if Shropshire was the first Fire Authority formally to set up a Pay Policy Statement as required under the Localism Act 2011. The ACFO HR confirmed that this appears to be the case, although it seems that other authorities are in the process of producing Statements.

It was proposed by Councillor Hurst-Knight, seconded by Councillor Mrs Barrow, and

Resolved that the Fire Authority:

- a) Agree the appended draft Pay Policy Statement;
- b) Agree a maximum pay differential, as set out at section 5 of the report;
- c) Agree that further advice be sought on the concept of 'at risk' pay and task the Brigade Managers Employment Panel to consider this issue and to report back to the Fire Authority with its recommendations; and
- d) Agree that the finalised Pay Policy Statement be reviewed annually by officers and any proposed amendments be brought before the full Authority for consideration.

16 Annual Review of Charges – Special Services

This report presented proposed increases in charges made for special services.

The HoF informed the Fire Authority that the Special Services tariff for 2012/13 will be increased in line with inflation, i.e. 2%, as was the case in 2011/12.

It was proposed by Councillor Price, seconded by Councillor Dr Jones, and

Resolved that the Fire Authority agree the proposed charges for special services and that they be applied from 1 April 2012.

17 Process for Approval of the Statement of Accounts

This report detailed the review carried out by the Audit and Performance Management Committee of the approval process for the Statement of Accounts, and made recommendations for its amendment.

It was proposed by Councillor Dr Jones, seconded by Councillor Mellings, and

Resolved that the Fire Authority:

- a) Note the review of the current process for approval of the Statement of Accounts; and
- b) Agree the reinstatement of delegation to the Audit and Performance Management Committee for the approval of the Statement of Accounts for 2011/12 and subsequent years.

18 Consultation on Proposed Policy Statement for Part 2 of the Localism Act 2011

The Department for Communities and Local Government is consulting on a proposed policy statement for Part 2 of the Localism Act 2011. This report provided an executive summary of the statement and set out the proposed response to the consultation for consideration by the Fire Authority.

The DMO presented this report and highlighted the potential financial implications that this issue could have on the Fire Authority.

Councillor Minnery asked if there was any suggestion that Members may be surcharged in the future. The DMO responded that there is nothing to indicate that this is the case.

Councillor Adams referred to the issue of 'no surprises' and asked about circumstances where things come late from Government. The DMO explained that the Localism Act places a greater emphasis on collaborative working in order to address this issue.

It was proposed by Councillor Hurst-Knight, seconded by Councillor Minnery, and

Resolved that the Fire Authority:

- a) Note the contents of the report;
- b) Agree the proposed response to the consultation, as set out at section 6 of the report; and
- c) Authorise officers to submit the agreed response on behalf of the Fire Authority.

19 Annual Report of the Human Resources Committee

This report advised of the work carried out by the Fire Authority's Human Resources Committee during 2011.

Resolved that the Fire Authority note the report

20 Information and Communications Technology Update

The Fire Authority received a verbal update on Information and Communications Technology, as detailed on the agenda for the meeting.

The ACFO CPO drew Members' attention to the last paragraph of the agenda update and advised that payment of the grant allocation should be received in March.

Resolved that the Fire Authority note the update given

21 FiReControl

The Fire Authority received a verbal update on FiReControl, as detailed on the agenda for the meeting.

Resolved that the Fire Authority note the update given

The Chair then read out a letter, which he had received from Owen Paterson MP.

The letter contained confirmation from Bob Neill MP that information provided by Shropshire and Wrekin Fire and Rescue Authority is to be considered by the Baseline Working Group, which is the group tasked with reviewing the evidence related to the additional costs of delivering services, including fire services, in rural areas.

The Chair commented that it is quite a coup to be able to provide information to this group for consideration. Councillor Mellings asked how this could then be progressed further. The Chief Fire Officer responded that officers have identified the Chair of the Group and have provided further information to him. Owen Paterson MP, Philip Dunne MP and Mark Pritchard MP are also being supportive in ensuring that the issue is addressed by Government.

The meeting closed at 4.20 pm.

Chair.....

Date.....