



CLEVELAND FIRE AUTHORITY

MINUTES OF ORDINARY MEETING HELD ON

FRIDAY, 26 SEPTEMBER 2008

- PRESENT:**
- CHAIRMAN:**
Councillor Porley – Middlesbrough Council
- HARTLEPOOL BOROUGH COUNCIL:**
Councillor Cook
- MIDDLESBROUGH COUNCIL:-**
Councillors Clark, Ismail, Jones, Rogers, Williams
- REDCAR AND CLEVELAND BOROUGH COUNCIL:-**
Councillors Briggs, Cooney, Forster, Ovens
- STOCKTON ON TEES BOROUGH COUNCIL:-**
Councillors Beall, Cherrett, Dixon, O'Donnell, Salt, Stoker
- PROPER OFFICERS:-**
Clerk, Legal Adviser, Treasurer, Deputy Clerk
- FIRE BRIGADE OFFICERS:-**
Chief Fire Officer, Executive Director, Assistant Director of Performance
- AUDIT COMMISSION**
Diane Harold, Lynne Snowball
- APOLOGIES FOR ABSENCE**
- Councillors Dunning, Fitzpatrick (Redcar & Cleveland)
Councillors Fleming, Payne, Wright (Hartlepool)
Councillor Woodhead (Stockton)

66 DECLARATIONS OF MEMBERS INTEREST

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

67 CHAIRMAN'S ANNOUNCEMENT

- 67.1** A one minutes silence was observed in memory of Councillor Terry Cooney, a member of the Regional Management Board and a long serving member of the Tyne and Wear Fire and Rescue Service, who had died on the 19 September 2008.

68 MINUTES

- 68.1** The Executive Director referred to Minute 39.1 of the Cleveland Fire Authority meeting held on the 25 July 2008 when Members resolved to provide financial support to the Cleveland Fire Fighters participating in the World Firefighters Games. The 15 competitors who had taken part in a variety of events had achieved 3 silver and a bronze medal, and England had emerged as top of the medal table with 217 gold medals which was a massive achievement. On behalf of all the participants, Jeff Crawford, FBU, had asked the Executive Director to record their thanks to Members for their support.
- 68.2** The Chief Fire Officer reported that the Executive Director and himself had participated in the Chiefs Challenge at the Firefighter Games where approximately 70 Chiefs and Executives from various Brigades had taken part. He informed Members a considerable sum of money had been raised from this event which would go the Firefighters Charity, and the Chief Fire Officer conveyed his thanks to all who had sponsored this event.

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

69 REPORT OF THE CHIEF FIRE OFFICER

- 69.1 The Chief Fire Officer introduced Peki Prince, Assistant Fire Chief from Peachtree City, Georgia, USA, to the meeting. The Chief Fire Officer reported that he had got to know Peki as a result of his work with the 'Baggers', and outlined to the meeting the history of the 'Baggers' and how they came to be named as such.

Peki informed Members that the Chief Fire Officer was the only non American to be invited to be a member of the 'Baggers' which was quite an honour. Peki then gave a presentation which included information on Peachtree City where she had served as Assistant Fire Chief since 2007, the political backdrop, risk management, the everyday challenges faced by firefighters in the United States and her own experiences of working for the American Fire Service. She informed Members that she had been extremely impressed with the many innovative initiatives the Brigade has in place.

On behalf of the Cleveland Fire Authority, the Chairman thanked Peki for her very interesting and informative presentation.

70 **MINUTES OF COMMITTEES**

RESOLVED - that the Minutes of the Executive Committees held on 5 September and 15 September 2008, and the Policy Committee held on 5 September 2008 be confirmed.

71 **REPORTS OF THE EXECUTIVE DIRECTOR**

71.1 **Review of Operational Response to the Flooding of 2007**

The Executive Director advised in September 2007 the Chief Fire and Rescue Adviser, Sir Ken Knight, was asked by the Secretary of State for Communities and Local Government to undertake a review of the Fire and Rescue Service operational response to flood-related emergencies. The review had two distinct phases, the first phase resulted in the circulation of an 'Emerging Issues' report to all Fire and Rescue Authorities seeking a wider consultation base, and the second entailed a much broader consultation with the FRAs and key stakeholders. The final report 'Facing the Challenge' was published at the end of March 2008, and sets out 28 recommendations, seven of which had particular significance for Cleveland and were set out in the Executive Director's report.

