

EAST SUSSEX FIRE AUTHORITY

Report of a meeting of the East Sussex Fire Authority held at County Hall, St. Anne's Crescent, Lewes BN7 1UE at 10:30 hours on Thursday, 2 September 2021.

Present: Councillors Galley (Chairman), Lambert (Vice-Chair), Azad, Dowling, Evans, Geary, Hamilton, Maples, Marlow-Eastwood, Osborne, Peltzer Dunn, Powell, Redstone, Taylor, Theobald, Tutt and West

N.B. Apologies were received from Councillor Scott

The agenda and non-confidential reports can be read on the East Sussex Fire & Rescue Service's website at <http://www.esfrs.org/about-us/east-sussex-fire-authority/fire-authority-meetings/> A brief synopsis and the decisions relating to key items is set out below.

1 REVENUE & CAPITAL BUDGET 2021/22 AND CAPITAL PROGRAMME 2021/22 - 2025/26 MONITORING

- 1.1 The Fire Authority received a report presenting the findings of the Month 4 monitoring undertaken on the Revenue and Capital Budget 2021/22 and Capital Programme 2021/22 to 2025/26. A net revenue overspend had been identified which was a favourable variation of £46,000 from the previous position. Most in-year pressures would be dealt with either through the use of contingency, use of reserves or service underspends.
- 1.2 The Revenue and Capital risks were highlighted in the report, including the reprofiling of the Estates Strategy and the schemes associated with it. Progress had unavoidably been impacted by Covid-19, however, the time was used efficiently to engage with colleagues and the Service was now in the position to go out to tender for the refurbishment of four of its whole-time stations. There was an additional risk to this process as Brexit and Covid-19 were both causing supply chain issues and had pushed up prices worldwide. As a result of this there was a risk that tenders could exceed the scheme budgets.
- 1.3 The Fire Authority noted the risks to Revenue Budget, projected overspend, risks to the Capital Programme and the increased net forecast drawdown from reserves. Also the grants available and spending plans, monitoring of savings taken in 2021/22, the current year investments and borrowing and SLT approval to transfer £39k travel and fuel underspend to Corporate Contingency.

2 2022/23 TO 2026/27 STRATEGIC SERVICE PLANNING AND MEDIUM TERM FINANCIAL PLAN

- 2.1 The Authority considered a report seeking approval to roll forward the Fire Authority's medium term service planning strategy and medium-term financial plan (MTFP) for 2022/23 to 2026/27. The fundamental aim was to determine how best to deliver the Authority's Purpose and Commitments, the Integrated Risk Management Plan (IRMP) and the targets and priorities underpinning them, within the current estimate of available financial resources for the period.

- 2.2 The report highlighted the level of uncertainty with the current financial situation which had increased as a result of the Covid-19 pandemic. The fire sector had made a strong submission to the Government's Comprehensive Spending Review (CSR), but it was unlikely the outcome would be known until the autumn with a provisional settlement expected in late December. It was possible, given the broader economic uncertainty, that the Government would opt for a further one-year settlement which would not aid planning over the medium term. Nationally the sector was reliant on significant one-off funding investment in protection services, and locally forecasting growth in income from Council Tax and Business Rates remained limited. This made planning for the 2022/23 budget and beyond extremely difficult.
- 2.3 Members suggested briefing local MPs with an update on ESFRS financial situation and to request support with lobbying government for long-term funding in the CSR. Officers confirmed such a briefing had been arranged for October. Some Members agreed they would like the option to increase the Council Tax precept by £5 rather than the current permitted 2% but felt it was unlikely to succeed as a request. Some expressed concern that the current pressures on pay would likely get worse rather than plateau.
- 2.4 Clarification was given as to why Climate risks were not included in this report, those risks presented here were, in the main, specifically financial. The CFO provided reassurance that ESFRS was acutely aware of the effects of extreme weather and that there was a correlation between financial planning and the cost of responding, responses to these events were too quickly becoming business as usual, but these risks were detailed within other service documentation including the IRMP, the Risk Register and the Strategic Risk Framework and there was a clear link to these documents within this paper and therefore were not duplicated in full.
- 2.5 The Fire Authority agreed to approve the updated MTFP for 2022/23 to 2026/27 and its underlying assumptions and considered the risks as set out in section 4.6. They agreed the provision for future pay increases should be reduced to the sector average of 2% pa and that that, should the Government set the referendum threshold higher than 2% or grant more flexibility, then the Fire Authority would consider its options above the 1.99% increase currently modelled when setting its Council Tax precept.

