

CAMBRIDGESHIRE AND PETERBOROUGH FIRE AUTHORITY: MINUTES

Date: Thursday 25th June 2020

Time: 2.00 – 3.50pm

Venue: *Meeting held remotely in accordance with The Local Authorities (Coronavirus) (Flexibility of Local Authority Meetings) (England) Regulations 2020*

Present: Cambridgeshire County Council:

Councillors: B Ashwood, S Bywater, I Gardener, D Giles, J Gowing, B Hunt, S Kindersley, M McGuire, K Reynolds (Chairman), J Scutt, M Shellens and M Smith

Peterborough City Council:

Councillors: J Goodwin, M Jamil and D Over (Vice-Chairman)

Officers Present: C Strickland, M Warren, S Ismail, J Anderson and D Cave

A warm welcome was extended to Councillors Goodwin and Giles, who were both returning to meetings following illness.

137. ELECTION OF CHAIRMAN

It was resolved that Councillor K Reynolds be elected Chairman of the Fire Authority for the ensuing municipal year 2020-21.

138. APPOINTMENT OF VICE CHAIRMAN

It was resolved that Councillor Over be elected Vice-Chairman of the Fire Authority for the ensuing municipal year 2020-21.

139. APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillor Harford.

140. MINUTES OF THE FIRE AUTHORITY MEETING HELD 6TH FEBRUARY AND NOTES OF THE MEETING HELD 30TH MARCH 2020

The minutes of the Fire Authority meeting held 6th February and the notes of the meeting held on 30th March 2020 were agreed as a correct record.

141. CHAIRMAN'S ANNOUNCEMENTS

The Chairman referred to his announcements that had been circulated to Fire Authority Members in advance (attached at Appendix 1).

Members were very sorry to hear of the death of Firefighter Will Baker.

With regard to the Judicial Review, he invited the Monitoring Officer to update Members further.

The Monitoring Officer referred to a letter from the Secretary of State that had been circulated to Members, advising that he would not be acting on the transfer of governance of the Fire Service to the Police & Crime Commissioner (PCC), and setting out the reasons why. She reminded Members that there were three Judicial Reviews, as follows:

The first Judicial Review (JR1) was launched after the Secretary of State made the decision to transfer governance to the Police & Crime Commissioner, which related to the Business Case process. The hearing had been held just over a year ago, and the decision announced in July 2019. Whilst it had been acknowledged that the "3Es" test had not been applied, the decision had gone against the Fire Authority, as it had been argued that even if the 3Es had been applied, it would have resulted in the same decision. The decision to approve the transfer governance was made by the High Court, the Secretary of State could therefore have implemented the governance change.

However, in the a second Judicial Review (JR2) was brought, relating to the rejection of the St Neots and St Ives shared estate proposal by Cambridgeshire Constabulary, making the PCC's Business case even less viable. JR2 was paused pending outcome of Appeal on JR1.

The third Judicial Review (JR3) related to Monkswold no longer being available for the Fire Service's Training Centre, which again had been one of the main reasons put forward in the PCC's Business Case. JR3 was also on hold pending the appeal on JR1.

The appeal on JR1 was ultimately unsuccessful and the latest letter from the Home Office indicated that the transfer of governance would not now happen unless and until the new PCC, to be elected in May 2021, decided to bring forward a proposal.

In response to a Member query, it was confirmed that whilst the Government was supportive of the principle of Police & Crime Commissioners taking over Fire & Rescue Services, it would require the new, permanent Police & Crime Commissioner to make a fresh Business Case.

A number of Members commented positively on the latest developments. Congratulating the Chairman on his reappointment, one Member commented that whilst the Fire Authority was largely apolitical, it would be helpful for Members to ask their party's PCC candidates about their position in terms of the Fire Authority.

Members thanked the Monitoring Officer for her very clear explanation of the Judicial Review process to date and officers were thanked for the successful outcome.

142. FIRE AUTHORITY VIRTUAL MEETINGS PROTOCOL

The Monitoring Officer introduced a Virtual Meetings Protocol, which reflected government legislation introduced to deal with meetings in the Coronavirus pandemic, and the practice of constituent Councils, where virtual meetings were already being used to conduct business. In terms of voting, this would be by agreement if there appeared to be a consensus, or would be by a “roll call” vote if there was any dissent.

