



CLEVELAND FIRE AUTHORITY

MINUTES OF ANNUAL MEETING HELD ON

FRIDAY, 6 JUNE 2008

PRESENT: **HARTLEPOOL BOROUGH COUNCIL:**
Councillors Cook, Payne, Fleming

MIDDLESBROUGH COUNCIL:-
Councillors Clark, Ismail, Porley, Williams

REDCAR AND CLEVELAND BOROUGH COUNCIL:-
Councillors Briggs, Dunning, Forster, Ovens

STOCKTON ON TEES BOROUGH COUNCIL:-
Councillors Beall, Dixon, O'Donnell, Stoker, Woodhead

PROPER OFFICERS:-
Clerk, Legal Adviser, Treasurer, Deputy Clerk

FIRE BRIGADE OFFICERS:-
John Doyle, Ian Hayton, Karen Winter

AUDIT COMMISSION:-
Caroline Tyrell

APOLOGIES FOR ABSENCE Councillor Jones, Rogers (Middlesbrough)
 Councillor Cooney (Redcar & Cleveland)
 Councillor Wright (Hartlepool)
 Councillor Salt (Stockton)

1. APPOINTMENT OF CHAIR

The Clerk sought nominations for the position of Chairman of Cleveland Fire Authority for 2008/09 and 2009/10. Councillor Peter Porley was subsequently proposed and seconded whereupon nominations were closed.

RESOLVED - that Councillor Peter Porley be appointed as Chairman of Cleveland Fire Authority for 2008/09 and 2009/10.

Councillor Peter Porley in the Chair.

The Chairman thanked Members for their nominations and stated he was looking forward to continuing working with Members and Officers on the challenges facing the Authority over the coming two year period. He added he looked forward to working with all members throughout the coming year on our journey to excellence. Councillor Porley wished to place on record the Authority's thanks to Councillors Gordon Henery, John Marshall and Paul Kirton, and especially to Councillor Hazel Pearson for the outstanding contribution, commitment and support she had given over the years. The Chairman also welcomed Councillors Tim Fleming and Edna Wright from Hartlepool, George Rogers from Middlesbrough and Jim Beall from Stockton to the Authority.

On behalf of the Cleveland Fire Authority, the Chairman made a presentation to Councillor Forster in recognition of her period as Chairman. Councillor Forster thanked Members, Officers and staff for the support given to her during her period of office, adding it had been a pleasure and privilege to be the Chairman of the Cleveland Fire Authority. Councillor Forster stated she was proud of the achievements made during her term of office, while recognizing that there were hard decisions to be made in the future due to the financial

situation the Authority now faced. Councillor Foster extended her support and best wishes to Councillor Porley as the new Chairman.

2. DECLARATIONS OF MEMBERS INTEREST

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

3. APPOINTMENT OF VICE CHAIR

The Chairman sought nominations for the position of Vice Chair to Cleveland Fire Authority for 2008/09 and 2009/10. It was subsequently proposed and seconded that Councillor Jean O'Donnell be appointed Vice Chair of Cleveland Fire Authority.

RESOLVED – that Councillor O'Donnell be appointed Vice Chair of Cleveland Fire Authority for 2008/09 and 2009/10.

4. MINUTES OF CLEVELAND FIRE AUTHORITY MEETING HELD 28 MARCH 2008

RESOLVED – that the Minutes of the Cleveland Fire Authority Meeting held on the 28 March 2008 be confirmed.

5. MINUTES OF COMMITTEES

The Chief Fire Officer stated he wished to place on record his professional and personal gratitude to the Chairman and Vice Chairman of the Authority, Vera Baird, Solicitor General QC MP, Ian Wright MP, and Frank Cook MP, who together with the Executive Director and himself, had attended a meeting with the Fire Minister to discuss this situation. He also wished to thank the many stakeholders, especially in industry, for the support they have given to the Authority in its attempt to resolve its financial situation. The Chief Fire Officer reported that the reality was that £2m was being taken out of the budget which would have an effect on the community front line services provided by the Brigade.

The Executive Director outlined the outcome of the meeting to members and referred to a draft response to the Minister which had been circulated for members comments. The Chief Fire Officer drew members attention to the statement that the Authority would, if a critical event occurred, advise the wider community that the responsibility rested with the Fire Minister and his Government.

