

Public Document Pack

LANCASHIRE COMBINED FIRE AUTHORITY

RESOURCES COMMITTEE

Wednesday, 29 March 2017 in Main Conference Room, Service Headquarters, Fulwood commencing at 10.00 am.

IF YOU HAVE ANY QUERIES REGARDING THE AGENDA PAPERS OR REQUIRE ANY FURTHER INFORMATION PLEASE INITIALLY CONTACT DIANE BROOKS ON TELEPHONE NUMBER PRESTON (01772) 866720 AND SHE WILL BE PLEASED TO ASSIST.

AGENDA

PART 1 (open to press and public)

Chairman's Announcement – Openness of Local Government Bodies Regulations 2014

Any persons present at the meeting may photograph, film or record the proceedings, during the public part of the agenda. Any member of the press and public who objects to being photographed, filmed or recorded should let it be known to the Chairman who will then instruct that those persons are not photographed, filmed or recorded.

1. APOLOGIES FOR ABSENCE

2. DISCLOSURE OF PECUNIARY AND NON-PECUNIARY INTERESTS

Members are asked to consider any pecuniary and non-pecuniary interests they may have to disclose to the meeting in relation to matters under consideration on the agenda.

3. MINUTES OF PREVIOUS MEETING (Pages 1 - 16)

4. FINANCIAL MONITORING (Pages 17 - 26)

5. PENSION BOARD - FIREFIGHTERS' PENSION SCHEMES - UPDATE (Pages 27 - 32)

6. CODE OF CONDUCT UPDATE (Pages 33 - 40)

7. EQUALITY, DIVERSITY AND INCLUSION POLICY (Pages 41 - 50)

8. DATE OF NEXT MEETING

The next scheduled meeting of the Committee has been agreed for 10:00 hours on Wednesday 28 June 2017 in the Main Conference Room, at Lancashire Fire & Rescue Service Headquarters, Fulwood.

Further meetings are: scheduled for 27 September 2017 and 29 November 2017.

9. URGENT BUSINESS

An item of business may only be considered under this heading where, by reason of special circumstances to be recorded in the Minutes, the Chairman of the meeting is of the opinion that the item should be considered as a matter of urgency. Wherever possible, the Clerk should be given advance warning of any Member's intention to raise a matter under this heading.

10. EXCLUSION OF PRESS AND PUBLIC

The Committee is asked to consider whether, under Section 100A(4) of the Local Government Act 1972, they consider that the public should be excluded from the meeting during consideration of the following items of business on the grounds that there would be a likely disclosure of exempt information as defined in the appropriate paragraph of Part 1 of Schedule 12A to the Local Government Act 1972, indicated under the heading to the item.

PART 2

11. HIGH VALUE PROCUREMENT PROJECTS (Pages 51 - 56)

12. REPORT ON TRANSACTION OF URGENT BUSINESS - DISPOSAL OF SURPLUS LAND (Pages 57 - 58)

13. REQUEST FOR EXTENSION OF PAID SICK LEAVE (Pages 59 - 62)

14. URGENT BUSINESS (PART 2)

An item of business may only be considered under this heading where, by reason of special circumstances to be recorded in the Minutes, the Chairman of the meeting is of the opinion that the item should be considered as a matter of urgency. Wherever possible, the Clerk should be given advance warning of any Member's intention to raise a matter under this heading.

LANCASHIRE COMBINED FIRE AUTHORITY

RESOURCES COMMITTEE

Wednesday, 30 November 2016, at 10.00 am in the Main Conference Room, Service Headquarters, Fulwood.

MINUTES

PRESENT:

Councillors

F De Molfetta (Chairman)
T Aldridge (Vice-Chair)
A Barnes
M Green
A Matthews
D O'Toole
F Jackson
R Shewan
D Stansfield
V Taylor

Officers

C Kenny, Chief Fire Officer (LFRS)
J Johnston, Deputy Chief Fire Officer (LFRS)
K Mattinson, Director of Corporate Services (LFRS)
B Warren, Director of People and Development (LFRS)
J Bowden, Head of Finance (LFRS)
D Brooks, Principal Member Services Officer (LFRS)
J Harney, Member Services Assistant (LFRS)

29/16 APOLOGIES FOR ABSENCE

Apologies were received from Councillor T Williams.

30/16 DISCLOSURE OF PECUNIARY AND NON-PECUNIARY INTERESTS

None received.

31/16 MINUTES OF THE LAST MEETING HELD ON 28 SEPTEMBER 2016

RESOLVED: That the Minutes of the meeting held on 28 September 2016 be confirmed as a correct record and signed by the Chairman.

32/16 TREASURY MANAGEMENT MID-YEAR REPORT 2016/17

The report set out the Authority's borrowing and lending activities during 2016/17, which were in line with decisions taken during the year to date, based on anticipated spending and interest rates prevailing at the time.

In accordance with the updated CIPFA Treasury Management Code of Practice (2011) and to strengthen Members' oversight of the Authority's treasury management activities, the Resources Committee received regular updates on treasury management issues including a mid-year report and a final outturn report. Reports on treasury activity were discussed on a quarterly basis with Lancashire County Council Treasury Management Team and the Authority's Director of Corporate Services and the content of these reports was used as a basis for this report to the Committee.

Economic Overview

The economic position and future outlook had been significantly influenced by the vote to leave the EU in the referendum on 23rd June 2016. This led to many economic commentators reducing their forecasts of economic growth. The risk of reduced growth was judged by the Bank of England to be severe, prompting the Monetary Policy Committee to initiate substantial monetary policy easing at its August meeting to mitigate the worst of the downside risks. This included a cut in Bank Rate to 0.25%, further gilt and corporate bond purchases (QE) and cheap funding for banks to maintain the supply of credit to the economy. Although the impact of the vote to leave the EU was highly speculative it was likely that the uncertainty on future trade relations would impact on growth and future reduction in rates were possible.

During the first part of the financial year the economy had grown. The first estimate of Q3 GDP released by the ONS showed the UK economy growing by 0.5% over the quarter and 2.3% year-on-year. Both of these figures were slightly above market expectations. The Q2 growth rates were growth of 0.7% over the quarter and 2.1% year on year.

The period had seen some change in inflation. Following BREXIT there had been a fall in the value of sterling which along with the near doubling in the price of oil in 2016 had combined to drive inflation expectations higher. Twelve-month CPI inflation had increased by 0.4% to 1.0% in September. The Bank of England was forecasting that Consumer Price Inflation would breach its 2% target in 2017, the first time since late 2013. However, the rise in inflation was highly unlikely to prompt monetary tightening by the Bank of England, with policymakers looking through import-led CPI spikes, concentrating instead on the negative effects of Brexit on economic activity and, ultimately, inflation.

The impact of the new government may also impact on economic conditions. After six years of fiscal consolidation it was seen as likely that the Autumn Statement would include fiscal initiatives to support economic activity. This was most likely to be in the form of infrastructure investment although tax cuts or something similar could not be ruled out.

Interest Rate Environment

Short term interest rates continued at the very low levels with the Bank of England reducing the base rate to 0.25% in August which was the first movement in base rate since March 2009.

Outlook for Interest Rates

Treasury Consultants Arlingclose Ltd forecast that over the medium term, economic and political uncertainty would likely dampen investment intentions and tighten credit availability, prompting lower activity levels and potentially a rise in unemployment. In the short term they felt the most likely scenario was for the base rate to remain constant but if there was to be a move it was likely to be a further reduction.

Borrowing

There had been no new borrowing undertaken in the first six months of the year. This was in line with the continuation of the policy of using cash balances to fund capital expenditure which had resulted in no new borrowing being undertaken since 2007.

All the Fire Authority's existing borrowing was from the Public Works Loan Board. The long term debt outstanding at the beginning of the year was £5.764m which had remained unchanged in the first half of the year. The next scheduled repayment of £0.250m was in December 2016 reducing the debt to £5.514m by year end.

The Authority was required to make a minimum revenue provision for the repayment of debt. This cash could be used to repay the debt early but the PWLB would charge an expensive premium for early repayment loss of interest and this had not been considered to be a cost effective option in this year. With the low level of interest rates, at present the repayment of this debt was prohibitively expensive. However in a few years' time, as the total debt fell due to scheduled repayments and as interest rates rose, premium payments for debt redemption may become more manageable. The actual timing of the repayment would depend upon the cost of the premiums but the current plan was to be in a position to clear the debt by 2018/19.

Investments

Both the CIPFA Code and the CLG Guidance required the Authority to invest its funds prudently, and to have regard to the security and liquidity of its investments before seeking the highest rate of return, or yield. The Authority's objective when investing money was to strike an appropriate balance between risk and return, minimising the risk of incurring losses from defaults and the risk of receiving low investment returns and having the value of reserves eroded by inflation.

The Authority principally invested in a call account provided by Lancashire County Council which paid the base rate. Each working day the balance on the Authority's Current Account was invested in this to ensure that the interest received on surplus balances was maximised. During the period all new investments were placed with the County Council via this arrangement. At 30th September there was a balance of £36.965m with the average balance invested in LCC for the period was £31.099m.

In addition the Authority still had two long term investments that had been placed with UK local authorities as outlined below:

Start Date	End Date	Principal	Rate	Annual Interest	Interest 2016/17
30/6/14	28/6/19	£5,000,000	2.4%	£120,000	£120,000
31/7/14	31/7/17	£5,000,000	1.6%	£80,000	£80,000

Therefore the total investment held at 30 September was £46.965m.

