

At a **meeting** of the **Combined Fire Authority for County Durham and Darlington** held at **Fire and Rescue HQ, Durham** on **Wednesday 16 February 2022** at **10.00 am**.

Present:

Durham County Councillors:

Councillors J Atkinson, A Batey, R Bell, J Blakey, J Cairns, T Duffy, C Hampson, L Hovvels (Substitute for S Quinn), N Jones, B Kellett, R Manchester, C Marshall, L Mavin, M McGaun, I McLean, J Quinn, G Richardson, K Rooney, J Shuttleworth, C Varty (Substitute for L Kennedy) and S Zair

Darlington Borough Councillors:

H Crumbie, B Jones, G Lee and A Scott

Apologies for absence were received from Councillors L Kennedy and S Quinn

Independent Persons:

Apologies from N Johnson

A1 Chief Fire Officers Commendation

AM Steve Wharton introduced the Chief Fire Officer's Commendations.

SM Craig Farrage, CM Gary Lawson and CM Gary Sands received commendations for their prompt brave actions and decision making at a complex mine rescue leading to the successful rescue of two trapped cavers.

FF Richard Pallister, FF David Parker and Inspector Fraser Wilson received commendations for their quick actions, courage and strength of mind in dealing with a rapidly developing situation during a rooftop rescue at James Cook Hospital.

A2 Declarations of Interest

There were no declarations of interest.

A3 Minutes of previous meeting

The Minutes of the meeting held on 12 November 2021 were confirmed as a correct record and signed by the chair (for copy see file of minutes).

A4 Current Correspondence

The Authority received an update from the Assistant Chief Fire Officer in relation to current correspondence received from government and other bodies relevant to the Authority and the status of each (for copy see file of minutes).

A5 Changes in Membership

The Clerk provided a verbal update noting that Cllr Blakey had been appointed under delegated powers in consultation with the Chair, Vice Chair and Leader.

Members were informed that a vacancy was likely to arise for the Pension Board and expressions of interest would be sought.

A6 Notes of the Human Resources Committee

The Authority received an update from the Chair of the Human Resources Committee which provided an update on the discussions and recommendations of the Human Resources Committee held 18 November 2021 (for copy see file of minutes).

The report was noted.

A7 Notes of the Audit and Finance Committee

The Authority received an update from the Chair of the Audit and Finance Committee which provided members with an update on the discussions and recommendations of the Audit and Finance Committee held on 25 November 2021 (for copy see file of minutes).

The report was noted.

A8 Notes of the Audit and Finance Committee

The Authority received an update from the Chair of the Audit and Finance Committee which provided members with an update on the discussions and recommendations of the Audit and Finance Committee held on 27 January 2022 (for copy see file of minutes).

The report was noted.

A9 Notes of the Performance Committee

The Authority received an update from the Chair of the Performance Committee which provided members with an update on the discussions and recommendations of the Performance Committee held on 9 December 2021 (for copy see file of minutes).

The report was noted.

A10 Budget 2022/23 Report under Section 25 of Local Government Act 2003

The Authority considered a report of the Treasurer which provided information on the robustness of the estimates and adequacy of reserves, so that members have authoritative advice available when making their budget decisions (for copy see file of minutes).

Members commented on inflation pressures, financial risks and uncertainties around pay awards.

Resolved:

- a) The Treasurer's assessment of the robustness of estimates and adequacy of reserves be noted.

- b) When approving the budget and the level of council tax for 2021/22 members have regard to this report.

A11 2022/23 Revenue Budget and Council Tax, Capital Programme and Medium-Term Financial Plan

The Authority considered a report of the Treasurer and Chief Fire Officer which set out the revised revenue budget for 2021/22, proposed revenue budget for 2022/23, the medium-term financial plan, the capital budgets for 2022/23 to 2025/26 and the Authority's council tax requirement (for copy see file of minutes).

The Treasurer took the Authority through each section of the report providing an outline of the key information and proposals.

SECTION B – Consultation

Cllr Marshall noted that he was not comfortable with the authority making a decision on the proposals as the results of the CRMP were not included in the report. Cllr Marshall also had concerns that the Degradation Plan had not been subject to consultation and in particular the implications of riding with four firefighters on appliances.

The Treasurer confirmed that CRMP results and responses would be published and presented to a future meeting and provided a verbal update noting that no comments had been received and no specific changes to service provisions were included in the consultation.