All Members unanimously supported the letter and requested that an open invitation be extended to the Fire Minister to visit the area and that the support of the local authorities be included within the letter. It was also agreed that a press release be sent informing the public of the Authority's position. Councillor Dunning queried if redundancies were being considered and the Chief Fire Officer advised that a business case had been requested by members on the outline proposals put to them, but they were working on the assumption no redundancies would be made. The Executive Director reported it was envisaged 50 Firefighters would be retiring this year, however they would not be in a position to consider the business case to look towards reduction of staff until the end of the year, as there was a defined process which it had been agreed would be undertaken which included consultation with the Trade Unions.

A discussion took place as to whether the letter should conclude the dialogue with the Fire Minister.

RESOLVED –

- (i) that the minutes of the Executive Committee held on 28 March 2008, 9 May 2008, Tenders Committees held on 14 March 2008, 25 April 2008 and 9 May 2008, and Standards Committee held on 29 April 2008 be confirmed
- (ii) that the letter shared with the meeting be sent to the Fire Minister with the addition that an open invitation to visit the area be extended, this letter to be signed by cross party MPs, Chairmen and Mayors/Leaders of the 4 Authorities

6. REPORTS OF THE AUDIT COMMISSION

The Chairman welcomed Caroline Tyrrell from the Audit Commission to the meeting. Caroline advised that during 2008/09 the role of Relationship Manager would be replaced by the post of Comprehensive Area Assessment Lead (CAAL). It was anticipated this appointment would be confirmed and the person in post within the next two months. The CAAL will provide the focal point for the Audit Commission's work in our area, lead the CAA process, and ensure that the combined inspection programme across all inspectorates is tailored to the level and nature of risk for the area and its constituent public bodies.

6.1 AUDIT & INSPECTION PLAN 2008/09

Ms Tyrrell outlined the key elements of the plan which set out the audit and inspection work to be undertaken for the 2008/09 financial year. She added as the audit for 2007/08 was not yet completed, the audit planning process for 2007/08, including the assessment of risk, will continue as the year progresses. The plan will be kept under review and updated as necessary. Caroline referred to Appendix 3 which identified areas where they would be undertaking work, drawing particular attention to Equality and Diversity and User Focus. Caroline referred to the many positives identified during the recent CPA review when the Authority had improved its rating. The risks identified were not major pieces of work and the actions taken would be reviewed to address the issues raised in the CPA report. The Authority had received a high rating under Use of Resources and Assessment.

The Executive Director sought clarification on the rise in the audit fee from £53,100 to £66,000. Caroline advised the bulk of the increase was around the work to be undertaken on Data Quality for 2008/09, and a small increase on the Financial Statements which fed from the cost of the Regional Control room and the new arrangements which may impact on the accounts.

RESOLVED – that the report be noted.

**7. REPORTS OF THE CLERK TO THE AUTHORITY
7.1 BUSINESS REPORT**

The Clerk submitted a report detailing the revised schedule of Authority meetings, role of CFA Members and Committee structure for 2008/09 and sought Member representatives onto outside bodies.

RESOLVED -

- (a) That the revised schedule of Meetings and Committees of the Authority at Appendix A be approved.
- (b) That the Role of CFA Members as outlined at Appendix B be approved.
- (c) That the Cleveland Fire Authority Meeting and Committee structure, terms of reference and membership as defined in Appendices C - E be approved.
- (d) that the Committees as detailed in Appendix F to the report be constituted with the Membership as indicated below:

POLICY COMMITTEE (4 -1 -1 -1)

| | | |
|--------------------------------------|-------------|----------------------------|
| HARTLEPOOL BOROUGH COUNCIL:- | Councillor | Payne |
| MIDDLESBROUGH BOROUGH COUNCIL:- | Councillors | Porley, Williams |
| REDCAR & CLEVELAND BOROUGH COUNCIL:- | Councillor | Forster |
| STOCKTON ON TEES BOROUGH COUNCIL:- | Councillors | Dixon, O'Donnell, Woodhead |

EXECUTIVE COMMITTEE (4:1:1:1)

