

## **EAST SUSSEX FIRE AUTHORITY**

### **Minutes of the meeting of the East Sussex Fire Authority held at East Sussex Fire & Rescue Service Headquarters, 20 Upperton Road, Eastbourne at 10:30 hours on Thursday 16 June 2016.**

Present: Councillors Barnes, Buchanan, Deane, Earl, Field, Galley, Howson (Chairman), Lambert (Vice-Chair), Morris, O'Quinn, Peltzer Dunn, Penn, Pragnell, Scott, Sheppard, Taylor, Theobald and Wincott.

#### **Also present:**

Mr. G. Walsh (Chief Fire Officer), Mrs. D. Whittaker (Deputy Chief Fire Officer), Mr. M. Andrews (Assistant Chief Fire Officer), Mr. A. Ghebre-Ghiorghis (Monitoring Officer), Mr. D. Savage (Treasurer/Assistant Director Resources), Mrs. L. Ridley (Assistant Director Planning & Improvement), Mr. M. O'Brien (Assistant Director Operational Support & Resilience), Mrs. V. Chart (Assistant Director Human Resources & Organisational Development), Mrs. A. Bryen (Clerk to the Fire Authority), and for item 932 Katy Bourne (Sussex Police & Crime Commissioner), Carl Rushbridge (PCC Chief Finance Officer).

#### **914. DISCLOSABLE PECUNIARY INTERESTS**

914.1 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.

#### **915. ELECTION OF CHAIRMAN**

915.1 The Fire Authority considered a report of the Monitoring Officer. (Copy in minute book).

915.2 The Combination Order for the creation of the East Sussex Fire Authority set down the procedures for the election of the Chairman of the Authority. The Fire Authority's Standing Orders required a Chairman to be elected at the annual meeting from amongst its members as the first item of business, and set out the rules for doing so.

915.3 **RESOLVED** – That Councillor Howson be elected Chairman of the Fire Authority.

#### **916. ELECTION OF VICE-CHAIRMAN**

916.1 The Fire Authority considered a report of the Monitoring Officer. (Copy in minute book).

916.2 The Fire Authority's Standing Orders stated that the Authority may elect a Vice-Chairman or Vice-Chairmen from amongst its members and set out the rules for doing so.

916.3 In considering the appointment of a Vice-Chairman, Members had regard to Standing Order 9.3 which stated that the Authority, when deciding to elect a Vice-Chairman, should consider an appropriate representative balance between the two constituent authorities such that the Vice-Chairman, unless the Fire Authority specifically determined otherwise, should be a Member from the other constituent authority to that of the newly elected Chairman.

916.4 **RESOLVED** – That Councillor Lambert be elected Vice-Chair of the Fire Authority.

917. **APOLOGIES FOR ABSENCE**

917.1 Councillor Butler had temporarily resigned from the Fire Authority; Councillor Kathryn Field was welcomed to the meeting, having been temporarily appointed in Councillor Butler's place.

918. **URGENT ITEMS AND CHAIRMAN'S BUSINESS**

918.1 **Welcome to DCFO Dawn Whittaker and ACFO Mark Andrews**

The Fire Authority gave a warm welcome to DCFO Dawn Whittaker and ACFO Mark Andrews who were attending their first Fire Authority meeting since their appointments. Members wished them both well during their careers with ESFRS.

918.2 **Welcome to Katy Bourne and Carl Rushbridge.**

The Chairman welcomed Katy Bourne (Sussex Police & Crime Commissioner) and Carl Rushbridge (PCC's Chief Finance Officer) to the meeting.

919. **TO CONSIDER PUBLIC QUESTIONS, IF ANY**

919.1 There were none.

920. **TO CONSIDER PUBLIC PETITIONS, IF ANY**

920.1 There were none.

921. **NON-CONFIDENTIAL MINUTES OF THE MEETING HELD ON 11 FEBRUARY 2016**

921.1 **RESOLVED** – That the non-confidential minutes of the meeting held on 11 February 2016 be approved and signed by the Chairman. (Copy in Minute Book).