The Executive Director drew Members attention to Recommendation 12 – 'Where an FRA provides a response to flooding, they must also ensure that personnel are appropriately equipped and trained to meet the duties of the Health and Safety at Work Act 1974 and subordinate legislation.' The Executive Director advised that currently all operational response personnel had been trained in basic water awareness skills and all fire appliances carry a range of water safety equipment. The water awareness training provided all operational response personnel with the knowledge of the hazards present at water incidents and the levels of risk they cause. A Working Group had been convened within the Brigade to fundamentally review the Authority's policy with regard to water related incidents, the findings of which would be fed back to the Fire Authority.

RESOLVED - That the report be noted.

71.2 Fire Control Project – Initial Staffing Pool

The Executive Director appraised Members of the current CLG proposals in respect of the creation of a control room staffing pool for each of the three FiReControl first wave regions. The proposed approach was deemed necessary in order to ensure that existing Fire and Rescue Authority control rooms could continue to function during the training, testing and cutover phases of the FiReControl project. It had been established that in this region, based on current CLG information, a minimum of 37 additional staff will be required to cutover the first FRA and that the introduction of these additional staff into existing control rooms will need to be undertaken on a rolling basis commencing in October 2008 in order to reduce the training and supervision demands that would be placed on existing supervisory staff.

The Executive Director reported that funding for these additional posts would be provided by Government under its 'New Burdens' principle. In acknowledgement of this, CLG have published Fire Service Circular 5/2008 which states that a least £1million is available for each first wave region in order to cover the costs of the staffing pool. In addition, CLG have also intimated that this figure could be higher depending upon the final approved outcome in respect of the actual staffing pool numbers.

The Executive Director advised it was estimated a temporary increase in the control room establishment of 6 posts would be needed, subject to written confirmation being received from CLG regarding their underwriting the financial implications of both the establishment increase and the subsequent potential redundancies.

Councillor Williams queried if there would be difficulties in recruiting to these temporary posts. The Executive Director advised the Brigade had not experienced recruitment problems in the past, and added it was not known how many substantive control room staff would wish to transfer over to the new facility.

RESOLVED –

- (i) that the report be noted**
- (ii) that Members approved the creation of a staffing pool through a temporary increase in the control room establishment, currently estimated at 6 posts, subject to written confirmation being received from CLG with regard to underwriting the financial implications of both the establishment increase and the subsequent potential redundancies;**
- lii) that Members delegate the implementation of the staffing pool to the Executive Director in accordance with the Authority's Scheme of Delegation and in line with any project requirements but subject to the caveat in (ii) above.**

71.3 Cleveland Fire Authority Corporate Risk Register 2008/09

The Executive Director reported that Cleveland Fire Authority has a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness, thereby implementing the principles and responsibilities of effective corporate governance arrangements. The Cleveland Fire Authority Corporate Risk Register is the tool used to identify the threats and risks to the achievement of the Cleveland Fire Authority vision and corporate objectives, and summarised the control measures required to reduce those risks and inform business planning.

To ensure Members continue to be fully informed a Risk Management Presentation and Workshop had been held for the Members of the Policy Committee on Monday 15th September. During the interactive workshop Members comments were noted and contributed to the formation of the Cleveland Fire Authority Corporate Risk Register 2008/9 (Appendix 1)

RESOLVED –

- (i) that the report be noted**
- (ii) that Members approved Cleveland Fire Authority's Corporate Risk Register 2008/2009**
- (iii) that Members approved the use of the Cleveland Fire Authority's Corporate Risk Register 2008/2009 as an integral part of the business planning process**
- (iv) that the Corporate Risk Register 2008/2009 be submitted to the Audit and Governance Committee on a quarterly basis, and that the Committee reports to the Cleveland Fire Authority on any matters of a significant nature**

71.4 Comprehensive Area Assessment

The Executive Director reported that from April 2009, the Comprehensive Area Assessment (CAA) would replace the Comprehensive Performance Assessment (CPA). This marked a significant change to the current assessment regime following the passing of the Local Government and Public Involvement in Health Act (2007). CPA focused on services provided by local authorities whereas CAA would look at the public services in an area delivered by councils and their partners including the private and voluntary sectors. The Executive Director reported work was ongoing with the key stakeholders within the Fire and Rescue Service in relation to this proposed new assessment regime.