A Member thanked officers for making this process more straightforward than some other organisations. He suggested that regardless of how long the pandemic measures lasted, it would be sensible to continue to meet virtually for the majority of meetings, given the significant mileage undertaken by individual Members and officers, and the environmental and resource impacts of that travel. It was also saving valuable time for all those involved.

A number of Members agreed with this, highlighting the benefits of virtual meetings and conference calls for informal meetings and the majority of formal meetings, and it was noted that the legislation permitted virtual meetings up to the period ending May 2021. The LGA had taken advice from Peter Oldham QC and it was agreed that this advice would be circulated to Fire Authority Members. **Action required.** It was also noted that many organisations were looking to move to having some or all meetings virtually on an ongoing basis. It was agreed that officers would explore the potential to do this going forward. **Action required.**

Another Member accepted and agreed with many of the points raised, but said he was uncomfortable with the proposal that virtual meetings became the default option going forward, as there were benefits to interaction at face to face meetings, and it would be unwise to agree to such a fundamental change on a permanent basis at this point. He also commented that whilst the legislation permitted virtual meetings to be held until May 2021, they should not continue automatically until that date.

It was resolved unanimously to:

approve the Virtual Meeting Protocol attached at Appendix 1 to the report.

143. DRAFT ANNUAL GOVERNANCE STATEMENT 2019-2020

The draft Annual Governance Statement (AGS) for 2019-20 was presented for approval.

To meet the requirements of the relevant framework, local authorities were

- expected to review the existing arrangements against the relevant framework;
- maintain a local code of governance including arrangements for ensuring its on-going application and effectiveness;
- prepare an Annual Governance Statement in order to report publicly on the extent to which they comply with their own Code on an annual basis, including how they have monitored the effectiveness of their governance arrangements in the year and on any planned changes in the next period.

Due to the pandemic, the Overview and Scrutiny Committee had not met and the report had not been scrutinised by that Committee, but Councillor McGuire, Chairman of that

Committee, assured Members that governance issues were carefully monitored by that Committee throughout the year, and the Statement as presented had his full support.

Members noted progress made against issues identified in 2018-19, and actions to be taken against the significant governance issues raised in 2019-20, which were:

- CFRMIS – Collection and Update of Risk Information following the HMICFRS Review (partial assurance) – improvement of specific data entries, monitoring workflow and reduce duplication. Further, improve procedures and guidance and work to produce and deliver against an action plan.
- Human Resources – Training, Recording and Competency System (partial assurance) – improve currency of training policies and review schedule cognisant of national guidance and best practice controls

Significant improvement plans had been implemented to address both of these issues, and a dedicated team structure was now in place to ensure that everything was being recorded in a professional and appropriate manner. The view of the Head of Internal Audit was that the organisation has an adequate and effective framework for risk management, governance and internal control, but that further enhancements had been identified to the framework of risk management, governance and internal control to ensure that it remains adequate and effective.

It was resolved unanimously to:

approve the Annual Governance Statement attached at Appendix 1 to the report for external publication.

144. ANNUAL REPORT AND STATEMENT OF ASSURANCE

Members considered the draft Annual Report and Statement of Assurance 2019-20. The background and content of the document were briefly summarised. It was noted that the Statement of Assurance was a legal requirement, and that to enable the report to be published within a reasonable timescale, a draft version of the report was presented for approval, as a number of sections were still to be finalised.

Members noted the following highlights in the Annual Report:

- the Asian Fire Service Association awarded the Service second place for Excellence in Board Leadership in equality, diversity and inclusion;
- a large fire involving more than 50 trailer units at Hotpoint in Peterborough presented a significant challenge for crews. Firefighters from across the county, as well as neighbouring services, were needed to tackle the blaze;
- a contingent from the Shanghai Municipal Defence Office visited Huntingdon Fire Station and the training centre to gather knowledge and understanding of how the UK fire service operates;
- the annual Excellence Awards celebrated staff achievement and long service, which had been attended by around 140 members of staff and families;

- another engagement survey had been designed and delivered, with the number of staff who were fully engaged increasing from 60% to 66%. This demonstrated that the Service has one of the most highly engaged workforces when compared to other public and private sector organisations, where the national average was 45%. “Fully engaged” in this context mean that staff were advocates for their employer and enjoyed coming to work;
- the partnership between the Service and NHS Blood, saving NHS Blood considerable money in hiring premises, by offering fire stations free of charge;
- the introduction of smoke blocking curtains across the fleet.