922. **CALLOVER**

922.1 Members reserved the following items for debate:

923. ESFRS Local Firefighters' Pension Board

924. Political Representation on the Panels of the Fire Authority

926. Treasury Management – Stewardship Report 2015/16

928. Senior Management Restructure

922.2 **RESOLVED** – That all other reports be approved according to the recommendations set out in the reports.

923. **ESFRS LOCAL FIREFIGHTERS' PENSION BOARD**

923.1 The Fire Authority considered a report of the Chief Fire Officer that invited the Authority to consider the appointment of the Chair of the Pension Board, the number of members of the Board and terms of office, and a possible amendment to the terms of reference of the Board. (Copy in minute book).

923.2 **RESOLVED** - That

- (i) the employer representatives (Fire Authority members) and scheme member representatives (employees) continue to be appointed for a one year period;
- (ii) the number of Board Members be retained at a total of 8, with 4 employer representatives and 4 scheme member representatives, and APFO be invited to nominate a representative to fill the current vacancy;
- (iii) the chairman of the Board continue to be an employer representative and Councillor Butler be appointed as Chairman of the ESFRS Pension Board for the forthcoming year; and
- (iv) the Monitoring Officer be authorised to amend the terms of reference of the Pension Board as necessary to accord with the decisions taken above.

924. **POLITICAL REPRESENTATION ON THE PANELS OF THE FIRE AUTHORITY**

924.1 The Fire Authority considered a report of the Chief Fire Officer that asked the Members to agree an allocation of Panel seats to political groups in accordance with the Local Government (Committees and Political Groups) Regulations 1990. (Copy in minute book).

924.2 **RESOLVED** - That

- (i) the Panel arrangements and political representation as set out below be approved:

	Cons	Lab	Lib	UKIP
Scrutiny & Audit (7)	3	2	1	1
Policy & Resources (7)	3	2	1	1
Human Resources (7)	3	2	1	1
Urgency (7)	3	2	1	1
Appointments (5) (Group Leaders + 1 Conservative)		No political balance		
Pensions Board		No political balance		

- (ii) in accordance with standing order 41.14, the Panels be invited to appoint their Chairmen at their first meeting; and
- (iii) Group Leaders be asked to confirm their membership of Panels to the Clerk to the Fire Authority.

925. **FIRE AUTHORITY AND PANEL MEETINGS 2016/17**

925.1 The Fire Authority received a report of the Chief Fire Officer that set out the dates of future meetings of the Fire Authority and its Panels for the next 12 months. Standing Order 3.1 of Part 1(a) required the Fire Authority to be notified annually in advance of the dates of meetings. (Copy in minute book).

925.2 **RESOLVED** – That the following dates for Fire Authority and Panel meetings be approved:

<b>Date:</b>	<b>Meeting:</b>
7 July 2016	Scrutiny & Audit and Policy & Resources Panels
8 September 2016	Fire Authority
15 September 2016	Scrutiny & Audit Panel
3 November 2016	Scrutiny & Audit and Policy & Resources Panels
8 December 2016	Fire Authority
19 January 2017	Policy & Resources Panel
2 February 2017	Scrutiny & Audit Panel
9 February 2017	Fire Authority
27 April 2017	Scrutiny & Audit and Policy & Resources Panels
15 June 2017	Fire Authority
6 July 2017	Scrutiny & Audit and Policy & Resources Panels
7 September 2017	Fire Authority
14 September 2017	Scrutiny & Audit Panel
2 November 2017	Scrutiny & Audit and Policy & Resources Panels
7 December 2017	Fire Authority

All Fire Authority meetings to commence at 10:30 hours

All Panel meetings to commence at 10:00 hours

926. **TREASURY MANAGEMENT – STEWARDSHIP REPORT 2015/16**

926.1 The Fire Authority considered a joint report of the Chief Fire Officer and Assistant Director Resources/Treasurer that detailed the annual Treasury Management Stewardship Report; this covered the Treasury activity for 2015/16 and was a requirement of the Fire Authority's reporting procedures. The report included the Prudential Indicators which related to the treasury activity. (Copy in minute book).

926.2 The Fire Authority had complied with its approved Treasury Management Strategy and Prudential Indicators for the year. The average rate of interest received through Treasury Management return was 0.65%. This reflected the Fire Authority's continuing prioritisation of security and liquidity over yield.