The Executive Director advised it was proposed that the new assessment process would comprise of three main components:

- Operational Assessment
- Organisational Assessment
- Area Assessment

and drew attention to the briefing paper attached at Appendix 1 which set out the details of each of these component parts. The Executive Director reported the Authority's Strategic Management Team would be further examining the proposals and liaising with the CFOA with a view to ensuring that the Brigade can transit to the new assessment regime as seamlessly as possible. Update reports on progress would be brought the Cleveland Fire Authority as required.

RESOLVED –

- (i) that the report be noted**
- (ii) that the brief on the Joint Inspectorate's proposed assessment regime for public services – Comprehensive Area Assessment (CAA) be noted**
- (iii) that the Strategic Management Team report to the CFA on the process developments as required**

71.5 Indicative Analysis of Station Configuration within Cleveland Fire Brigade – Project Report

The Executive Director informed Members that the Indicative Analysis of Station Configuration within Cleveland Fire Brigade was scrutinised by the Overview and Scrutiny Committee on 15 September 2008 and sought Members approval that the report be used as a basis for the future development and improvement of the Authority's premises assets.

The Executive Director reported the Fire Station Configuration Project evaluated the effectiveness of current arrangements in the location, design and overall suitability of fire station premises to meet the Authority's objectives and the needs of local communities.

The Executive Director stated the stringent response times had been determined as part of specific actions within the Cleveland Fire Authority Plans 2006/07 and 2007/08. The key findings arising from the initial findings of the Indicative Analysis indicated that

- Emergency response against the High Risk 5 minute benchmark may be better supported in the medium term (up to five years) at some current locations by dividing a station with 2 appliances between 2 locations, with one appliance at each. However, dividing resources would have a consequential impact on the response time of the second appliance to areas adjacent to the respective current station locations, and would present challenges for the organisation.
- All other site locations, including retained duty system sites in rural locations, appear adequate to meet the current response benchmarks.
- The redesign or rebuild of stations to modern standards around current locations appeared to be a more suitable option for the provision of emergency services with no detrimental effect on the emergency response benchmarks

RESOLVED –

- (i) **that Members approved the project report 'Indicative Analysis of Station Configuration within Cleveland Fire Brigade, and that it be used as a basis for the future development and improvement of the Authority's premises assets**

71.6 REPORT OF THE EXECUTIVE DIRECTOR

Executive Directors Information Pack – September 2008

72.6.1 Fire and Rescue Service Circulars

72.6.2 NE Regional Management Board Meeting 16 September 2008

72.6.3 FiReBuy National Framework Arrangement for Purchase of a Pumping Appliance

RESOLVED – that the report be noted

72 REPORT ON THE NE FIRE CONTROL COMPANY BOARD

72.1 Local Authority Controlled Company (LACC)

Councillor Forster, Chair of the LACC Board, informed Members that it was the responsibility of the LACC to make decisions on a number of human resource matters in relation to the operation of the RCC including 'steady state' staff numbers and shift patterns. Steady state numbers related to the number of staff required once all nine Regional Control Centres in England were fully operational and processing calls at their intended capacity. Consequently it was also the responsibility of the LACC to communicate decisions made to existing employers who had a further responsibility to share the appropriate and relevant information with their staff affected by the forthcoming transfer process. Councillor Forster reported that at a recent LACC Board meeting decisions directly related to human resource policies and procedures had been taken.

