



CLEVELAND FIRE AUTHORITY

MINUTES OF ORDINARY MEETING HELD ON FRIDAY, 28 JULY 2006

PRESENT: VICE CHAIR

Councillor J Jones – Middlesbrough Borough Council

HARTLEPOOL BOROUGH COUNCIL:

Councillors Payne, Tumilty, Waller

MIDDLESBROUGH COUNCIL:-

Councillors Clark, Pearson, Porley

REDCAR AND CLEVELAND BOROUGH COUNCIL:-

Councillors Briggs, Cooney, Dunning, Smith, Walker

STOCKTON ON TEES BOROUGH COUNCIL:-

Councillors Brown, O'Donnell, Salt, Walmsley, Woodhead

PROPER OFFICERS:-

Clerk, Legal Adviser, Treasurer

FIRE BRIGADE OFFICERS:-

Chief Fire Officer, Executive Director,

Fire Control Project Regional Director (Director of Service Support)

APOLOGIES Councillor Allison - Hartlepool

FOR Councillors Biswas, Mawston – Middlesbrough

ABSENCE Councillors Forster – Redcar & Cleveland

Councillor Kirton, Roberts – Stockton on Tees

41. MINUTES

RESOLVED – that the minutes of the Annual Cleveland Fire Authority meeting held on 2 June 2006 be confirmed.

42. MINUTES OF COMMITTEES

Councillor Pearson referred to minute no. 35 on the Executive Minutes of 14 July 2006 and informed Members that she had not supported this request and felt that the consultation process had been sufficient.

RESOLVED – that the minutes of the Executive Committee Meeting held on 2 June 2006, 16 June 2006, 30 June 2006 and 14 July 2006 be confirmed.

43. REPORTS OF THE CHIEF FIRE OFFICER

REGIONAL MANAGEMENT BOARD MEETING – 13 JULY 2006

43.1 REGIONAL CONTROL CENTRE (RCC)

The Chief Fire Officer informed Members that John Burke is now working for the 4 NE Brigades as Fire Control Project Regional Director on a temporary basis.

43.1 REGIONAL CONTROL CENTRE (RCC)...cont'd

John Burke advised Members of the progress to date and highlighted the salient issues which were detailed further within the report. He informed Members that the annual standard usage charge for the Firelink radio scheme service in the north east is set in the contract between DCLG and Airwave at £91,459 per month (as of December 2005) and other budgetary and resource implications are detailed at paragraph 3.10. Revenue costs for standard usage of the Firelink radio scheme are set on a regional basis and will be charged through the RCC company, with cost apportionment between the constituent FRA's left for local determination. John Burke stated that the cost for Firelink would fall to the Fire Authority in December 2008 at the earliest although DCLG have given an undertaking that Firelink will not cost any more than current radio systems and that any difference would be met via the formula spending share.

John Burke reported that the target date of 1 August 2006 for first wave regions to establish a local authority company to govern the RCC has been made unachievable by delays in commencing consultation and late circulation of guidance from DCLG. DCLG have indicated that they will provide grants to regional control companies however this payment is unlikely to be received before payments are made and it is therefore proposed that the costs for establishing the company are initially provided for through funding allocated to the RMB, with the currently available budget being supported by a contingency fund of £12,000 to be drawn upon only if the existing budget is insufficient to cover interim expenditure before grant is received. Members approval is sought on the proposals for inclusion in the articles or 'members' agreement as highlighted at 3.4 of the report.

John Burke informed Members that the Regional Project Management team have recommended to retain the existing project director in post and it is proposed that the constituent authorities equally share 85% of the salary which equated to £8,628 per Authority for the period 1 August 2006 to 31 January 2007.

Councillor Pearson stated that she was opposed to the proposed one party format on the Board of RCC Directors and hoped that the inclusion of minority parties would be considered to address the political imbalance. She also expressed concern that each Authority already contribute £20,000/annum to the RMB and we are now being asked to provide further funding, especially in view of the RMB contingency fund of £12,000. The Legal Adviser informed members that RCC Board would be made up of 2 Member appointments from individual Authorities.