3 TREASURY MANAGEMENT - STEWARDSHIP FOR 2020/21

- 3.1 The Annual Treasury Management Stewardship Report was a requirement of the Fire Authority's reporting procedures and informed Members of Treasury Management performance and compliance with Prudential Indicators for 2020/21.

- 3.2 The report summarised that the Authority had complied with its approved Treasury Management Strategy and Prudential Indicators for the year. The average rate of interest received in 2020/21 through Treasury Management Activity was 0.41% reflecting the Fire Authority's continuing prioritisation of security and liquidity over yield. No new borrowing had been undertaken and one loan had been repaid during the year. The Fire Authority had reviewed options to invest a portion of core balances in longer duration funds during the setting of the 2020/21 Strategy. Decisions on investment had been taken in the context of the current economic climate, the current approved capital programme and the requirement to fund it over the medium term. No investment in longer duration funds had been made during the year. The current economic climate was evolving rapidly and opportunities were being explored to secure investment returns within the acceptable risk parameters set out in the Authority's agreed Strategy. The Authority noted the Treasury Management Performance for 2020/21.

4 2020/21 ANNUAL PERFORMANCE OUTCOME REPORT

- 4.1 The report provided details of East Sussex Fire & Rescue Service's (ESFRS) performance for the period April-March 2020/21. In total there were 21 indicators, only 16 had comparable data due to the Covid-19 pandemic requiring the service to adapt service delivery models including telephone home safety visits and business safety audits. Eleven of the top-level indicators had improved or met the target set in 2020/21 (69%), two indicators had stayed the same and three had declined against the previous year.
- 4.2 The report showed positive performance in particular the continued reduction in incidents including Accidental Dwelling Fires (ADFs). There had been different delivery methods developed over the past year in response to the Covid-19 pandemic including 7000 Home Safety Interactions which had to be conducted in a new way.
- 4.3 Members were impressed the approach to performance and thanked officers for the comprehensive report, congratulating them on maintaining such steady performance outcomes under such trying circumstances. Officers were looking at positive outcomes arising from the new working practices formed in response to Covid-19 including virtual HSVs and befriending calls. It was not intended that things would just return to how they had been done before and ESFRS was contributing to National pilots of alternative procedures.
- 4.4 The Authority approved the performance results and progress made towards achieving the Service's purpose and commitments and the performance results and remedial actions that had been taken to address areas of under performance in the Fire Authority's priority areas.

5 COMMUNICATIONS, ENGAGEMENT & CONSULTATION STRATEGY 2021-2024

- 5.1 The Authority considered a report seeking approval for the draft Communications, Engagement and Consultation Strategy 2021-24. The Strategy had been developed in support ESFRS's Purpose and Commitments, IRMP and Fire Authority Strategies. The deliverables were compiled with consideration of the findings from Her Majesty's Inspectorate of Constabulary, Fire and Rescue Services (HMICFRS) 2019 Inspection and State of the Fire and Rescue Service Report published in March 2021. The Authority approved the draft Communications, Engagement and Consultation Strategy 2021-24 and the additional one-off funding of up to £30,000 required in 2023/24.

6 RESPONSE & RESILIENCE STRATEGY 2021-2025

- 6.1 The Fire Authority considered a report seeking approval for the Response & Resilience Strategy 2021-25. The Strategy had been developed collaboratively with the IRMP and the Corporate Plan. The deliverables took into consideration the findings of the HMICFRS 2019 Inspection, the State of Fire and Rescue Service Reports and the Grenfell Tower action plan. This important Strategy described how ESFRS met its statutory responsibilities and dealt with risks.
- 6.2 Members thanked officers for the report and strategy document. There was a query as to why the Grenfell report outcomes were not embedded, it was explained that the Grenfell report had launched over 700 lines of activity and there was significant work being undertaken to ensure that grant money was being spent effectively. There was a requirement to spend grants on specific purposes and it was expected that the resulting investment plan would cost more than the value of grants available and that currently the government were providing only one-off funding longer complicating longer term planning.
- 6.3 The Authority approved the Response & Resilience Strategy 2021-2025 noting that additional funding bids to support the delivery of this Strategy would be considered as part of the 2022/23 Budget Setting process and included in the budget papers presented to the Fire Authority in February 2022. The Authority noted a further paper would go to SLT in October specifically in relation to the Grenfell tower Action Plan which may require additional resources for an agreed period. The Authority further noted that an Outline Business Case would be developed in 2022/23 financial year for in-cab technology and that this would require additional funding and that regular reports on the delivery of the Response & Resilience Strategy would be presented to both the Ops Committee and then to SLT.