Arising from the report, individual Members made the following comments:

- thanked officers for sharing the regular Covid updates to staff with Members;
- commented that an organisation was only as good as its senior management team, and he paid tribute to the senior officer team, whose leadership and guidance had led to such good results over the last few year. The Chairman agreed, commenting that the Fire Service was blessed with an exceptional senior management team, and outstanding personnel more generally. Officers responded that whilst they set the direction of the Fire Service, the Fire Service was staffed by wonderful people, and the current crisis had brought this into sharp focus, with everyone pulling together;
- one Member advised that last October, Cambridge Fire Station had sent a fire engine to her local Community Centre Family Fun Day, which was a wonderful example of the community work that the Service did. She added that it was these sort of actions that often went unnoticed, but were so important in terms of community engagement;
- that the Staff Survey was an important achievement, as it was so important for staff to be engaged and enthusiastic. The Member also commented positively on the response to a fire in her division, paying tribute to the firefighters for the work they did to save people, animals and buildings.

It was resolved unanimously to:

agree the draft Annual Report and Statement of Assurance 2019/20 attached at Appendix 1 to the report, subject to the conditions highlighted in paragraphs 5.1 to 5.4 of the report.

145. REVIEW OF INTEGRATED RISK MANAGEMENT PLAN PERFORMANCE

The Fire Authority received a report on the refreshed Integrated Risk Management Plan (IRMP) 2017-2020. It was noted that the period ran to the end of March 2020.

There had been a complete review of the IRMP in 2017, and the document presented reflected on the actions and risks that had been monitored over the previous twelve months. Members were reminded that the Fire and Rescue National Framework for England required fire authorities to produce a local IRMP. The Service was also required to develop an action plan saying how the actions in the Plan would be achieved.

Key achievements in the past twelve months included:

- the ongoing delivery of 'FireBreak' courses, which were now embedded;
- significant investment in operational response, including water rescue and turntable ladders;
- continued investment in staff development;
- average attendance in urban areas met the nine minute target, having reduced from 8 minutes 44 seconds to 8 minutes 33 seconds. Rural response times were slightly over the 12 minute target at 12 minutes 19 seconds. A lot of work was going on to identify the cause of the delays in rural areas. In terms of the targets for responding to 95% of all incidents within 18 minutes, 94.8% had been responded to within this time. The total number of fires had reduced, as had secondary fires, and there were also fewer non domestic fires;
- regrettably, there had been three fire fatalities in the year, but there had been a reduction in fire casualties. Killed and Seriously Injured (KSI) on roads had reduced by 42, but statistics were only available up to December 2019;
- in terms of workforce diversity, the number of women in operational work had increased, and there had also been an increase in the number of women in operational management, and similarly from Black, Asian and Minority Ethnic (BAME) communities.

Members commented favourably on the report generally, and raised the following issues:

- noting the increasing number of apprenticeships, asked if the entry route for all firefighters in future would be via apprenticeship. Officers confirmed that there had been a really positive experience of apprenticeships, for many areas of the Service including full-time firefighters, Business Support Group, Information Technology and Fleet Management. It was noted that new firefighter recruits go to the Fire Service College for an initial eight week training course, where they received a mixture of theory and practical tuition. Following Fire Service College, there was ongoing training but this was not delivered via traditional "day release" methods;
- discussed the changes to Maternity provision for firefighters, which had increased from the statutory six weeks, to 18 weeks at full pay;
- asked whether there was a graduate route for firefighters. Officers outlined the discussions they had been having around having two possible routes, including an accelerated route for those with aspirations to become a senior officer, whilst keeping the operational experience, as with the Police and other professions. There was also a discussion on an accelerated career path for those with relevant experience looking to become firefighters e.g. Armed Services;
- in response to a Member question, it was confirmed that the highest rank for a member of BAME operational staff was Station Commander;

- a number of Members praised the Firebreak scheme;
- discussed the issues relating to rural response times, which may require a fundamental rethink in to responses to rural call outs. There was also a discussion as to whether the statistics for the pandemic period would reveal any changes, given that more rural areas were covered by on-call firefighters, and more people were working at home.

