



CLEVELAND FIRE AUTHORITY

MINUTES OF ORDINARY MEETING HELD ON FRIDAY, 25 JANUARY 2008

PRESENT:	CHAIRMAN: Councillor Mrs Brenda Forster – Redcar & Cleveland
	HARTLEPOOL BOROUGH COUNCIL: Councillors Cook, Marshall
	MIDDLESBROUGH COUNCIL: Councillors Porley, Pearson, Williams, Clark
	REDCAR AND CLEVELAND BOROUGH COUNCIL: Councillors Cooney, Dunning, Briggs, Ovens
	STOCKTON ON TEES BOROUGH COUNCIL: Councillors Dixon, Kirton, O'Donnell, Stoker, Salt, Woodhead
	AUTHORITY OFFICERS: Clerk, Deputy Clerk, Treasurer, Legal Adviser, Mr Chris Little (HBC)
	FIRE BRIGADE OFFICERS: Chief Fire Officer, Executive Director
APOLOGIES FOR ABSENCE	Councillors Henery, Payne (Hartlepool) Councillor Roberts (Stockton) Councillors Ismail, Jones (Middlesbrough) Councillor Dunning, Fitzpatrick (Redcar & Cleveland)

133. CLACKMANNANSHIRE CRASH

A minute silence as a mark of respect for Firefighter John Noble from Alloa, Scotland who lost his life on 23 January 2008 when his appliance came off the road in Clackmannanshire.

134. DECLARATIONS OF MEMBERS INTEREST

It was noted no declarations of interest were submitted to the meeting.

135. MINUTES

RESOLVED - that the Minutes of the Cleveland Fire Authority Meeting held on 30 November 2007 be confirmed.

136. TO CONFIRM THE MINUTES OF COMMITTEES

RESOLVED - that the Minutes of the Executive Committees held on 14 December 2007, 7 January 2008 and 16 January 2008 be confirmed.

137. REPORTS OF THE CHIEF FIRE OFFICER

REGIONAL MANAGEMENT BOARD MEETING – 14 DECEMBER 2008

137.1 RMB Budget & Constituent Authority Contributions for 2008/09

The Chief Fire Officer reported that the four Constituent Fire Authorities had each contributed £12,000 to the RMB in the 2007/08 financial year (£15,000 in 2006/07) and informed them that the only expenditure charged directly to the RMB each year has been in respect of services provided by the Treasurer and Clerk.

137.1 RMB Budget & Constituent Authority Contributions for 2008/09 continued

This had resulted in an underspend each year culminating in a carried forward balance of £121,000 as at 31st March 2007 and it was anticipated that a similar position will arise during the current financial year.

He reported that at the RMB meeting on 6th October 2006 Members received an update report on FireControl/Firelink project which highlighted a possible underfunding of the regional project by CLG of £61,000 through to 2007/08. It was agreed that whilst representations would continue for full project costs to be supported by DCLG, the net carried forward balance, at that time £87,000, would be utilised as necessary to fund any shortfall on the RCC project in 2006/07 and 2007/08. It was noted that the constituent Authorities currently hold the budgets for individual RMB schemes and any excess costs are then recharged to the other Authorities on a scheme by scheme basis, using cost apportionment models relevant to individual schemes and agreed by the Treasurers.

RESOLVED -

- (i) **That the current methodology in construction of the 2008/09 budget be continued and approved.**
- (ii) **That a RMB budget of £40,000 for 2008/09 be agreed and that the use of balances be available to cover any under funding on the implementation of Regional Control and allow the RMB to pump prime regional working on its own priority areas.**
- (iii) **That the Authority approve a £10,000 contribution to the RMB for 2008/09**

137.2 Regional Improvement & Efficiency Partnership

The Chief Fire outlined the report to Members and requested Members comments on the key priorities for the Regional Improvement and Efficiency Strategy.

RESOLVED - That the Regional Improvement and Efficiency Strategy report be noted and approved.

