

**EAST SUSSEX FIRE AUTHORITY**

**Minutes of the meeting of the East Sussex Fire Authority URGENCY PANEL held at Fire & Rescue Service Headquarters, Lewes on Tuesday, 24 October 2017 at 10:30 hours.**

Members present: Councillors Barnes, Dowling, Elford, Lambert, O'Quinn and Theobald.

**Officers present:** D. Whittaker (Chief Fire Officer), D. Savage (Assistant Director Resources/Treasurer), L. Woodley (Deputy Monitoring Officer), and A. Blanshard (Senior Clerk to the Fire Authority)

**9 DECLARATIONS OF INTEREST**

9.1 It was noted that, in relation to matters on the agenda, no participating Member had any disclosable pecuniary interest under Section 30 of the Localism Act 2011.

**10 APOLOGIES FOR ABSENCE**

10.1 Apologies for absence were received from Councillor Scott.

**11 NOTIFICATION OF ITEMS WHICH THE CHAIRMAN CONSIDERS TO BE URGENT**

11.1 There were none.

**12 NON-CONFIDENTIAL MINUTES OF THE LAST URGENCY PANEL MEETING HELD ON 22 MAY 2017**

12.1 **RESOLVED** – That the minutes of the meeting of the Urgency Panel held on 22 May 2017 be approved as a correct record and signed by the Chair. (Copy in minute book).

**13 BUSINESS RATES POOLING**

13.1 Members recalled that the previous Business Rates Pooling System had been successful. There had been support for the Pooling system and East Sussex Fire & Rescue Service (ESFRS) had benefitted financially from being involved. Although there were some concerns, it was a matter of managing the risk and ensuring that there were the necessary safeguards in place in any agreement to assure that the interests of ESFRS were protected.

13.2 The Assistant Director Resources/Treasurer (ADR/T) took Members through the report. Members requested an update on the potential for NHS Trusts to be exempt from Business Rates. There were some concerns raised about the potential move of funding from the Department for Communities and Local Government (DCLG) to the Home Office and the possibility that this might take Fire Services, like the Police, outside of the Localised Business Rates System.

13.3 The ADR/T explained that ESFRS had, during 2015/16 and 2016/17, been a member of the East Sussex Business Rates Pool with East Sussex County Council and the

five District and Borough Councils. The pool had been disbanded in 2017/18 due to potential risks associated with the revaluation of business rates properties and the potential effects of appeals. The Chief Finance Officers at each member authority agreed to consider re-pooling in 2018/19.

- 13.4 The ADR/T informed Members that the timetable for Pooling applications was tight. The DCLG published the prospectus at the end of September. Agreement needed to be sought by all constituent authorities. These authorities must then submit an interest bid to re-establish the East Sussex Business Rates Pool for consideration by the 27 October 2017.
- 13.5 Members were informed that the decision made today was not final, the DCLG would announce successful applications following which there would be a 28 day window during which we could decide to withdraw. The ADR/T explained that if one authority withdrew then the whole pool would fail, therefore this was not a decision that any member authority should take lightly.
- 13.6 As with the previous pool, it was intended that Wealden District Council be the lead authority. The last East Sussex Business Rates Pool was beneficial to ESFRS, being entitled to 10% of resources gained and it was proposed that we would receive the same percentage in the new Pool.
- 13.7 The ADR/T informed Members that external firm, Local Government (LG) Futures had analysed the collective and individual risk to each authority prior to reinstating pool arrangements. It had been established that the risk was sufficiently low and the agreement stating that no member would be worse off within the pool than outside of it added reassurance. The balance of risk to reward was such that the East Sussex Financial Officers were happy to pool.
- 13.8 The ADR/T informed members that ESFRS had unallocated reserves that would cover us in the event of the pool failing, but that there was no reason to believe that this would be required.
- 13.9 The ADR/T gave members some background to ESFRS' involvement in the Business Rate retention scheme. When introduced by the Home Office in 2013, it included Fire Authorities, with District, Borough and County Councils. The Police were not included. This position has continued. When the Government decided to consult on 100% Business Rate Retention, they considered whether Fire Authorities should continue to be included. It was generally understood that the Home Office would prefer Fire Authorities to be out of the scheme and to receive a Home Office Grant, in line with Police. Respondents to the consultation asked the Home Office to give more information on how a Grant would compare to funds provided through Business Rate Retention. If a change did occur to the source of funding it was unlikely to be until 2020 at the earliest, and would certainly not impact on the Pool for the next year.
- 13.10 **RESOLVED** – That the Panel:
  - i. approved the Authority's membership of a re-established East Sussex Business Rates Pool; and

- ii. delegated the final decision on whether to participate in the Pool to the Assistant Director Resources/Treasurer after consultation with the Chairman and the Chief Fire Officer; and
- iii. authorised the Assistant Director Resources/Treasurer to take any steps necessary to give effect to the decision in (ii) above.

**14 EXCLUSION OF PRESS AND PUBLIC**

- 14.1 **RESOLVED** – That item 15 be exempt under paragraphs 3 and 5 of Schedule 12A to the Local Government (Access to Information) (Variation) Order 2006 and accordingly is not open for public inspection on the grounds that if the public and press were present there would be disclosure to them of exempt information, i.e. that it includes information relating to the financial or business affairs of any person, including the authority and information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

**15 CONFIDENTIAL MINUTES OF THE LAST URGENCY PANEL MEETING HELD ON 22 MAY 2017**

- 15.1 **RESOLVED** – That the confidential minutes of the meeting of the Urgency Panel held on 22 May 2017 be approved as a correct record and signed by the Chair. (Copy in minute book)

The meeting concluded at 11:15 hours.

Signed

Chairman

Dated this

day of

2018