



## **AVON FIRE AUTHORITY**

**14 DECEMBER 2022**

**Present:** Councillors A Ali, S Bromley, E Brown, N Butters, D Davies, P Goggin (joined at 14.30hrs), Y Kumar, B Massey, Y Mohamud, A Monk, B Nutland, S Smith, A Varney and D Wilcox.

The meeting began at 14.00hrs.

### **55. APOLOGIES FOR ABSENCE**

Apologies were received from Cllrs J Ashe, R Eddy, B Hopkinson, R Jacobs, R Payne and R Tucker and J Mason, Independent Person.

### **56. EMERGENCY EVACUATION PROCEDURE**

Members were advised by the Chief Fire Officer/Chief Executive (CFO) that in the event of an emergency, to exit the room and meet in the rear yard.

### **57. DECLARATION OF INTERESTS**

None advised.

### **58. PUBLIC ACCESS**

None received.

### **59. CHAIR'S BUSINESS**

The Chair welcomed everyone to the meeting and drew attention to the following:

1. The Chair confirmed that the meeting took place as a face-to-face meeting. The meeting had been recorded for the public to view.
2. Members and Officers introduced themselves.
3. The voting arrangements for the meeting were as follows:
  - The Chair to ask for any votes against.
  - The Chair to ask for any abstentions.
  - The Chair to ask for a show of hands for Members voting "for".
4. The Chair confirmed that Cllr Paul May had now left the Fire Authority and the Authority wished him well for the future. We would like to welcome Cllr Dr Kumar who had replaced Cllr May from BANES.

5. The Chair advised that the Asian Fire Service Association Awards took place on 23 November and Richard Stokes and Louisa Rogers were nominated for an award. Although we didn't win on this occasion, the Service was very proud to be nominated.
6. The Excellence in Fire & Emergency Awards 2022 took place on 9 December and again both Louisa Rogers and Richard Stokes were nominated. The Chair announced that she was very pleased to advise that Richard had won an Award for the Most Influential Ethnic Minority Individual in Fire Award. Members asked that their congratulations be passed onto Richard and Louisa.
7. The Chair thanked all those that attended the Christmas Carol Service.

The CFO updated Members about the recent explosion and the help that Avon Fire & Rescue Service (AF&RS) was able to provide in Jersey. The CFO advised that Jersey followed the same rules and regulations as Avon and he would be happy to share any learnings. Members asked that their thanks were passed onto the team from Avon that attended the incident.

#### **60. MINUTES OF THE ORDINARY MEETING OF AVON FIRE AUTHORITY HELD ON 5 OCTOBER 2022**

The minutes were moved by Cllr Massey and seconded by Cllr Nutland.

**It was RESOLVED that the minutes of the ordinary meeting of the Avon Fire Authority held on 5 October 2022 be signed by the Chair as an accurate record of the meeting.**

#### **61. MINUTES OF COMMITTEE MEETINGS**

7.1 Minutes of the Ordinary Meeting of the People & Culture Committee held on 9 June 2022.

The minutes were moved by Cllr Wilcox and seconded by Cllr Bromley.

**It was RESOLVED that the minutes of the ordinary meeting of the People & Culture Committee held on 9 June 2022 be signed by the Chair as an accurate record of the meeting.**

7.2 Minutes of the Ordinary Meeting of the Audit, Governance & Ethics Committee held on 29 June 2022.

The minutes were moved by Cllr Wilcox and seconded by Cllr Massey.

**It was RESOLVED that the minutes of the ordinary meeting of the Audit, Governance & Ethics Committee held on 29 June 2022 be signed by the Chair as an accurate record of the meeting.**

7.3 Minutes of the Ordinary Meeting of the Performance, Review & Scrutiny Committee held on 15 July 2022.

The minutes were moved by Cllr Nutland and seconded by Cllr Davies.

**It was RESOLVED that the minutes of the Performance, Review & Scrutiny Committee held on 15 July 2022 be signed by the Chair as an accurate record of the meeting.**

**62. REQUEST FROM THE AVON AND SOMERSET POLICE & CRIME COMMISSIONER (PCC) TO JOIN AVON FIRE AUTHORITY**

The Fire Authority received a report of the Clerk which outlined details of the request from the PCC to join Avon Fire Authority (AFA).