7 PREVENTION & PROTECTION STRATEGY 2021-2026

- 7.1 The Fire Authority considered a report seeking approval for the Prevention & Protection Strategy 2021-2026. The Strategy had been developed collaboratively with the IRMP and Corporate Plan. The deliverables took into consideration the findings of the HMICFRS 2019 Inspection, of Fire and Rescue Service Reports and the Grenfell Tower action plan.

- 7.2 The strategy had been created in synergy with the Response & Resilience Strategy and sought to embed a holistic approach to risk reduction based on improvements recommended by the HMICFRS Inspection report. It also considered external change drivers articulated in the Strategy and ESFRS's own internal change drivers including the IRMP. Every Fire & Rescue Service was expecting a level of funding to assist with improvements in Protection, but this had not yet been confirmed. The action plan for Prevention would be delivered from the base budget with no new money requested. Protection had some areas which would require additional funding if the Service were to deliver all that was set out in the Strategy. This funding was not contained in the MTFP but would be considered through the autumn and officers would find a way to deliver the funding required. The one-off government grants that had been allocated to ESFRS and the additional costings were to secure the continuing costs of six trainees once the government grant had been exhausted.
- 7.3 The Authority approved the Prevention & Protection Strategy 2021- 2025 acknowledging the additional cost of £357,755 if the full strategy was implemented in the absence of any further funding from central government for Protection. The Authority noted that additional funding bids to support the delivery of this Strategy would be considered as part of the 2022/23 Budget Setting process and included in the budget papers presented to the Fire Authority in February 2022 and that regular reports on the delivery of the Prevention & Protection Strategy would be presented to SLT.

8 FLEET & EQUIPMENT MANAGEMENT STRATEGY

- 8.1 The Fire Authority considered a report seeking approval for the Fleet & Equipment Strategy 2021-2025. The Strategy had been developed to support ESFRS's Purpose and Commitments, IRMP and the strategic planning process. The deliverables took into consideration findings from the East Sussex Fire and Rescue and West Sussex County Council Collaborative Fleet Operations report dated January 2020 and the Internal Audit Report into the Management of assets across the Service in which improvements were required.
- 8.2 The strategy had been in development for some time and sought to ensure the service had a resilient and robust approach to its Fleet & Equipment and had been co-designed with strategic managers and staff within the fleet and engineering department and had focussed on matters that had been raised by Internal Audit.
- 8.3 Members thanked officers and asked if it was anticipated that improved telematics might lead to the service reducing CO2 emissions. Officers confirmed that whilst this would not be achievable at this stage, the Sustainability Group were considering it as part of their workstream and a report would be sent to the December meeting of the Fire Authority. The Authority approved the draft Fleet & Equipment Management Strategy 2021-24.

9 RESPONSIBLE PROCUREMENT POLICY

- 9.1 The Fire Authority considered a report seeking approval for the adoption and implementation of a Responsible Procurement Policy. Responsible Procurement is the act of procuring goods, services, or works in a manner considerate of the impact, both positive and negative, that the Authority may have on the environment, the economy, our community and society in general. The policy aimed to support our collective responsibility to limit any negative impact and promote the Authority's commitment to deliver responsible and sustainable outcomes in the management and delivery of all its services, through affordable economic, social and environmental objectives.
- 9.2 Members thanked officers for the report and considered the policy to present a good and reasonable procurement programme. There were queries as to whether responsible procurement should extend to ensuring financial investments were made to ethical and sustainable institutions. The Treasury Management policy, agreed by the Fire Authority, set out the rules of financial investment, the primary objectives for short term cash balances being to ensure security and liquidity. The Fire Authority had not, to date, requested this policy be looked through a sustainability lens, but it would be considered and Members updated at a future date. The Fire Authority approved the Responsible Procurement Manual Note and requested further information on the separate matter of ethical and sustainable investment opportunities.

