



CLEVELAND FIRE AUTHORITY

MINUTES OF ORDINARY MEETING HELD ON FRIDAY, 28 MARCH 2008

PRESENT:

CHAIRMAN:
Councillor Mrs Brenda Forster – Redcar & Cleveland

HARTLEPOOL BOROUGH COUNCIL:
Councillors Cook, Payne

MIDDLESBROUGH COUNCIL:
Councillors Ismail, Jones, Porley, Pearson, Williams, Clark

REDCAR AND CLEVELAND BOROUGH COUNCIL:
Councillors Cooney, Dunning, Briggs

STOCKTON ON TEES BOROUGH COUNCIL:
Councillors Dixon, Kirton, O'Donnell, Stoker, Salt, Woodhead

AUTHORITY OFFICERS:
Clerk, Deputy Clerk, Treasurer, Legal Adviser,

AUDIT COMMISSION:
S Nicklin, C Tyrrell

FIRE BRIGADE OFFICERS:
Chief Fire Officer, Executive Director, Assistant Director of Performance

**APOLOGIES
FOR
ABSENCE**

Councillor Henery (Hartlepool)
Councillor Roberts (Stockton on Tees)

160. DECLARATIONS OF MEMBERS INTEREST

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

161. CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed Karen Winter, Assistant Director of Performance to the meeting.

The Chairman congratulated Mr Tony Brown on his retirement as Legal Adviser to the Authority and thanked him for his help, support and commitment over the last 12 years.

162. MINUTES

RESOLVED - that the Minutes of the Cleveland Fire Authority Meeting held on 25 January 2008 be confirmed.

163. MINUTES OF COMMITTEES

RESOLVED - that the Minutes of the Policy Committees held on 18 January and 7 March 2008, Standards Committee held on 5 February 2008 and Tenders Committee held on 18 January 2008 be confirmed.

164. AUDIT COMMISSION'S ANNUAL AUDIT & INSPECTION LETTER

Mr S Nicklin and Ms C Tyrrell from the Audit Commission presented the Annual Audit and Inspection letter, which provided an overall summary of the Audit Commission's assessment of Cleveland Fire Authority. The letter included a review of how well the Authority has progressed, a service assessment and an assessment of how well the Authority has managed its finances. Mr Nicklin reported that the Audit Commission's overall judgment was that Cleveland Fire Authority is improving well and the Authority has sound arrangements in place to manage its financial position and it has achieved planned savings whilst improving service performance in priority areas. He reported that progress has been made in equality and diversity in achieving external accreditation at level 3 of the Equality Standard. Mr Nicklin reported that in order to ensure continuous improvement the Authority needs to develop a more strategic approach to partnership working; Review recruitment procedures and other publicity to improve diversity of the workforce and consider further regional collaboration in procurement to reduce costs

Members discussed improving the diversity of the workforce and expressed their concerns regarding the unattainable targets for female firefighters. The Executive Director stated that recruitment was organised on a regional basis and that the majority of applicants are not women or members of the BME community and the Authority are increasing their efforts to encourage applications from these groups. He also informed Members of the changes in the way the targets will be reported in future which will make them more attainable to the Authority.

Councillor Briggs reported that the report did not mention the co-responder scheme and also referred to the comments regarding our targets in spite of all the positive action taken to increase our recruitment of female firefighters and BME and sought clarification of where improvements could be made. Mr Nicklin stated that it is about getting these groups interested in the first instance. The Executive Director reported that different approaches and techniques were being investigated in order to improve applications from female and the BME community.

RESOLVED - that the Audit Commission's Annual Audit & Inspection Letter be noted.

**165. TO RECEIVE THE REPORTS OF THE CHIEF FIRE OFFICER
REGIONAL MANAGEMENT BOARD MEETING – 22 FEBRUARY 2008**

- 165.1 FireControl Project Update**
- 165.2 NEFRA PFI Collaborative Project - update**
- 165.3 RMB Reports for Information**

The Chief Fire Officer asked that the above reports be deferred to a future meeting

RESOLVED - that the RMB Reports be deferred to a future meeting and the circulation of RMB information be considered within the Governance review.

**166 TO RECEIVE THE REPORTS OF THE EXECUTIVE DIRECTOR
166.1 Equality Scheme**

The Executive Director informed members that the Brigade's Equality Scheme had been reviewed and had been recommended for approval by the Policy Committee. He informed members that the Equality Scheme incorporates the Brigade's statutory responsibilities as both an employer and service provider reflecting its obligations in respect of equality legislation, including Race, Disability, Gender Equality, Sexual Orientation, Age and Religion or Belief. As the Scheme is reviewed on an annual basis it is intended to be a 'live' document responding to new legislation, changes to Brigade strategies and priorities and the changing needs of developing communities.