It was resolved unanimously to:

Note the report.

146. FINAL REVENUE AND CAPITAL BUDGET POSITION 2019-20 AND TREASURY MANAGEMENT STATEMENT

The Fire Authority considered the final 2019-20 revenue and capital budget outturn position, plus an update on the treasury management position.

The statutory auditing deadlines for local authorities had been extended due to the Covid-19 pandemic. The revised publication date for statutory accounts had moved from 31 July to 30 November 2020, with the Fire Authority required to publish its draft accounts by the 31 August 2020. However, the accounts were pretty much ready, and no problems were anticipated meeting the revised deadlines.

The final outturn position on the revenue budget, before application of carry forwards, reflected the spending trend reported to the Policy and Resources Committee throughout the financial year. After applying these, the final position was an underspend of £715K. It was proposed to use this funding against the significant 2020-21 capital programme. There was a slight overspend on full-time firefighters, which had been anticipated, given the hard recruitment drive over the last few years. IT and Communications was the major area of underspend, with significant savings achieved through moving supplier for the Wide Area Network.

Two errors were noted: in Table 8.2 – the Total Reserve should read £3.185K; and Appendix 3 (earmarked reserves) still referenced Monkswood.

Turning to the Capital budget, there were issues in respect of carry forwards for service cars, vans and fire appliances ordered in 2019-20 but not received owing to continued supply chain issues with the vehicle provider. Two turntable ladders had been ordered but the factory was closed in March due to the pandemic; there were similar issues in terms of the delay at Wisbech, which meant that this expenditure had to be carried over.

The Deputy Chief Executive agreed to arrange a meeting with new Fire Authority Member, Councillor Hunt, to provide an outline of the Fire Authority's finances, especially around vehicles and insurance. **Action required.**

It was resolved unanimously to:

1. note the revenue and capital budget outturn position;
2. approve the requested budget holder carry forwards;
3. note the year-end balance sheet position as at 31 March 2020 as per the

- draft statement of accounts;
4. note the annual Treasury Management Statement.

147. ESTATES UPDATE

Fire Authority Members considered an update on the Huntingdon Community Fire and Rescue Station and Training Centre project, including a general update on property collaboration with Cambridgeshire Constabulary and the Interim Police and Crime Commissioner (PCC) for Cambridgeshire

Members were reminded of the background to the Training Centre relocation, which was originally going to be located at Cambridgeshire Constabulary's Monkswood site. This offer of land on the Monkswood site had subsequently been withdrawn by the Constabulary.

Since March the negotiation of the land price has also been finalised, with a price agreed and Heads of Terms for the sale currently going through the legal process. Alongside the land purchase, formal Heads of Terms and a development agreement had been formalised and the detailed building design for planning has commenced. The Service had appointed a Property Adviser and a Quantity Surveyor to ensure all cost projections are understood and challenged where appropriate. It was anticipated that the legal agreements would be finalised by mid July 2020; all would be subject to a positive planning decision.

In St Neots, it was proposed that the Police relocate into the fire station. Any relocation would be subject to building modifications and an extension financed by the Constabulary from the sale of their current St Neots site. It was clarified that they would also pay rent to the Fire Service. Formal plans were currently being developed by the Constabulary. Once complete, fire station employees would be consulted with and briefed on the proposed use of the site, which may include a police enquiry office.

In St Ives, the Service had been exploring the possibility of a new, joint site with the Police, but was now working with Health partners, as the Police were keen to retain a town centre presence.

In Cambridge, the Police were looking to relocate its main Police Station away from Parkside to a less central location, whilst still retaining a city centre presence. Options to share the space at the Fire Service's Parkside Fire Station were being explored.

It was noted that the Constabulary's recently appointed Director of Resources was keen to collaborate and achieve savings where possible. It was likely that a report with recommendations would be considered by the Fire Authority in early February.

In response to Member questions:

- officers advised that the Fire Service had approached the Ambulance Service on a number of occasions, and were happy to go back to them;
- the Wisbech project would not be resurrected, as it had turned out to be disproportionately expensive;

- It was confirmed that all collaborative projects with not only the Police, but all partners, were logged. The Chief Fire Officer restated that the Service had worked tirelessly to collaborate with Police over recent years.