The PCC, made a request in writing to the Chair of AFA on 20 May 2021, seeking to join the AFA. That request was considered at the AFA's meeting on 30 June 2021 and Members decided to defer a decision on the application until their next meeting in October 2021. The PCC was invited to attend the next meeting to give his reasons for wanting to join the Fire Authority and to clarify what he would bring to the role. However, due to other commitments, the PCC had been unable to attend an AFA meeting until now.

The Clerk asked Members to consider the application by the PCC and determine whether to agree the request, and take into consideration the skills, attributes and the likely contribution of the PCC to the Fire Authority, together with any possible detrimental impact. There were no financial implications to the request.

The Clerk drew Members attention to the legislation concerning the request, shown in paragraphs 3.1 and 3.2 on p 46. She also reminded the AFA that they had approved the application of Sue Mountstevens, the previous PCC, who attended one meeting before standing down from the role.

The PCC remarked that he wanted to join the AFA to encourage collaboration between the Avon & Somerset Constabulary (ASC) and AF&RS. He outlined there was already successful collaboration between the two Services, but there was more that could be done together. For example, he believed that the Police could learn from the AF&RS Environment Manager and that the AFA are one of the leading Fire Services in respect of the environment. Both Services have dogs and there could be cross learnings.

The PCC advised that he would attend two meetings a year but would be available to help with collaboration. He added that the Chief Constable was also very keen to collaborate.

A Member pointed out that the boundaries of ASC and AFA were non-contiguous and asked if the PCC had also applied to Devon & Somerset Fire Authority. The PCC confirmed that he had and had been accepted. He had not yet attended a meeting as he was waiting for the AFA to make a decision.

A Member remarked that the PCC had been a Member of the AFA previously and asked whether there was a maximum tenure within the Constitution. The Clerk advised that the PCC would join the AFA in a different capacity and his term would end in May 2024.

Cllr Goggin joined the meeting at 14.30hrs.

A Member mentioned Bath Fire Station and that he was disappointed that ASC had decided not to go ahead with a joint premises, could the PCC assist. The PCC advised that he had made the decision to withdraw from the proposal as ASC needed more space.

The PCC was asked whether the agreement was reciprocal, and would AFA be able to sit on an ASC board. The Clerk confirmed that this had been looked into previously and was not possible.

A Member asked if the PCC would have voting rights if allowed to join. The Clerk confirmed that he would. However, if the PCC were to send a representative from his office, they would have no vote.

The PCC left the room and it was confirmed that if approved, the PCC would become a Member immediately.

A vote took place with the following results:  
Against – 1/Abstentions – 10/For – 3.

The motion was carried and the PCC was welcomed to the AFA until the end of his current tenure in May 2024.

**It was resolved that the Fire Authority:  
Agreed the application of the Police and Crime Commissioner for Avon and Somerset to join Avon Fire Authority until the end of his current tenure.**

### **63. REVENUE 2022/23 BUDGET MONITORING REPORT**

The CFO presented the report which provided the AFA with an update on the 2022/23 Revenue Budget and other key financial information for the period up to 31 October 2022. The report provided forecasts of spending against each agreed budget heading based upon spending.

This latest report forecasted that spending against the net revenue budget would be £30k overspent. This compared to the previously reported break-even position, based upon spending to the end of July 2022, as reported to the Fire Authority meeting held on the 5 October 2022.

It was noted that whilst a small overspend is projected, this represented a positive position for the Fire Authority, given the additional pay and inflationary pressures placed upon the budget, and the fact that these pressures could be mitigated by underspends elsewhere in the budget to avoid the need to utilise Reserve balances.

In response to a Member's question, it was clarified that if the proposed pay rise of 5% for operational staff was to be higher, it would cost the Service just short of £300k for each additional 1%. The current budget included a provision for a 2% pay rise. The CFO advised that the Service would have to review reserves

and consider any possible savings. This would be considered at the next AFA meeting in February 2023.