166.1 Equality Scheme

The Executive Director drew member's attention to the Action Plan which will be monitored at the Performance Scrutiny Committee. Councillor Pearson requested that page numbers be added to the document.

RESOLVED

- (i) that the Equality Scheme be approved.**
- (ii) that page numbers be added to the scheme.**

166.2 Integrated Risk Management Plan (IRMP) 2008-2011

The Executive Director sought approval of the final Integrated Risk Management Plan 2008-2011 prior to publication. The Plan includes the prioritised options for financial savings, as considered by the Policy Committee on 7 March 2008 and takes into account consultation feedback and Senior Management option appraisals of the draft proposals. The requirement for these savings is due to the financial pressures being exacted upon the Authority following changes to the way the Government funds the Fire and Rescue Services. He reported that he had attended and given detailed presentations at 3 councils and that the local MP's had been extremely supportive regarding shortfall in funding. The Fire Brigades Union response was also included within Appendix 1.

The Executive Director reported that the Senior Management Team appraised the options set out in the IRMP using a decision support analysis tool to ensure that a balanced and feasible judgement is arrived at in relation to the potential impact on community safety; potential impact on organisational performance; likelihood for releasing sustainable resources and potential impact on service and safety. He reported that the options have been written as statements of intent and will be subjected to business cases and further consultation, where appropriate prior to a final decision being taken by the Authority. The final options in priority of order, as considered by the Policy Committee, are included in the Authority's IRMP 2008-11 in Appendix 4.

Councillor Pearson stated that she hoped thorough consideration be given to the Marine Station and sought information regarding a large fire the crews had attended in South Bank, to which the Executive Director responded. Councillor Williams requested clarification as to how the £560,000, which represents the savings to be made in 2008/09, is made up. The Executive Director advised that as we have a 3 year medium term budget plan it is not immediately evident as there may be parts of differing options combined in order to achieve the savings required. See appendix 3.

Councillor Dunning referred to the 9.9% increase in Council Tax from the Police and whether we could have set a higher council tax. The Treasurer responded that there are two sets of criteria that need to be triggered in order for capping to take place. The Authority would not have triggered both criteria so would not have been capped. However, an increase of this level would not solve the budget issues in the long term.

RESOLVED –

- (i) That the outcomes of the consultation on the draft IRMP (2008-11) were noted**
- (ii) That the outcomes from the options appraisal work were noted**
- (iii) That the final IRMP 2008-11 and the prioritised order of options for financial savings contained within it be approved subject to minor amendments**
- (iv) That it was noted that the prioritised options were written as statements of intent that will be subjected to business cases with further consultation, where appropriate, prior to being submitted to the Fire Authority for a final decision**

166.3 Executive Directors Information Pack – March 2008

- 165.3.1 Fire and Rescue Service Circulars
- 165.3.2 National Joint Circulars
- 165.3.3 Employers Circulars

RESOLVED - That the report be noted

**167 TO RECEIVE THE REPORT OF THE SCRUTINY SERVICE DELIVERY CHAIR
Chair's Information Pack**

The Chairman informed members that members of the Scrutiny Service Delivery Committee together with some members of the Executive Committee had visited the Wilton 10 Site on Friday 15 February 2008. The visit was organised in order to scrutinise the emergency planning in place on the site and it included a tour of the site and a visit to the Wood Burning Power Station. Positive feedback from the visit has been received with expressions of interest for a further visit to be arranged in twelve months time.

RESOLVED - That the report be noted.

**168 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 29 February 2008 -

- 168.1 Third Quarter Performance Summary Report 2007/08
- 168.2 Audit Commission's Annual Governance Report 2006/07
- 168.3 Annual Governance Statement
- 168.4 Internal Audit Plan 2008/09
- 168.5 Draft Annual Audit & Inspection Letter
- 168.6 Co-responder Report

RESOLVED - That the report be noted.

**169 TO RECEIVE THE REPORTS OF THE CLERK TO THE AUTHORITY
169.1 A Review of CFA Governance Arrangements**

The Clerk informed members that it has been 3 years since the last review of CFA Governance arrangements and following recent guidance received from the Audit Commission, the committee structure has been updated in order to reflect the changing needs of the Fire Service and the Authority's continued journey to excellence.

The Clerk sought member's views as to the proposed committee structure, individual Member Champions and the Monitoring Officer and Legal Services arrangements following the retirement of Mr J A Brown.

Members sought clarification on the new role of the Audit and Governance Committee and additional Standards Committee and discussed the role of member champions.

