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# CLEVELAND FIRE AUTHORITY

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## MINUTES OF ORDINARY MEETING HELD ON FRIDAY, 29 SEPTEMBER 2006

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- PRESENT:**           **CHAIRMAN**  
Councillor B Forster – Redcar and Cleveland Borough Council
- HARTLEPOOL BOROUGH COUNCIL:**  
Councillors Payne, Waller
- MIDDLESBROUGH COUNCIL:-**  
Councillors Clark, Jones, Pearson, Porley
- REDCAR AND CLEVELAND BOROUGH COUNCIL:-**  
Councillors Briggs, Dunning, Smith
- STOCKTON ON TEES BOROUGH COUNCIL:-**  
Councillors Brown, Kirton, O'Donnell, Roberts, Salt, Woodhead
- PROPER OFFICERS:-**  
Clerk, Deputy Legal Adviser, Treasurer
- FIRE BRIGADE OFFICERS:-**  
Chief Fire Officer, Executive Director,
- AUDIT COMMISSION:-**  
**IN ATTENDANCE** Caroline Tyrrell, Ross Woodley,
- APOLOGIES FOR ABSENCE**   Councillor Tumilty – Hartlepool  
Councillors Biswas, Mawston – Middlesbrough  
Councillors Cooney, Walker – Redcar & Cleveland  
Councillor Walmsley – Stockton on Tees

### 78. MINUTES

**RESOLVED** – that the minutes of the Cleveland Fire Authority meeting held on 28 July 2006 be confirmed.

### 79. MINUTES OF COMMITTEES

**RESOLVED** – that the minutes of the Executive Committee Meeting held on 15 August 2006, 18 August 2006, 1 September 2006 and 19 September 2006; Tender Committee – 25 August 2006; Policy Committee – 8 September 2006 be confirmed.

### 80. REPORTS OF THE CHIEF FIRE OFFICER

#### 80.1 REGIONAL CONTROL CENTRE GOVERNANCE

The Chief Fire Officer reported that following Members consideration of the governance of the Regional Control Centre (RCC) at the CFA Meeting on 28 July 2006, nominations were now sought for 2 Directors to represent Cleveland Fire Authority on the RCC Local Authority Controlled Company (LACC). Councillors R Payne and P Kirton were proposed and seconded to represent Cleveland Fire Authority on the LACC. Councillor Pearson requested political proportionality on the LACC as there was currently no minority party representation.

**RESOLVED –**

- (i) that Councillor R Payne and Councillor P Kirton represent Cleveland Fire Authority as Directors on the RCC LACC.
- (ii) that political proportionality on the RCC Board be sought as soon as possible.

**80.2 TRADE DISPUTE – SAFETY IMPROVEMENT PLAN 2006/07**

The Chief Fire Officer informed Members of the Executive Committees decision to approve the Collective agreement between the Fire Authority and Fire Brigades Union and consequently the amendment to the Safety Improvement Plan 2006/07. The Executive Committee used its powers under the Scheme of Delegation to take these urgent decisions on 18 August 2006 to resolve the industrial action being mounted by the Fire Brigades Union.

The Chief Fire Officer reported that there has been indications from other Authorities that the Fire Brigades Union are seeking to ballot regarding Continuous Professional Development (CPD) and Long Service Increments (LSI).

**RESOLVED –**

- (i) that Members ratify the decision of the Executive Committee to approve the collective agreement between the Fire Authority and the Fire Brigades Union, known as the Heads of Agreement
- (ii) that as a consequence of (i) above the decision of the Executive Committee be ratified to amend the Safety Improvement Plan as set out in the report
- (iii) that the Chief Fire Officer be directed to implement the decisions as set out in the Heads of Agreement
- (iv) that a further report on the future contingency planning arrangements for any period of industrial action be presented to Members.

**81. REPORTS OF THE EXECUTIVE DIRECTOR**

**81.1 THE REGULATORY REFORM (FIRE SAFETY) ORDER 2005 – POLICY STATEMENT**

The Executive Director advised Members of the re-scheduled commencement date for the Regulatory Reform (Fire Safety) Order and informed Members that the policy statement set out the general fire safety policy and principles for the Authority and Brigade and had been recommended for approval by the Policy Committee.