The overall the rate of interest earned during this period was 0.80% which compared favourably with the benchmark 7 day index which averaged 0.43% over the same period.

Attached as appendix 1 was a forecast flow for the year. This showed that further sums could be placed on fixed term investments. However, to obtain a better interest rate return than the call account would involve fixing investment for at least 3 months. This position was kept under constant review and suitable opportunities would be taken.

All investments were made in accordance with the current Treasury Management Strategy and the CIPFA treasury management code of practice.

Prudential Indicators

In order to control and monitor the Authority's treasury management functions, a number of prudential indicators were determined against which performance may be measured. The indicators for 2016/17 were shown in the table below alongside the current actual.

	2016/17 Pls	Actual to 30.9.16
Adoption of the CIPFA Code of Practice for Treasury Management	Adopted	Adopted
Authorised limit for external debt	£m	£m
A prudent estimate of total external debt, which does not reflect the worst case scenario, but allows sufficient headroom for unusual cash movements		
Borrowing	7.800	5.764
Other long-term liabilities	14.900	14.886
Total	22.700	20.650
Operational boundary for external debt		
A prudent estimate of debt, but no provision for unusual cash movements. It represents the estimated maximum external debt arising as a consequence of the Authority's current plans		
Borrowing	6.800	5.764
Other long-term liabilities	14.900	14.886
Total	21.700	20.650
Upper limit for fixed interest rate exposure		
Borrowing	100%	100%
Investments	100%	21.3%
Upper limit for variable rate exposure		
Borrowing	25%	Nil
Investments	100%	78.7%
Upper limit for total principal sums invested for over 364 days (per maturity date)	25.000	10.000
Maturity structure of debt	Upper/ Lower Limits	Actual

Under 12 months	30% / nil	4.34%
12 months and within 24 months	30% / nil	5.73%
24 months and within 5 years	50% / nil	16.20%
5 years and within 10 years	80% / nil	33.31%
10 years and above	90% / nil	40.42%

RESOLVED: - That the Committee note and endorse the report.

33/16 FINANCIAL MONITORING 2016/17

The report set out the current budget position in respect of the 2016/17 revenue and capital budgets and performance against savings targets.

Revenue Budget

The overall position as at the end of October showed an under spend of £1.4m. The current underspend was the result of the Authority continuing to monitor variances for emerging savings opportunities which would be reflected in the forthcoming budget setting process.

The Committee was provided with detailed information regarding the position within individual departments, with major variances being summarised below: -

Area	Over/(Under) spend at 31 Oct	Forecast Outturn	Reason
	£'000	£'000	
Training & Operational Review	(55)	(253)	The underspend to date related to savings in respect of bringing the training centre catering provision back in house, which had been reflected in the 2017/18 budget, following the first full year's results. In addition, work was on-going to refine the various work streams relating to the additional £0.3m investment in organisational development however these had not yet concluded, therefore this would be underspent at year end.
Property	(198)	(169)	The underspend related to spend against planned repairs and maintenance as property department capacity was almost fully occupied with the working on the current capital projects. It was expected that this would result in a similar level of underspend by year end. In addition it reflected previous year's investment in property assets. A full stock condition survey was currently underway, which would indicate where and how much future investment might be required.

			The repairs and maintenance budget for 2017/18 had been reduced by £100k in anticipation of the expected results.
Service Delivery	(227)	(366)	<p>The underspend reflected the continued reductions in spending across many budget headings, for which next year's budget had been reduced, the single most significant element of which was the ongoing underspend on smoke detectors and fire safety consumables as the new Home Fire Safety Check process continued to be embedded within the service.</p> <p>Utilities were also forecast to be underspent, reflecting past and ongoing energy efficiency measures. Next year's budget would be adjusted to reflect the out-turn position.</p>
Pay - wholetime	(425)	(786)	<p>The majority of the underspend related to difference between budgeted staffing numbers and actual staffing number.</p> <p>Personnel have continued to leave the service without accruing full pension benefits, with a further 14 personnel doing this since the budget was set, and we anticipated a further 4 more between now and the year end. (This was not allowed for in the original budget proposal as it was not clear whether this was related to changes to the pension schemes or not, however it was now apparent that this trend would continue and hence next year's budget would be amended to reflect this.)</p> <p>Whilst recruitment had taken place in year this was lower than originally allowed for in the budget and was also later in the year, resulting in an underspend. This situation was further compounded by the fact that the new recruits had all come from the retained duty system personnel meaning that the recruit's course was considerably shorter, 4 weeks instead of 13, resulting in a further underspend.</p> <p>The final element of underspend related to a combination of the timing of costs of ad hoc payments such as overtime and public holidays, and the</p>

			<p>mix of personnel in each of the pension schemes. All of these had been reviewed and updated as part of next year's budget setting exercise.</p>
Pay - RDS	(284)	(777)	<p>The underspend related to the shortfall in respect of hours of cover provided, which were higher than allowed for in the budget, reflecting the on-going issues in terms of recruitment and retention. This was compounded by a greater number of RDS personnel still being in development than forecast, again reflecting turnover rates.</p> <p>The current wholetime recruitment could potentially create further reductions in hours of cover as 27 RDS staff had now begun their wholetime recruits course dependent on their subsequent ability to carry out dual roles. However we had further RDS recruitment exercises planned to alleviate the issue. This would be reflected in future forecast updates.</p> <p>The Retained budget also included an additional £600k in relation to the Strengthening and Improving RDS project. However in order to achieve the maximum benefits from the investment we had undertaken a lengthy process to develop options, in conjunction with RDS personnel, which had delayed the implementation of any change and hence had led to an underspend on this.</p> <p>It was worth noting that the RDS Pay review had one of its key objectives to design a scheme which resulted in improved recruitment, retention and availability. This was nearing completion, currently being out to consultation, with any proposed changes due to be implemented at the start of the new financial year, subject to the outcome of the consultation process and Authority approval of a final scheme. It was proposed that an earmarked reserve be created as part of the year end process to meet any protection costs associated with the final scheme, full details of which would be identified once a scheme was agreed.</p>

Pay Support Staff	–	(210)	(370)	<p>The underspend related to turnover of various specialist and administrative roles during the year, when we had assumed that as all previous staffing reviews had been implemented prior to the start of the year there would be minimal changes. This had been reflected in next year's budget by increasing assumed vacancies to 2.5%.</p> <p>In addition, specialist roles relating to the creation of additional capacity within ICT had proven difficult to recruit to.</p>
Non-DFM		15	599	<p>The year-end position reflected the additional transfer to reserves relating to the redevelopment of Lancaster Fire Station and Fleet workshop, as referred to below.</p>

Capital Budget

The Capital Programme for 2016/17 stood at £8.223m, however additional budget had been added to reflect potential additional costs related to Lancaster redevelopment and relocation of Fleet garage, as set out below. Allowing for this the revised capital budget stood at £8.823m. A review of the programme had been undertaken to identify progress against the schemes as set out below: -

	Committed spend to Oct 16 £m	Forecast Slippage Into 17/18 £m	
Pumping Appliances	0.964	-	<p>Committed spend to date related to the purchase of 5 pumping appliances for the 2016/17 programme, which had been ordered and were currently in build, we anticipate these would be delivered by March 2017.</p> <p>We were forecasting a £14k overspend on this as final contract prices were marginally higher than anticipated. This had been built into future capital budgets.</p>
Other vehicles	0.132	(0.416)	<p>Committed spend to date related to various support vehicles which had either been delivered or had been ordered.</p> <p>The slippage related to:-</p> <ul style="list-style-type: none"> the remaining planned support vehicles replacements, which were ordered and would be delivered in the new financial

			<p>year, or were being reviewed prior to replacement.</p> <ul style="list-style-type: none"> the replacement of 2 driver training vehicles (DTVs) for which specification options were currently being considered with a likely procurement date in the new financial year.
Operational Equipment / Future Firefighting	0.340	(0.390)	<p>This £1m budget was set aside to meet the costs of innovations in firefighting equipment, and the spend to date and year end position reflected the purchase of various items, including:</p> <ul style="list-style-type: none"> an Unmanned Aerial Vehicle (UAV) or drone, which was now operational. the committed costs of trialling a new vehicle type to use as a water tower due for delivery in December. the purchase of flood suits for all operational staff along with various items of flood rescue equipment. the purchase of stabilisation struts for operational use during rescues involving crashed vehicles, or collapsed/damaged property. We were currently regionally reviewing the potential use of body worn cameras for operational use for learning from incidents, and for staff protection in certain locations. <p>In addition, we were exploring the use of technical rescue jackets for non-fire related incidents regionally, however this was unlikely to result in spend during the current financial year so would slip forwards to 2017/18.</p>
Building Modifications	1.636	(2.317)	<p>The majority of committed spend to date related to the purchase of the property adjacent to Lancaster fire station in order to facilitate the redevelopment of the site. In addition we had made the first stage payments for both the refurbishment of Carnforth fire station and the build of the Multi-Compartment Fire Fighting prop at Training Centre.</p> <p>The forecast slippage related to:-</p> <ul style="list-style-type: none"> the remainder of the budget for