Membership the same as the Policy Committee

TENDERS COMMITTEE (2:1)

| | | |
|---------------------------------|------------|-----------|
| Chair or Vice Chair | Councillor | Porley |
| Vice Chair or 1 majority member | Councillor | O'Donnell |
| Minority member | Councillor | Woodhead |

STANDARDS COMMITTEE (2:1:1) plus 3 independent persons

| | | |
|-------------------|-------------|---------------|
| Majority Member:- | Councillors | Briggs, Clark |
| Minority Member:- | Councillor | Ovens |
| Minority Member:- | Councillor | Rogers |

OVERVIEW & SCRUTINY COMMITTEE (4:1:1:1)

| | | |
|--------------------------------------|-------------|------------------------------|
| MIDDLESBROUGH BOROUGH COUNCIL:- | Councillor | Jones |
| REDCAR & CLEVELAND BOROUGH COUNCIL:- | Councillors | Cooney, Dunning, Fitzpatrick |
| STOCKTON ON TEES BOROUGH COUNCIL:- | Councillors | Beall, Roberts, Stoker |

AUDIT & GOVERNANCE COMMITTEE (4:1:1:1)

| | | |
|--------------------------------------|-------------|---------------|
| HARTLEPOOL BOROUGH COUNCIL | Councillors | Cook, Fleming |
| MIDDLESBROUGH BOROUGH COUNCIL:- | Councillor | Ismail |
| REDCAR & CLEVELAND BOROUGH COUNCIL:- | Councillors | Briggs, Ovens |
| STOCKTON ON TEES BOROUGH COUNCIL | Councillors | Salt, Stoker |

APPEALS COMMITTEE (4:1:1:1)

| | | |
|------------------------------------|-------------|-----------------------|
| MIDDLESBROUGH BOROUGH COUNCIL | Councillors | Ismail, Jones, Rogers |
| REDCAR & CLEVELAND BOROUGH COUNCIL | Councillors | Briggs, Fitzpatrick |
| STOCKTON ON TEES BOROUGH COUNCIL | Councillors | Roberts, Salt |

JOINT CONSULTATIVE COMMITTEE (4:1:1:1)

| | | |
|------------------------------------|-------------|----------------------|
| HARTLEPOOL BOROUGH COUNCIL | Councillors | Cook, Wright |
| MIDDLESBROUGH BOROUGH COUNCIL | Councillor | Porley |
| REDCAR & CLEVELAND BOROUGH COUNCIL | Councillors | Fitzpatrick, Forster |
| STOCKTON ON TEES BOROUGH COUNCIL | Councillors | O'Donnell, Salt |

MEMBER DEVELOPMENT GROUP (4:1:1:1)

| | | |
|------------------------------------|-------------|--------------------|
| HARTLEPOOL BOROUGH COUNCIL | Councillors | Fleming, Payne |
| MIDDLESBROUGH BOROUGH COUNCIL | Councillors | Porley, Rogers |
| REDCAR & CLEVELAND BOROUGH COUNCIL | Councillor | Forster |
| STOCKTON ON TEES BOROUGH COUNCIL | Councillors | O'Donnell, Roberts |

(e) that the Member Champions for the ensuing year, outlined at Appendix G are as follows.

- (i) that Councillor Ismail be appointed the Equality and Diversity Champion
- (ii) that Councillor Forster be appointed the Environmental Footprint Champion
- (iii) that Councillor Dunning be appointed the Asset Management Champion