926.3 No new borrowing was undertaken in 2015/16, with total loan debt outstanding remaining at £10.973m at an average interest rate of 4.65%. There were no beneficial opportunities to reschedule debt during the year. The outturn of the Fire Authority's Capital Financing Requirement (CFR), a measure of the underlying need to borrow, was £10.973m.

926.4 Councillor Galley asked how the forward planning of debt profiling would be dealt with. Mr Savage said that the debt profile was reviewed with any opportunities to restructure annually.

926.5 Councillor Barnes suggested that interest rates may rise and that the Authority should be looking at the next 15 years to recycle debt.

926.6 Mr Savage confirmed that there would be no need for any new borrowing over the next 5 year financial plan, but the period beyond that would be considered. There remained uncertainty over future interest rates but this would be kept under review.

926.7 **RESOLVED** – That the Treasury Management performance for 2015/16 be noted.

927. **PERFORMANCE INDICATORS REVIEW**

927.1 The Fire Authority received a report of the Chief Fire Officer that proposed an amendment to the Fire Authority's Performance Indicators. (Copy in minute book).

927.2 The Policy & Resources Panel in May 2012 had recommended that the Fire Authority be asked to approve the future corporate performance indicator targets from 2011/12 up to 2015/16 (base line 2010/11) for inclusion in the Service's Planning documents. The Panel also agreed to utilise these as the strategic performance indicator targets for the five years up to 2015/16 and that they should be monitored on a quarterly basis by officers and the Scrutiny & Audit Panel.

927.3 The Scrutiny & Audit Panel on 4 February 2016 had requested a review of the current list of performance indicators, reported quarterly to the Panel, and that those that no longer presented relevant information to the Panel be removed.

927.4 Officers had completed a fundamental review of the performance indicators and the proposed changes were set out in the report.

927.5 **RESOLVED** – That

- (i) the latest strategic performance indicator targets contained in Appendix 1 to the report be approved;
- (ii) the deletion of the indicators set out in Appendix 2 to the report be approved; and
- (iii) it be noted that the reduced list of 22 indicators (from previously 36 indicators) will be reported to the Scrutiny & Audit Panel on a quarterly basis.

928. **SENIOR MANAGEMENT RESTRUCTURE**

- 928.1 The Fire Authority considered a report of the Chief Fire Officer that advised Members of the progress with the implementation of the management restructure. (Copy in minute book).
- 928.2 The aim of the structure review was to deliver financial savings by creating an organisational structure that reflected the changes needed to meet the Authority's current needs from 2016, to deliver organisational change, and to be efficient and lean. The new structure became operational with new senior managers in place and forming part of the Corporate Management Team on 7 March 2016 following the Fire Authority's approval in December 2015. Implementation was almost complete, and there was nothing material or significant to report at this time that would require a change in the proposals from the Chief Fire Officer.
- 928.3 The final savings from the restructure were not yet confirmed and so had not been built into the Authority's budget proposals for 2016/17. They would be built into the Medium Term Financial Plan (MTFP) in due course and any in-year savings reflected in the regular budget monitoring reports. However, based on current estimates, it was anticipated that, once fully implemented, the new senior management structure would deliver revenue budget savings in the order of £239,000 per annum, slightly lower than previously reported. These savings would be reduced by both the on-going costs of applying the Authority's pay protection policy over 3 years and one-off costs of redundancy.
- 928.4 Councillor Scott said that a restructure had been necessary to realise efficiency savings, not only now but in the longer term, and that flexibility to further restructure over the next five years was needed. The Chief Fire Officer responded that the Assistant Director of Resources/Treasurer was leading on the Support Services review, and Phase 1 had been completed. Members would be receiving a further report in the autumn.
- 928.5 **RESOLVED** – That the progress made on the implementation of the senior management restructure and the change made to the capital programme, be noted.