137.3 Firecontrol/Firelink Progress Update

The Chief Fire Officer noted the recommendations of the report considered by the Regional Management Board (RMB) at its meeting on 14 December 2007 (appendix 1) and members were invited to determine whether they wish to write to the minister relating to: the reducing time spans and the concerns this raises relating to project delivery within currently projected timescale; The need for transparency of the grant element relating to net additional Firelink costs within the overall Revenue Support Grant. Members were also asked to determine whether they would like to express their view to the RCC Company on a pictorial display to be commissioned and used as the focus for a future Ministerial visit and determine whether they wish to consider the role of the RMB in the regional project governance structure during the project delivery process and the future role of the RMB in relation to the interface between FRAs and the RCC after cutover. Comment on the draft framework in respect of the RCC, either through the RMB or via the Cleveland Fire Authority was also sought, as was whether they wish to receive further reports as the project progresses.

RESOLVED - That the recommendations 8.1.1 to 8.1.5 of the RMB report be approved.

137.4 RMB Reports for Information

RMB Minutes of 14 September 2007.

RESOLVED – That the minutes be noted.

138 TO RECEIVE THE REPORTS OF THE EXECUTIVE DIRECTOR

138.1 Absence Management Policy

The Executive Director reported that the FBU had raised concerns relating to trigger levels and returning to work after absence, which had been discussed at length at the Joint Consultative Committee and Policy Committee meetings on 18 January 2008. The Policy Committee had recommended the removal of the 'discretionary powers of the line manager' in relation to trigger levels. He reported that it remains the Brigade's policy to encourage and support staff absent through illness or injury. He also added that, in the case of staff medically certified as fit to return to work, failure to do so may result in pay stoppages. Councillor Pearson reported that she had voted against the stoppage of pay when failing to return to work after being certified medically fit.

RESOLVED - That the Absence Management Policy be approved with the following amendment:- "That in the operation of the trigger levels the 'discretion of line manager' element be removed from sickness arising from on duty injuries".

138.2 Equality Standards for Local Government

The Executive Director reported that the Policy Committee considered the Equality Standard for Local Government Report on 18th January 2008 which outlines the Equality Mark Level 3 Assessment and Validation report from Dr Julian Clarke and the Associated Brigade Action and Improvement Plan.

RESOLVED - That the Assessment & Validation Report be approved.

138.3 Fire & Rescue Service National Framework 2008/11

The Executive Director informed Members that following a Members Workshop on 4 January 2008 and Members comments following the CFA meeting in 30 November 2007, a draft response to the consultation was attached at appendix 1 for Members views.

RESOLVED – that the response as detailed at Appendix 1 to the report be approved and forwarded to CLG.

Fire and Rescue Service Equality and Diversity Strategy 2008

The Executive Director referred to the Draft Fire and Rescue Service Equality and Diversity Strategy 2008, which had been presented to the CFA Meeting on 30 November 2007 and following Members comments sought Members approval to the draft response to the consultation as outlined at appendix 1 to the report. He reported on the Brigade's plans to make a visible change to recruitment, retention and progression by 2013. The strategy includes positive action in recruitment including awareness campaigns, taster days and mentoring - all of which were reported to have made a difference to the success of applicants from traditionally under-represented groups, and to public perceptions. Councillor Pearson expressed concern that the targets were unrealistic and the Brigade needed to maintain the quality of applicants. Councillor Briggs questioned why the Authority is continually put under pressure in spite of all the positive action taken to increase our recruitment of female firefighters and BME.

The Executive Director reported that the previous target of 15 per cent of the workforce by 2009 was set to actively encourage Fire Authorities to do everything they can.

RESOLVED - That the response to the consultation as outlined at Appendix 1 be approved and forwarded to CLG.

138.4 Strategic Management Selection Process

The Executive Director referred to the revised Appointment process of Strategic Management positions which was recently piloted in the recruitment of the Assistant Director of Policy and Performance. It was agreed that the Vice Chair would substitute for the Chair in their absence and that training for the Chairman and Vice Chair be arranged in structured interviewing techniques. Councillor Pearson moved that the structured interview should involve the chairman and vice chairman or substitutes. The motion was defeated by six votes to 9 against.