- (iv) that Councillor Payne be appointed the Business/Corporate Risk Champion**
 - (v) that Councillor Payne be appointed the Hartlepool Community Leadership Champion**
 - (vi) that Councillor Clark be appointed the Middlesbrough Community Leadership Champion**
 - (vii) that Councillor Forster be appointed the Redcar & Cleveland Community Leadership Champion**
 - (viii) that Councillor Stoker be appointed the Stockton Community Leadership Champion**
- (f) That the nominations for the ensuing year for representatives and substitutes to outside bodies as outlined at Appendix H be as follows:-**
- (i) that Councillor Porley be appointed as the LGA representative for the ensuing year and Councillors O'Donnell and Forster be the named substitutes.**
 - (ii) that Councillors Forster, Porley, Cooney and Williams be appointed as the RMB representatives for the ensuing year and that Councillors Briggs, Dunning, Woodhead and Ovens be the named substitutes for the RMB for the ensuing year.**
 - (iii) that Councillor Cook be appointed on the Safer Hartlepool Partnership, Councillor Jones be appointed to the Safer Middlesbrough Partnership, Councillor Briggs be appointed to the Redcar Community Safety Partnership, Councillor Stoker be appointed to the Safer Stockton Partnership.**
 - (iv) that Councillor Payne be appointed to the Hartlepool Local Strategic Partnership Board with Councillor Cook as the named substitute; Councillor Jones be appointed as substitute to the District Manager on the Middlesbrough Strategic Partnership Board; Councillor Briggs be appointed as substitute for the District Manager on the Redcar & Cleveland Strategic Partnership Board; Councillor O'Donnell act as substitute for the Stockton District Manager on the Stockton Strategic Partnership Board for the ensuing year.**
- (g) That the CFA Governance Arrangements Delegation Scheme as outlined at Appendix I be approved.**
- (h) That Members approve the amended Financial Procedure Rules at outlined at Appendix J**
- (i) That Members approve the Standing Orders and Contract Procedure Rules as outlined at Appendix K.**
- (j) That Members endorse and comply with the Authority's Code of Conduct for Members, Standards and Partners Policy and Anti-Fraud and Anti-Corruption Policy as outlined at Appendices M,N and O.**
- (k) That the Partnership representatives continue to meet quarterly and report to the full CFA annually on their achievements and future activities.**
- (l) That the 2 yearly rotation of the Chair and Vice Chair continue. It should be noted that this arrangement cannot be binding on future Fire Authorities**
- (m) That the Chairman and Chief Fire Officer hold regular informal briefings on a regular basis.**
- (n) That Members views on how they wish to visit Fire Stations throughout the year be discussed at a future meeting.**
- (o) That a Member of a Non Controlling Group continue to be nominated as Chair of the Overview and Scrutiny Committee.**

- (p) That the membership for Executive and Policy Committees continue to remain the same and that they do not form part of the Audit and Governance or Overview and Scrutiny Committees membership.
- (q) That Executive/ Policy Committee Members are not appointed to the Appeals Committee.
- (r) That informal briefing meetings continue to be held for all Authority Members prior to the bi-monthly Cleveland Fire Authority Meetings.
- (s) That Members endorse the existing Authority Policies as displayed on the Authority's website - www.clevelandfire.gov.uk.

7.2 FIRE IMPROVEMENT GROUP MEMBERSHIP

On the 25 November 2005 Members resolved the formation of an improvement partnership with Merseyside and Staffordshire Fire Authorities. This partnership has proved to be to the mutual benefit of all three parties. Members discussed representation on the Fire Authority Improvement Group and it was proposed and seconded that the Chairman, Councillors Forster, Stoker, Payne, Cooney and Williams be the representatives.

RESOLVED – that the Fire Improvement Group membership for 2008/09 be the Chairman, Councillors Cooney, Forster, Payne, Stoker and Williams.

7.3 MEMBER DEVELOPMENT PROGRAMME 2008/09

At the Cleveland Fire Authority meeting held on the 28 March 2008, Members approved the Member Development Programme 2008/2009. The Clerk advised Members approval was now sought for the full programme as presented to the meeting, and requested that Members retain this document for insertion into their Members Handbook.

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

7.4 SAFER PARTNERSHIP ANNUAL REPORT

The Deputy Clerk informed Members this report updated Members on the work undertaken within the four local Councils Safer Partnerships by Members of the Fire Authority who sat on the Local Safer Partnership Forums and Boards, and showed the work undertaken in each District.

RESOLVED – that the report be noted.

7.5 EXTENSION OF TEMPORARY APPOINTMENT OF MONITORING OFFICER

The Clerk informed Members that Mr J A Brown, the Cleveland Fire Authority Legal Adviser and Monitoring Officer, retired as Chief Solicitor of Hartlepool Borough Council on the 31 March 2008, at which time Mr Peter Devlin was appointed on a temporary basis as Monitoring Officer to comply with s5 of the Local Government and Housing Act 1989. Hartlepool Borough Council had now appointed Mr Devlin as Chief Solicitor. The Clerk stated the Executive Committee of the Authority would need to meet to make a decision regarding the appointment of the Monitoring Officer, and asked Members to approve the extension of the temporary appointment of Mr Peter Devlin until such time as the Executive Committee make an appointment.