72.1 Local Authority Controlled Company (LACC) contd

Publishing details of the LACC decisions was an important milestone in establishing how the Regional Control Centre would operate and what the future operating costs would be, and the first meeting of the North East Fire Control Company Governance and Resource Committee was held on Tuesday 9 September 2008. The main terms of reference for this committee was to support company decision making and governance processes, and ensure they were kept under review.

72.2 The Fire Control Business Case Part 1

Councillor Forster reported the Fire Control Business Case was published by CLG in July 2008. This document provided an indicative staffing number for 'steady state' operations within the Regional Control, with their published steady state figures being set at 55. After careful consideration the LACC for the North East had determined that it would require a 'steady state' staffing number of 63 in total, 8 persons more than the indicative numbers suggested by CLG. The LACC figure represented a 43% reduction in the current staffing across the four North East Control Rooms (currently at 110).

Councillor Forster stated that in addition the CLG business case made no mention of any support roles while the LACC had indicated the requirement for 11 support roles, giving a total operational staff complement of 74 persons at 'steady state'. The Board had yet to finalise 'transition' staffing numbers and these were envisaged to be higher as there was every likelihood that the North East Fire Control Centre would be expected to handle additional emergency calls from other regions of England as more and more Fire and Rescue Services cut over their emergency call business to the Regional Control Centre national network.

However, in terms of the LACC decisions, there was clearly an additional funding gap of at least £600,000 to be addressed between the staffing levels indicated by CLG and those considered prudent by the LACC. Following the agreement at the last CFA meeting held on the 25 July 2008, the Chairman of the Authority had sent a letter to the national Fire Control Project Director in CLG highlighting the Authority's concerns in respect of the content of the North East Regional Control Centre case.

In response to a query from Councillor Williams, Councillor Forster advised that the 110 current staffing figure did not include support workers. The Executive Director added one of the difficulties was what was considered to be out of scope work, Control Room Operatives in Cleveland managed the Home Fire Safety Visit programme, however in the Control Centre this would be out of scope and would have to be managed by someone else.

RESOLVED – that the report be noted

73. AUDIT AND GOVERNANCE CHAIR INFORMATION PACK

The Chairman of the Audit and Governance Committee reported that at the Audit and Governance Committee meeting held on 19 September 2008, Members had expressed concern regarding the sickness levels and current staffing arrangements, and had requested a further detailed report. The operational staffing situation had improved, with additional trainee recruitment and temporary secondment arrangements. Members were assured that the situation was still being closely monitored and that account of the staffing implications of IRMP and the revised organisation would be taken into account.

Regarding sickness absence management, Members had been happy with the measures that had been put in place, and that this would remain a major brigade priority to reduce current levels. An update would be presented to the next meeting.

73. AUDIT AND GOVERNANCE CHAIR INFORMATION PACK contd

The Chairman added he wished to place on record his thanks to the Executive Director for all the hard work he had undertaken to get the Co-responder initiative back on track and hoped that one day Co-responder would be available nationally.

RESOLVED - that the report be noted

74. REPORTS OF THE OVERVIEW & SCRUTINY CHAIR

74.1 Forward Work Programme 2008/09

The Chairman of the Overview and Scrutiny Committee sought approval for the Forward Work Programme for 2008/2009 which was attached at Appendix 1 to the report. She reported that the Forward Work Programme would remain flexible to enable referrals from the Authority, its committee or individual Members to be included.

RESOLVED - that the Overview and Scrutiny Committee Forward Work Programme 008/2009 be approved

74.2 Overview and Scrutiny Chairs Information Pack

The Chairman of the Overview and Scrutiny Committee reported the Fire and Rescue Performance Assessment 2008 was scrutinised by the Committee on 29 August 2008 and was then approved by the Executive Committee on 5 September 2008 prior to the 8 September 2008 deadline.

Members had also scrutinised the evaluation of the current 'Whatever It Takes (WIT) initiative and the proposals to extend the campaign into three other districts. Liaison was taking place with the Safer Partnerships to agree the proposals and following this an agreement would be reached on the specific outcomes of the various partners which would be linked to the various Local Area Agreement (LAA) targets of the Districts.