RESOLVED -

- (i) That the Strategic Management Selection Process be approved**
- (ii) That the Chairman and Vice-Chairman receive training in structured interviewing techniques.**

138.5 Centre of Excellence for the Fire & Rescue Service

The Executive Director reported that the consultation period for the Centre of Excellence for the Fire and Rescue Service document closes on 31 January 2008. The consultation required Cleveland Fire Authority to put together a response to specific questions surrounding the need for a Centre of Excellence, the role, functions, status, governance and funding arrangements.

The Chairman expressed concern that a Centre of Excellence would be very expensive and that it may be value for money to be undertaken in-house. The Executive Director reported that the Brigade would always consider cost effectiveness.

RESOLVED - The response to the consultation as outlined at appendix 1 to the report be approved.

138.6 Review of Charges 2008/09

The Executive Director reported that due to the nature of the service provided by the Fire Brigade, which by statute is provided free of charge, new sustainable income was difficult to identify. Despite this, in line with recommendations from the Audit commission and Internal Auditors, new avenues of obtaining additional external income were currently being explored.

Taking account of previous years' trends and known variables, it was reported that estimated combined effects of the revised charges would be to increase the brigade's budgeted income by approximately £7,445, an average of 2.16%. If the contractual agreements were discounted from the equation, the effective increase would be equivalent to 3.27%.

RESOLVED - That the review of charges, outlined in appendices 1 and 3, be approved and take effect from 1st April 2008.

138.7 Information Pack

- 138.7.1 Fire and Rescue Service Circulars
- 138.7.2 National Joint Circulars
- 138.7.3 Employers Circulars
- 138.7.4 Community Cohesion Strategy
- 138.7.5 CLG Fire and Rescue Service Circular 51/2007

RESOLVED - That the report be noted

139 TO RECEIVE THE REPORT OF THE SCRUTINY SERVICE DELIVERY CHAIR

Chair's Information Pack

The Chairman informed Members that the following reports were presented to the Scrutiny Service Delivery Committee Meeting on 11 January 2008.

- 139.1 Safety Improvement Plan Monitoring & Review Framework Third Quarter Performance Indicators.
- 139.2 Scrutiny of Whatever it Takes
- 139.3 Audit Commission Service Performance Reports

RESOLVED - That the report be noted.

140 TO RECEIVE THE REPORT OF THE PERFORMANCE SCRUTINY CHAIR

Chair's Information Pack

The Chairman informed Members that the following reports were scrutinised at the Performance Scrutiny Committee Meeting on 14 December 2007 -

- 140.1 Second Quarter Performance Summary Report 2007/08
- 140.2 Progress against Revenue and Capital Budgets 2007/08
- 140.3 Equality and Diversity Report

The Executive Director referred to the Exceptions Report in appendix 1 and highlighted the Authorities zero tolerance approach to accidental fire deaths. It was reported that Accidental Dwelling Fire Injuries figures were on target and the rise in Accidental Dwelling Fire Fatalities was due to the gas explosion in Hartlepool and compared to 2006/07 when no deaths were recorded, resulted in a 100 per cent increase. The Sickness Absence figures showed a marked improvement and Councillor Briggs confirmed that monitoring would continue.

RESOLVED - That the report be noted.

141 TO RECEIVE THE REPORTS OF THE CLERK TO THE AUTHORITY

141.1 CFA Meetings

The Clerk reported that a revised schedule of CFA Meeting dates for 2008/09 had been recommended at the Member Development Group Meeting on 11 January 2008 which includes a summer recess and a proposal that the Annual meeting take place a week later on 5th June 2008. Councillor Cooney expressed concern about the change of the annual meeting as she would not be able to attend.

RESOLVED - That the dates of for Cleveland Fire Authority Meetings for 2008/09 be approved in principal pending a Governance Review.

141.2 Guide to Members Roles

The Clerk referred to appendix 1 of the report, a Guide to Members' Roles, as considered by the Member Development Group on 7 September 2007 and 11 January 2008. It was noted that the purpose of the guide was to offer role profiles detailing the necessary skills and attributes needed to enable members to fulfil their role and establish training needs.