			<p>the provision of a replacement for Lancaster Fire Station, incorporating a joint Fire & Ambulance facility, following the purchase of the adjacent site, for which the contract was expected to be formally awarded by mid-December. The lowest tender in relation to this was subject to clarification. Discussions had also been on-going with the Council in respect of the strip of land that we currently leased for car parking spaces and whilst it was not essential to the development the purchase of this would enhance the overall scheme. The potential increase in costs was reflected in the revenue contribution to capital outlay highlighted earlier.</p> <ul style="list-style-type: none"> • completion of the remaining items of capital works at the Training Centre site. • the relocation of the Fleet workshop to Training Centre, with a final design and costings being developed in relation to this. In order to provide greater future proofing the scope of the design had increased, with the latest cost estimate being £0.4m. The increase in costs was reflected in the revenue contribution to capital outlay highlighted earlier.
IT systems	0.060	(0.630)	<p>Committed spend to date related to the final stages of the phased implementation of the replacement asset management system which began during the last financial year, and the upgrade of the Community Risk Management Information System (CFRMIS).</p> <p>The slippage related to:-</p> <ul style="list-style-type: none"> • Initial costs of the national Emergency Services Mobile Communications Project (ESMCP) to replace the Airwave wide area radio system – with further budgetary provision included in the 2017/18 draft capital programme • the replacement of the wide area

			<p>network (WAN) to allow a solution to be in place when current service contracts were due to end during 2017/18</p> <ul style="list-style-type: none"> • The replacement of various systems, in line with the ICT asset management plan, however these were reviewed prior to starting the replacement process.
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Members were also provided details that set out the capital programme and the expenditure position against this, as reflected above. The costs to date would be met largely by revenue contributions, with capital grant funding the costs to date of Lancaster Redevelopment.

Delivery against savings targets

The current position on savings targets identified during the budget setting process, was reported. The performance to date was ahead of target due to a combination of the underspend on salaries for the year to date, plus savings in respect of procurement activities during the same period. It was anticipated that we would meet our efficiency target for the financial year.

RESOLVED: - That the Committee note the financial position and approve the change to the capital programme.

34/16 RECRUITMENT UPDATE

Members were aware from previous papers that following an extended period of no wholetime recruitment, in light of the financial challenges and reductions in establishment, the Service had now embarked on a wholetime recruitment campaign for 2016/17 with a target of up to 30 individuals. It was the intention to continue recruitment in future years to address future requirements; matching the leaver profile and organisational changes. This report outlined the outcomes and lessons to be taken forward into future campaigns.

The Authority had endorsed considering expressions of interest from RDS staff first before full external recruitment providing that the individuals met the required Point of Entry Selection Test (POEST) standard as a one off.

In view of the significant changes in the demands and role of a firefighter since the previous recruitment, the whole process needed to be refreshed. The processes and criteria that have emerged meant that the ability of our existing RDS workforce to meet the criteria needed to be relaxed to recognise their current position, experience and commitment.

The process that was implemented resulted in 27 of the RDS individuals meeting the criteria and being offered positions in the wholetime duty system. A further 5, whilst meeting the POESTs, gave a degree of concern in respect of their ability to meet the immediate onerous demands of the initial training, so they have been advised in respect of addressing their stamina and strength issues and would be included in the next cohort of new entrants. The other RDS candidates, that for various reasons have not met the wholetime standard, have been offered feedback and advice on

where they need to improve their performance. This outcome was a significant improvement on a similar exercise undertaken in 2008.

Having a single standard was understood within the Service and provided reassurance to whole-time staff and the representative bodies that standards were not being compromised. The approach taken for RDS staff was they would be assessed against the required criteria. However in terms of the additional criteria identified, possible relaxation was allowed where they could demonstrate an ability to undertake that element in their existing role. The single standard and person specification would now be used for future campaigns.

In response to a question raised by CC Terry Aldridge, the Director of People and Development confirmed that the training programme for new wholetime recruits was 12 weeks whilst RDS staff who had been successfully recruited had 2 weeks of training followed by further on the job training and training on breathing apparatus. For this group transferring a 4 week conversion course had been devised to bridge the gaps in knowledge.

Adopting a transfer process for RDS had not had and would not have any impact on the need to have a representative workforce. The catchment area for RDS appliances also limited the potential to become a more representative employer. It was for this reason that the Service was embarking on positive action activity as part of the twin track approach prior to undertaking an open process when the full requirements would be measured. Future recruitment would be undertaken on an open competitive basis with the Service expecting that the entry level standards would be met in full and all staff were clear on the standards required. Entering open competition would also allow any interested Green Book employees and previous transferees to North West Fire Control to apply if they were interested.

An inevitable consequence of selecting from the RDS establishment was that RDS availability would be impacted and far more detachments would occur to keep appliances on the run. Attempts had been made to mitigate this by encouraging successful applicants to continue to fulfil their previous RDS contract as a dual contract member of staff. The recruitment of RDS staff had always been difficult as the motivation behind providing RDS cover was varied and the catchment area limited. In order to address this, the Service had tried to combine local effort with a campaign approach and running 3 training courses a year.

The Service had made changes to the RDS remuneration and conditions of service via its salary scheme which alleviated some of these issues and LFRS had the best remunerated RDS staff in the country (and further changes were being developed to improve this position).

It was not possible to pre-plan for these transfers because until the process was completed it was not possible to determine which RDS stations would lose individuals to the wholetime grouping. In future recruitment, the impact would not be as significant as the individuals would be in open competition, although they would clearly potentially be at an advantage due to internal knowledge. It was further hoped that the significant numbers that had been successful would act as an incentive for individuals to join the RDS Service as a route to a full time fire service career.

A concern to the Service was the potential for individuals who worked the RDS system and who were de-selected would tender their resignation, but this to date has not occurred.

Although it was not possible to predict where the RDS impact would fall, the recruitment of individuals in advance of the requirement in respect of wholetime staff was being considered to alleviate any future issues. In any event the requirement for workforce planning in a more robust manner had been identified and would form part of the budget setting process.

As a result of observations and experience gained, the various stages were being reviewed to ensure validity and objectiveness with clear instructions and assessment.

Members welcomed the new activity around apprenticeships, noting this required more detailed consideration and acknowledging this could be an effective vehicle to enhance improvements in our diversity agenda.

RESOLVED: - Members noted and endorsed the report.

35/16 OHSAS 18001 HEALTH & SAFETY AND ISO 14001 ENVIRONMENTAL MANAGEMENT SYSTEMS ASSESSMENT AUDIT REPORTS

OHSAS 18001 and ISO 14001 were international best practice standards for how organisations managed Health & Safety and the Environment. The specifications gave requirements for an occupational health and safety / environmental management system, to enable an organisation to control its risks and improve performance.

In 2011 Lancashire Fire and Rescue Service (LFRS) was successful in certification to ISO 14001 the International Standard for Environmental Management Systems and OHSAS 18001 the Health and Safety Management System standard. Each year surveillance audits were carried out to ensure that the standards continued to be adhered to and to ensure continuous improvements were made. Every three years LFRS had to apply for re-certification to maintain the standards.

Subject to the successful closure of two non-conformances, one for OHSAS 18001 Health and Safety and one for ISO 14001 Environmental, both standards were recommended for continued clarification. To achieve and maintain these standards at the same time clearly demonstrated that robust systems were in place for both Health and Safety and the Environment.

As part of the audit process, the auditors identified a number of positive aspects, including:

- “Good compliance to the systems in place has generally been demonstrated throughout the audit”
- “New format risk assessments are giving more information, focussed and effective as well as easy reading.”
- “LFRS have carried out a full and detailed review “Preparing Public for Own Emergencies” prompted by recent flooding events but clearly considering a much wider scope.”

- “A review of training was conducted with readily available records on PDR-Pro to demonstrate Firefighters are trained and maintained in these activities.”
- “Risk assessments and Environmental Risks were clearly understood at the station.”
- “It was very clear that Property records were readily available demonstrating a good understanding of the needs to apply controls and demonstrate this.”
- “A clear selection process is now in place and being rolled out to all contractors used by LFRS.”

As part of the audit, a number of additional areas for improvement were identified and it was intended that all these were developed into an ‘improvement action plan’ and taken forward through the Service’s Health, Safety and Environment Advisory Group.

RESOLVED: - That the Committee note and endorse the report.

36/16 DATE OF NEXT MEETING

The next scheduled meeting of the Committee was agreed for Wednesday 29 March 2017 in the Main Conference Room, Service Headquarters, Fulwood, commencing at 1000 hours.

Further meeting dates were noted for 28 June 2017 and 27 September 2017 and agreed for 29 November 2017.

37/16 EXCLUSION OF PRESS AND PUBLIC

RESOLVED: - That the press and members of the public be excluded from the meeting during consideration of the following items of business on the grounds that there would be a likely disclosure of exempt information as defined in the appropriate paragraph of Part 1 of Schedule 12A to the Local Government Act 1972, indicated under the heading to the item.

38/16 HIGH VALUE PROCUREMENT PROJECTS

Members considered a report that provided an update on all contracts for one-off purchases valued in excess of £50,000 and high value procurement projects in excess of £100,000 including: new contract awards, progress of ongoing projects and details of new projects with an anticipated value exceeding £100,000.

Members discussed the progress in relation to the ongoing procurement project for Lancaster Fire Station and agreed for the Director of Corporate Services to negotiate the best value for the purchase of land for car parking.

RESOLVED: That the Committee: -

- i) note and endorse the recommendations as outlined in the report and;
- ii) agree for the Director of Corporate Services to negotiate the best value for the purchase of land for car parking at Lancaster Fire Station.

39/16 URGENT BUSINESS PROCEDURE

The Director of People and Development presented a report to Members on the circumstances relating to a request for extension of full sick pay.