929. **POTENTIAL RELOCATION OF LEWES FIRE STATION, NORTH STREET LEWES**

- 929.1 The Fire Authority considered a report of the Chief Fire Officer that provided an update on the proposals to relocate Lewes Fire Station as part of the North Street Quarter redevelopment scheme. (Copy in minute book).
- 929.2 Discussions had been ongoing for some time between ESFRS, the Santon Group (developers undertaking the redevelopment of the North Street Quarter in Lewes), and other local stakeholders including Lewes District Council, the NHS and South East Coast Ambulance Service (SECAmb). Lewes District Council had agreed Heads of Terms to enter into a joint venture agreement (JV) with the Santon Group to deliver the North Street Quarter redevelopment scheme.

929.3 The current Fire Station at Lewes fell within the development zone and Lewes District Council. A number of relocation sites had been considered and Springman House, the former NHS and SECAMB site located nearby on the junction of North Street and Lancaster Street, had been identified as the preferred relocation site. Lewes District Council Cabinet had authorised Officers to negotiate and complete the purchase of the Springman House site from the NHS and SECAMB, for either its own use or to support the relocation of the Fire Station in Lewes.

929.4 At this stage it was not intended to commit ESFRS to any legally binding agreement. The Joint Venture had asked ESFRS to provide some formal commitment to the proposed North Street relocation site of Springman House and also to the principles drafted in the Memorandum of Agreement. Lewes District Council had requested ESFRS to provide a letter setting out ESFRS's agreement in principle to this approach and the broad terms set out in the memorandum of agreement which had been drafted. On completion of a feasibility study, a further report would be brought to Members for consideration and a decision on whether to accept the terms of the relocation scheme.

929.5 **RESOLVED** – That

- (i) a letter of intent to Lewes District Council be approved and issued; and
- (ii) the draft Memorandum of Agreement (subject to contract), together with the schedule of accommodation outlining ESFRS's baseline requirements for a replacement site, be approved in principle.

930. **EXCLUSION OF PRESS AND PUBLIC**

930.1 **RESOLVED** – That items nos. 931, 933 and 934 be exempt under the paragraphs indicated below of Schedule 12A to the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 and accordingly are not open for public inspection on the following grounds:

- 931 Paragraphs 1 & 3: Contains information relating to any individual and information relating to the financial or business affairs of any particular person (including the authority holding that information).
- 933 Paragraphs 2 & 5: Contains information which is likely to reveal the identity of an individual, and information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
- 934 Paragraph 3: Contains information relating to the financial or business affairs of any particular person (including the authority holding that information).

930.2 It had been recommended that item no. 932 – Police and Crime Commissioner – be exempt under the paragraphs 3 & 4 of Schedule 12A to the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 and not open for public inspection. However, the Fire Authority considered that the public interest outweighed the reasons for excluding the press and public. The Police & Crime Commissioner, who was present during this part of the deliberations, acknowledged that this would be a decision for the Fire Authority, and confirmed she was content for the report to be considered in public. It was therefore:

930.3 **RESOLVED** – That item no 932 – Police and Crime Commissioner be considered in the part of the meeting which was open to the press and public.

932. **POLICE AND CRIME COMMISSIONER**

932.1 The Fire Authority considered a report of the Chief Fire Officer that set out matters relating to the consultation document ‘Enabling closer working between the Emergency Services’ that had been issued by the Home Office/DCLG in September 2015. (Copy in minute book).

932.2 Members welcomed Katy Bourne, the Sussex Police & Crime Commissioner (PCC), and Carl Rushbridge (PCC’s Chief Finance Officer) to take part in the discussions on this report.

932.3 The report reminded Members that the Fire Authority had responded to the Government’s consultation document stating that whilst close collaboration between emergency services was essential, it could be achieved without elaborate structural change. It was also the Fire Authority’s view that it was more accountable to the community it served because its members were elected councillors from Brighton & Hove City and East Sussex.

932.4 Although similar responses had been made by the sector, the Government was carrying forward its intention to implement the proposals in the Policing and Crime Bill. The Chief Fire Officer’s report outlined the contents of the Bill which was likely to receive Royal Assent in the autumn. The Bill would give PCCs the ability to take on responsibility for fire and rescue services where a local case was made.

