

**Non-Exempt Minutes of the Meeting of  
Shropshire and Wrekin Fire and Rescue Authority  
held at AFC Telford United, Wellington  
on Wednesday, 11 October 2023, at 2.00 pm**

## **Present**

### **Members**

Councillors Aldcroft, Blundell, Burchett, Cook, Evans, Hartin, Hignett, Lea, Minnery (Chair), Overton (Vice-Chair), Pardy, Price and Thompson

### **Officers**

Simon Hardiman	Chief Fire Officer	CFO
Adam Matthews	Assistant Chief Fire Officer (Service Delivery)	ACFO (SD)
Guy Williams	Assistant Chief Fire Officer (Service Support)	ACFO (SS)
Richard Phillips	Clerk and Monitoring Officer	Clerk
James Walton	Treasurer	Treasurer
Andrew Kelcey	Head of Resources	HoR
Marc Millward	Area Manager Service Delivery	AMSD
Germaine Worker	Head of Human Resources and Administration	HHRA
Mark Bayliss	Deputy Police and Crime Commissioner	DPCC
Lynn Ince	Executive Support Officer	ESO

## **1 Apologies for Absence**

Councillors Offland and Wynn

## **2 Disclosable Pecuniary Interests**

Councillor Pardy declared an interest in item 10 – Pensions Update as he is in receipt of a firefighter pension. It was agreed that Councillor Pardy would leave the meeting room for this item.

## **3 Public Questions**

None

## **4 Fire Authority Minutes**

**Resolved** that the minutes of the Annual Fire Authority meeting, held on 14 June 2023, be agreed, and signed by the Chair as a correct record.

## **5 Strategy and Resources Committee Minutes**

### **5a 22 March 2023**

**Resolved** that the minutes of the Strategy and Resources Committee meeting, held on 22 March 2023 be noted.

### **5b 13 September 2023**

**Resolved** that the minutes of the Strategy and Resources Committee meeting, held on 13 September 2023, be noted and the recommendations at item 6 of those minutes, as given below, be agreed.

#### **Item 6 – Financial Performance to July 2023**

**Resolved** that the Fire Authority

- a) Note the position of the revenue budget
- b) Approve virements to the revenue budget, where requested;
- c) Approve the request for an ongoing staff resource in Workshops; and
- d) Note performance against prudential indicators to date in 2023/24.

## **6 Standards, Audit and Performance Committee Minutes**

### **6a 27 April 2023**

**Resolved** that the minutes of the Standards, Audit and Performance Committee meeting, held on 27 April 2023, be noted and the recommendations at items 7 and 10 of those minutes, as given below, be agreed.

#### **Item 7 – Code of Corporate Governance 2022/23**

**Resolved** that the Fire Authority formally adopt the draft Code of Corporate Governance 2022/23

#### **Item 10 – Anti-Fraud, Bribery and Corruption Strategy**

**Resolved** that the Fire Authority re-affirm the Anti-Fraud, Bribery and Corruption Strategy

### **6b 13 July 2023**

Councillor Pardy presented the minutes to the meeting and highlighted the work that has been undertaken to address the HMICFRS Values and Culture Report. The Authority praised Officers for their work on this.

**Resolved** that the Fire Authority note the minutes of the Standards, Audit and Performance Committee meeting, held on 13 July 2023.

## 6c 28 September 2023

**Resolved** that the minutes of the Standards, Audit and Performance Committee, held on 28 September 2023, be noted and the recommendations at items 7 and 11, as given below, be agreed.

### **Item 7 – Review of Whistleblowing Policy**

Councillor Pardy commented that this was an extremely important policy, which is sympathetic to those that need to whistleblow about an issue. There are two main concerns for those that do need to use it, one is somebody finding out who has whistleblown and two the repercussions of speaking up about an issue.

The CFO commented that this a part of the HMI Cultures and Values Report and is a step in the right direction for employees to avoid retribution for raising issues.