Members requested further information on the numbers of staff transfers, structures, pay and conditions and were informed that the new employer would determine the final staff members. Members agreed that the RCC Board should be politically balanced and drawn from non RMB Members. Concern was also expressed about the estimated costs and Councillor Payne felt that the information on potential costs should have been made available at the beginning of the RCC project. Clarification was also sought regarding para 3.8 regarding the reporting route to RMB.

Councillor Pearson reported that she had heard there would be regional representation regarding the Governance and asked John Burke for further information regarding this.

RESOLVED – that Members approved the RMB recommendations as follows:

- (i) that Members noted the Fire and Rescue Service (England) Concept of Operations for Regional Control Centres and receive further updates as appropriate.**
- (ii) that the proposals in paragraphs 3.3 to 3.8 of the report for establishing a local authority company to operate the RCC be approved.**
- (iii) that the regional project director be established on a full time basis up to 31 January 2007, with a review taking place and a further report being presented to the next meeting of the RMB.**
- (iv) that following the endorsement of (iii) Members agreed to provide the funding identified in paragraph 4.3 of the report.**
- (v) that in relation to project reporting lines and ongoing administration as outlined within statutory paragraphs 4.4 and 4.5 of the report be approved.**
- (vi) that the planning implications of the Firelink project in paragraphs 5.2 to 5.5 inclusive be considered and receive further reports as information becomes available.**

- (vii) that the position as outlined in paragraph 6.3 to the report regarding the proposals for communication and consultation outlined be approved.
- (viii) that Members requested political proportionality on the RCC Board.

43.2 REGIONAL MANAGEMENT BOARD - REPORTS FOR INFORMATION

The Chief Fire Officer outlined the following reports which were for Members information: Minutes of 28 April 2006, Membership of the Board, Dates, Times and Venues of future meetings and NEFRA PFI Project.

The Chief Fire Officer informed Members that Councillor Mrs Brenda Forster had been appointed Vice Chair of the RMB at its meeting on 13 July 2006 and Durham and Darlington FRA now held the position of Chair of the RMB. It had also been suggested at the RMB that the Chair and Vice Chair positions rotate on a 2 year rotational basis throughout the 4 constituent Authorities. Informal discussions had also been held regarding the "Principal and Proper Officer" arrangements in view of the Chairmanship moving to Durham and Darlington FRA and Members discussed the implications surrounding any potential change to the arrangements.

RESOLVED –

- (i) that the minutes and reports as outlined be noted.
- (ii) that further discussions take place regarding the RMB Principal and Proper Officer arrangements and that Members be kept fully informed and included in the decision making process.

44. REPORTS OF THE EXECUTIVE DIRECTOR

44.1 CFA RISK MANAGEMENT STRATEGY

The Executive Director sought Members approval of the reviewed Cleveland Fire Authority Risk Management Strategy attached at Appendix 1 of the report. The reviewed Risk Management Strategy document (July 2006) takes the recent developments in risk perception, risk management, government legislation (Civil Contingencies Act 2004) and directives (National Fire Services Framework) and includes them into the strategic framework employed by Cleveland Fire Authority, thereby becoming owned by all Members of Cleveland Fire Brigade and Authority ensuring uniformity in understanding and application.

RESOLVED –

- (i) Members noted the contents of the report.
- (ii) Members approved the revised Risk Management Strategy for implementation.

44.2 OPERATIONAL ASSESSMENT OF SERVICE DELIVERY

The Executive Director informed Members of the progress being made to fulfil the Authority's obligations relating to the new Fire and Rescue Performance Framework 2006/07 and that the final Operational Assessment of Service Delivery is to be presented to the Service Delivery Committee on 4 August and 11 August 2006 following which a recommendation will be forwarded to the Executive Committee on 15 August 2006.

RESOLVED – Members noted the contents of the report.

44.3 ASSET MANAGEMENT POLICY

Report withdrawn.