RESOLVED: - That the Committee endorse the recommendations as outlined in the report.

40/16 URGENT BUSINESS - PENSION FUND ACTUARIAL VALUATION PRELIMINARY RESULTS

The Director of Corporate Services tabled a 2016 Actuarial Valuation report which showed preliminary results that analysed a change in the funding position of the Pension Fund. Options would be presented to the Authority as part of the budget setting process.

RESOLVED: - That Members noted the content of the report.

M NOLAN
Clerk to CFA

LFRS HQ
Fulwood

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LANCASHIRE COMBINED FIRE AUTHORITY RESOURCES COMMITTEE

Meeting to be held on 29 March 2017

FINANCIAL MONITORING 2016/17 (Appendices 1 and 2 refer)

Contact for further information:

Keith Mattinson - Director of Corporate Services – Telephone Number 01772 866804

Executive Summary

The report sets out the current budget position in respect of the 2016/17 revenue and capital budgets and performance against savings targets.

Recommendation

The Committee is requested to:

- Note the financial position; and
- Endorse the virement to adjust for underspends previously identified to part fund the transfer to capital reserves at the end of the year

Information

Revenue Budget

The overall position as at the end of January shows an under spend of £1.6m, but with a forecast breakeven position at year end, after allowing for the transfer of £2.3m into the capital funding reserve as reported at the February Combined Fire Authority meeting.

The transfer to capital funding reserve will be met from forecast underspend as set out in the report, predominantly relating to pay, as well as the following areas which were reported at the last Resources Committee, where a virement transferring the budget into the Non DFM budget heading has been actioned:

- Organisational development £0.3m;
- Retained Duty System Strengthening and Improving project £0.6m;
- ICT department staffing budget £0.1m; and
- Wholetime recruits budget £0.2m

The position within individual departments as set out in Appendix 1 with major variances being shown in the table below: -

Area	Over/(Under) spend at 31 Jan	Forecast Outturn	Reason
	£'000	£'000	
Property	(185)	(143)	The underspend relates to spend against planned repairs and maintenance as property department capacity is almost fully occupied with the working on the current capital projects. It is expected that this will result in a similar level of underspend by year end. In addition it reflects previous year's investment in property assets. A full stock condition survey has been carried out, the results are expected before the end of March, which will indicate where and how much future investment may be required. The repairs and maintenance budget for 2017/18 has been reduced by £100k in anticipation of the expected results.
Service Delivery	(234)	(279)	The underspend reflects the continued reductions in spending across many budget headings, for which next year's budget has been reduced, the single most significant element of which is the ongoing underspend on smoke detectors and fire safety consumables as the new Home Fire Safety Check process continues to be embedded within the service. Utilities are also forecast to be underspent, reflecting past and ongoing energy efficiency measures. Next year's budget has been adjusted to reflect the out-turn position.
Pay wholetime -	(409)	(422)	The majority of the underspend relates to difference between budgeted staffing numbers and actual staffing number. Personnel have continued to leave the service without accruing full pension benefits, with a further 16 personnel doing this since the budget was set, and we anticipate a further 2 more between now and the year end. (This was not allowed for in the budget for 2016/17 as it was not clear whether this was related to changes to the pension schemes or not, however it is now apparent that this trend will continue and hence next year's budget has been amended to reflect this).

			A further element of underspend relates to a combination of the timing of costs of ad hoc payments such as overtime and public holidays, and the mix of personnel in each of the pension schemes. All of these have been reviewed and updated in next year's budget.
Pay - RDS	(350)	(369)	<p>The underspend relates to the shortfall in respect of hours of cover provided, which are higher than allowed for in the budget, reflecting the ongoing issues in terms of recruitment and retention. This is compounded by a greater number of RDS personnel still being in development than forecast, again reflecting turnover rates. However we have carried out RDS recruitment exercises in November and March to alleviate the potential issue.</p> <p>The Retained budget also included an additional £600k in relation to the Strengthening and Improving RDS project, to design an RDS pay scheme which results in improved recruitment, retention and availability. As reported to the CFA in February the change has been referred to the Fire Brigades Union regional/national council for approval and hence implementation is currently on hold.</p>
Pay – Support Staff	(220)	(283)	The underspend relates to turnover of various specialist and administrative roles during the year, when we had assumed that as all previous staffing reviews had been implemented prior to the start of the year there would be minimal changes. This has been reflected in next year's budget by increasing assumed vacancies to 2.5%.
Non-DFM	35	1,679	The year-end position reflects the transfer of £2.3m revenue underspends into the capital funding reserve as referred to above

Capital Budget

The Capital Programme for 2016/17 stands at £8.823m. A review of the programme has been undertaken to identify progress against the schemes as set out below: -

	Committed spend to Jan 17 £m	Forecast Slippage Into 1718 £m	
Pumping Appliances	0.269	(0.696)	Committed spend to date relates to the purchase of 5 pumping appliances for the 2016/17 programme, which have been ordered and are currently in build, since the last report we are now aware that delivery of these has been delayed to during May 2017. We are forecasting a £14k overspend on this as final contract prices were marginally higher than anticipated. This has been built into future capital budgets.
Other vehicles	0.126	(0.436)	Committed spend to date relates to various support vehicles which have either been delivered or have been ordered. The slippage relates to:- <ul style="list-style-type: none"> the remaining planned support vehicles replacements, which are ordered and will be delivered in the new financial year, or are being reviewed prior to replacement; the replacement of 2 driver training vehicles (DTVs) for which specification options are currently being considered with a likely procurement date in the new financial year.
Operational Equipment/Future Firefighting	0.523	(0.425)	This £1m budget was set aside to meet the costs of innovations in firefighting equipment, and the spend to date and year end position reflects the purchase of various items, including: <ul style="list-style-type: none"> an Unmanned Aerial Vehicle (UAV) or drone, which is now operational; the purchase of flood suits for all operational staff along with various items of flood rescue equipment;

			<ul style="list-style-type: none"> the purchase of stabilisation struts for operational use during rescues involving crashed vehicles, or collapsed/damaged property; We are currently regionally reviewing the potential use of body worn cameras for operational use for learning from incidents, and for staff protection in certain locations. <p>In addition, the Fire Authority has given approval to purchase technical rescue jackets for non-fire related incidents, however this is unlikely to result in spend during the current financial year so will slip forwards to 2017/18.</p>
Building Modifications	2.149	(2.975)	<p>The majority of committed spend to date relates to:</p> <ul style="list-style-type: none"> the purchase and refurbishment of the property adjacent to Lancaster fire station in order to facilitate the redevelopment of the site; stage payments for the refurbishment of Carnforth fire station which was completed in February; and stage payments for the build of the Multi-Compartment Fire Fighting prop at Training Centre. <p>The forecast slippage relates to:-</p> <ul style="list-style-type: none"> the remainder of the budget for the provision of a replacement for Lancaster Fire Station, incorporating a joint Fire & Ambulance facility, following the purchase of the adjacent site, for which the contract was awarded and works have commenced. <p>Discussions remain on-going with the Council in respect of the strip of land that we currently lease for car parking spaces to enhance the overall scheme.</p>

			<ul style="list-style-type: none"> • completion of the remaining items of capital works at the Training Centre site; • the relocation of the Fleet workshop to Training Centre, with a final design being developed and considered alongside other proposed works on the Training Centre site included within the 2017/18 capital budget.
IT systems	0.063	(0.630)	<p>Committed spend to date relates to the final stages of the phased implementation of the replacement asset management system begun during the last financial year, and the upgrade of the Community Risk Management Information System (CFRMIS).</p> <p>The slippage relates to:-</p> <ul style="list-style-type: none"> • Initial costs of the national Emergency Services Mobile Communications Project (ESMCP) to replace the Airwave wide area radio system – with further budgetary provision included in the 2017/18 capital budget; • the replacement of the wide area network (WAN) to allow a solution to be in place when current service contracts are due to end during 2017/18, for which the specification is currently being drafted; • The replacement of various systems, in line with the ICT asset management plan, however these are reviewed prior to starting the replacement process.

Appendix 2 sets out the capital programme and the expenditure position against this, as reflected above. The costs to date will be met largely by revenue contributions, with capital grant funding the costs to date of Lancaster Redevelopment. Following discussions the Home Office have agreed that the underspend on the capital grant relating to the construction of DCP accommodation at Skelmersdale, £45k, can be carried forward to offset increased costs at Lancaster.

Delivery against savings targets

The following table sets out the savings targets identified during the budget setting process, hence removed from the 2016/17 budget, and performance to date against this target: -

	Annual Target	Target at end of Jan	Savings at end of Jan
	£m	£m	£m
Staffing, including Emergency Cover Review outcomes, Prevention & Protection Review outcomes, functional saving reviews plus management of vacancies	1.512	1.181	2.395
Reduction in capital financing charges	0.284	0.237	0.237
Reduction in service delivery non pay budgets including the smoke detector budgets	0.145	0.121	0.259
Removal of the contribution to Greater Manchester FRS in respect of their Urban Search And Rescue team	0.122	0.101	0.101
Reduction in Fleet repairs and maintenance and fuel budgets	0.068	0.057	0.133
Reduction in Property repairs and maintenance and utilities budgets	0.034	0.029	0.173
Procurement savings (these are savings on contract renewals, such as waste collection and stationery contracts)	-	-	0.114
Balance – cash limiting previously underspent non pay budgets	0.337	0.281	0.281
Total	2.502	2.006	3.693

The performance to date is ahead of target, a combination of the underspend on salaries for the year to date, plus savings in respect of procurement activities during the same period. We have already exceeded our savings target for the financial year.