RESOLVED – that the extension of the temporary appointment of Mr Peter Devlin as Monitoring Officer to the Cleveland Fire Authority be approved until the Executive Co

7.6 MEMBER INDUCTION PROGRAMME 06 AND 13 JUNE 2008

The Deputy Clerk reported that new members had been invited to attend an Induction prior to the meeting. A further induction/development seminar had been scheduled to take place on the 13 June 2008 at Fire Brigade Headquarters for new Members and to include any Members who wish to update and refresh their development and background knowledge. Unfortunately due to Member holidays and other commitments the seminar on the 13 June 2008 would need to be postponed, and an alternative date arranged after consultation with Members.

RESOLVED – that the Induction programme be approved and adopted, and a further seminar be scheduled after consultation with Members

7.7 WORLD FIREFIGHTER GAMES 24-25 AUGUST AND 1-2 SEPTEMBER 2008

The Clerk reported that during her period as Chair of the Cleveland Fire Authority, Councillor Forster had been very involved in the preparatory work leading up to the Games, and asked that Members consider the attendance of Councillor Forster at this event on the 24 and 25 August and the 1 and 2 September 2008.

The Chief Fire Officer informed the meeting that he wished to table a report to the CFA meeting on the 25 July 2008 regarding the support which could be given by the CFA and those associated with it to the event.

RESOLVED – that Members approved Councillor Forster’s attendance at the Merseyside Fire and Rescue Service World Firefighter Games to be held on the 24 and 25 August 2008 and the 1 and 2 September 2008.

7.8 CLERK’S INFORMATION PACK

- 7.8.1 Executive Committee Meeting 9 May 2008
- 7.8.2 Chairman attending the ‘Making the Difference – Equality, Diversity & the Fire and Rescue Service Conference’ 28 May 2008
- 7.8.3 Audit Commission’s Corporate Assessment draft report

RESOLVED - that the report be noted.

8. REPORT OF THE EXECUTIVE DIRECTOR

8.1 Annual Report (incl Best Value Performance Plan) 2007/2008

The Executive Director advised this draft report had been formulated to comply with the requirements of the Audit Commission. This was the Authority’s third Annual Report which incorporated the Best Value Performance Plan outturn figures for 2007/2008. The Executive Director asked Members to consider this draft report and forward any views they have to the Deputy Clerk by the 14 June 2008. The Executive Director also requested that Members consider delegating powers to the Executive Committee to be held on the 27 June 2008 to approve this Annual Report.

RESOLVED:

- (i) **that Members views on the the draft Annual Report be forwarded to the Deputy Clerk by the 14 June 2008.**
- (ii) **that the Executive Committee be granted delegated powers to approve the Annual Report 2007/2008 (including the Best Value Performance Plan) at their meeting scheduled to take place on the 27 June 2008**

8.2 Information Pack June 2008

- 8.2.1 Fire and Rescue Circulars FRS/5/2008 to FRS/21/2008
- 8.2.2 Community Awards
- 8.2.3 Changes to Power Under Regulation of Investigatory Powers Act 2000 (FRS 14/2008)
- 8.2.4 Equality Impact Assessment Policy
- 8.2.5 RIPA Policy and Procedure
- 8.2.6 Information Security Policy
- 8.2.7 Regional Management Board Papers

RESOLVED: that the reports be noted

9. REPORT OF THE CHAIR OF PERFORMANCE SCRUTINY

The Chair of the Performance Scrutiny Committee reported to Members that at the meeting held on the 16 May 2008 the following reports were scrutinised by Members and were for Members information:

- (a) **Annual Governance Statement 2007/2008 (Previously the Statement of Internal Control)**
- (b) **Internal Audit Outturn Report 2007/2008**