44.4 INFORMATION PACK 63 – JULY 2006

- 44.4.1 Fire Brigades National Employers Circulars
- 44.4.2 Fire and Rescue Service Circulars
- 44.4.3 Corus Teesside Works and Cleveland Fire Brigade Fire Safety Competition for Local Secondary Schools Judging Event 2006
- 44.4.4 Leadership Champions Network Events

45. REPORTS OF THE TREASURER AND PERFORMANCE SCRUTINY CHAIR
45.1 FORWARD WORK PROGRAMME

The Treasurer sought Members approval on the proposed Forward Work Programme 2006/07 for the Performance Scrutiny Committee attached at Appendix 1 of the report which would remain flexible to allow for any additional items which may arise. He advised that the Performance Scrutiny Forward Work Programme had been agreed at the last Performance Scrutiny Committee meeting.

RESOLVED – that Members approved the Performance Scrutiny Committee’s Forward Work Programme 2006/07.

45.2 PROGRESS AGAINST REVENUE AND CAPITAL BUDGETS 2006/07

The Treasurer reported the progress against Expenditure and Income Budgets up to 30 June 2006 and sought Members approval of the additional Capital scheme outlined at paragraph five of the report. The scheme to replace Breathing Apparatus will not now be needed in 2006/2007 and it is proposed that the budget set aside for this be utilised to part fund an additional scheme for an electrical upgrade to the Fire control Room following its failure earlier in the year. The scheme is estimated to cost £42,000 with the remainder proposed to be funded from a Revenue Contribution from savings to be identified during the year.

RESOLVED –

- (i) that Members noted the position up to 30 June 2006.
- (ii) that Members approved the additional capital scheme outlined at paragraph 5.

46. REPORTS OF THE SERVICE DELIVERY SCRUTINY CHAIR
46.1 FORWARD WORK PROGRAMME

Councillor Cooney advised Members of the proposed annual programme of scrutiny reviews of service delivery for 2006/07 as recommended by the Service Delivery Scrutiny Committee and outlined the status of reviews. She advised that the forward work programme would remain flexible to allow for any additional referrals from the Authority, its Committees and individual Members of a scrutiny committee.

RESOLVED – that Members approved the proposed Service Delivery Scrutiny Committee Forward Work Programme 2006/07.

46.2 ASSET MANAGEMENT

The Executive Director updated Members on the current position of the scrutiny of Asset Management. Members were advised that outstanding maintenance issues had been identified and projected costs were in excess of £4.5m, against a capital allocation in the current year’s budget of less than £200k. He reported that the Service Delivery Scrutiny Committee would be scrutinising this issue and the Asset Management and Best Value Review in the near future.

RESOLVED

- (i) that Members noted the report.
- (ii) That Members receive the Asset Management Review following its Best Value and Scrutiny Review by the Service Delivery Scrutiny Committee.

47. REPORTS OF CLERK TO THE AUTHORITY
47.1 CLEVELAND FIRE AUTHORITY ANNUAL REPORT 2005/06

The Clerk sought Members views on the draft Pre Member Final Annual Report for 2005/06 as outlined at Appendix 1 to the report. The draft report incorporated new Governance arrangements, member development and statement of accounts. He advised Members that the final Cleveland Fire Authority Annual report 2005/06 would be presented to Members at the Authority Meeting on 29 September 2006. As this was the Authority’s first annual report he stated that in future the report would be presented for Members approval at September Authority meetings, following recommendation from the Policy Committee.

RESOLVED – that Members submit any comments regarding the draft Cleveland Fire Authority Annual Report 2005/06 to the Head of Democratic and Member Services.

47.2 CHANGE OF MEMBERSHIP

The Clerk sought Members approval for changes to the membership of the Executive and Policy Committees, Safer Middlesbrough Partnership and the Regional Management Board.

RESOLVED –

- (i) that Members approved the change of CFA membership on the Executive Committee and Policy Committee from Councillor O'Donnell to Councillor Kirton.
- (ii) that Members approved the change of membership on the Safer Middlesbrough Partnership from Councillor Jones to Councillor Porley.
- (iii) that Members approved that Councillor Kirton replace Councillor O'Donnell as a substitute on the Regional Management Board.

47.3 CLERK'S INFORMATION PACK

25.3.1 Member Attendances at Conferences

RESOLVED – that the report be noted.