**RESOLVED – that the Regulatory Reform (Fire Safety) Order 2005 Policy Statement be approved.**

**81.2 INFORMATION PACK 64 – SEPTEMBER 2006**

- 44.4.1 Fire Brigades National Employers Circulars
- 44.4.2 Firefighters Joint Circulars

**RESOLVED – that the report be noted.**

**82. REPORTS OF THE PERFORMANCE SCRUTINY CHAIR**

**82.1 PERFORMANCE SUMMARY REPORT – FIRST QUARTER 2006/07**

The Executive Director summarised the first quarter's performance against Best Value and IRMP Strategic Plans for 2006/07 which had been considered by the Performance Scrutiny Committee on 1 September 2006. He informed Members that the report highlighted considerable areas of improvement in performance and that the Performance Scrutiny Committee were monitoring initiatives in reducing Malicious Calls; f3 fires and sickness absence.

**82.1 PERFORMANCE SUMMARY REPORT – FIRST QUARTER 2006/07 continued**

Councillor Waller suggested that Chairman of the Performance Scrutiny Committee present the report rather than the Executive Director which would assist the scrutiny process and enable Members to ensure all the presented information was verified. The Chairman of Performance Scrutiny Committee reported that the information presented had been verified and was accurate and the Executive Director was presenting the report due to its technical nature. Members discussed in detail the disparity between the constituent districts policy in dealing with deliberate arson and refuse and the effects of regeneration and weather on fires. It was also suggested that site visits be undertaken by the Performance Scrutiny Committee to look at these issues and that the difference in policy priorities between the 4 districts be identified and reported back to a future Authority meeting. Councillor Pearson suggested that both Scrutiny Chairman present their reports in future. Councillor Payne informed Members of the Police's definition between Arson and deliberate fires, where if there is no damage to property then it is not considered a crime. Ian Hayton reported that any physical and verbal abuse to firefighters is discussed on a regular basis with the Police.

**RESOLVED –**

- (i) that Members noted the 2006/07 first quarters Performance.
- (ii) that the Performance Scrutiny Committee scrutinise the different policies of the four district councils which result in an increase in fires.
- (iii) that the presentation of Scrutiny reports by the Chairman or Vice Chairs be considered by Members.

**82.2 DELIBERATE SMALL FIRES (F3) FIRES 2005/06**

The Executive Director informed Members that this report had been requested by the Performance Scrutiny Committee and presented to them on 1 September 2006. The report identified the causes of F3 fires and the control measures and initiatives implemented by the Brigade and he also outlined the future strategies including the bonfire period of October and November 2006.

**RESOLVED – that Members note the report.**

**82.3 PROGRESS AGAINST REVENUE AND CAPITAL BUDGETS 2006/07**

The Treasurer reported the progress against Expenditure and Income Budgets up to 31 July 2006. The report showed a favourable variance of £295,000 with the projected outturn expected to be within budget. Councillor Payne enquired as to why there is a major variance regarding Employee Costs and the Treasurer reported that there are vacancies but recruitment is on going and the underspend will carry on for the rest of the year.

**RESOLVED – that Members noted the position up to 31 July 2006.**

**83. REPORTS OF CLERK TO THE AUTHORITY**

**83.1 CFA ANNUAL REPORT 2005/06**

The Clerk sought Members approval of the Cleveland Fire Authority Annual Report for 2005/06 following the inclusion of Members comments following the 28 July 2006 meeting.

**RESOLVED – that the Cleveland Fire Authority Annual Report 2005/06 be approved.**

**83.2 PERFORMANCE SCRUTINY COMMITTEE - REMIT**

The Clerk sought Members approval to an amendment to the Performance Scrutiny Committee remit as recommended by the Performance Scrutiny Committee.

**RESOLVED –**

- (i) that item 4 of the remit of the Performance Scrutiny Committee be amended to read

“ To monitor, challenge and review the effectiveness of the Polices, Plans, Risk Register and Use of Resources of the Brigades Performance”.

### **83.3 CONTRACT PROCEDURE RULES**

The Clerk sought Members approval for an additional clause to the CFA Contract Procedure Rules following the approval of the Authority's "Contract and Partners Statement".

**RESOLVED – that the addition of the following clause to No. 18 of the Contract Procedure Rules be approved**

**“ (3) Every invitation to submit a quotation of tender shall be accompanied by the Authority’s statement entitled “Contracts and Partners” and the successful contractor shall be required to provide written confirmation of acceptance of the principles set out in the statement at, or prior to the date of contract”.**

### **83.4 LGA ANNUAL FIRE CONFERENCE – 13/14 MARCH 2007**

The Clerk sought Members views regarding Member attendance at the LGA Annual Fire Conference which was to be held on 13 and 14 March 2007 at Peterborough.