It was agreed to call a vote.

Resolved:

The vote was in favour that Members take into account the views of those consulted as they consider the budget and Medium-Term Financial Plan proposals.

SECTION C – Local Government Finance Settlement

Resolved:

That the Authority notes the 2022/23 settlement funding assessment and the uncertainty around the funding position from 2023/24 onwards.

SECTION D – Reserves Strategy

Resolved:

That the Authority agrees to the policy for reserves, that the Authority will:

- i. Set aside sufficient sums in earmarked reserves as it considers prudent to do so.
- ii. Aim to maintain a general reserve of 5% of the net expenditure, currently £1.46m.

SECTION E – Medium-Term Financial Plan

Cllr Marshall commented on the summary of options for balancing the budget in future years and raised concern around a lack of consultation, implementation of the degradation plan and community and Firefighter safety and noted that he did not feel comfortable supporting the process.

The Chair stated that all options had been discussed and agreed at the Fire Authority planning meeting which took place in October 2021.

The Chief Fire Officer clarified that Members were not being asked to approve any of the options for balancing the budget as part of the MTFP this year. The options were an indication of things that may need to be considered moving forward.

Cllr McLean commented that the position was consequence management and queried the likelihood of the options for balancing the budget being implemented.

The Chief Fire Officer confirmed that it was not possible to predict the likelihood and reiterated that the options for balancing the budget were the same options agreed each year since 2018 and that members were not being asked to approve the implementation of any options today.

Cllr Bell suggested that there may be confusion about what Members were being asked to make a decision on and highlighted page 65, paragraph 23 of the report which states 'At this stage none of the above options have been incorporated into the budget for 2022/23 or the MTFP'

Cllr Atkinson commented that understanding the budget was complicated and asked for a legal opinion from the Clerk around whether voting was a legally valid process.

The Clerk confirmed that Members had received the reports in advance, had received an update from officers at the meeting today and the consultation would be published and presented to Members. Therefore voting was legally accepted and valid.

Cllr Quinn queried the implications of not agreeing the budget today.

The Treasurer confirmed that a revised budget would need to be prepared.

Cllr Batey commented on the options for balancing the budget and queried whether they had been shared with staff for consultation.

The Chief Fire Officer confirmed that he was currently carrying out a round of station visits where options were being discussed, however no formal consultation had been arranged as none of the options were being progressed at this time.

Cllr Marshall requested that a named vote was carried out.

Resolved:

Votes to agree the MTFP

Cllrs R Bell, J Blakey, J Cairns, T Duffy, N Jones, L Mavin, M McGaun, J Quinn, G Richardson, K Rooney, J Shuttleworth, S Zair, B Jones and G Lee.

Votes against the MTFP

Cllrs J Atkinson, A Batey, C Hampson, L Hovvels, B Kellett, R Manchester, C Marshall, I McLean, C Varty, H Crumbie and A Scott.

That the Authority:

- (a) Agrees the Medium-Term Financial Plan.
- (b) Notes the Treasurer's comments on the robustness of the estimates, the adequacy of reserves and the risks in the budget, as set out in the separate report under Section 25 of the Local Government Act 2003.

SECTION F – Revenue Budget

Resolved:

That the Authority adopts the following resolutions:

- (a) That the revised revenue budget for 2021/22, as set out in Appendix A be approved.
- (b) That the Treasurer be authorised to make any proper accounting transactions that would be in the interests of the Authority in relation to the accounts for 2021/22.
- (c) That the revenue budget for 2022/23, as set out in Appendix A be approved.

SECTION G – Capital Strategy 2019/20 to 2023/24

Resolved:

That the Authority approves the revised capital budget for 2021/22 and the capital budgets for 2022/23 to 2025/26.

SECTION H – Fire Authority Council Tax Requirement

Resolved:

Based on the Net Expenditure of £30,202,276 and a Band D Council Tax of £109.69 the Authority adopts the following resolutions for the year ending 31st March 2023:

- i. That the 'council tax base' for the whole of the Authority's area be £178,160.30.
- ii. That there be no Authority expenses relating to a part only of the Authority's area.
- iii. That the 'basic amount of council tax' be £19,542,403.31 and the amount of council tax for each category of dwelling be as set out in table 17.

