



FIRE AUTHORITY

# CLEVELAND FIRE AUTHORITY

## MINUTES OF ORDINARY MEETING HELD ON

FRIDAY, 26 NOVEMBER 2010

### PRESENT:

#### CHAIR:-

Councillor O'Donnell – Stockton on Tees Borough Council

#### HARTLEPOOL BOROUGH COUNCIL:-

Councillors Atkinson, Flintoff, Payne

#### MIDDLESBROUGH COUNCIL:-

Councillors Brunton, Clark, Morby, Porley, Rogers, Thompson

#### REDCAR AND CLEVELAND BOROUGH COUNCIL:-

Councillors Briggs, Dunning, Forster, Ovens

#### STOCKTON ON TEES BOROUGH COUNCIL:-

Councillors Kirton, Salt, Stoker, Woodhead

#### AUTHORISED OFFICERS:-

Treasurer, Chief Fire Officer, Director of Corporate Services

#### OFFICERS:-

Head of Corporate Support, Deputy Legal Adviser/Monitoring Officer

#### AUDIT COMMISSION:-

Gavin Barker – Senior Audit Manager

### APOLOGIES FOR ABSENCE

Councillors Abbott, Cooney (Redcar and Cleveland Borough Council)

Councillor Akers-Belcher (Hartlepool Borough Council)

Councillor Lewis (Stockton Borough Council)

### 81. DECLARATIONS OF MEMBERS INTEREST

Councillor Morby declared a prejudicial interest in the Fire Services Pension Scheme.

### 82. MINUTES

**RESOLVED - that the Minutes of the Cleveland Fire Authority Meeting held on 24 September 2010 be confirmed.**

### 83. MINUTES OF COMMITTEES

**RESOLVED - that the Minutes of the Executive Committee held on 19 November 2010 be confirmed.**

### 84. COMMUNICATIONS RECEIVED BY THE CHAIRMAN

The Chairman outlined the following correspondence received since the last meeting:

Robert Flynn, CLG, re Local Transparency

Bob Neill, MP, re Fire Futures and the Spending Review

Shona Dunn, CLG, re Firebuy

D G Pritchard, CFO and Chief Executive, East Sussex FRS re copy letter to the Fire Minister

**85. REPORT OF THE AUDIT COMMISSION  
ANNUAL AUDIT LETTER 2009/10**

Mr Barker summarised the results from the 2009/2010 audit and informed Members that on 24 September 2010 he had issued his audit report which included an unqualified opinion on the Authority's financial statements. He reported that some errors in the financial statements were identified and which had now been amended and no significant weaknesses in the internal control arrangements had been identified. Mr Barker reported that he had issued an unqualified VFM conclusion which stated that the Authority had adequate arrangements in place to secure economy, efficiency and effectiveness in its use of resources.

Mr Barker referred to the Comprehensive Spending Review which would prove challenging for the Authority and reported that the Authority's approach to improving value for money was supported by its service transformation programme. He referred to the uncertainty surrounding the PFI project and the Regional Control Centre both of which had the potential to present the Authority with future challenges, but felt that the strength in the Authority's Governance arrangements would help it to respond to these major operational and financial challenges in 2011 and beyond. The Chief Fire Officer updated Mr Barker regarding the withdrawal of funding for the PFI project.

Councillor Briggs congratulated the Brigade on the excellent work undertaken by its staff

**RESOLVED – that the report be noted.**

**86. REPORTS OF THE CHIEF FIRE OFFICER**

**86.1 Draft Integrated Risk Management Plan 2011/15**

The Chief Fire Officer appraised Members on the progress of the Transformation Programme leading to the development of the Draft IRMP 2011/15, the focus of which was a balanced strategy of prevention, protection and response. He reported that the Authority had recognised that the challenges raised by the economic situation and that the fiscal deficits would inevitably result in a tight financial settlement from the CSR.

