

KENT AND MEDWAY FIRE AND RESCUE AUTHORITY

MINUTES of the Annual Meeting of the Kent and Medway Fire and Rescue Authority held on Thursday 29 June 2023 at Kent Fire and Rescue Service HQ, The Godlands, Straw Mill Hill, Tovil Maidstone ME15 6XB.

PRESENT:- Mr P Barrington-King, Mr A Brady, Mr D Beaney, Mr A Booth, Mr N Chard, Mr P Cole, Mr N Collor, Mr D Crow-Brown, Mr M Dendor, Mr P Harman, Ms S Hohler, Mr M Hood, Mr D Jeffrey, Mr S Manion, Mr J McInroy, Ms J Meade, Mr M Prenter; Mr A Ridgers, Mr C Simkins, Mr M Sole, Mr V Maple, Ms Z Van-Dyke.

APOLOGIES: - Mr B Kemp, Ms C Parfitt-Reid, Mr B Sweetland and Mr M Scott, Kent Police and Crime Commissioner

OFFICERS:- The Chief Executive, Miss A Millington OBE, QFSM ; the Director, Finance and Corporate Services, Mrs A Hartley; the Director, Response and Resilience, Mr M Rist; Director Prevention, Protection, Customer Engagement and Safety, Mr J Quinn; Assistant Director, HR and Culture, Mrs K Irvine; Assistant Director, Response, Mr M Deadman; Assistant Director, Resilience, Mr C Else; Assistant Director, Customer and Building Safety, Mr M Woodward; Head of Data Intelligence, Ms N Harryman; Head of Policy, Dr O Thompson; Head of Finance and Treasury, Mrs N Walker; Head of Finance and Pensions, Mr B Fullbrook and the Clerk to the Authority, Mrs M Curry.

ALSO IN ATTENDANCE: - Mr P Cuttle, Grant Thornton and Ms J Waterman, Independent Person

UNRESTRICTED ITEMS

1. Election of Chair for 2023/24

(Item A1)

- (1) Mr Maple moved, Mr Crow-Brown seconded, that Mr Chard be elected Chair of the Authority.
- (2) There being no other nominations Mr N Chard was declared the elected Chair of the Authority for 2023/24.

2. Election of Vice-Chair for 2023/24

(Item A2)

- (1) Mr Chard moved, Mr Manion seconded, that Mr Kemp be elected Vice-Chair of the Authority.
- (2) There being no other nominations Mr B Kemp was declared the elected Vice-Chair of the Authority for 2023/24.

3. Chair's Announcements

(Item A3)

- (1) The Chair welcomed the new Members appointed to the Authority
- (2) The Chair, on behalf of the Authority, gave thanks to those Members who have stood down following the recent elections.
- (3) The Chair welcomed Paul Cuttle and Jenny Waterman to the meeting
- (4) The Chair reminded Members that following the meeting, there would be a display of vehicles, equipment and stands for Members to view as part of an induction into Kent Fire and Rescue Service.

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4. Membership

(Item A4)

- (1) The list of Members appointed by the constituent Councils to serve on the Authority for 2023/24 was noted.

5. Audit and Governance Committee – 28 November 2022

(Item A6)

- (1) RESOLVED that: -
 - (a) the Minutes of the Audit and Governance Committee meeting held on 28 November 2022 be noted.

6. Minutes of the Authority – 21 February 2023

(Item A7)

- (1) RESOLVED that: -
 - (a) the Minutes of the Authority meeting held on 21 February be approved and signed as a true record.

8. Senior Officer Appointment and Conditions Committee – 21 March 2023

(Item A8)

- (1) RESOLVED that: -
 - (a) the minutes of the Senior Officer Appointment and Conditions Committee held on 21 March 2023 be noted.