**Resolved** that the Fire Authority approve the Whistleblowing Policy

### **Item 11 – Review of Protocols**

In relation to the Protocol on Member / Officer Relations, Officers undertook to inform Members of incidents and/or issues in Members' local areas.

Members queried if the reporting of gifts with a value of over £25 should be incorporated into the Protocol on Gifts and Hospitality. It was agreed that all gifts should be recorded for transparency. The Clerk clarified that cumulative reporting of gifts and hospitality was not required.

**Resolved** that the Fire Authority approve the Protocol on Member / Officer Relations and the Protocol on Gifts and Hospitality.

## 7 Fire Authority Constitution Amendments

This report set out proposed amendments to the Fire Authority's constitution for the Fire Authority's consideration and agreement.

The Chair presented the report and talked through the amendments proposed in it.

### **1. Election of Committee Chairs and Vice-Chairs**

Councillor Evans proposed and Councillor Hartin seconded the deletion of the suggested amendment that political groups should provide their nominees for any and all positions on the Fire Authority to the Clerk, no later than 24 hours before the Annual Meeting.

The Authority felt that the nominations for positions, such as Chairs, should be done at the meeting as the chairmanships of different Committees needs to take account of factors such as the majority group on the Fire Authority.

Members also queried the use of the word 'normally' in relation to the election of Committee Chairs, which is not addressed in this report. The ESO explained that this wording forms part of the individual Committee Terms of Reference. These will be reviewed in the early part of 2024 in preparation for the Annual Meeting and this issue will be covered in that review.

- 2. Guidance on the conduct of business at all Fire Authority meetings**  
Councillor Minnery proposed, and Councillor Burchett seconded the recommendation that no amendments are needed to address concerns about a lack of guidance on the conduct of business at all Fire Authority meetings.

- 3. Annual Meeting business**  
Councillor Minnery proposed, and Councillor Hartin seconded the recommendation that the matters brought to the Annual Meeting of the Authority will be limited to those matters required by law and those which are necessary for the functioning of Fire Authority business.

The Authority accepted that this arrangement common across constituted authorities. The Chair outlined that the Annual Meeting would be held first, with the election of Committee Chairs being done after the formal business of the AGM had been concluded. This would then be followed by an ordinary Fire Authority meeting all on the same day.

- 4. Election of Chair to be conducted by Clerk**  
Councillor Evans proposed and Councillor Overton seconded the deletion of the recommendation that the Clerk will conduct the election of the Fire Authority Chair going forward.

The Authority felt that this was appropriate as the Clerk cannot participate in the election of the Chair and this democratic principle needs to be adhered to. The Clerk advised the Authority that the Chair retains their position until their successor is appointed, and the Chair is still able to attend the Annual Meeting even if they have not retained their seat on their constituent authority.

- 5. Power for Chair to have a second, or casting, vote**  
Councillor Evans proposed and Councillor Overton seconded the recommendation that no amendments are needed in relation to the Power for the Chair to have a second or casting vote.

**6. Power of Chair to suspend or adjourn a meeting under certain conditions**

Councillor Hartin proposed, and Councillor Burchett seconded the recommended addition to Standing Order No. 4 regarding the power of the Chair to suspend or adjourn a meeting under certain conditions.

The Authority agreed that this was an important addition to Standing Orders, for example if further information was needed on a particular subject. The Authority also noted the legal requirement that the meeting must give its consent to the Chair to adjourn.

**7. Police and Crime Commissioner (PCC)**

Councillor Minnery proposed, and Councillor Overton seconded the recommendation that the wording as set out on page 4 of the report regarding the Police and Crime Commissioner's (PCC) attendance at Fire Authority meetings be added to the Standing Orders.

The Authority questioned if the proposed wording should include reference to the PCC being permitted to remain in the exempt session of Authority meetings. There is a discrepancy with this as the PCC currently does not attend exempt sessions at Shropshire but does attend these at Hereford & Worcester Fire Authority meetings. Members were of the view that the Fire Authority is under no obligation to include the PCC in the exempt sessions of its meetings.