**It was RESOLVED that Avon Fire Authority:  
Noted the forecast spending position against the 2022/23 Revenue Budget.**

#### **64. AF&RS TRAINING ESTATE AND DELIVERY OPTIONS**

The AFA received a report from the Property Services Manager and Area Manager, Learning & Development. Members were advised that the Service must provide the facilities and resources to ensure training could be effectively delivered. It was advised that the majority of our operational training is currently carried out at the Severn Park Joint Training Centre which is a purpose-built facility constructed and managed under a Private Finance Initiative (PFI) contract with Babcock which would end on 31 March 2028.

As previously advised to Members, the report outlined the Service's current and future operational training needs and presented several high-level strategic options and a recommendation for the future of training provision for AF&RS. The report sought agreement to the recommended option, and to proceed to a detailed phase of work to prepare for the PFI contract expiry and ensure a timely transition of our training functions to a new delivery model.

It was noted that the Service had diverse training estates across several sites with maintenance being a significant cost. The paper outlined some high-level options considered which had moved forward due to the PFI contract coming to an end in 2028.

Members received further information of the five proposed Training Delivery Options and were asked to make a decision after the presentation.

It had been considered whether the solution could be delivered across our sites but overall there was not enough scope without significant capital investment. Members were advised that the Service already collaborated with other Blue Light Services and discussion had taken place with other Services. Outsourcing to the Fire Service College (FSC) had been considered, but which would take firefighters out of county and have cost uncertainty.

It was recommended to Members that the preferred option was to look at the potential to acquire Severn Park at the end of the PFI and develop it as a long-term training facility. The Property Services Manager advised that he had sight of the running costs for Severn Park and it looked that in today's prices there would be a modest potential saving obtained of around £500k.

A Member asked if the AFA acquired Severn Park, as a chance to offset with estate rationalisation, would this mean leaving ASC Headquarters? The CFO advised that the Service would consider all possibilities post the PFI-expiry. It was confirmed that the next 'break clause' at HQ was in 2027.

It was confirmed that Devon & Somerset FRS had indicated that they did not want to take part in the site after expiry of the PFI. Gloucestershire FRS options currently remained open and were non-committal but they might be interested in a collaborative situation. It was confirmed that we had not approached any other local FRS.

A Member asked about timings, and if AF&RS did not remain at Severn Park, a decision would need to be made imminently. It was advised that other options would be considered in parallel in case required.

When asked whether the Service felt confident that option E would meet our training needs going forward, it was confirmed that Severn Park had the space and capacity to provide training provision and scope to expand and develop around the site.

A Member asked whether there would still be the scope for specialised training such as ship firefighting, Severn Tunnel and aircraft. He was advised that the Service would have a blended approach to our training. We used the FSC for ship training but there may be a provision for us to provide limited ship training. We also had a good working relationship with Bristol Airport in relation to their facilities. However, it should be noted that there would still be opportunities to collaborate including the Severn tunnel.

It was confirmed that initial discussions with Bristol City Council (BCC) had indicated that Severn Park could remain a long-term lease site with the option to extend the lease.

The recommendations were moved by Cllr Goggin and seconded by Cllr Monk.

**It was resolved that the Fire Authority:**

- a) Noted the report and its recommendations.**
- b) Approved Option E - Severn Park Acquisition Model as the preferred option for the provision of operational training at the expiry of the current PFI Contract (March 2028).**
- c) Requested that the Property Manager and Area Manager of Learning & Development Manager proceed to a more detailed phase of work to plan and implement this option ensuring a timely transition of our training functions to a new delivery model, and more fully assess the potential to move other key functions to a combined site establishing detailed costs, savings and the potential for further AF&RS Estate rationalisation and consolidation of Service functions in one location.**
- d) Instructed the Property Manager and Area Manager of Learning & Development to provide assurance that the further development of our existing sites (with potential for expansion and additional outsourcing) will remain under review, in order to maintain operational training capability, should we encounter any fundamental barriers in progressing the Severn Park Option.**

## 65. SERVICE PLAN OVERVIEW & KEY ASSUMPTIONS

The AFA received a report from the Corporate Assurance and Business Planning Manager which provided updates on the key assumptions and findings identified by the Community Risk Management Planning (CRMP) and Business Planning teams which would form the updated Service Plan (SP) for 2023-2026.