The Legal Adviser informed Members that he had been asked to consider the possibility of CFA Members being appointed for a 4 year term of office and informed Members that it was the constituent Councils duty to determine the term of office. He reported that an understanding could be reached with this Authority and the 4 constituent Councils regarding this issue.

169.1 A Review of CFA Governance Arrangements (cont)

The Legal Adviser also raised the issue of appointments to the CFA being made on a basis of proportionality across the Cleveland Authority area which had been the accepted practice since 1996 although this was not statutory. He advised that it had been suggested that CFA appointments now be made based on the Borough Councils own political composition rather than across the Cleveland area. Members requested further reports be prepared on the above two issues in order to clarify matters.

The Deputy Clerk sought Members views regarding the receipt and circulation of RMB and the North East Fire Control Company (NEFCC) (formerly known as LACC) information. Members reported that the NEFCC report direct to the CFA rather than via the RMB and that only RMB papers which were relevant to the Authority be presented in future. Members agreed that the recommendations 2.1 to 2.12 as set out in the Clerk's report be approved.

RESOLVED:

- (i) That the revised Committee Structure as outlined in paragraph 7.1 and the associated terms of reference, delegated powers and quorums as detailed at Appendix 1 to the report are approved.
- (ii) That the new governance and Committee structure be implemented on 6 June 2008.
- (iii) That the term in office of the Chair and Vice Chair of the Authority continues to be 2 years in accordance with the information framework as details in paragraph 5.1 and Appendix 2.
- (iv) That the role of CFA Members as outlined within the "Guide to Members Roles" be updated to reflect this Review and is approved.
- (v) That the Governance Arrangements (Delegation Scheme) are approved with the addition of the appointment Process for Area Managers.
- (vi) That the representation on the Regional Management Board, NE Fire Control Company Ltd and other Outside Bodies as outlined in Appendix 3 are approved.
- (vii) That bi-monthly briefings continue prior to full CFA meetings.
- (viii) That regular briefings continue between the Chairman and the Chief Fire Officer.
- (ix) That the committee diary for 2008/09, as detailed in Appendix 4 is approved.
- (x) That Mr P Devlin, currently the Deputy Monitoring officer, is appointed as temporary Monitoring Officer of Cleveland Fire Authority until the Authority's Annual Meeting on 6 June 2008.
- (xi) That a report be presented to the Annual Meeting on 6 June 2008 on the Monitoring Officer/Legal Adviser role and on the Legal Services SLA.
- (xii) That all membership changes arising from Annual Meetings of constituent Councils be implemented from the date of the Fire Authority Annual Meeting.
- (xiii) That a report be prepared and presented to CFA with regard to the issues of Terms of Appointment of CFA Members and the political composition of Authority Members.
- (xiv) That only RMB reports relevant to the CFA be presented at CFA Meetings.
- (xv) That information from the NEFCC be reported to CFA meetings.

169.2 Member Development Programme 2008/09

The Clerk sought approval from members with regard to the Member Development Programme for 2008/09 and reported that the detailed programme would be presented at the Annual Meeting on 6 June 2008.

RESOLVED – that the Member Development Programme for 2008/09 be approved.

169.3 Clerk's Information Pack

- 169.3.1 Director of Fire and Resilience,
- 169.3.2 LGA Annual Fire Conference and Exhibition

RESOLVED - The report be noted.

170. ANY OTHER BUSINESS

The Chairman congratulated Mr Paul Joyce, Director of Business Development on his retirement after 34 years service to the Brigade. The Chairman on behalf of CFA thanked Mr Joyce for his support and outstanding commitment he had given which had been most appreciated. Members echoed the Chairman's sentiments and wished Mr Joyce a happy and healthy retirement.

171. 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 regarding an individual; information relating to the financial or business affairs of any particular person (including the authority holding the information), and paragraph 3a namely information furnished to the Authority by a Government department upon terms (however expressed) which forbid the disclosure of the information to the public”.”

172. CONFIDENTIAL MINUTES

RESOLVED – that the Confidential Minutes of Executive Committee (Appeals) 3 January 2008, Policy Committee 7 March 2008 and Tenders Committee 18 January 2008 be confirmed.

**173. TO RECEIVE THE REPORT OF THE CHIEF FIRE OFFICER
REGIONAL MANAGEMENT BOARD MEETING – 22 FEBRUARY 2008
RMB Report for Information**

RESOLVED - that the RMB Report be deferred to a future meeting.

174. TO RECEIVE THE REPORT OF THE EXECUTIVE DIRECTOR

174.1 Corporate Assessment : Recategorisation

The Executive Director sought members' direction on the Authority's response to the Audit Commission's draft Assessment Report.

**COUNCILLOR MRS BRENDA FORSTER JP
CHAIRMAN**