RESOLVED - that the reports be noted

10. REPORTS OF THE CHAIR OF SCRUTINY SERVICE DELIVERY

10.1 Provision of Legal Services

In the absence of the Chair, the Executive Director spoke to this report. He advised that part of the work of the Scrutiny Service Delivery Committee was to look at services provided to the Authority. Regarding legal services, the Scrutiny Service Delivery Committee had received an update on the legal and related services provided to the Authority under a Service Level Agreement (SLA) with the Legal Services Division of Hartlepool Borough Council. The Executive Director advised that both Members and Officers were satisfied with the service provided, whilst recognizing that an evaluation and review of all legal services was required. Members were therefore asked to consider extending the existing SLA with Hartlepool Borough Council until 31 March 2011 pending an evaluation and review of all legal services during 2009/10.

RESOLVED: that the existing Service Level Agreement with Hartlepool Borough Council for the provision of legal services be extended until 31 March 2011 pending an evaluation and review of all legal services during 2009/10

10.2 Provision of Personal Protection Equipment (PPE), Uniforms and Corporate Wear – Progress Report

The Executive Director advised Members there were currently two contracts running for the purchase and supply of PPE, Uniforms and Corporate Wear. Yorkshire Purchasing Organisation currently has a contract with Bristol Uniform for the purchase and supply of tunics and overtrousers, this contract is due to expire on the 31 March 2009, the remainder of PPE and uniform being under contract with the North East Purchasing Organisation (NEPO). The PPE contract expires on the 31 July 2008 and the uniform contract has been extended until 31 July 2009.

The Executive Director advised the Integrated Clothing Project (ICP) commenced in January 2003, and incorporated the Partner Brigades Group and the Uniform Task Group. The aim of the ICP was to improve the identity and purchasing power of the Fire Service through collaboration, but they are still not in a position to deliver this service. The scope of the ICP fell within the remit of the Office of the Deputy Prime Minister's National Procurement Strategy 2005/2008 for the Fire and Rescue Service. Research identified a need for national standards and specifications and a more efficient central procurement strategy in local government. Firebuy, a national procurement body, had been established and was responsible for putting together the specification for clothing and PPE and letting the contract.

The Executive Director reported that in order to ensure continuity of supply beyond the expiry date of existing contractual arrangements, it was necessary to waive Contract Procedure Rules which would allow the flexibility of extending or entering into interim arrangements for the supply of current PPE, uniforms and corporate wear from existing suppliers for a maximum period of one year, ie from the 1 August 2008 to 31 July 2009. He added it was not anticipated that the waiver arrangements would generate additional costs.

Councillor Payne commented there was a need for Firebuy to specify what they are going to provide and to evaluate if this was value for money. The Executive Director drew attention to page 3 of the minutes of the 16 May 2008, point 5.4 which sets out the objectives of the Uniform Review Group. If it was deemed Firebuy are not value for money the Brigade would seek exemption. Councillor Payne stated Fire Brigade personnel should be involved in the decision over the provision of uniform. The Executive Director stated this would also come under the remit of the Uniform Review Group and issues raised would be fed back to Members.

RESOLVED –

- (i) **that Brigade Officers produce a further report to the Scrutiny Service Delivery Committee on the outcome of the internal consultation exercise and the financial implications of the Integrated Clothing Project contract when known**
- (ii) **that the Contract Procedure rules be waived as necessary pending the adoption of a new contract**

11. REPORTS OF THE LEGAL ADVISER

11.1 Terms of Appointment & Political Composition of CFA Members

The Legal Adviser reported that this report had been requested at the CFA meeting on 28 March 2008. It covered the issues 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, and that it was now proposed that appointments be made based on the Borough Councils own political composition rather than across the Cleveland area.