Financial Implications

As outlined in the report

Business Risk Implications

None

Environmental Impact

None

Equality and Diversity Implications

None

Human Resource Implications

None

**Local Government (Access to Information) Act 1985
List of Background Papers**

Paper	Date	Contact
None		
Reason for inclusion in Part II, if appropriate:		

APPENDIX 1

**BUDGET MONITORING
STATEMENT**

Jan 2017

	Total Budget	Budgeted Spend to Jan 2017	Actual Spend to Jan 2017	Variance O/Spend (U/Spend)	Variance Pay	Variance Non-Pay	Forecast Outturn at Jan 2017
DFM Expenditure	£000	£000	£000	£000	£000	£000	£000
Training & Operational Review	2,790	2,429	2,468	39	12	27	39
Fleet & Technical Services	2,358	1,974	1,899	(76)	18	(93)	(45)
Executive Board	998	834	820	(14)	7	(21)	(28)
Corporate Communications	285	241	231	(10)	4	(15)	(20)
Human Resources	505	427	423	(5)	(21)	16	15
Occupational Health Unit	221	185	150	(35)	35	(70)	(84)
Central Admin Office	427	348	316	(32)	(35)	3	4
Finance	142	118	116	(2)	(2)	(1)	(1)
Procurement	741	601	551	(50)	(15)	(35)	(44)
Property	1,460	1,227	1,037	(190)	(5)	(185)	(143)
Safety Health & Environment	169	143	136	(7)	6	(13)	(14)
Prince's Trust Volunteers Scheme	-	104	95	(9)	-	(9)	2
Service Development	3,673	3,074	2,962	(112)	(72)	(40)	(60)
Control	1,092	1,092	1,093	-	-	-	1
Information Technology	2,169	1,727	1,695	(31)	(2)	(30)	19
Service Delivery	31,347	26,207	25,092	(1,115)	(882)	(234)	(279)
External Funding	-	(4)	(5)	-	-	-	-
Special Projects	6	5	12	7	-	7	8
Pay							(1,027)
TOTAL DFM EXPENDITURE	48,383	40,733	39,092	(1,641)	(950)	(691)	(1,657)
Non DFM Expenditure							
Pensions Expenditure	1,257	1,158	1,146	(12)	-	(12)	(30)
Other Non-DFM Expenditure	5,971	1,584	1,620	36	1	35	1,679
NON-DFM EXPENDITURE	7,229	2,742	2,766	24	1	23	1,649
TOTAL BUDGET	55,611	43,476	41,858	(1,618)	(949)	(668)	(8)

CAPITAL BUDGET 2016/17	Revised Programme	Projected to Date	Actual Expenditure	Variance to Date	Year End Forecast	Slippage	Estimated final Cost	Over/ (Under) Spend
Vehicles								
Pumping Appliance	0.950	0.950	0.269	(0.681)	0.269	(0.696)	0.964	0.014
Other Vehicles	0.550	0.462	0.126	(0.335)	0.134	(0.436)	0.570	0.020
	1.500	1.412	0.395	(1.017)	0.402	(1.132)	1.534	0.034
Operational Equipment								
Operational Equipment	1.000	0.833	0.523	(0.310)	0.575	(0.425)	1.000	-
	1.000	0.833	0.523	(0.310)	0.575	(0.425)	1.000	-
Buildings Modifications								
STC Redevelopment	1.052	0.710	0.096	(0.614)	0.200	(0.852)	1.052	-
Day Crewing Plus	0.008	0.008	-	(0.008)	-	(0.008)	0.008	-
Lancaster Replacement	4.092	3.323	1.794	(1.529)	1.977	(2.115)	4.092	-
Other works	0.468	0.267	0.258	(0.008)	0.487	-	0.487	0.019
	5.620	4.308	2.149	(2.159)	2.665	(2.975)	5.639	0.019
ICT								
IT Systems	0.703	0.590	0.063	(0.527)	0.063	(0.630)	0.693	(0.010)
	0.703	0.590	0.063	(0.527)	0.063	(0.630)	0.693	(0.010)
Total Capital Requirement	8.823	7.142	3.130	(4.013)	3.704	(5.161)	8.866	0.043
Funding								
Capital Grant	2.640	2.200	1.794	(0.406)	1.977	(0.663)	2.640	-
Revenue Contributions	3.530	2.942	1.336	(1.606)	1.727	(1.803)	3.530	-
Earmarked Reserves	0.200	-	-	-	-	(0.200)	0.200	-
Capital Reserves	2.453	2.001	-	(2.001)	-	(2.496)	2.496	0.043
Total Capital Funding	8.823	7.142	3.130	(4.013)	3.704	(5.161)	8.866	0.043

LANCASHIRE COMBINED FIRE AUTHORITY RESOURCES COMMITTEE

Meeting to be held on 29 March 2017

PENSION BOARD – FIREFIGHTERS’ PENSION SCHEMES

Contact for further information:

Bob Warren - Director of People and Development – Telephone Number 01772 866804

Executive Summary

As part of the Pension reforms emanating from Lord Hutton’s review, Lancashire Combined Fire Authority (LCFA) established a local Pension Board in February 2015 to assist the Scheme Manager (LCFA delegated to the Director of People & Development) in securing compliance with the Firefighters’ Pension Scheme regulations and associated legislation and guidance.

The Pension Board comprised two officers to represent the employer and two Union officials to represent the Pension members.

It was anticipated that membership would be reviewed once the extent of the Pensions Board activities became clear.

The report outlines that the National Scheme Advisory Board has not itself become fully established and that any revision or review of membership would not be fully informed.

It is proposed that the current arrangements continue until a meaningful workload is determined.

Recommendation

Whilst the role of the Pension Board is slowly evolving, the LCFA are asked to endorse continuation of the current arrangements with the situation being considered further after another year’s operation.

Information

The Public Services Pension Act 2013 (the Act) enshrined many of the reforms of public service pension schemes that were recommended following the independent review of public service pension schemes led by Lord Hutton.

The Act contained a section concerned with governance of public sector pension schemes. It included a requirement for pension regulations to be amended to include reference to a Responsible Authority, Scheme Manager, Pension Board and a Scheme Advisory Board as set out below:-

- A “responsible authority” who makes the regulations for the scheme – this will be the Department for Communities and Local Government;

- A “scheme manager” to be responsible for managing the administering the scheme – this will be the Fire and Rescue Authority;
- The establishment of a new local “pension board” to assist the scheme manager;
- The establishment of a new national “scheme advisory board” to provide advice to the Department for Communities and Local Government in relation to changes to the scheme and to provide advice to the scheme manager(s) and pension board(s).

Scheme Manager

For the Firefighters’ Pension Scheme, the Fire and Rescue Authority is the Scheme Manager and is responsible for the management and administration of the firefighter’s pension schemes. Regulation 5 of the Pension Regulations provides that the Scheme Manager can delegate responsibility to an individual, and the Combined Fire Authority delegated this activity to the Director of People and Development.

As part of managing and administering its fund within the Firefighters’ Pension Scheme, each Fire and Rescue Authority will be required to :-

- Provide annual benefit information statements to each scheme member;
- Publish scheme information;
- Maintain scheme records;
- Report the late payment of contributions to the Pensions Regulator;
- Establish and maintain internal controls to ensure the scheme is managed in accordance with the rules and legislative requirements.

Pension Board

Regulation 4A to 4D of the Pension Regulations required each Scheme Manager to establish and run a local Pension Board to help it to comply with its legal obligations relating to the firefighters’ pension schemes.

Regulation 4A of the Pension Regulations establishing the Pension Board is set out in full below:

1) Each Scheme Manager must establish a Pension Board (“a local Pension Board”) responsible for assisting it:-

a) To secure compliance with:-

(i) These Regulations

(ii) Any other legislation relating to the governance and administration of this scheme and any connected scheme, and

(iii) Any requirements imposed by the Pensions Regulator in relation to this scheme and any connected scheme; and

b) To ensure the effective and efficient governance and administration of this scheme and any connected scheme.

2) A Scheme Manager may determine the procedures applicable to a local Pension Board, including as to voting rights, the establishment of sub-committees, formation of joint committees and payment of expenses.

3) A local Pension Board shall have the power to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions.

The Pension Board is a formal minuted meeting. The work of the Pension Board is to be publicised for the benefit of Pension Scheme members to demonstrate that the Pension Scheme is being run effectively and efficiently.

Regulation 4B of the Pension Regulations is concerned with membership of the Pension Board and is set out in full below:

1) Subject to paragraphs (2) and (3) each Scheme Manager shall determine:-

- a) The membership of the local Pension Board;*
- b) The manner in which members of the local Pension Board may be appointed and removed;*
- c) The terms of appointment of members of the local Pension Board.*

2) A local Pension Board must include an equal number, which is no less than 4 in total, of employer representatives and member representatives(a) and for these purposes the Scheme Manager must be satisfied that:-

- a) A person to be appointment as an employer representative has the capacity and understanding to represent employers on the local Pension Board; and*
- b) A person to be appointed as a member representative is in scheme employment and has the capacity and understanding to represent members on the local Pension Board.*

3) No member or officer of an authority responsible for the discharge of any function under these regulations (apart from any function relating to a local Pension Board or the Firefighters' Pension Scheme Advisory Board) may be a member of a local Pension Board.