- iv. That the Net Expenditure be £30,202,276 and that, after taking into account revenue support grant of £3,606,038 business rates income of £1,390,796, top up grant of £5,691,126, services grant of £491,039 and a deficit on the collection fund of £519,126, precepts totalling £19,542,403.31 be issued to Durham County Council and Darlington Borough Council.

SECTION I – Prudential Code

Resolved:

- (a) That the Authority notes the prudential indicators.
- (b) That the Authority approves the MRP Statement.
- (c) That the Authority approves the following limits for external debt in 2022/23:
 - i. Authorised Limit of £17.367m
 - ii. Operational Boundary of £15.788m

SECTION J – Treasury Management 2020/21

Resolved:

- (a) That the Authority continues to adopt the key recommendations of the CIPFA code.
- (b) That the Authority notes the Annual Treasury Management Strategy as set out in Annex J3.
- (c) That the Authority sets an upper limit on its fixed interest rate exposures for 2022/23, 2023/24 and 2024/25 of 100% of its net outstanding principal sum.
- (d) That the Authority sets an upper limit on its variable interest rate exposures for 2022/23, 2023/24 and 2024/25 of 30% of its net outstanding principal sums.

A12 External Auditor Appointment

The Authority received a report of the Deputy Chief Executive which set out proposals for appointing the external auditor to the Authority for the accounts for the five-year period from 2023/242 (for copy see file of minutes).

Resolved:

Members accepted PSAA invitation 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.

A13 Appointment of Independent Person to the Audit and Finance Committee

The Authority received a report of the Deputy Chief Executive which sought agreement to a proposed process for appointing an Independent Person to the Audit and Finance Committee (for copy see file of minutes).

Resolved:

Members agreed to commence a recruitment exercise to appoint an Independent Person to the Audit and Finance Committee in accordance with the parameters set out in the report.

A14 Building Safety Bill Update

The Deputy Chief Fire Officer introduced a report which provided an update on the key features of the Building Safety Bill, timescales and potential implications for the Service (for copy see file of minutes).

Resolved:

- a) The contents of the report were noted.
- b) Members agreed to receive further updates.

A15 Fire Standards

The Authority received a report of the Assistant Chief Fire Officer which provided an update on the Fire Standards Board's progress in developing national Fire Standards and County Durham and Darlington Fire and Rescue Service's progress against meeting the standards (for copy see file of minutes).

Resolved:

- a) The contents of the report were noted.
- b) Members agreed to receive further updates.

A16 Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services Update

The Assistant Chief Fire Officer introduced a report which provided an update on the current position and next steps of Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (for copy see file of minutes).

Resolved:

- a) The contents of the report were noted.
- b) Members agreed to receive further updates.

A17 Any Other Business

Such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration.

A18 Exclusion of the public

That under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 3 and 4 of Part 1 of Schedule 12A to the said Act.

Part B

B19 Fire Fighter Pension Scheme – Immediate Detriment Update

All Uniformed Officers apart from the Chief Fire Officer left the meeting.

The Deputy Chief Executive introduced the report which provided an update on the position in relation to the immediate detriment cases under the McCloud/ Sargeant ruling and informed Members of the response submitted to the consultation on Firefighters' Pensions Prospective Remedy (for copy see file of minutes).

Resolved:

- a) The contents of the report were noted.
- b) Members agreed to receive further updates.
- c) The response to the consultation was noted.

B20 Estates Update

The Authority received a report from the Head of Corporate Resources which updated Members on the latest position in relation to the Estates Improvement Programme (for copy see file of minutes).

Resolved:

The capital provision for Wheatley Hill Station was approved.

B21 Option for the Revision of the Service Leadership Team Structure

Impacted members of the Service Leadership Team left the meeting.

The Authority received a report of the Chief Fire Officer which requested that Members consider a recommendation in relation to the structure of the Service Leadership Team in order to deliver efficiency savings to help alleviate the budget deficit for 2022/23 (for copy see file of minutes).

Members questioned and commented on the recommendation.

A 10 minute adjournment was granted at Cllr Marshall's request.

Resolved:

- a) That the proposed SLT structure outlined in Appendix B was approved.
- b) That the commencement of the consultation process with impacted staff and their trade unions over the potential redundancy position was approved.
- c) That a special HR Committee may be required to meet in March 2022 to consider the business cases for any redundancies that are required was noted.

B22 Any Other Business

Such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration.

CLOSE OF MEETING