The key findings were presented and discussed during the AFA Member's Briefing session on 4 November 2022. Therefore, this report provided a further and formal opportunity for consideration.

Highlights from the report included:

1. It was anticipated that only minor changes would be implemented in the 2023-26 plan.
2. Community Risk Management Planning showed an increase in the number of incidents with levels returning to the pre-pandemic norm.
3. Considerations around the existing themes and priorities in section 4.9.
4. The next step would be that the final draft would have a 4-week consultation in January and then be submitted for approval to the AFA in March 2023.

A Member asked in respect of section 4.4, Fires in Tall Buildings whether the additional costs for fire wardens and replacement of cladding in Bristol had been taken into account in the plan. The CFO advised that the Service was concerned with the risk of fire and the occupancy level. Analysis had been taken from incident data to manage risks through prevention and protection.

A Member added that whilst it was not the responsibility of AFA, within South Gloucestershire, they had been reassured that all buildings had been audited in respect of cladding and expected BCC to have done the same. The Member asked how it had not been identified that the building was at risk with dangerous cladding. The CFO responded that since Grenfell, the focus had been on ACM cladding. We had learnt more about cladding materials and as audit and inspections are undertaken of building materials, more risks had been identified. The Service reviewed the building owner's Risk Assessment and whether as an enforcing authority we accept the proposals.

A Member stated that they were interested in the timeline of events when AF&RS had acknowledged that expanded polystyrene cladding was a risk. The CFO advised that a building owner undertakes an audit and the Pass99A standard had recently come into force. In terms of enforcing, the Fire Services Act and legislation was changing and increased the Services' power of inspection and parameters we enforce. It was agreed that the CFO would talk offline with the Member concerned.

**It was resolved that the Fire Authority:**

- a) Noted the emerging community risks and keys findings identified to date in this report.**
- b) As these key findings inform the development of the SP for 2023-2026, considered whether there are further priorities or objectives for**

**inclusion in the Plan at this stage and prior to the draft being submitted for review and approval in March 2023.**

## **66. FIRE AUTHORITY MEETING DATES AND 2023/2024 FORWARD PLAN**

The Fire Authority received a report of the Clerk to present the proposed meeting dates for 2023-2024 and revised Forward Plan of Key Decisions, which set out the anticipated major decisions and key papers to be delivered in 2022/23.

The Clerk advised that two dates could not be changed – the AGM in June which must be held within 4 weeks of our Unitary Authority (UA) AGMs and the extraordinary AFA meeting in February 2024 to agree the precept budget.

A Member mentioned that with regards to the AFA meeting in February, we are a Local Authority in own right and felt we shouldn't be bullied into what UAs say we should do. The Clerk added that there had been a lot of discussion and movement of dates. The Treasurer had agreed dates with the UAs, but discussion would take place when the new Statutory Finance Officer was in situ.

A Member pointed out that BCC would be in pre-election run up in March 2024, so the AFA meeting date may need to be changed as it would fall into Purdah. In addition, the other 3 UAs would be in Purdah for the AFA meeting on 29 March 2023. The Clerk reminded Members that 'Business as Usual' should take place during Purdah and she would review the Purdah guidelines for elected Members.

The Clerk pointed out that Democratic Services tried to book larger and cost-effective rooms at Severn Park and Headquarters. A fire station would be used for the June meetings. We would also try to book rooms in other venues around the area but these were often not big enough and expensive to hire. Members were asked to provide details of any suitable venues within their ward.

A Member volunteered the use of a meeting room within a local university. It was agreed that Democratic Services would provide possible dates.

The recommendations were moved by Cllr Massey and seconded by Cllr Goggin and were unanimously approved.