On establishment the Authority determined, due to the lack of clarity about the true extent of its role and impact, to create a small Pension Board at the outset comprised of:

- two Officers to represent the employers, and
- two Officers from the Fire Brigade Union to represent the employees

Members of the Pension Board must have the capacity and understanding to respectively represent the employer or pension members. They must be conversant with the rules of the schemes and documented administration policies. They must also have knowledge of the law relating to pensions. The intention is that Pension Board members must have the breadth and understanding to enable them to understand fully and challenge any information or advice they are given. This task should not be underestimated. Pension law is complex and regularly changes. Training and development of Pension Board members is essential and compulsory.

Pension Board members cannot be responsible for discharging any functions under the Pension Regulations.

Given the necessary investment in the training and development of Pension Board members, appointments to the Pension Board were not time limited, and should be able to serve long enough to develop the relevant knowledge and understanding.

The Pension Regulations provides that the Scheme Manager (the Fire Authority) must have regard to guidance issued by the Secretary of State in relation to Pension Boards.

When established, given the uncertainty that surrounds the role and responsibilities of the Pensions Board, it was suggested that the Board be set up initially and that membership requirements would be reviewed as part of the work programme.

Officers work with other authorities as far as possible, e.g. joint training where feasible and the Director of People & Development (as adviser to the Board and in line with the responsibilities delegated by the Combined Fire Authority) attends the North West Regional Pensions Officers administration meetings.

Since establishment, the Pensions Board has met on five occasions and has addressed relevant issues such as conflicts of interest, terms of reference, "Your Pension" administration, monitored issues arising such as the internal disputes resolution procedure, Pensions Ombudsman issues and membership levels and built up Board Members knowledge and understanding of Pension Schemes and considered communication issues.

Unlike other Pension Boards, as the firefighters' pension schemes are unfunded, no issues in respect of investments or use of funds arise.

Similarly the Local Pensions Board interacts with the National Scheme Advisory Board, which unfortunately has only recently been formally established and they are currently agreeing their terms of reference, so to date the exchange of information with the National level has not occurred in a meaningful manner.

It is envisaged the National Scheme Advisory Board's work plan will involve:

- supporting and advising Local Pension Board;
- a communications lead;
- ensuring cost effectiveness of Scheme administration;
- advice on 'Best Practice';
- looking at Benchmarking.

When the LCFA Pension Board was established at minimum numbers, due to the uncertainties in respect of role and activities, it was with an understanding that once the role and responsibilities became clear then the Board membership would be reviewed.

The current level of activity is such that until the interaction with the National Scheme Advisory Board is established the appropriate long term membership cannot be defined. It is therefore proposed to continue the current arrangements until greater clarity can be determined.

Financial Implications

There are costs associated with establishing and running a Pension Board. However, these are contained within existing budgets.

Business Risk Implications

The Fire Authority must have a Pension Board to fulfil the requirements to be contained in the Pension Regulations.

Environmental Impact

None

Equality and Diversity Implications

None

Human Resource Implications

None

Local Government (Access to Information) Act 1985 List of Background Papers

Paper	Date	Contact
Various guidance documents	January/February 2015	Bob Warren
Reason for inclusion in Part II, if appropriate:		

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LANCASHIRE COMBINED FIRE AUTHORITY

RESOURCES COMMITTEE

Meeting to be held on 29 March 2017

CODE OF CONDUCT UPDATE

(Appendix 1 refers)

Contact for further information:

Bob Warren – Director of People & Development – telephone 01772 866804

Executive Summary

Since the Code of Conduct update was approved by Members at the Resources Committee held on 27 November 2015, it has now been updated to reflect the STRIVE behaviours adopted throughout the Service and following a request for clarification the requirement to declare a conviction or caution has been made explicit.

Decision Required

The Committee is asked to note and endorse the updated Code of Conduct.

Information

Please find attached the revised Code of Conduct.

Financial Implications

N/A

Business Risk Implications

N/A

Environmental Impact

N/A

Equality and Diversity Implications

N/A

Human Resource Implications

Gives greater clarity to Employees.

Local Government (Access to Information) Act 1985
List of Background Papers

Paper	Date	Contact
None		
Reason for inclusion in Part II, if appropriate:		

LANCASHIRE FIRE AND RESCUE CODE OF CONDUCT

Lancashire Combined Fire Authority recognises that our employees are crucial in ensuring the quality of service provided by Lancashire Fire and Rescue Service.

The purpose of this Code is to clearly outline what employees can expect from Lancashire Fire and Rescue Service and what is expected of you as an employee. It is based on the good customs and practices which are already in operation and the spirit of the Local Government Concordat (which relates to enforcement duties).

What Employees can expect

1. You are entitled to expect that members of the Combined Fire Authority and Lancashire Fire and Rescue Service will treat you with respect and in an open and honest manner.
2. You are entitled to expect fair and reasonable treatment by colleagues, managers and by the Elected Members of the Combined Fire Authority. If you feel unfairly treated you are entitled to make use of the relevant procedures.
3. You have a right to expect confidentiality in respect of any declarations of interest which you make or personal information which is received about you, unless the nature of the disclosure endangers you or your colleagues.

What is expected of Employees

1. Be an ambassador of the Fire and Rescue Service

As an employee of Lancashire Fire and Rescue Service you are an ambassador of the Fire and Rescue Service. In this regard, you are expected to conduct yourself, both on and off duty, in a manner appropriate and compatible with your employment with the Service.

As an employee we ask that in your day to day work you:-

- Display commitment to our values and conduct yourself in a manner consistent with these principles at all times, specifically the following:

Service	Making Lancashire Safer is the most important thing we do and we work in diligent and competent way.
Trust	We trust the people we work with and we contribute to a positive workplace.
Respect	We demonstrate consideration of others and we recognise how our behaviour may impact on others.
Integrity	We do what we say we will do and we work in a professional, positive and non-judgemental way.
Valued	We actively listen and recognise the contribution of others, whatever their role, background, idea, view or approach.
Empowered	We are encouraged to contribute to decision making, to resolve problems and we accountable for our decisions, actions and behaviour.

- Fulfil the obligations placed upon you under the terms of your contract of employment; ie

Be ready and willing to work as specified in your job description.

Attend work regularly and on time.

Be honest and trustworthy.

Follow the lawful instructions of staff who are senior to you or responsible for you.

Take care of LFRS property.

Follow the local established safe systems of work.

- Familiarise yourself with and follow the Health and Safety rules applicable in your particular Area of work/location.
- Adhere to Fire and Rescue Service policies; in particular the Internet and E-Mail Acceptable Use Policy, Whistleblowing Policy and Bullying and Harassment Policy
- Employees using social media and networking websites outside of work must ensure that interactions on these sites (e.g. comments posted on online social forum (such as Facebook or Twitter) do not contain content that could damage the reputation of the Service, or working relationships with Service employees or service users. Content that could be perceived as bullying or harassment is unacceptable. LFRS Bullying and Harassment Policy provides important additional information and staff are expected to familiarise themselves with its content.
- Undertake your duties and responsibilities diligently, remembering that you are a part of a public service.
- Observe confidentiality of information obtained in the course of your employment.
- Do not use any information obtained in the course of your employment for personal gain or benefit, or pass it on to others who might use it in such a way.
- Take care not to use words or phrases inappropriately or carry out action that could be expected to give offence to colleagues or members of the general public. LFRS Bullying and Harassment Policy gives examples of what is regarded as unacceptable behaviour relating to discrimination, bullying and harassment.
- Be aware of the effect that others may have on colleagues and bring to the attention of management by any means you feel are appropriate, any bullying, discrimination or harassment.
- Seek guidance from more senior staff if you are at all unsure, when providing information to the media.
- Provide impartial information to members of the public as clearly and as simply as possible. Where appropriate explaining why remedial work is necessary, over what time scales and clearly distinguishing legal requirements from good practice.
- If employed in a 'regulated activity' post, employees must disclose to the Service, at any time, if they are subject to any ongoing investigation into any matter which may bring into question their suitability; if a referral has been made to the Disclosure and Barring Service (DBS) and their application status is 'under consideration', 'minded to bar', or if they are 'barred' from working with vulnerable groups, including children.

- Notify your line manager of any known or suspected breaches of the law or policies and co-operate with any investigation. Individuals should be aware of their responsibilities and to whom breaches of law, policies, procedures and regulations should be reported.
- Notify your line manager in the event of you receiving a criminal conviction or a caution.

Failure to comply with the standards of conduct set out under this Code may result in action being taken under the Service's Disciplinary Procedure and could result in dismissal from the Service.

2. Specific aspects of the Code detailed below are covered in the guidance below:

- Gifts and Sponsorship
- Relationships
- Declaration of Person Interest
- Responsibilities of Managerial Staff

(i) Gifts and Sponsorship

- Ensure that offers of hospitality are only accepted when there is a genuine need to impact information or represent the Fire and Rescue Service in the community.
- Ensure that you do not accept significant¹ personal gifts in the course of your employment. Notify the Chief Fire Officer of any gifts you receive, whether personal or on behalf of the Combined Fire Authority, so that a record can be maintained, (This is for your own personal protection as well as that of the Combined Fire Authority). Notification should be sent to the Director of Corporate services at Service Headquarters.
- Seek approval for sponsorship from outside organisations, so that you do not in any way compromise Lancashire Fire and Rescue Service.