48. ANY OTHER BUSINESS

48.1 REPORT OF THE CLERK TO THE AUTHORITY AND CHIEF FIRE OFFICER CONSULTATION ON THE REVOCATION OF THE DEVON FRA COMBINATION SCHEME TO ALLOW FOR COMBINATION OF DEVON AND SOMERSET FIRE AND RESCUE AUTHORITIES

The Chief Fire Officer informed Members that in June 2006, Devon and Somerset Fire and Rescue Authorities (FRAs) submitted a business case to the Department for Communities and Local Government (DCLG) and a draft proposal for a voluntary merger between the two Authorities. Any orders to revoke the combination scheme for Devon FRA and create a new combined FRA will also be subject to Parliamentary approval. He sought Members comments on the Consultation Document which would then be forwarded to the Policy Committee for their consideration and recommendation to the Cleveland Fire Authority. The final Consultation Document would be presented to Members at the Cleveland Fire Authority meeting on 29 September 2006.

RESOLVED –

- (i) that Members submit any comments on the Consultation Document to the Head of Democratic and Member Services as soon as possible.
- (ii) that Members and Officers comments on the Consultation Document be forwarded to the Policy Committee for their consideration and recommendation to the Cleveland Fire Authority.
- (iii) that the final Consultation Document be presented to Members at the Cleveland Fire Authority meeting on 29 September 2006.

48.2 REPORT OF CLERK TO THE AUTHORITY GOVERNMENT RESPONSE REGARDING THE AVAILABILITY OF FINANCIAL ASSISTANCE FOR CLEVELAND FIRE BRIGADE CONTROL ROOM

The Clerk appraised Members of the response received from the Department of Communities and Local Government (DCLG) to the request for clarification regarding the level of financial assistance available to the Authority to maintain/enhance the Fire Brigade Control Room up to the time of the Regional Control Centre (RCC) coming on line, and the financial assistance available to the Authority if the RCC is not implemented. He informed Members that the Service Delivery Scrutiny Committee Members had felt that this issue should be brought to the attention of the Cleveland Fire Authority.

Members discussed the response from Richard How, Department for Communities and Local Government, indicating that no further financial assistance would be made available. Members agreed that a letter be sent to the constituent MP's highlighting the current position in relation to financial assistance and the potential risk to Cleveland Fire Brigade area in relation to maintenance to the Fire Brigade Control Room.

RESOLVED –

- (i) that Members noted the report.
- (ii) that a letter be sent to the constituent MP's highlighting the position.

**48.3 REPORT OF CLERK TO THE AUTHORITY
THE SCRUTINY PROCESS FOR THE OPERATIONAL ASSESSMENT OF SERVICE
DELIVERY SELF ASSESSMENT**

The Clerk sought Members consideration of the proposed process and timetable for the scrutiny of the Operational Assessment of Service Delivery self assessment prior to submission to the DCLG on 17 August 2006. Members discussed the need for additional meetings to enable an in depth scrutiny of Operational Assessment.

RESOLVED –

- (i) that the Special Service Delivery Scrutiny Committee meeting arranged for 4 August 2006 is retained to enable the draft self assessment to be considered.
- (ii) that the Executive Committee meeting arranged for 4 August 2006 is postponed until Tuesday 15 August 2006.
- (iii) that a Special Service Delivery Scrutiny Committee meeting is arranged for Friday 11 August 2006 to consider the amended self assessment and to make recommendations to the Executive Committee.
- (iv) that the scheduled Service Delivery Scrutiny Committee meeting on 18 August be cancelled and any agenda items be included in the meeting in September 2006.

49. LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RESOLVED - "That under Section 100(A) (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business, on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 4 of Schedule 12A to the Act namely information:- relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with a labour relations matter arising between the authority or a Minister of the Crown and employees, of, or office holders under, the Authority."

50. MINUTES

RESOLVED – that the Confidential Minutes of Executive Committee 2 June 2006, 16 June 2006, 30 June 2006 and 14 July 2006 be confirmed.

51. REPORT OF THE CHIEF FIRE OFFICER

51.1 REGIONAL MANAGEMENT BOARD – 13 July 2006

RESOLVED – that the minutes of 28 April 2006 Part II be noted.

**COUNCILLOR JOHN JONES
VICE CHAIR**