It was resolved to:

Note the report.

(Jon Anderson left the meeting)

148. ASSISTANT CHIEF FIRE OFFICER APPOINTMENT

The Chief Fire Officer introduced a report on the outcome of the Assistant Chief Fire Officer (ACFO) assessment process. Members were advised that the Appointments Committee had met on 23rd June, and interviewed two candidates.

The post had been advertised nationally, and two shortlisted candidates had been interviewed by Councillors Reynolds, Over, Jamil and Kindersley. The process was outlined in the report.

Jon Anderson was consistently the highest scoring candidate in the interview and assessment process, which had been challenging and probing, and both candidates had scored well. Whilst it was a difficult decision between two great candidates, Jon was the clear leader.

In terms of the availability of the report, it was confirmed that this was publically available, but due to the tight timescales in terms of the interview process, had only become available on 24th June 2020.

(Jon Anderson rejoined the meeting)

On behalf of the Fire Authority, the Chairman congratulated Mr Anderson on his appointment, and said he looked forward to working with him. Mr Anderson thanked the Chairman and Fire Authority for their support.

It was resolved unanimously:

to approve the appointment of Jon Anderson as the new Assistant Chief Fire Officer.

149. APPOINTMENTS TO COMMITTEES, OUTSIDE ORGANISATIONS AND OTHER BODIES

It was resolved to:

To agree the appointments set out in the report and as reproduced as Appendix 2 to these minutes.

Chairman

CHAIRMAN'S ANNOUNCEMENTS – THURSDAY 25 JUNE 2020**JUDICIAL REVIEW UPDATE**

Update as per the letter from the Home Office; on 22 June 2020 CFO disseminated to all mail users within CFRS an update.

There has been a significant update in relation to the Police and Crime Commissioner (PCC) being granted permission to take over governance of our fire service. Both the Authority and the Service received a copy of a letter sent to the interim PCC by the Policing and Fire Minister (Kit Malthouse MP). The letter explains that in recognition of the length of time that has passed between the original business case and now, the Minister requires another business case to reflect the current situation. Owing to the pandemic and the deferred PCC elections to May 2021, he has said that he could not consider it until after the PCC elections. In light of this, the Authority has been asked to withdraw its second judicial review application and it is in the process of seeking legal advice on whether this is the right thing to do.

This, on the face of it, is positive news for the Authority and we very much welcome the fair and sensible decision by the Fire Minister that a new business case is now required if the PCC intends to pursue governance. The Authority's argument has always been that the original case was misleading and that a governance change was not required to enable collaboration to make the stated savings. We also know that a number of the projects that formed part of the business case's economic viability have now been deemed not possible such as Monks Wood for the training centre and utilising the Wisbech fire site as a joint premises with the police.

If the new PCC, when elected, wishes to pursue the governance change, we will of course cooperate with the formation of a new business case. At this point however, unless much changes, it's hard to see how a strong economic case could be made, taking everything into consideration and the fact we are open to, and positively welcome, collaboration where it is of benefit to both services.

So in summary, we remain as we are and await the appointment of a new PCC next May to see what their appetite is for a new business case. That said, the Authority will continue to fight to retain governance. The Service has proven to be one of the best performing and most efficient fire and rescue services in the country and our argument has always been why change what is working so well now.

Invite Shahin to comment**FF WILL BAKER, PETERBOROUGH VOLUNTEER FIRE BRIGADE**

The Authority would like to publicly record their condolences to the family of Firefighter Will Baker who sadly passed away on 26 May 2020. PVFB is a significant and much valued part of our Service and Will, who had been a volunteer firefighter for 12 years, like his colleagues at the station, had offered his time to the community, readily making sacrifices at home to respond to his pager and support Peterborough residents when they needed it. He epitomised the brigade's motto of 'always ready and willing'.

A book of condolence was opened online and on 2 and 3 June 2020, the Service held a two minute silence to remember Will. Firefighters lined up outside their stations and support staff and Officers, who could not join together in person due to pandemic restrictions, came together virtually to pay their respects. A copy of the video recording this was sent to the family who made specific reference to it (the 'beautiful video of staff remembering Will ...') in a letter of thanks.

