



CLEVELAND FIRE AUTHORITY

MINUTES OF SPECIAL MEETING HELD ON

FRIDAY, 20 OCTOBER 2006

PRESENT: VICE CHAIR

Councillor J Jones – Middlesbrough Council

HARTLEPOOL BOROUGH COUNCIL:

Councillors Payne, Tumilty

MIDDLESBROUGH COUNCIL:-

Councillors Clark, Mawston, Pearson, Porley

REDCAR AND CLEVELAND BOROUGH COUNCIL:-

Councillors Briggs, Cooney, Dunning, Smith, Walker

STOCKTON ON TEES BOROUGH COUNCIL:-

Councillor Kirton,

PROPER OFFICERS:-

Clerk, Legal Adviser, Treasurer

FIRE BRIGADE OFFICERS:-

Executive Director, Director of Performance

APOLOGIES Councillors Allison, Waller – Hartlepool

FOR Councillor Biswas – Middlesbrough

ABSENCE Councillor Forster – Redcar & Cleveland

Councillor Walmsley – Stockton on Tees

91. DECLARATION OF MEMBERS INTERESTS

Councillors Payne and Kirton declared a non prejudicial interest in the Regional Control Centre Establishment of a Local Authority Company (11.35am)

92. REPORTS OF THE CHIEF FIRE OFFICER

92.1 ESTABLISHMENT OF A LOCAL AUTHORITY COMPANY (RCC)

The Executive Director informed Members that the Regional Management Board had met on 6 October 2006 and approved the Regional Control Centre (RCC) report regarding the Establishment of a Company and the draft Memorandum and Articles of Association of the Company as outlined within the RMB report. He outlined to Members the key principles for inclusion in the memorandum and articles of association which were detailed at paragraph 1.2. The Executive Director reported that further work had been undertaken regarding the documentation and the Legal Advisers of each Authority had been consulted and Members attention was drawn to Regulation 2 at paragraph 2.2 and that minor drafting amendments/corrections have been made in accordance with the advice received as outlined in paragraph 2.3.

The Legal Adviser informed Members that he had just been informed that at paragraph 58 page 9 of the Articles it was suggested that the 50% should be amended to 75% and sought Members approval for authorisation to finalise this issue and conclude the documentation on that basis. Councillor Kirton sought clarification regarding substitutions at LACC meetings to which the Legal Adviser responded that there were two types of meetings, a Member meeting and a Directors meeting and Members may find it helpful to identify a substitute at the Directors meeting. Councillor Porley sought clarification whether LACC business would be brought to each Fire Authority for ratification and was informed by the Legal Adviser that how the Company will be financed and regulated was being established and this would be presented to a future Authority meeting.

92.1 ESTABLISHMENT OF A LOCAL AUTHORITY COMPANY (RCC) continued

The Legal Adviser advised that the Directors of the LACC may have to declare an interest in the Authority's proceedings dependant on the nature of the issue being discussed and that they will remain Directors as long as they are members of Cleveland Fire Authority.

The Vice Chairman reported that at the CFA meeting on 29 September 2006 Members had appointed Councillors Kirton and Payne as Directors of the Local Authority Company which resulted in them now being ineligible to continue as the Labour substitutes for the RMB and Councillors Porley and Dunning were now the Labour Group substitutes for the RMB.

Councillor Pearson proposed and it was seconded that minority party representation should be established on the LACC and the Authority should not approve the establishment of the Company until this had taken place.

A vote was taken on the motion with 6 votes against the approval of the Regional Control Centre Local Authority Controlled Company and 7 votes for.