RESOLVED -

- (i) That the report be noted.**
- (ii) That the Guide to Members' Roles be approved.**

141.3 Strengthening Local Democracy

The Clerk reported that a joint LGA and IDeA Conference: Strengthening Local Democracy was to take place on 25 February 2008 in London and sought the Authorities wishes in respect of members' attendance. The Chairman proposed that Members did not attend.

RESOLVED - That Members do not attend the conference.

141.4 CFA Governance Review

The Clerk reported that the Scrutiny Service Delivery Members scrutinised the draft Audit Commission Report of Cleveland Fire Authority's 2007 Direction of Travel and the Use of Resources Assessments. Included within the Action Plan of the Use of Resources was the suggestion that the Authority established an Audit Committee with a remit similar to that of the Performance Scrutiny Committee. The Clerk also advised that Audit Commission Reports entitled Use of Resources 2009, The Fire and Rescue – Use of Resources 2007/08 Key lines of Enquiry and the consultation on the use of Resources Assessment 2008/09 had recently been published and there are new Criteria for Judgements which include consideration of an Audit Committee, a Member Portfolio for Asset Management and the Authority's environmental footprint. The Clerk added that it had been 3 years since the last governance review and in view of new guidance advised Members it would be timely to undertake a full governance review.

RESOLVED - That a full CFA governance review be undertaken.

141.5 Clerk's Information Pack

The Clerk informed members of the urgent items which necessitated calling an Executive Committee Meeting on 14 December 2007 and 16 January 2008.

RESOLVED - The report be noted.

**142 TO RECEIVE THE JOINT REPORT OF THE TREASURER AND CHIEF FIRE OFFICER
Budget Strategy 2008/2009 to 2010/2011 and 2008/09 Council Tax Level**

The Treasurer outlined the Medium Term Financial Strategy (MTFS) and sought Members consideration on the detailed 2008/09 Council Tax proposals. It was noted that the forecasts for 2008/2009 to 2010/2011 were tentative as this period is covered by the Government's 2007 Comprehensive Spending Review (CSR07) which determines the level of public sector expenditure for this period. These forecasts can now be reviewed to reflect the announcement of detailed grant allocations to local authorities for the next three years.

The Treasurer reported that the Government grant allocation, which funds two thirds of the Authorities revenue expenditure, is well below the grant floor, following changes to the formula in 2006/2007. The authority receives a lower 'top up' for being a high risk area since COHMA sites replaced the former 'A' risk. The Authority's reserves have been reviewed and it is anticipated that at March 2008, net uncommitted reserves will be £2.631m. The Treasurer reported that part of these reserves needed to be maintained to cover unforeseen liabilities and a further £1m has been put aside to address backlog property maintenance issues and the investment needs through the IRMP.

It was reported that Supported Capital Expenditure (Revenue) Allocations for the next three years would be; 2008/2009 - £507,000, 2008/2009 - 535,000, 2009/2010 - £598,000, 2010/2011 - £615,000. The announcement of allocations for a three-year period will enable the Authority to develop a three-year Capital Programme as detailed in appendix A. Previously approved plans to use £1m of unsupported Prudential Borrowing is anticipated to be spent as outlined in appendix A, Table 2.

142. Budget Strategy 2008/2009 to 2010/2011 and 2008/09 Council Tax Level continued

With reference to the 2008/2009 Local Government Finance Settlement the Treasurer reported that grant allocations announced in December 2007 were disappointing in comparison to other authorities and a detailed written response had been submitted to government highlighting concerns that the floor has been set too low to enable those Fire authorities below the floor to make real improvement to services and at the same time keep council tax increases below 5%.

Regarding the Revenue Budget and Council Tax Levels 2008/2009 to 2010/2011, the Treasurer reported that the previous MTFs indicated that the period covered by CSR07 would be challenging for the Authority as it was anticipated that the CFA would only receive annual grant increases of 1% per annum from 2008/09. On this basis it was anticipated that the annual budgets for 2008/09 to 2010/2011 would be balanced through a combination of annual council tax increases of 5%, the use of £1.525m of balances and the achievement of £1.2m of efficiencies by 2009/2010. The Treasurer reported that the Authority face additional financial pressures from the issues identified in the previous paragraphs and in order to address these issues the level of efficiencies the Authority needs to achieve will increase to £1.85M. These efficiencies will need to be achieved and implemented in full from 1 April 2010 and in order to provide an appropriate timescale for achieving these it is suggested that the available balances of £1.691M be allocated to support the budget from 2008/09 to 2010/2011. The Government has now indicated that Council Tax increases should be significantly below 5%, which contradicts previous forecasts included in CSR07. The Treasurer reported a revised 4.9% increase for the next three years should not be capped, although he could not guarantee this. This would result in the following Band D levels: 2008/2009 - £58.69, 2009/2010 - £61.57 and 2010/2011 - £64.59.