932.5 The PCC had made a formal approach for the Fire Authority to co-operate in exploring whether or not a sound business case existed for moving fire & rescue services in Sussex under the responsibility of the PCC. Her letter was attached to the report as Appendix 2. The PCC had welcomed the provision in the Bill to be represented on the Fire Authority as a means of creating a stronger platform for police and fire & rescue to work more collaboratively together.



- 932.6 Ms Bourne said that it was the Home Secretary's expectation that PCCs would consider whether or not a case existed locally for changing the governance arrangements by bringing the service under the political control of the PCC. Ms Bourne intended to set in motion work on a business case so as to avoid further speculation on what the future governance arrangements might be. She intended to appoint an external independent business partner to work alongside a project manager to develop a business case.
- 932.7 Ms Bourne said that it was her intention to establish a Reference Group which would include senior officers from Sussex Police, East and West Sussex FRSs, elected Members from East Sussex Fire Authority and West Sussex County Council. This Group would consider what a business case might look. Following this, a procurement exercise would be undertaken for a business partner.
- 932.8 Councillor Penn asked how much a business partner and a project manager would cost the taxpayer, and whether the PCC considered that this was an appropriate use of taxpayer's money particularly in the light of recent cuts in service such as the cut in number of PCSOs in Brighton & Hove. She said that the FRS already collaborated with other services and did not see this as a good use of money in the light of cuts that had been made in the City.
- 932.9 Ms Bourne responded that it was not possible to say how much the business partner and a project manager would cost, but she had a duty to get best value and a proper procurement exercise would be carried out. The Government direction was clear that PCCs were expected to consider the governance issue.
- 932.10 Councillor Peltzer Dunn asked who would bear the cost of producing the business case. Ms Bourne confirmed that the cost would be borne by the PCC.
- 932.11 Councillor Barnes considered that the Home Office should assist with the costs of the business case preparation and suggested that the Chairman and the Chief Fire Officer should indicate that to the Home Office. He said that the Fire Authority should be as co-operative as possible with the preparation of the business case, but that the PCC should be aware of the doubts Members had about the necessity. The Home Office were not bringing the Ambulance Service into its collaboration proposals and he considered that this was where the maximum advantage in collaboration could be gained. The Fire Authority already collaborated with the Police Service and were seeking greater integration in future months with shared accommodation and administrative staff, but wanted to see more work carried out with the Ambulance Service which he considered was urgent and necessary; he regretted that the Home Secretary thought that this was a step too far.

- 932.12 Councillor Barnes also expressed his doubts about a possible negative impact on the prevention work that had been developed by ESFRS and the collaborative work that was being done with Adult Social Care, should the governance arrangements of the FRS be changed. He asked the PCC to consider positively an arrangement where she could be a part of the CFA, but not seek to replace it. He also considered that the public should be widely consulted on the proposals.
- 932.13 There was a discussion between the PCC and Members in respect of the funding of any business case and the Commissioner encouraged the Fire Authority to make representations to the Home Office. The Home Secretary was aware of the ongoing conversation about bringing the Ambulance Service into the compulsory collaboration, and the current collaborations, such as Adult Social Care, would be taken into account in the preparation of the business case.
- 932.14 Councillor Scott said that he would welcome the PCC joining the CFA meetings and felt that she could learn a lot from this Fire & Rescue Service. He also welcomed the idea of an open and transparent process on the discussions for the way forward for governance of ESFRS. Whilst he wanted to hear what the PCC had to say, he pointed out that there was no political appetite from those on the Fire authority for the Home Office to impose the model of PCC governance on FRSs in Sussex. ESFRS had been collaborating with other agencies for years and would look to do further collaboration work. East Sussex Fire Authority comprised cross party elected Members and, whilst they did not agree on everything, they generally came to a consensus on developments within ESFRS. The CFA was the least politicised body that he served on. He was concerned that the Police and FRS had very different identities which may be lost if the PCC took over the governance of ESFRS. He was also concerned that there could be a shift of budgets across from ESFRS to the Police. ESFRS was already collaborating with the Police, for example, through the planned shared accommodation at Lewes, and with the Council and the Police at Newhaven Community Fire station. The Government should understand what ESFRS had been doing for a long time.
- 932.15 Councillor Theobald welcomed Ms Bourne to the meeting and asked how long the business case would take to prepare. She pointed out that it took two years for the business case to be completed for a proposed merger with West Sussex FRS. She also expressed her concern that the Ambulance Service had been excluded from the consultation and the governance proposals.
- 932.16 Ms Bourne said that she anticipated that it would take three months to complete a business case. It would not include the Ambulance Service.