RESOLVED –

- (i) that the report be noted.**
- (ii) that the recommendations of the Regional Management Board report entitled Regional Control Centre (RCC) Establishment of a Company be approved.**
- (iii) that the draft Memorandum and Articles of Association of the Company as outlined within the report be approved, but that the Legal Adviser be given approval to execute the amendments to the document on behalf of the Authority in consultation with the Chairman and Vice Chair.**
- (iv) that Councillors Porley and Dunning be nominated as the labour Regional Management Board substitutes.**
- (v) that political proportionality on the Regional Control Centre Local Authority Controlled Company be sought as soon as possible.**

93. REPORT OF THE EXECUTIVE DIRECTOR AND TREASURER

93.1 MAINTENANCE BACKLOG

The Executive Director highlighted the priority areas within the current maintenance backlog which require urgent action to be undertaken and also identified to Members how the building works were to be funded from within the existing approved revenue budget. In 2005 a Conditions Survey of the Authority accommodation had been undertaken and the survey had identified a maintenance backlog assessed at £4.7 million. He advised Members that the longer term issues were subject to a best value review of estates which were being conducted at the moment and will be presented to members at a future meeting.

Members discussed in detail the priorities and felt that they were all of equal concern and priority.

RESOLVED – that the virement of resources as outlined at paragraph 5.3 (£215,600) be approved.

94 ANY OTHER BUSINESS

REPORTS OF THE CLERK TO THE AUTHORITY

94.1 REGIONAL MANAGEMENT BOARD – PROPER OFFICERS

The Clerk informed Members that at the Regional Management Board Meeting on 6 October 2006 it was proposed and agreed that in terms of effectiveness and organisational needs, the Clerk to the RMB be appointed from the Authority chairing the RMB and it was also proposed that the Treasurer of the RMB be appointed from the RMB Vice Chair's Authority, namely Mr A Emmerson. He reported to Members that as the terms and conditions of the appointment had not yet been established that the Executive Committee be given the delegated powers to approve the conditions of service surrounding the Treasurers appointment.

94.1 REGIONAL MANAGEMENT BOARD – PROPER OFFICERS

RESOLVED –

- (i) that the appointment of Mr A Emmerson as Treasurer to the RMB be approved for the term of office of the Cleveland Fire Authority position as RMB Vice Chair.
- (ii) that the terms and conditions of Proper Officer appointments to the RMB be delegated to the Executive Committee.

94.2 CONTINGENCY PLANNING FOR SAFER COMMUNITIES – 23 NOVEMBER 2006

The Clerk sought Members views regarding attendance at the CFOA/LGA Contingency Planning for Safer Communities in London on 23 November 2006.

RESOLVED – that the Chairman, Vice Chair and one minority attend the CFOA/LGA Contingency Planning for Safer Communities in London on 23 November 2006.

REPORT OF THE EXECUTIVE DIRECTOR

94.3 BUSINESS PLANNING PROCESS/REVIEW OF PRIORITIES 2007/08

The Executive Director sought Members views and contribution in reviewing the strategic direction of the Authority for 2007/08 and in determining the priorities to guide decision making for the Fire Service Community Plan and Safety Improvement Plan 2007/08 (IRMP4). Members discussions included the review of our future direction, areas and challenges were assessed; national framework expectations considered; new legislation; our performance; mandates from stakeholders (public consultation results); major risks facing the Authority (corporate risk register); and areas identified for improvement by internal or external audits or assessments. The Executive Director reported that great improvements had been made in community safety in Cleveland and the risk profile and activity level has now changed and resources are being targeted at high risk areas. Councillor Payne enquired if the community and our stakeholders were aware of the Authority's reduced budget by £1.2M and questioned how the quality of life in our community can be improved and how we find out what the community want. Members were informed that all the local Members of Parliament had been made aware of the budget shortfall.

Members also discussed the risk assessment policy of the 4 district councils and the Executive Director reported that the Authority have an arson risk register for each district area and we are developing our systems and partnerships with key stakeholders to share information and have a common approach and understanding to deal with that risk

The Executive Director confirmed that the draft Safety Improvement Plan would be presented to Members prior to the commencement of the consultation process which would also be presented for Members approval.

RESOLVED –

- (i) that Members views and comments be included in the draft Safety Improvement Plan 2007/08
- (ii) that the local Members of Parliament be kept up to date on the budget shortfall and its impact on their local services.
- (iii) That the draft Safety Improvement Plan 2007/08 and consultation strategy be presented to Members at a future meeting.

**COUNCILLOR JOHN JONES
VICE CHAIRMAN**