**It was RESOLVED that the Avon Fire Authority:**

- a) Approved the proposed Schedule of Meetings for the Municipal Year 2023/24.**
- b) Noted the revised Forward Plan for the remainder of the 2022/23 Municipal Year.**

## **67. IMMEDIATE DETRIMENT UPDATE**

The Director of Corporate Services (DoCS) outlined to Members that Immediate Detriment (ID) had previously been discussed with the AFA. The latest position, as of the Fire Authority meeting on 5 October 2022, was that ID processing for impacted staff wanting to retire before October 2023 remained paused, but with

a provision for individual representations to be made, and considered, in certain circumstances.

The report being considered at this meeting, referred to the position for those in the ID category who had already retired ('retirees') without ID being applied. A processing mechanism for these individuals had been proposed in a Fire Brigades Union (FBU) and Local Government Association (LGA) Framework.

The DoCS advised that the Government intended to complete the legislation to remedy the age discrimination which arose from moving from the 1992 to 2015 pension scheme, by October 2023. This would include back payments and for those already retired, interest will be applied.

We were still awaiting the Government remedy, for the group impacted who had already retired or were due to do so. In the October AFA meeting, Members reconsidered the approach for ID for staff coming up to retirement and paused ID processing due to potential financial implications and liabilities on local budgets.

The paper asked Members to consider the approach for impacted staff who had already retired and the key points raised were:

- 36 staff impacted who have retired without ID applied.
- A potential processing method is the LGA/FBU Framework.
- There is a potential significant cost implication for the AFA.
- The LGA ready reckoner projected potential cost liability of £323k.
- Members could consider that potential funding and caveats were given regarding this amount through the pension reserve but £230k had already been reserved to cover additional ill health retirement costs which would leave little resilience.
- There remains the risk that if Members do not agree ID processing for retirees, there was a potential claim risk which could be costly.
- The cost-of-living crisis has meant that family incomes had become more stretched.
- Due to demands on the administrator, if the LGA/FBU framework was agreed, the AFA would not be able to meet timescales prescribed in all cases.
- The decision was to be made by Members of the AFA as the scheme managers.
- If Members were not ready to adopt the Framework for existing retirees, it was recommended that they adopt the same case by case provision that has been agreed for forthcoming retirees. This approach would potentially help the AFA meet some of the expectations of The Pension Ombudsman and would allow consideration of hardship cases.

A Member asked for an estimate of how much the group of 36 were potentially out of pocket. The DocS advised that for the average firefighter the difference would be around £2k on the annual pension and £15k in terms of lump sum.

It was asked whether there was an option whereby the AFA could make a partial payment of 50% which would help to alleviate hardship. The DoCs advised that

the Framework did not make a provision for part payments. The LGA and FBU continued to be in discussion about the Framework and whether any amends would be made.

The DoCs was asked whether there had been any further correspondence from the Home Office regarding an update of the guidelines. The DoCS confirmed that she had spoken to the LGA this week, discussions were ongoing and no timeframe yet available.

A Member asked for an indication of how those affected were feeling and whether they may be tempted to go down the legal route. The DoCS advised that the Service is regularly in touch with forthcoming/current retirees via email and they could contact an internal pensions advisor for further information. Based on informal feedback, some staff may wish to wait for remedy to only have the calculations once and secure maximum interest. Others felt a strong sense of injustice, including those experiencing financial hardship, which is why the case by case proposal may be helpful.

The recommendations were moved by Cllr Davies and seconded by Cllr Nutland.

**It was resolved that the Fire Authority:**

- a) Noted the current position with the FBU and LGA Framework.**
- b) Considered the potential implications and costs of adopting the Framework for those in the ID category who have already retired.**
- c) Continued to defer a decision on adopting the Framework pending any changes (legislative or otherwise) which would reduce the financial impact on local budgets.**
- d) Agreed that, in the interim, representations from impacted individuals who have already retired (without ID applied) can be made to, and determined by, the Chief Fire Officer/Chief Executive Officer (CFO/CEO) and Director of Corporate Services.**