- 932.17 Councillor Deane concurred with Councillor Scott. The consultation from the Government last year, (*set out in Appendix 1 to the report on this agenda*), had not given enough time for the public to become aware of the proposals which had far reaching consequences. The CFA had discussed the proposals very thoroughly at that time and had agreed that governance of the ESFRS by the PCC was not the best way forward. The CFA at that time comprised 5 political parties who were unanimous in their opposition to the proposals and the view of the CFA had not changed since then. She said that, although the discussion so far today had been around the development of a business case, the issues of a change in governance had far reaching consequences. The FRS was a respected service in the community and was welcomed into people's homes to carry out Home Safety Visits. Certain members of the community were not at ease with the Police coming into their homes and if the FRS came under the auspices of the PCC, there could be a detrimental effect on the Home Safety work done by ESFRS. She continued to say that the business case should look beyond costs and savings as it may take a long time before any financial benefit is evident. Britain had the fifth strongest economy in the world so should be able to afford blue light services as equals without any compromises. She valued collaboration and the co-operation with the PCC but felt that the business case could be flawed.
- 932.18 Councillor Lambert concurred with what had been said. She was concerned that a business case could be prepared in three months. She asked the PCC to ask the Home Secretary for funding so that ESFRS could backfill staff that would be needed to work on the business case. Other competing pressures on staff were anticipated, such as the local devolution proposals, which would have a negative impact on staff capacity.
- 932.19 Ms Bourne said that the PCC would bear the cost of producing the business case. A lot of information was already available from the business case previously prepared for the proposed merger between East and West FRSs, and she did not envisage a drain on ESFRS resources to do this.
- 932.20 Councillor O'Quinn agreed with the comments so far made by her colleagues, and was disappointed that the Home Secretary had not included the Ambulance Service in proposals for collaboration.
- 932.21 Councillor Galley said that it was important to co-operate fully in the business case preparation. Clear, transparent and objective terms of reference were needed. The business case must be able to show that if ESFRS was to be governed by the PCC, the Home Secretary's objectives would be more readily achieved by a change in governance and it needed to clearly show that the outcomes would be better under PCC control; however, it was difficult to say at present that ESFRS's outcomes could be improved upon. He applauded a short timescale for the preparation of the business case. Issues that needed to be taken into account included the collaboration across services, centralised back office systems, and that the number of incidents had decreased but workforce numbers remained high.
- 932.22 Councillor Wincott was concerned that there would be no community input to the business case. He pointed out that across East and West Sussex,

councillors and MPs were opposed to the PCC taking over the governance of FRSs, and he felt that the electorate was largely being ignored. He concurred with other councillors that the business case should include community benefit issues.

- 932.23 Ms Bourne said that public consultation would take place after the business case had been prepared. She could not say at this stage what the business case might conclude, as evidence needed to be gathered to inform the business case. She said she had a mandate from the public and was minded to move ahead with these proposals. The Home Secretary had made it clear that the Policing and Crime Act would make it a duty to collaborate. The PCC had a duty to put forward a business case and she was starting this work now.
- 932.24 Councillor Scott said that he thought three months was not long enough to prepare a business case.
- 932.25 Ms Bourne said that a business case would be prepared within 3 months and that it would conclude whether or not a proposal to bring the governance of the FRS under the PCC was viable. If a case was made, there would be full public consultation. If a case was not made there would be no public consultation.
- 932.26 Councillor Scott thought that there should be public consultation regardless of the conclusions of the business case, as this was about a fundamental change in the running of a service being imposed by the government.
- 932.27 Ms Bourne said that the terms of reference would be established by the Reference Group comprising East and West Sussex FRS, Police and the PCC. The use of an independent business partner would give rigour and independence to the business case.
- 932.28 Councillor Field was concerned that the social aspects of the work done by ESFRS should be included. Ms Bourne said that it would be for the Group to determine the terms of reference and what should be included.
- 932.29 Councillor Barnes said it was acceptable that the Reference Group should draw up the terms of reference which should provide for an exploration of the benefits and dis-benefits that the different forms of governance would have for closer collaboration, home safety work and the wider health agenda, and not just the costs benefits/dis-benefits. He supported public consultation after the business case had been prepared.
- 932.30 Councillor Pragnell agreed that public consultation could only take place after the business case had been prepared. He said that it was important that this should take account of more than just the financial implications, and should include the social implications. ESFRS should co-operate fully in its preparation.
- 932.31 Ms Bourne said that the Treasury had set out five strands that the business case should include and this extended beyond financial implications.