9. Appointment to Committees and Outside Bodies for 2023/24

(Item B1 - Report by Clerk to the Authority)

- (1) The Authority reviewed its scheme of proportionality as required by the Local Government and Housing Act 1989, and then considered various matters relating to the appointment of Members to Committees and outside bodies for 2023/24.
- (2) RESOLVED that: -
 - (a) for the purposes of the statutory annual review of proportionality, and without any Member voting against, the allocation of places to the political groups on the Senior Officer Appointment and Conditions Committee and the Audit and Governance Committee as detailed in paragraphs 5 and 6 and shown in Table 1 of the report, be approved for 2023/24.
 - (b) If and when a Hearings Panel is needed in 2023/24, it should comprise of six Members (the majority drawn from the administration and one representative from each of the other political parties), be approved.
 - (c) the Authority continues in the membership of the outside bodies to which it currently belongs, and the allocation of places and voting rights on the LGA General Assembly between the political groups, as shown in Table 2 to the report, be approved for 2023/24.

10. Governance and Policy Update

(Item B2 – Report by Chief Executive)

- (1) The Authority considered a report on a number of governance issues such as

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- A. Review of the Authority's Constitutional Documents
- B. Code of Corporate Governance
- C. Legislative Update
- D. Policy Update

(2) RESOLVED that: -

- (a) the proposed amendments to the Authority's constitutional documents, attached at Appendices 1 to 4 of the report, be approved.
- (b) the Terms of Reference for the Senior Officer Appointment and Conditions Committee, attached at Appendix 5 to the report, be noted.
- (c) the Modern Slavery and Transparency in Supply Chains Statement for 2022/23, attached at Appendix 6 to the report, be approved.
- (d) the remaining contents of the report, be noted.

11. External Auditors Annual Report 2021/22

(Item B3 – Report by Director Finance and Corporate Services)

- (1) Members considered the External Auditors Annual report for 2021/22; the assessment made on the Authority's Value for Money arrangements covering key criteria such as financial sustainability, governance and how the Authority has improved on economy, efficiency and effectiveness. Alongside this assessment Members also considered the Opinion of the Financial Statements for the year ending 2021/22.
- (2) Whilst the work of the External Auditors is still not concluded, the report did provide commentary on the significant aspects of the Statements and it was reported that there were no significant weaknesses that were identified during the Audit, as set out under the National Audit Office Code of Practice.
- (3) Members thanked Paul Cuttle and the work of the External Auditors.
- (4) Mr Maple said that the financial position of this Authority should not be taken for granted and placed on record his thanks to the Director of Finance and her team for the excellent work they do.
- (5) RESOLVED that: -
 - (a) the External Auditors Annual Report 2021/22, as attached at Appendix 1 to the report, be approved.
 - (b) the remaining contents of the report, be noted.

12. Provisional Final Outturn for 2022/23

(Item B4 – Report by Director Finance and Corporate Services)

- (1) The Authority considered a report which detailed the provisional outturn on revenue and capital spends for the 2022/23 financial year as well as details of the proposed resultant transfers from earmarked reserved to fund the final overspend on the revenue budget.

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(2) The report covered in detail an increase in the overspend by £394k since the last forecast presented to Members in February. This additional cost is in relation to the nationally agreed pay award for operational staff.

(2) RESOLVED that: -

(a) the transfer from the Insurance and Resource Reserve to fund the final revenue budget overspend (provisionally £818k), as detailed in paragraph 4 of the report, be approved.

(b) the remaining contents of the report be noted.

13. Financial Update 2023/24

(Item B5 - Report by Director Finance and Corporate Services)

(1) The Authority considered the first report for the 2023/24 financial year which provided an overview of the spend against the revenue and capital budgets forecast for the year as well as a number of other financial related issues.

(2) Members also received, in advance of the meeting, an addendum to the report which set out proposals in relation to two pension issues which had arisen since the drafting of the reports.

(3) RESOLVED that: -

(a) the proposed changes to the revenue budget to fund the in-year budget pressure resulting from the higher than budgeted pay award for operational staff for 2022/23 and 2023/34, be approved.

(b) the potential drawdown from the Resource Reserve to meet other in-year revenue budget pressures, if the additional funding needed cannot be met from the resources within the existing base budget, be approved in principle.