10 LOCAL COUNCIL TAX REDUCTION SCHEMES CONSULTATION ON PROPOSED CHANGES FOR 2022/23

- 10.1 The Fire Authority considered a report seeking agreement to the responses to consultations by local billing authorities on proposed changes to their Local Council Tax Reduction Schemes (LCTRS) for 2022/23. Billing authorities were required to review their LCTRS annually and to consult publicly on any proposed changes. Precepting authorities were statutory consultees in this process but the decision to set or change a LCTRS rested solely with each billing authority. Lewes and Rother District Councils were consulting on changes to their LCTRS for 2022/23. Confirmation was awaited from Brighton & Hove City Council as to whether it planned to consult on any changes. The report set out the financial impact of the proposed changes and the proposed response from the Fire Authority to each consultation.
- 10.2 Members felt that they could do nothing but support the proposed responses and wanted to ensure there were regular meetings and correspondence with MPs to highlight the urgent need for increased funding to all Local Authorities and precepting bodies. The Fire Authority agreed to note the proposed changes to LCTRSs and approved the Authority's responses to the consultations.

11 REVIEW OF THE CONSTITUTION OF THE FIRE AUTHORITY

- 11.1 The Fire Authority considered a report on the progress of the review into the Fire Authority's constitutional arrangements and setting out proposed amendments. The second stage of the project to review and update the Authority's constitutional arrangements was complete and presented some substantial amendments and updated sections. It had not been possible to complete the review of all sections of the Constitution and a further set of proposed changes was anticipated to be brought to the Authority in December 2021.
- 11.2 Members were content with the proposed changes but had some queries prior to approval of the resolutions. Some felt the authorisation amount of £1m given to the Chief Fire Officer (CFO) under the Emergency Procedures was too high. This authorisation was associated with the exigencies of operational emergencies in particular the enacting of the National Coordination and Advisory Framework (NCAF). The probability of needing to exercise this authorisation was very low, however in the event of an event of the nature of Grenfell Tower or the Derbyshire Dam burst, the CFO would not expect to have to come to the Fire Authority Members to enact NCAF during an incident. The Treasurer, as an Authority appointed Statutory Officer, was satisfied with the authorisation limit. Members thanked officers for their explanation and confirmed that they would not make any changes that would inhibit the CFO from doing what was necessary in an emergency and were satisfied with the reasons for the amount set.
- 11.3 Members requested a change to the Terms of Reference for the Principal Officer Appointments Panel (POAP) allowing panel members to be involved in the shortlisting of the posts of DCFO and Treasurer as well as CFO as currently detailed. This had been the situation in the past and this requirement had been removed some years ago as Members had been unable to meet and had delegated shortlisting to the CFO. There were concerns that if a quorum could not be achieved then the recruitment process would be delayed. Members asked if shortlisting could be conducted virtually, the Deputy Monitoring officer (DMO) confirmed that it would not be permitted and shortlisting would have to take place in person. The Authority accepted this and still wanted shortlisting to be conducted by the POAP, a resolution to this effect was added prior to the Authority agreeing the report.
- 11.4 The Fire Authority agreed to approve with immediate effect the changes to the East Sussex Fire Authority's Constitution and to amend the Terms of Reference for the Principal Officer Appointments Panel to reflect add that the Panel be involved in shortlisting for the posts of Deputy Chief Fire Officer and Treasurer. It authorised the Authority's Chief Fire Officer & Chief Executive to take all steps necessary or incidental to the implementation of the changes agreed by the Authority, and to amend and re-publish the constitutional documents to reflect those amendments and noted the intention to bring a further report to the Fire Authority in December 2021 proposing additional updates to the Constitution.

12 PROJECT 21 - SECTION 16 AGREEMENT

The Fire Authority considered a confidential report setting out the proposed scope and structure of a Section 16 Agreement to govern and manage the delegation of East Sussex mobilising and fire control functions resulting from Project 21. The Fire Authority approved the recommendations of this report

**COUNCILLOR ROY GALLEY
CHAIRMAN OF EAST SUSSEX FIRE AUTHORITY**

2 September 2021