(ii) Relationships

- Political Neutrality: As an employee of the Combined Fire Authority you must service all councillors and not just those of the controlling groups, and must ensure that the individual rights of all councillors are respected.
- Do not let your personal or political opinions interfere with your work.
- Combined Fire Authority employees holding posts designated as "politically restricted posts" are disqualified from membership of any local authority, other than a parish or community council, from being an MP or MEP and are subject to prescribed restrictions on their political activity. Staff are informed when they occupy a post covered by these regulations and of their rights of appeal.

Relationships with Contractors

If you are involved in the letting of contracts or placing orders you should:

- Exercise fairness and impartiality when dealing with all contractors, suppliers and sub-contractors.

¹ £25.00 or more

- Follow the procedures laid down in the Combined Fire Authority Financial Regulations.
- Ensure that no special favour is shown to current or recent former employers or their partners, close relatives or associates in awarding contracts to businesses run by them or employing them in a senior or relevant managerial capacity.
- Ensure that orders and contracts are awarded on merit, by fair competition against other tenders, with no special favour being shown to businesses run by, for example, friends, partners or relatives.
- Ensure that no part of the local community is discriminated against or given preferential treatment
- If you engage or supervise contractors and have any other official relationship with contractors or have previously had or currently have a relationship in a private or domestic capacity with contractors, you must declare this relationship to the Chief Fire Officer.
- If you are privy to confidential information on tenders or costs for either internal or external contractors, you must not disclose this information to any unauthorised party or organisation.
- Take equality considerations into account when awarding contracts.

Relationships with Councillors:

Employees are responsible to the Combined Fire Authority through its senior managers. For some, their role is to give advice to councillors and senior managers and all are there to carry out the Authority's work. Mutual respect between employees and councillors is essential to good local government. Close personal familiarity between employees and individual councillors can damage the relationship and prove embarrassing to their employees and councillors and should therefore be avoided.

Personal Relationships between Members of Staff

- From time to time relationships at work can develop between two colleagues and it is important in a working environment to ensure that the conduct of the staff concerned does not become inappropriate.
- Whenever possible, potential problems will be resolved by a senior manager speaking to the employees concerned and asking them to moderate their behaviour, but in more extreme cases it may be necessary to take appropriate disciplinary action.
- Employees involved in appointments should ensure that these are made on the basis of merit. It would be unlawful for an employee to make an appointment which was based on anything other than the ability of the candidate to undertake the duties of the post. In order to avoid any possible accusation of bias, employees should not be involved in an appointment where they are related to an applicant, or have a close personal relationship outside of work with him or her.
- Similarly, employees should not be involved in decisions relating to discipline promotion or pay adjustments for any other employees who are a relative or partner etc.

(iii) Declaration of Personal Interests

- Declare in writing to the Chief Fire Officer any financial or non financial interests (e.g. voluntary organisations, professional associations, school governor) that you consider could bring about conflict with the Combined Fire Authority's interests. Notification should be sent to the Director of People and Development at Service Headquarters.
- If you currently occupy a politically restricted post, you are encouraged to declare in writing to the Chief Fire Officer, membership of any organisation which is not open to the public without formal membership and which has a requirement to a commitment of allegiance or which has a secrecy about rules of membership or conduct.
- All future appointments into politically restricted posts will require a declaration of interest, either at the time of appointment or at a later date.
- Any declaration will be kept of the individual's Personal Record File for reference purposes and declarations should be sent to the Director of People and Development

(iv) Responsibilities of Managerial Staff

If you are a manager you should promote and follow the principles in this Code by leadership and example. You should:

- Treat staff who report to you in a fair and consistent manner.
- Ensure staff adhere to the principles of equality and fairness, and deal with instances where individuals fail to do so in an open, fair and consistent manner in line with Service Policy.
- Ensure your staff are kept informed of activities and changes going on within the organisation and that ideas and suggestions received are given active considerations and that "feedback" is given to staff where necessary.

3. Standards in relation to drugs and alcohol

All members of staff should make themselves aware of the standards expected in relation to drugs and alcohol. The following actions may be deemed as gross misconduct and employees will normally be subject to disciplinary procedures which may lead to dismissal, if they:

- Fail an alcohol test with a higher concentration of alcohol than the drink driving legal limit in their blood, or the equivalent in urine or breath.
- Fail a drugs test.
- Attempt to evade the test (e.g. persistently failing to deliver the required breath sample; spoiling the drug test)
- Refuse to take an alcohol or drugs test without good cause.
- Report or try to report for duty when unfit through alcohol and/or drugs.
- Consume alcohol while on duty (staff 'on call' may consume alcohol, but must remain below the legal drink and drive limit and must not consume alcohol once mobilised).
- Consume, and/or, are found to be in possession of illegal drugs at work.

- Decline or discontinue an approved course of treatment for alcohol or drugs misuse, without good cause.

All staff must present themselves for duty in a fit state with their mental and physical functions unimpaired by alcohol or drugs.

Staff, who are socialising outside of working hours in licensed premises, should ensure they are not visibly displaying the Lancashire Fire and Rescue Service uniform as this may negatively impact on community perceptions of the Fire and Rescue Service.

NOTE – *it is acknowledged that staff will on occasions attend official functions in such premises as an official representative of Lancashire Fire and Rescue Service in which case this restriction will not apply.*

- It is not permissible for any staff member, who is required to drive as part of their duties, to consume alcohol whilst at work, including any break or lunchtime or inside any Lancashire Fire and Rescue Service vehicle (staff 'on call' may consume alcohol, but must remain below the legal drink and drive limit and must not consume alcohol once mobilised).
- Drivers must also ensure that they arrive for work in a state which meets the relevant legislation with regard to blood-alcohol levels.
- It is not appropriate for drivers to visit licensed premises whilst on duty in readily identifiable Lancashire Fire and Rescue Service vehicles unless for wholly work related reasons and then no alcoholic beverage must be consumed (staff 'on call' may visit such premises, but must remain below the legal drink and drive limit and must not consume alcohol once mobilised).
- Required drivers, who lose their driving licence through a criminal conviction, will be subject to a disciplinary investigation, this could be deemed as gross misconduct and drivers need to be aware that they could lose their employment if Lancashire Fire and Rescue Service cannot identify suitable alternative employment.
- On the grounds of Health and Safety all employees should bear in mind that even small amounts of alcohol may have a detrimental effect upon reflexes and responses, in particular, whilst operating specialist vehicle equipment, on or in close proximity to the highway or potentially hazardous tools and machinery.
- Employees taking prescription medicines which may impact on their performance at work must declare this to their manager /supervisor before commencing work in order that an appropriate risk assessment may be carried out.
- The supply or sale of illegal drugs on Lancashire Fire and Rescue Service premises or during working time will be regarded as an act of gross misconduct.
- In respect of alcohol, this policy can be relaxed for approved events on Lancashire Fire and Rescue Service premises e.g. leaving and retirement parties etc., with explicit approval at Department Head level, where the employees in question are not returning to duty after the event.

LANCASHIRE COMBINED FIRE AUTHORITY

RESOURCES COMMITTEE

Meeting to be held on 29 March 2017

EQUALITY, DIVERSITY AND INCLUSION POLICY (Appendix 1 refers)

Contact for further information:

Bob Warren – Director of People & Development – telephone 01772 866804

Executive Summary

As part of Lancashire Fire and Rescue Service's (LFRS) drive to improve our performance on equality issues an Equality, Diversity and Inclusion Policy has been developed and is presented for approval.

Decision Required

The Committee is asked to note and endorse the Service policy.

Information

Lancashire Fire and Rescue Service has refreshed its equality documentation and has adopted an Equality, Diversity and Inclusion Policy. The Policy clearly identifies individual responsibilities and defines LFRS' commitments in terms of the following:

- Equality: Not treating everyone the same but about fairness, respect and giving people an equal and fair chance of opportunity to fulfill their potential.
- Diversity: Recognising, valuing and taking account of people's difference, backgrounds, knowledge, skills and experiences. In the context of this policy it also means encouraging and using difference to create a productive workforce, celebrate difference and recognising the contribution that every individual can make.
- Inclusion: Positively striving to meet the needs of different people and taking deliberate action to create an environment where everyone feels respected and able to achieve their full potential.

The Service should also be cognisant of Unconscious Bias. Psychologists refer to unconscious bias as simply being our natural people preferences, biologically we are hard-wired to prefer people who look like us, sound like us and share our interests; this preference can bypass our normal, rational and logical thinking.

The Policy also sets out LFRS' approach to monitoring and training. To further the development of the policy, training for staff is currently being refreshed and this will be made available for all staff to complete.

Financial Implications

N/A

Business Risk Implications

In serving all the people of Lancashire it is imperative that we are seen as a fair and welcoming organisation and this delineation of responsibilities assists in this task. Failure in this area could present serious difficulties for the CFA.

Environmental Impact

N/A

Equality and Diversity Implications

The policy fits alongside the initiatives the service is adopting to ensure we are a diverse and equal organisation and provides guidance to our employees

Human Resource Implications

Gives greater clarity to Employees on expectations of the service

Local Government (Access to Information) Act 1985

List of Background Papers

Paper	Date	Contact
None		
Reason for inclusion in Part II, if appropriate:		

Equality, Diversity and Inclusion Policy

1. LFRS Mission and Values

Lancashire Fire and Rescue Service (LFRS) is committed to its purpose of “making Lancashire Safer” and its priorities to support this intention are:

- Preventing and protecting people and property from fire
- Responding quickly and competently to emergencies
- Engaging with our staff and delivering value for money in how we use our resources.