The DPCC stated that the purpose of inviting the PCC to attend Fire Authority meetings is to foster close alignment of blue light services across the region. He also said that he was not aware of any conflict that had been caused at Hereford & Worcester Fire Authority by the PCC attending exempt meeting sessions.

The Authority did not agree to the inclusion in the proposed wording of the PCC being permitted to remain in the exempt session of Authority meetings, but it did, as a compromise, recognise that it does have the power to suspend Standing Orders and could use this power to allow the PCC to attend for exempt business if needed / appropriate.

**8. Move from Member Handbook to Constitution**

Members noted that current Fire Authority Member Handbook format will be scrapped, and a formal constitution document will be developed in its place.

**Resolved** that the Fire Authority

- a) Note the report; and
- b) Approve the following in relation to the amendments proposed to the Authority's Standing Orders:

1. To delete the suggested amendment that political groups should provide their nominees for any and all positions on the Fire Authority to the Clerk, no later than 24 hours before the annual meeting.
2. That no amendments are needed to address concerns about a lack of guidance on the conduct of business at all Fire Authority meetings
3. That the matters brought to the Annual Meeting will be limited to those required by law and those necessary for the functioning of Authority business
4. To delete the recommendation that the Clerk will conduct the election of the Fire Authority Chair going forward
5. That no amendments are needed in relation to the Power for the Chair to have a second or casting vote
6. The amendment to Standing Order 4 regarding the power of the Chair to suspend or adjourn a meeting under certain conditions
7. That the wording as set out on page 4 of the report regarding the Police and Crime Commissioner's attendance at Fire Authority meetings be added to the Standing Orders; and
8. Noted that a constitution document will be developed to replace the Member Handbook

## **8 Annual Review 2022/23**

This report presented the draft Annual Review (also known as the Annual Statement of Assurance) for 2022/23 and gave the Authority an opportunity to make comment on the draft, prior to its going forward to the full Fire Authority for consideration and approval.

The ACFO (SS) presented this report and advised the Fire Authority that following a suggestion from Members at the Standards, Audit and Performance Committee meeting on 28 September 2023, hard copies of the Annual Review will be placed in public libraries.

**Resolved** that the Fire Authority

- a) Having considered the Annual Review 2022/23
- b) Approve the Annual Review for publication.

## **9 Financial Approvals 2023/24**

This report requested Members to consider and approve a contribution from reserves for backdated holiday pay, and a movement of schemes for fire appliances in the capital programme.

The ACFO (SS) presented the recommendation relating to the backdating of holiday pay and explained that these payments will be made to firefighters for the period September 2019 to September 2023, at a total cost of £121,00. The payments for some smaller departments still need to be calculated but these will be small scale additional items.

The HoR then explained that the second recommendation on the report relates to the capital scheme for the replacement of fire appliances being brought forward from 2024/25 and 2025/26 to enable a more efficient and effective tender process to be followed. The Fire Authority need to formally approve the change to the capital scheme.

Members queried the use of electric vehicles by the Service. The HoR explained that the Service is looking to bring forward the purchase of other vehicles to allow a full evaluation of electric vehicles and their usage. The CFO added that this will also give the opportunity for the resilience and/or infrastructure issues related to electric vehicles to be addressed.

**Resolved** that the Fire Authority

- a) Note the backdating of holiday pay on regular overtime and approve a contribution from reserves to fund the backdated pay; and
- b) Approve the movement of schemes for fire appliances in the capital programme.

Councillor Pardy left the meeting at this point (2.55 pm)

## **10 Pensions Update**

This report provided Members with an update on the Service's implementation of changing pension legislation, the challenges associated, and the solutions currently being explored.

The ACFO (SS) presented this report and advised that West Yorkshire Pension Fund are now the Service's pension administrators for firefighter pensions. As detailed in the report, the McCloud / Sergeant case relates to detriment caused to employees by their being moved from the 1992 to the 2015 Scheme. The Fire Authority took the position to not pay any immediate detriment claims until the legislation relating to this issue was enacted.