- 932.32 Councillor Penn was concerned that the trades' unions/representative bodies should be consulted and asked if there would be a single employer of FRS and Police if the PCC assumed the governance of both organisations.
- 932.33 The Chief Fire Officer confirmed that all Trades Unions in ESFRS had been briefed on the correspondence between the PCC and the Chairman. (*Set out in Appendices 2 and 3 to the report*). Ms Bourne confirmed that she would be inviting the trades unions to discussions.
- 932.34 Councillor Morris asked if the appointment of an external business partner would be reviewed by an independent body. Ms Bourne confirmed that a business partner would be appointed through a procurement process.
- 932.35 Councillor Deane welcomed the public consultation. She asked how the public would be able to have their say, and if there would be a public vote, through a referendum. Ms Bourne said that she could not say what form the public consultation would take and that there would be no referendum as the cost would be prohibitive.
- 932.36 Councillor Lambert, in noting that the Ambulance Service had not been included in the Reference Group, considered that this would be a good opportunity to bring them on board for wider collaboration and to address the Fire Authority's concerns that the Home Office's proposals for a change of governance may get in the way of wider collaboration.
- 932.37 Ms Bourne said that there were no plans to include SECAMB in the Partnership Reference Group but encouraged ESFRS to collaborate further with SECAMB.
- 932.38 The Chief Fire Officer said that he had received an invitation for him and the Chairman to an initial meeting to discuss the setting up of the Reference Group. Members asked that representations be made at that meeting about the membership of the Reference Group to include all Group Leaders from the CFA, and to consider the scrutiny of the business case process.
- 932.39 The Monitoring Officer said that he understood that the notes of the discussion at this meeting would be taken as broad instructions to officers to co-operate fully in the formulation of the business case, and that Members had reservations about the costs and merging of functions.
- 932.40 Ms Bourne thanked the Fire Authority for inviting her to the meeting and for the opportunity for an open discussion.

932.41 **RESOLVED** – That

- (i) the progress of the Policing and Crime Bill through Parliament and the specific duty to collaborate contained within it be noted;
- (ii) the recent formal request (dated 26 May 2016) by the PCC to co-operate with the intention to explore whether or not a sound business case exists for moving Fire and Rescue Services in Sussex under the responsibility of the PCC, (given the requirement in the Bill that the relevant FRA's should cooperate with the PCC in preparation of the proposal), be noted;
- (iii) the establishment of the Reference Group, (which will include the Chairman and the Chief Fire Officer), to consider and agree terms of reference for the business case be welcomed;
- (iv) the view that the business case should explore various options for future governance of the ESFRS including no change, as well as the PCC joining the CFA as an observer be approved;
- (v) the resource implications in contributing to the development of a business case, particularly officer time, be noted with concern;
- (vi) full public consultation be welcomed if the business case shows that there is a need for a change in governance; and
- (vii) the Fire Authority's response to the Government's consultation 'Enabling closer working between the Emergency Services' (*set out in Appendix 1 to the report*), remain unchanged following the debate at this meeting, but the Fire Authority recognises its duty to be constructive in the preparation of a business case and agrees to co-operate fully in that regard, and reaffirms its belief in collaboration, where it improves delivery of services to the public and creates efficiencies.

The meeting concluded at 12:50 hours.

Signed  
Chairman

Dated this 8<sup>th</sup> day of September 2016.