## **68 SERVICE ROUND UP**

The Fire Authority received an information report from the Assistant Chief Fire Officer, Service Delivery (ACFO, SD) who highlighted areas of good work across AF&RS, which had taken place between October and November 2022 including:

1. Section 5.1 – Following multiple high-rise incidents, Members were updated that ongoing work had continued with Business Fire Safety (BFS)/Community Fire Safety and BCC. Twenty joint visits had taken place with 10 more planned by the end of 2022.
2. Section 5.10 – two trucks had been wrapped with a focus on Black History Month. A further two trucks had been wrapped with support for Pride, Blood and organ doner campaigns and also Home Fire Safety Visit activities.
3. Section 5.17 - a number of teams represented AF&RS in the United Kingdom Rescue Organisation Challenge (UKRO) with notable successes. Although, the Service supported the initiative, staff volunteered and represented the Service in their own time with pride and professionalism.

Members commented that the truck wrapping was successful and congratulated the Service on its UKRO success and work celebrating Black History Month.

A Member mentioned the recent tragic accident in a pond and asked if there was anything the Service should look for in our local area. The ACFO SD advised that the Service had ongoing winter safety campaigns and also took part in multi-agency awareness campaigns.

It was pointed out that in paragraph 5.3 this should say Mr Howard Evans.

**It was RESOLVED that the Avon Fire Authority:  
Noted the report.**

**69. DATE OF NEXT MEETING**

**It was RESOLVED that Avon Fire Authority noted the date of the next meeting as being 17 February 2023 at 10.30hrs.**

**70. EXCLUSION OF THE PRESS AND PUBLIC**

The recommendation was moved by Cllr Massey and seconded by Cllr Bromley.

**It was RESOLVED that the public be excluded from the meeting during the following items of business on the grounds that they contained exempt information pursuant to Schedule 12A, Part 1 of the Local Government Act 1972 and that in accordance with Schedule 12A, Part 2, paragraph 10 of the Local Government Act 1972 the public interest in maintaining the exemption outweighs the public interest in disclosing the information.**

Cllrs Brown and Nutland left the meeting prior to going into exempt session.

Cllr Monk left the meeting at 15.30hrs

**71. CONFIDENTIAL MINUTES OF THE ORDINARY FIRE AUTHORITY MEETING HELD ON 5 OCTOBER 2022**

Confidential minutes of the ordinary meeting of Avon Fire Authority held on 5 October 2022.

The minutes were moved by Cllr Massey and seconded by Cllr Goggin.

**It was RESOLVED that the confidential minutes of the ordinary meeting of Avon Fire Authority held on 5 October 2022 be signed by the Chair as an accurate record of the meeting.**

**72 CONFIDENTIAL MINUTES OF THE PEOPLE & CULTURE MEETING HELD ON 9 JUNE 2022**

Confidential minutes of the ordinary meeting of the People & Culture Committee held on 9 June 2022.

The minutes were moved by Cllr Wilcox and seconded by Cllr Davies.

**It was RESOLVED that the confidential minutes of the ordinary meeting of the People & Culture Committee held on 9 June 2022 be signed by the Chair as an accurate record of the meeting.**

**73. CONFIDENTIAL MINUTES OF THE ORDINARY MEETING OF THE AUDIT, GOVERNANCE & ETHICS COMMITTEE HELD ON 29 JUNE 2022**

Confidential minutes of the ordinary meeting of the Audit, Governance & Ethics Committee held on 29 June 2022.

The minutes were moved by Cllr Goggin and seconded by Cllr Wilcox.

**It was RESOLVED that the confidential minutes of the ordinary meeting of the Audit, Governance & Ethics Committee held on 29 June 2022 be signed by the Chair as an accurate record of the meeting.**

**74. IT SERVICES CONTRACT AWARD**

The AFA received a report from the Head of Procurement which outlined that the Authority used an external contractor to provide the majority of its IT services. These were critical to the operation of the Authority's infrastructure and being able to deliver our objectives as a Service.

**It was RESOLVED that the Avon Fire Authority:  
Approved the award of contract to the preferred bidder Amicus.**

The meeting closed at 16.10 hrs.

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Chair