The Service's Pension Board met in July 2023 and agreed the need to request the Scheme Manager to reconsider its position on this, especially if there was to be a delay to the legislation being enacted. However, the legislation was laid as planned on 1 October 2023 and the Authority must now pay all related claims by April 2025. Work is now under way to provide the necessary data to enable this to happen.

Affected employees who retire post 1 October 2023 will automatically be returned to their legacy pension scheme. There are however some significant challenges with legacy data. The Service is processing this and is aware of the legal requirements that it must comply with regarding this issue.

The Authority is assessing how it can address pension issues more effectively and is giving consideration to accessing specialist pensions advice and exploring greater collaboration with Hereford & Worcester Fire Service on this issue. Further updates will be brought to the Fire Authority on this issue as developments occur.

**Resolved** that the Fire Authority note the report.

Councillor Pardy returned to the meeting at this point (3.05 pm)

## 11 Operational Update

The AMSD gave an Operational Update presentation to the Authority, which covered the previous three months of Service activity.

The following issues were highlighted and/or addressed during the presentation:

- A Waste Fires Tactical Advisor (TacAd) has been introduced to the Service following the Greenways incident
- There is a lot of complexity / risks to tackling barn fires due to the potential presence of chemicals such as ammonia
- Increased incidents of barn fires in June / July 2023 are attributed to the hot weather in those months which led to early harvest and crops. It is thought that the harvested crops then being put into storage with a high moisture content may have created spontaneous combustion
- Guidance on this issue has been given to the county's farming sector in collaboration with the National Farmers Union (NFU)
- Increase in flooding / wildfire incidents in the county has led to introduction and training of TacAds in those areas
- Other measures taken to tackle 'climate' threat include the use of drones during flooding events, the introduction of lightweight PPE for use at wildfire incidents etc and larger water tank capacity on appliances.

Members asked what methods are being used to ensure that messages about agricultural fires are being given directly to farmers. The AMSD explained that the Prevention Team is working directly with farmers, rural groups and parish councils on this issue. The Service has produced a Farm Fire Safety booklet and also utilises its links via On Call employees whose primary employment is in the agricultural sector to publicise issues within that community. Other initiatives include Young Farmers Association visits to On Call stations and Prevention Officers working with agricultural equipment manufacturers such as John Deere.

The meeting agreed that the remaining part of the presentation would be given in the closed session of the meeting as it contained information that was exempt under Paragraphs 1 and 2 of the Local Government Act 1972.

**Resolved** that the Fire Authority note the Operational Update presentation.



The meeting took a short break at this point, from 3.30 pm to 3.35 pm.

## **12 Exclusion of Press and Public**

**Resolved** that the press and 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 1, 2, 3 and 5 of Schedule 12A to the Local Government Act 1972.

## **13 Fire Authority Exempt Minutes (Paragraphs 1, 2 and 3)**

**Resolved** that the exempt minutes of the Extraordinary Fire Authority meeting, held on 2 August 2023, be agreed and signed by the Chair as a correct record.

## **14 Brigade Manager's Employment Panel Minutes (Paragraphs 1, 2 and 3)**

**Resolved** that the exempt minutes of the Brigade Managers Employment Panel meeting, held on 01 September 2022, be noted.

## **15 Strategy and Resources Committee Exempt Minutes (Paragraph 3)**

**Resolved** that the exempt minutes of the Strategy and Resources Committee meeting held on 13 September 2023 be noted.

## **16 Telford Redevelopment – Cost and Time Impacts (Paragraphs 3 and 5)**

This report advised Members on the current position with the Telford Redevelopment construction works, issues encountered, and likely time and cost impacts.

**Resolved** that the Fire Authority

- a) Note the report;
- b) Having considered the likely time and cost impacts;
- c) Agree the proposed additional funding proposals.

Councillors Lea and Overton left the meeting at this point (4.00 pm)

## **11 Operational Update (Paragraphs 1 and 2)**

The AMSD gave the second part of the Operational Update presentation which included exempt information.

**Resolved** that the Fire Authority note the Operational Update presentation.

The meeting closed at 4.30 pm.

**Chair**.....

**Date**.....