The Treasurer concluded that the outlook for public sector expenditure would be challenging and the formula grant allocations for 2008/2009 and 2010/2011 will necessitate major changes and the achievement of significant efficiencies. He reported that the budget forecasts for the three years to 2010/2011 are based on the phased use of £1.691M of the Authority's reserves to support the revenue budget and £1M to fund capital investment. At the end of this period it is anticipated that net reserves will be £0.940M, which broadly equates to the minimum recommended uncommitted reserves of 3%. This level of reserves is consistent with the assessment of risk facing the CFA as detailed in Appendix E.

Members expressed their deep concern about the funding formula and the devastating effect the cuts in grant allocation could have in the event of a disaster involving nearby COHMA sites and the lives that could be put at risk. Members thanked the local MPs for their support in this matter but added the only way to maintain the current level of service would be to increase funding at twice the level of inflation. Members felt that their concerns had not been taken into consideration and that Ministers were unaware of the uniqueness of the area of Cleveland.

RESOLVED -

- (i) That the 2008/2009 Capital Programme as detailed in appendix A Tables 1 and 2 be approved.**
- (ii) That the detailed Prudential Indicators identified at appendix B be approved.**
- (iii) That a Band D Council Tax level for 2008/2009 of £58.69 (a 4.9% increase on 2007/2008) and supporting statutory calculations as detailed at appendix G and the detail revenue budget set out at appendix D be approved.**
- (iv) That an indicative Band D Council Tax levels for 2009/2010 at £61.57 and 2010/2011 at £64.59 be approved.**
- (v) That if any change is made to grant entitlement in the final settlement, approve an adjustment to the contribution from reserves to the budget.**

143 ANY OTHER BUSINESS

143.1 Managing Strategic Performance

The Clerk sought the Authority's wishes in respect of member attendance at the Managing Strategic Performance 2008 Conference on Wednesday 23 April in London. Councillor Pearson considered the conference, to be attended by Parmjit Dhanda, an ideal platform for the Cleveland Fire Authority to get its point across regarding the funding formula and moved that a cross party delegation attend which included Councillor Cooney. A vote was taken which was defeated by 4 votes for and 10 against. It was agreed that the Chairman or substitute attend the conference.

RESOLVED - That the Chairman or substitute attend the Managing Strategic Performance 2008 Conference on Wednesday 23 April in London.

143.2. Fire Centennial Conference – 5 March 2008

Member's wishes were sought regarding the Fire Centennial Conference which was to be held in London on 5 March 2008. The conference theme was "Implementing Successful Leadership Strategies within the fire and Rescue Service". It was proposed by Councillor Pearson that the Chair, Vice Chair and Councillor Cooney attend the conference. The motion was defeated by 4 votes to 10 against. It was agreed that the Chairman or Vice Chairman attend.

RESOLVED – that the Chairman or Vice Chair attend the Fire Centennial Conference on 5 March 2008 in London.

144. 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 and 3 of Schedule 12A to the Act namely information regarding an individual; information relating to the financial or business affairs of any particular person (including the authority holding the information)."

145. CONFIDENTIAL MINUTES

RESOLVED – that the Confidential Minutes of Executive Committee Meetings held 14 December 2007, 7 January and 16 January be confirmed.

146 REGIONAL MANAGEMENT BOARD MEETING – 14 DECEMBER 2007

RESOLVED - That the confidential report of the RMB Committee 14 September 2007 and NEFRA Collaboration PFI Project Report be noted.

**COUNCILLOR MRS BRENDA FORSTER JP
CHAIRMAN**