RESOLVED - that the report be noted

75. REPORTS OF THE CLERK TO THE AUTHORITY

75.1 Chief Fire Officers Association Conference 5 November 2008 – Climate Change

The Clerk sought Members wishes in respect of Member attendance at the Chief Fire Officers Association Conference covering Climate Change to be held on the 5 November 2008 at De Vere Oulton Hall, Leeds. After discussion Members agreed that the Chairman, Vice Chair or substitute attend this event.

RESOLVED – that the Chairman, Vice Chair or substitute attend the Chief Fire Officers Association Conference covering Climate Change to be held on the 5 November 2008 at De Vere Oulton Hall, Leeds.

75.2 Practical Challenges Facing Fire Authorities – A Workshop for Elected Members

Members wishes were sought by the Clerk regarding attendance at the Practical Challenges Facing Fire Authorities – A Workshop for Elected Members, to be held at the Fire Service college over the weekend of 31 October to 2 November 2008. After discussion Members agreed that the Chairman, Vice Chair, Portfolio Holder or substitute attend this event.

RESOLVED – that the Chairman, Vice Chair, Portfolio Holder or substitute attend the Practical Challenges Facing Fire Authorities – A Workshop for Elected Members, to be held at the Fire Service college from the 31 October to 2 November 2008.

75.3 Governance of Potential Private Finance Initiative

The Clerk reported the Executive Committee had met on the 5 and 15 September 2008 under delegated powers to consider the submission of an 'initial expression of interest' in the Fire and Rescue Service Private Programme Round 6. Members views were sought regarding the governance of this potential Private Finance Initiative, and after discussion it was agreed that the governance be added to the remit of the Executive Committee under delegated powers.

RESOLVED – that the governance of the proposed Private Finance Initiative be added to the remit of the Executive Committee under delegated powers.

75.4 CLERK'S INFORMATION PACK

RESOLVED - that the report be noted.

76. REPORT OF THE LEGAL ADVISER

76.1 Amendments to Standing Orders and Contract Procedure Rules

The Legal Adviser advised that at the CFA meeting held on 25 July 2008 Members approved the updated Contract Procedure Rules by the inclusion of a section on partnerships, and the updating of the Authority's Standing Order No 41 and Annex. Under Standing Order No 27 the amendments had stood adjourned since the CFA meeting of the 25 July 2008.

RESOLVED –

- (i) that the updated Contract Procedure Rule be noted**
- (ii) that the updated Standing Order No 41 and Annex be noted**

77. REPORT OF THE TREASURER TO THE AUTHORITY

77.1 FINAL 2007/08 STATEMENT OF ACCOUNTS AND AUDIT COMMISSION ANNUAL GOVERNANCE REPORT

The Chairman welcomed Ms L Snowball and Ms D Harold from the Audit Commission to the meeting. Lynne Snowball presented the Audit Commissions Annual Governance Report and informed Members that this was a very positive report. She drew attention to Appendix 2 – Adjusted misstatements and confirmed it had been agreed to adjust the financial statements in respect of these errors with additional controls now in place to address these issues..

As Chairman of the Audit and Governance Committee, Councillor Briggs queried if there were any issues to go before this committee. Ms Snowball stated there were no significant issues to raise, this was a very positive report.

The Treasurer appraised Members of the requirement for Local Authorities, including Fire Authorities, to approve draft Statement of Accounts before 30 June, which had been a challenging deadline particularly in relation to the significant accounting changes which had been introduced. He informed Members that following the approval of the draft accounts on 27 June 2008, the Audit Commission had now completed the Audit of the 2007/08 Statement of Accounts and their recommendations were contained within the Annual Governance Report. The Treasurer reported that the external auditor had advised that there were no issues within the Annual Governance Report which effect the level of Authority reserves as reported in the draft accounts and that the increase in reserves would not have a fundamental impact on the Authority's ongoing financial position, as it was planned to use £1.691m of reserves to support the budget over the next three years

77.1 FINAL 2007/08 STATEMENT OF ACCOUNTS AND AUDIT COMMISSION ANNUAL GOVERNANCE REPORT contd

therefore planned efficiency savings would still need to be implemented by 1 April 2010 to ensure ongoing service costs did not exceed ongoing resources.