RESOLVED - that the report be noted

11.2 Monitoring Officer/Legal Advisor Role & the Legal Services Service Level Agreement

The Legal Adviser updated Members on the role of the Monitoring Officer/Legal Advisor and the Legal Services provided under the Service Level Agreement with the Legal Services Division of Hartlepool Borough Council

RESOLVED - that Members note the report

11.3 Proposed Amendment to the Articles of Association of the North East Fire Control Company Limited

The Legal Adviser reported that at a meeting of the Board of the North East Fire Control Company Limited held on the 20 December 2007, it was resolved to seek the consent of the Company's Members to the amendment of Article 58 which dealt with the quorum for meetings of the Board. The Board proposed an amendment to Article 58 by substituting "50%" for the existing "75%" in the first sentence, with a proviso that in order to constitute a quorum at least one Fire and Rescue Authority Director from each Fire and Rescue Authority would need to be present. In addition the Board also asked that consideration be given to the provisions of the Articles relating to the Alternate Directors. The present power of appointment under Article 34 is invested in "any director". The North East Fire Control Company Limited therefore invited the Authority to enter into discussion with their Board representatives over "some internal process for identifying and making those alternates whom the Authority would regard as suitable".

After discussion, Members agreed to the amendment of Article 58 by substituting "50%" for "75%" in the first sentence relating to quoracy, and nominated and seconded Councillors O'Donnell and Stoker as Alternate Directors.

RESOLVED:

- (i) **that an amendment be made to the Articles of Association of the North East Fire Control Company Limited, by substituting "50%" for the existing "75%" in the first sentence of Article 58**
- (ii) **that under the power of appointment under Article 34 Councillors O'Donnell and Stoker be Alternate Directors**

11.4 Appointment of an Independent Member to the Standards Committee

The Legal Adviser informed Members that, following the appointments process, Mr Kevin Kelly had been recommended for appointment as an Independent Member of the Standards Committee. The Legal Adviser confirmed that the appointments process had been undertaken in accordance with the selection process and references had been obtained in respect of Mr Kelly which were very supportive of his application.

RESOLVED – that Mr Kevin Kelly be appointed as an Independent Member of the Cleveland Fire Authority's Standards Committee for a term of four years

**12. AUDIT COMMISSION CORPORATE ASSESSMENT REPORT:
PRE PUBLICATION DRAFT**

The Clerk referred to this document which had been embargoed until 00:01 on the 3 June 2008. Members agreed that this report be discussed and recorded for public information.

The Executive Director informed Members of the history leading up to the production of this report. He stated a considerable amount of effort had been put into the detailed response by the Authority to the initial draft version of the corporate assessment report. However, this new report did not reflect any of the changes submitted by the Brigade, only cosmetic changes had been made, and the fundamental points raised regarding the initial views expressed by the Audit Commission's team had not altered. The report also contained factual inaccuracies.

Because of the timescales involved this report had been taken to the Executive Committee meeting held on the 9 May 2008. The Executive Committee Members had discussed the content of this report and expressed their dissatisfaction concerning the outcome. The decision of the Executive Committee was that the contents of the report be noted and the Chief Fire Officer should notify the Audit Commission of the Authority's dissatisfaction with the process and its intention to conclude its involvement at this juncture. The Corporate Assessment report and the response of the Chief Fire Officer were also presented to Members of the Performance Scrutiny Committee on the 16 May 2008 who had also supported the decision reached by the Executive Committee. The Executive Director informed members that there had been no response from the Audit Committee who had since published the report on their website.

The Executive Director drew attention to Appendix 3 to this report, and advised this had been compiled arising from a request by an Executive Committee Member who had asked for comparative information relating to COMAH Fire Authorities and their respective Corporate Assessment ratings.

Councillor Dunning commented the public who were served by the Cleveland Fire Brigade knew they received an excellent service from the Brigade, irrespective of the views of the Audit Commission.

RESOLVED –

- (i) that Members note the Audit Commission's draft pre-publication Corporate Assessment Report on Cleveland Fire and associated papers
- (ii) that Members note and support the decision reached by the Executive Committee (9 May 2008) in relation to a response to the draft report, "to note the contents of this report, and request the Fire Officer to notify the Audit Commission of the Authority's dissatisfaction with the process and its intention to conclude its involvement at this juncture".

13. 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 paragraph 3 of Schedule 12A to the Act namely information:- relating to the financial or business affairs of any particular person (including the Authority holding that information).

14. CONFIDENTIAL MINUTES

RESOLVED – that the minutes of the Executive Committee meetings held on the 28 March 2008 and 9 May 2008, the Tender Committee meetings held on the 14 March, 25 April 2008 and 9 May 2008 be approved.

**COUNCILLOR PETER PORLEY
CHAIRMAN**