**RESOLVED –**

- (i) that the Chairman, Vice Chair and one minority member attend the LGA Annual Fire Conference on 13 and 14 March 2007 at Peterborough**
- (ii) that the Minority representatives are rotated.**

### **83.5 CLERK’S INFORMATION PACK**

25.3.1 Member Visits to Local Industry.

25.3.2 LGA Independent Commission: Review of Relationships

Members discussed the recent visit to Billingham Fire Station and Conoco Phillips which had been extremely beneficial and the Conoco Phillips safety cover and provision found to be excellent with the amount of oil stored and turned into gas prior to shipment being large than that at Hemel Hempstead.

**RESOLVED – that the report be noted.**

## **84. REPORTS OF THE TREASURER TO THE AUTHORITY**

### **84.1 TREASURY MANAGEMENT OUTTURN 2005/06**

The Treasurer informed Members of the actual outturn Prudential Indicators for 2005/06 and sought Members approval to the resulting amendments to the 2006/07 indicators as outlined at Appendix 1 in accordance with CIPFA requirements. The Treasurer also informed Members of the Treasury Management Strategy, the Borrowing and Investment Outturn Position.

**RESOLVED –**

- (i) that the report be noted.**
- (ii) that the revised 2006/07 Prudential Indicators as detailed in Appendix 1 be approved.**

### **84.2 FINAL 2005/06 STATEMENT OF ACCOUNTS AND AUDIT COMMISSION ANNUAL GOVERNANCE REPORT**

Caroline Tyrrell presented the Audit Commissions Annual Governance Report as outlined at Appendix A to the report which also detailed their recommendations following the completion of the Audit of the 2005/06 Statement of Accounts (see Appendix B). She reported that an unqualified opinion would be given once the Statement of Accounts were approved. Ross Woodley reported that the revised accounts show a more favourable position than previously approved in June, but the movement was between two years rather than any changes. He reported that the Value for Money judgement was a good achievement for the Authority.

**84.2 FINAL 2005/06 STATEMENT OF ACCOUNTS AND AUDIT COMMISSION ANNUAL GOVERNANCE REPORT continued**

Ross Woodley reported that budget control had been identified as an area for improvement and recommended that the information received by Members should include more detailed variance expenditure and that budget holders should be able to access the main accounting system.

The Treasurer highlighted two changes which affect the Authority's financial position by increasing the surplus reported for the year (page 19 of Appendix B) and therefore the year end value of the Authority's General Fund balances by £91,000 (page 31 of Appendix B) relating to the Review of Fire Hydrants Provision and Review of Accrued Expenditure.

**RESOLVED –**

- (i) that Members noted the report.
- (ii) that the final 2005/06 Statement of Accounts as detailed at Appendix B which incorporates the changes as detailed at paragraph 3.2 be approved.
- (iii) that the Chief Fire Officer and Treasurer implement any actions recommended in the Annual Governance Report

**84.3 ANTI FRAUD AND CORRUPTION STRATEGY**

The Treasurer outlined the Anti Fraud and Corruption Strategy which incorporated the Fraud Response Plan; General Principles of Public Life; Whistleblowing Policy; Prosecution Policy and Guidance on Gifts and Hospitality. The Treasurer reported that final guidance was still awaited regarding the Statutory Code of Conduct for Members which had been reviewed by the Standards Committee and when final guidance is issued an updated policy will be presented to Members for their approval and incorporated into this Strategy. He also advised that a Statutory Model Code of Conduct for Officers is awaited and in the interim, the standards expected of officers are included in the Officers Handbook. When the statutory model code for officers is received the current standards will be reviewed and updated and after approval will also be incorporated into the Anti Fraud and Corruption Strategy. This will ensure all relevant strategies, plans and policies are accessible within one source and incorporated into the Members Handbook.

**RESOLVED – that the Anti Fraud and Corruption Strategy be approved.**

**85 ANY OTHER BUSINESS**

**85.1 REGIONAL CONTROL CENTRE GOVERNANCE**

Members were requested to call a Special meeting of the Cleveland Fire Authority or Executive Committee on 20 October 2006 to discuss and approve the Memorandum and Articles of Association of the Establishment of a Local Authority Controlled Company (LACC) to operate the Regional Control Centre (Minute No. 43.1 refers).

**RESOLVED – that a Special Meeting of the Cleveland Fire Authority be held on 20 October 2006 to discuss the Establishment of the Local Authority Controlled Company.**

**86. 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 1, 3 and 4 of Schedule 12A to the Act namely:- information relating to an individual; information relating to the financial or business affairs of any particular person (including the Authority holding the information); 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."**

**87. CONFIDENTIAL MINUTES**

**RESOLVED** – that the Confidential Minutes of Executive Committee 18 August 2006, 1 September 2006 and 19 September 2006; Tender Committee – 25 August 2006 be confirmed.

**COUNCILLOR MRS BRENDA FORSTER JP  
CHAIRMAN**