Referring to the Governance Report, the Treasurer drew attention to the bank reconciliation which was completed on 3 April 2008 rather than the 31 March 2008. This had resulted from problems with the automated year end close down procedures, said problems had been resolved and this would not re-occur. The Treasurer reassured Members this was not indicative of a failure of internal control as the Authority's bank account was reconciled on a daily basis during 2007/2008 and did not expose the Authority to any financial risk. Additional controls had been put in place to strengthen the year end reconciliation arrangements.

The Treasurer referred to the recent investment which was inadvertently made from the Authority's bank account instead of Hartlepool Borough Council's bank account. This was identified the following day and the monies immediately reinstated to the Authority's bank account. Additional controls had been put in place to strengthen arrangements and prevent a repeat occurrence. He advised that the District Auditor was satisfied that controls had been put in place to ensure this would not happen again

The Treasurer drew attention to the requirement for the Authority to provide the Auditor with a letter of representation, this was included at Appendix 3 of the Governance Report and a copy had been signed by the Chair and the Treasurer.

RESOLVED:

- (i) **that the report be noted**
- (ii) **that the final 2007/2008 Statement of Accounts which incorporated the changes agreed with the Auditor be approved that the Chief Fire Officer and Treasurer implement any actions recommended in the Annual Governance Report**

77.2 Treasury Management Annual Review 2007/2008

The Treasurer reported that as part of the annual Budget process, the Authority approved an outline of the overall Treasury Management Strategy and associated Prudential Indicators at its meeting held on 30 March 2008. The report presented to the meeting provided a review of the actual treasury activity for 2007/2008 and the actual Prudential Indicators for 2007/2008. The Treasurer advised the submission of this report to the Authority was a legal requirement under the Local Government Act 2003, and met the requirements of both the CIPFA Code of Practice on Treasury Management and the CIPFA Prudential Code for Capital Finance in Local Authorities. The report summarized:

- Capital expenditure and financing
- Treasury position as at 31 March 2008
- Prudential Indicators and Compliance Issues
- Economic background for 2007/2008
- Regulatory framework, risk and performance

The Treasurer drew Members attention to Appendix A to the report which set out the Prudential Indicators and confirmed that all Indicators had been complied with, and that there were no issues or any action to be brought to the attention of Members.

RESOLVED - that the report be noted.

78. ANY OTHER BUSINESS

78.1 CFOA Equality and Diversity Conference

The Clerk sought Members wishes in respect of Member attendance at the CFOA Equality and Diversity Conference to be held on 25 November 2008 in London. After discussion Members agreed that Councillor Forster attend this event.

RESOLVED – that Councillor Forster attend the CFOA Equality and Diversity Conference to be held on 25 November 2008 in London.

78.2 Asian Fire Service Annual Conference and Dinner – 26 November 2008

Members wishes were sought by the Clerk regarding Member attendance at the Asian Fire Service Annual Conference and Dinner to be held on 26 November 2008 in London. After discussion Members agreed that Councillor Forster attend this event.

RESOLVED – that Councillor Forster attend the Asian Fire Service Annual Conference and Dinner to be held on 26 November 2008 in London.

79. LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) (VARIATION ORDER) 2006

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 the paragraphs below of Part 1 Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006,

Minute No. 81 - Paragraph 1 - namely information relating to any individual

Minute No. 81 & 82.1 - Paragraph 3 - namely information relating to the financial or business affairs of any particular person (including the authority holding that information)

80. CONFIDENTIAL MINUTES

RESOLVED – that the confidential minutes of the Executive Committee meetings held on the 5 September and 15 September 2008, and the Policy meeting held on the 5 September 2008 be approved.

81. REPORT OF THE EXECUTIVE DIRECTOR

81.1 PFI Project Expression of Interest

This report was noted.

**COUNCILLOR PETER PORLEY
CHAIRMAN**