(c) delegation to the Chief Executive and Chair of the Authority, in discussion with the Director of Finance and Corporate Services, to commit up to a further £1.5m of expenditure, if required, for the implementation of the new joint control system, be approved in principle.

(d) a 10-year lease in relation to the new commercial premises required for the vehicle servicing and maintenance workshop, be approved.

(e) reinstate a survivor's pension, providing that no longer than five years have elapsed since it was previously paid, be approved.

(f) if a survivor's pension has elapsed more than five years, the decision to reinstate this is to be delegated to the Chief Executive, in consultation with the Chair of the Authority and Director Finance and Corporate Services, be approved.

(g) if the operational need requires an individual to remain employed beyond the date at which their deferred pension comes in to payment, the Chief Executive, in consultation with the Chair of the Authority and Director of Finance and Corporate Services, can take a decision to not abate their pension whilst they remain employed in role, be approved.

(h) the remaining contents of the report and addendum be noted.

14. Appointment of an Independent Member for the Audit and Governance Committee

(Item B6 – Report by Clerk to the Authority)

- (1) The Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017 sets out in legislation the requirement on audit committees of a combined authority to have at least one independent member on its membership. Members received a report that sought approval to the appointment of an Independent Member to this Authority's Audit and Governance Committee following a successful interview process.
- (2) Mr Maple said that he welcomed this appointment and with it the assurances of independence and transparency it will bring to the Authority.
- (3) Given the importance of this role, Mr Jeffrey asked if the remuneration could be revisited as part of the Authority's next review on Member Allowances.
- (4) RESOLVED that: -
 - (a) the appointment of Jennifer Waterman, as the Independent Member for this Authority's Audit and Governance Committee, be approved.

15. Information Update

(Item C1 – Report by Chief Executive)

- (1) The Authority considered information updates on: -
 - A. Inspection and National Issues Update
 - B. Performance Outturn and Update
 - C. Response and Resilience Update
 - D. Prevention, Protection, Customer Engagement and Safety Update
 - E. Freedom of Information Update
 - F. Pensions and Pension Board Update
- (2) On item A above, Members requested further information at a future meeting around the work the Service is doing on culture.
- (3) On item C above, those Members who attended the multi-agency exercise at Dreamland on 5 June expressed their thanks to all who took part. The exercise was well received by Members, who also stated how impressed they were on the professionalism of the KFRS colleagues involved.
- (4) On item D above, Mr Booth praised the work of the Service on its community engagement and education programme following a recent visit to a local primary school and village event.
- (5) On item D above and in response to a question posed by Ms Meade around the detail of the new building safety regulator structure in relation to pre-construction phases of new builds and with this the launch of Gateway 2 in October 2023, the Director for Prevention and Protection responded by saying that once the guidance is available and has been reviewed by his team, a presentation will be brought back to Members to keep them abreast of the new process.
- (6) RESOLVED that: -
 - (a) The contents of the report be noted.

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16. Operational Incidents of Interest

(Item C2 – Presentation from Director Response and Resilience)

- (1) The Authority received a presentation on two noteworthy incidents involving electric vehicles which covered the firefighting and rescue techniques that were employed, the equipment and resources used and what was learnt as a result of the incidents.
- (2) Mike Sole and Mark Hood requested further information from the Assistant Director Response, in his capacity as the NFCC National Lead for alternative fuels around the potential dangers of lithium-ion batteries and the work being undertaken nationally.
- (3) Members thanked Director Response and Resilience for the informative presentation.
- (4) RESOLVED that: -
 - (a) the presentation be noted.

**EXEMPT ITEMS
(Open Access to Minutes)**

17. Channel Tunnel

(Item E2 – Exempt Report by Chief Executive)

- (1) The Authority considered a report on the First Line of Response (FLOR) contract with Eurotunnel.
- (2) RESOLVED that: -
 - (a) the recommendations contained within the report, be approved.