LFRS values define how we STRIVE to achieve our purpose of “making Lancashire safer” by making sure what we do is guided by strong principles of:

- Service
- Trust
- Respect
- Integrity
- Value
- Empowerment

The Service’s annual priorities are detailed in our Annual Service Plan and in our Integrated Risk Management Plan. This Equality, Diversity and Inclusion Annual Report flows from the overarching strategic plans of LFRS and links LFRS approach to equality, diversity and inclusion into the operational business process. Our approach is explained through the Equality, Diversity and Inclusion Policy.

2. Scope

The Equality, Diversity and Inclusion Policy provides an approach in relation to the delivery of our services and the recruitment, selection and promotion of our staff.

The Policy applies to all those who come into contact with and work for the LFRS including staff, elected members, applicants for employment and other individuals who are affected by LFRS activity.

3. Policy Objectives

- Aim to eliminate discrimination, harassment and victimisation by ensuring that equality, diversity and inclusion principles are embedded into all provision, services and procedures.
- Advance equality of opportunity between people that share protected characteristics by removing or minimising disadvantages, making reasonable adjustments, responding to individual needs.
- Foster good relations between people who share protected characteristics by consolidating effective partnerships with key stakeholders.
- Ensure that all suppliers/contractors working on behalf of the LFRS follow the LFRS Equality, Diversity and Inclusion Policy principles.

- Publishes data annually so that others can judge LFRS effectiveness in meeting statutory duties.
- Developing and publishing measurable equality objectives.

4. Role and Responsibilities

4.1 CFA Members

Responsible for ensuring that equality, diversity and inclusion is incorporated into the strategic plans for LFRS through a commitment and to ensuring that due regard to equality, diversity and inclusion is given in relation to the development of strategic plans and decision making. A Member Champion for Equality, Diversity and Inclusion has been identified and their role is to promote, support and drive improvement with regard to Equality, Diversity and Inclusion through all activities of the Fire Authority, both for service delivery and employment.

4.2 Chief Fire officer and Executive Board

Be role models in embedding and forward driving the Equality, Diversity and Inclusion agenda within the Service and supporting improvement.

4.3 Assistant Chief Fire Officer

Responsible for ensuring that operational service delivery meets LFRS statutory responsibilities in relation to the accessibility and delivery of operational services.

4.4 Director of Personnel and Organisational Development

Brief the Member Champion in relation to Equality, Diversity and Inclusion

Oversee the consultation arrangements with regard to employment practices and procedures.

4.5 Head of Human Resources

Develop the Equality, Diversity and Inclusion Policy in accordance with legislative requirements.

Develop the Equality, Diversity and Inclusion Annual report in consultation with Service Delivery.

Receive and investigate Harassment and Bullying complaints.

Support line managers in the development of Equality Impact Assessments.

4.6 Head of Training and Organisational Review

Ensure the development or commissioning of training in relation to equality, diversity and inclusion for all members of staff and Members of the Fire Authority.

4.7 Head of Corporate Communications

To ensure that information disseminated is accessible and meets the needs of the diverse communities of Lancashire, Blackpool and Blackburn with Darwen.

4.8 Managers

Responsible for creating a positive, inclusive culture that challenges discriminatory attitudes and behaviours amongst colleagues.

Be aware of the legislation and LFRS general duties in relation to the Equality Act 2010.

Ensuring that members of staff access appropriate Equality, Diversity and Inclusion Training.

4.9 Staff

To not use discriminatory language or behaviour.

To challenge discriminatory language and behaviour as not appropriate where it is observed amongst peers.

Promote a positive and inclusive culture within the workplace, creating a positive work environment.

Recognise the impact of personal behaviour on others

5. Equality and Diversity and LFRS

5.1 Equality

LFRS recognises that equality is not about treating everyone the same but about fairness, respect and giving people an equal and fair chance of opportunity to fulfill their potential.

5.2 Diversity

Diversity within LFRS, is about recognising, valuing and taking account of people's difference, backgrounds, knowledge, skills and experiences. In the context of this policy it also means encouraging and using difference to create a productive workforce, celebrate difference and recognising the contribution that every individual can make.

5.3 Inclusion

Inclusion is about positively striving to meet the needs of different people and taking deliberate action to create an environment where everyone feels respected and able to achieve their full potential.

5.4 Unconscious Bias

Psychologists refer to unconscious bias as simply being our natural people preferences. Biologically we are hard-wired to prefer people who look like us, sound like us and share our interests. This preference can bypass our normal, rational and logical thinking.

6. Protected Characteristics (or protected groups)

LFRS aims to ensure that no one receives less favourable treatment for reasons relating to all recognised protected characteristics covered by the Equality Act 2010.

- Age.
- Disability.

- Gender reassignment.
- Marriage and civil partnership (in respect of eliminating unlawful discrimination).
- Pregnancy and maternity.
- Race – this includes ethnic or national origins, colour or nationality.
- Religion or belief – this includes lack of belief.
- Sex (gender).
- Sexual orientation.

7. Monitoring

Monitoring the equality, diversity and inclusion of the workforce enables LFRS to identify how employment policies are working and to identify areas where these may appear to be working disproportionately on certain groups of staff. Employment monitoring data is collected and reported annually in relation to all protected groups apart from gender reassignment due to the sensitive confidential nature of this data.

The LFRS Operational Emergency Cover Review includes an assessment of relevant data which allows LFRS to assess risk and focus its resources in those areas of highest need. This review includes analysis of data which covers a range of factor including data relating to Super Output area and demographic profile of the population per protected characteristic.

8. Types of Unlawful Discrimination

8.1 Direct Discrimination

Discrimination occurs where a person is treated less favourably than someone else in comparable circumstances, the treatment is for a reason relating to a person's protected characteristic, the treatment cannot be justified.

8.2 Indirect Discrimination

This can occur when a condition, rule, policy or even a practice that applies to everyone particularly disadvantages people who share a protected characteristic. Indirect discrimination can be justified if it can be demonstrated fully that the organisation acted reasonably in managing the business need, i.e. that it is "a proportionate means of achieving a legitimate aim.

8.3 Discrimination by Association

This is direct discrimination against someone because they associate with another person who possesses a protected characteristic. For example, a carer of a disabled child.

8.4 Discrimination by Perception

This is discrimination against someone because the other person thinks or perceives that they possess a particular protected characteristic. This is direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not actual possess that characteristic.

8.5 Discrimination Arising from Disability

Discrimination arising from disability occurs when a disabled person is treated unfavourably because of something connected to their disability and such treatment cannot be justified.

Discrimination arising from disability is different from direct discrimination, discrimination arising from disability will occur if the following three conditions are met:

- A disabled person is treated unfavourably, that is putting them at a disadvantage even if this was not your intention.
- This treatment is because of something connected with the disabled person's disability (which could be the result, effect or outcome of that disability) such as an inability to walk unaided or disability-related behaviour.
- The treatment cannot be justified by showing that it is proportionate of achieving a legitimate aim.

8.6 Harassment

Harassment has a single definition in the Equality Act 2010 to cover the relevant protected characteristics. Harassment is "unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual."

8.7 Victimisation

Can occur when an employee is being treated badly because they have made or supported a complaint, or raised a grievance under the Equality Act, or because they are suspected of doing so. An employee is not protected from victimisation if they have maliciously made or supported an untrue complaint.

8.8 Bullying

Bullying is persistent behaviour, directed against an individual or group, which is offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient¹. It can include deliberate exclusion from a conversation or activity.

9. Accessibility

The Corporate Communications Department ensures that communication is accessible and responds to the diverse needs of the community in terms of format and distribution of publications. LFRS provides information in printed form and via the LFRS website. The website aims to conform to web accessibility guidelines to ensure that the website is accessible to users with a range of disabilities, including those with visual impairments.

10. Complaints

LFRS actively promotes equality and diversity and has developed robust policies for tackling bullying and discriminatory behaviour. LFRS takes complaints seriously and has a comprehensive complaints procedure for dealing with complaints from customers and stakeholders, plus harassment and bullying procedure which details how complaints on harassment and bullying can be dealt with. LFRS also has a grievance procedure which employees can use to make a complaint.

¹ ACAS Bullying and harassment at Work October 2010

11. Training

As an employer, LFRS has a proactive approach to training and development in order to meet the needs of staff and the communities we serve. It is critical that staff have the skills and knowledge to help eliminate unlawful discrimination, promote equality of opportunity and value diversity.

The LFRS organisational development plan is one element of LFRS delivery mechanism to fulfil its equality commitments. The plan identifies the various training and development activities delivered to ensure that the workforce has, as a whole, an understanding of the concepts and principles of equality, diversity and inclusion as well as our duties and responsibilities and the methods to put these principles into practice.

Training and Development includes:

- All staff as part of their induction are required to go through equality and diversity training
- All staff involved in recruitment and selection are required to go through recruitment and selection training including an element on equality and diversity in recruitment.
- Individual members of staff have an annual appraisal where their specific training needs are identified in relation to equality and diversity.

12. Review

The progress in relation to this policy is monitored annually via the Equality, Diversity and Inclusion Annual Report which is reported to the Fire Authority and the Executive Board and the Workforce Programme Board.

Responsible Author	Head of Human Resources	Version	Final
Department	Human Resources	Date	28.02.2017
Review	1.05.2018		

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