Our thoughts remain with Will's family at this incredibly difficult time and as an Authority we will continue to do all we can to support them as well as Will's colleagues at the station.

COVID-19 ARRANGEMENTS

The timely implementation of robust business continuity plans has ensured the communities of Cambridgeshire and Peterborough have remained as safe as possible to date during the current pandemic. Some of our staff (especially On-Call) are working as volunteers in the community or with partners to provide essential services for example, driving ambulances or patient transport.

The Authority recognises the amazing efforts of staff, at all levels across the organisation, whatever they are doing and as we continue to observe government guidance and adjust our ways of working are grateful to everyone (their families and support networks) for their flexibility and commitment.

APPENDIX 2**APPOINTMENTS TO COMMITTEES, OUTSIDE ORGANISATIONS AND OTHER BODIES
POLICY & RESOURCES COMMITTEE (9 members)**

KEVIN REYNOLDS	C
DAVID OVER	C
SIMON BYWATER	C
<i>BILL HUNT</i>	<i>C</i>
MANDY SMITH	C
MIKE SHELLENS	LD
BARBARA ASHWOOD	LD
MOHAMMED JAMIL	L
DEREK GILES	IND

OVERVIEW AND SCRUTINY COMMITTEE**(8 members not to be appointed to the Policy and Resources Committee)**

IAN GARDENER	C
MAC MCGUIRE	C
LYNDA HARFORD	C
JANET GOODWIN	C
JOHN GOWING	C
SEBASTIAN KINDERSLEY	LD
ANDREW BOND	LD
JOCELYNNE SCUTT	L

APPOINTMENTS COMMITTEE (7 members)

KEVIN REYNOLDS	C
<i>BILL HUNT</i>	<i>C</i>
MAC MCGUIRE	C
DAVID OVER	C
MIKE SHELLENS	LD
SEBASTIAN KINDERSLEY	LD
MOHAMMED JAMIL	L

PERFORMANCE REVIEW COMMITTEE (3 Members + 2 Substitutes)

DAVID OVER	C	
KEVIN REYNOLDS	C	
SEBASTIAN KINDERSLEY	LD	
MAC MCGUIRE	C	Substitute
MIKE SHELENS	LD	Substitute

APPEALS (PENSIONS) COMMITTEE (3 Members + 2 Substitutes)

DAVID OVER	C	
JOHN GOWING	C	
MIKE SHELENS	LD	
<i>BILL HUNT</i>	<i>C</i>	<i>Substitute</i>
BARBARA ASHWOOD	LD	Substitute

FIRE AUTHORITY DISCIPLINE COMMITTEE (3 Members + 2 Substitutes)

LYNDA HARFORD	C	
SIMON BYWATER	C	
SEBASTIAN KINDERSLEY	LD	
MAC MCGUIRE	C	Substitute
ANDREW BOND	LD	Substitute

FIRE AUTHORITY APPEALS COMMITTEE (3 Members + 2 Substitutes)

KEVIN REYNOLDS	C	
IAN GARDENER	C	
BARBARA ASHWOOD	LD	
MANDY SMITH	C	Substitute
MIKE SHELENS	LD	Substitute

JOINT CONSULTATIVE COMMITTEE (7 Members + 6 Employee Representatives)**[Not subject to proportionality]**

Fire Authority Members (7)	
SEBASTIAN KINDERSLEY	LD
BARBARA ASHWOOD	LD
KEVIN REYNOLDS	C
JANET GOODWIN	C
SIMON BYWATER	C
MAC MCGUIRE	C
JOCELYNNE SCUTT	L

LOCAL STRATEGIC PARTNERSHIPS**[Not subject to proportionality]**

Greater Peterborough Partnership	Vice-Chairman	
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COMBINED AUTHORITY

Combined Authority	Vice-Chairman	C
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MEMBER CHAMPIONS/LEAD MEMBERS**[Not subject to proportionality]**

Equality and Inclusion	MANDY SMITH
Health and Safety	SIMON BYWATER

LOCAL GOVERNMENT ASSOCIATION

KEVIN REYNOLDS		C
DAVID OVER		C
BARBARA ASHWOOD		LD

LOCAL GOVERNMENT ASSOCIATION FIRE SERVICES FORUM

KEVIN REYNOLDS		C
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