The Chief Fire Officer stated that at the CFA meeting on the 24 September 2010 Members were presented with 37 potential options against CSR assumptions, and these had been amalgamated into 7 projects which were currently being progressed to full Business cases. These seven projects as outlined at 5.3 of the report formed part of the underlying basis for the Authority's Integrated Risk Management Plan 2011/15. The Chief Fire Officer assured Members that the number one aim for the Authority is the safety not only of its community but also its firefighters and there would be no change in the scope of its services or its emergency response standards. However these services would not be able to be delivered using the same number or configuration of employees and resources, as in previous years. The resultant implications being:

- ◆ less staff numbers including Firefighters
- ◆ changes to the way our staff work
- ◆ less managers and smaller support departments

- ◆ more services delivered from our Fire Stations with fewer service delivery staff in the central teams
- ◆ changes in the way some of our front line appliances are crewed
- ◆ sharing and commissioning support service functions with other partners
- ◆ reducing the size of our buildings and fleet

The Chief Fire Officer referred to the Consultation Strategy at Appendix 2 and advised Members that the period of public consultation was 6 December 2010 to 31 January 2011 with feedback being reported to the Authority in early 2011 with the draft IRMP.

Members sought further information regarding the change in risk profiles in wards and the use and cost of consultants.

**RESOLVED:**

- (i) that Members considered the Authority's Draft IRMP for the period 2011/15 as attached at Appendix 1
- (ii) that members ratify the recommendations of the Executive Committee to:
  - ◆ Approve, subject to minor amendments, the Authority's Draft IRMP 2011/15 (Appendix 1) for consultation
  - ◆ Note the Authority's Stakeholder Consultation Programme for its IRMP 2011/15 (Appendix 2)
  - ◆ Receive further reports in relation to the outcomes from the IRMP Public Consultation exercise

**86.2 Integrated Community Safety Policy**

The Chief Fire Officer informed Members that the Integrated Community Safety Policy sets out the Authority's guiding principles that integrate the Brigade's cross cutting service delivery arrangements to support the realisation of the Authority's vision for 2014 by developing a delivery menu of prevention, protection and emergency response.

**RESOLVED – that the Integrated Community Safety Policy be approved.**

**86.3 Deliberate Fire Policy**

The Chief Fire Officer informed Members that the Deliberate Fire Policy focuses the Brigade's activities and strategies in addressing the problem of Deliberate Fires and its effects both financially and to community safety.

**RESOLVED – that the Deliberate Fire Policy attached at Appendix 1 be approved.**

**86.4 Industrial Commercial Policy**

The Chief Fire Officer informed Members that the Industrial Commercial Policy addressed the issue of safety within the industrial and commercial sector and promoted our aims within legislation and expected improvements and benefits.

**RESOLVED – that the Industrial Commercial Policy attached at Appendix 1 be approved.**

**86.5 Hutton Enquiry: Independent Public Service Pensions Commission – Interim Report**

The Chief Fire Officer advised Members on the interim report and outlined its recommendations which are divided between short and long term options for the reform of public service pension schemes, including the Firefighter Pension Scheme (FPS) and New Firefighter Pension Scheme (NFPS)

**RESOLVED:**

- (i) that Members noted the content of this report**
- (ii) that Members receive further reports as appropriate**

**86.6 Fire Futures**

The Chief Fire Officer appraised Members of the National Strategic Review of the Fire Service currently being undertaken by the CLG, which will impact on the shape of the future service, and focuses on the following four key areas:

- ◆ role and delivery models
- ◆ efficiency, effectiveness and productivity
- ◆ localism and accountability
- ◆ national interest

**RESOLVED:**

- (i) that Members note the content of the report**
- (ii) that the consultation document be presented to a future meeting**

**86.7 Chief Fire Officer Information Pack**

- 86.7.1** Fire and Rescue Service Monthly Bulletins
- 86.7.2** National Joint Circulars
- 86.7.3** NE Regional Management Board
- 86.7.4** Long Service & Good Conduct Medal
- 86.7.5** National Sprinkler Network
- 86.7.6** Asian Fire Service Association – Certificate of Merit
- 86.7.7** Equality & Diversity

The Chief Fire Officer referred to the letter received from the National Fire Sprinkler Network expressing their appreciation and thanks for the Brigade's continued support. He reported that all new houses built in Wales would now have sprinklers installed, and that in Stockton, sprinklers were currently being fitted in 33 houses.

Councillor Forster complemented Stockton on their forward thinking on this issue, and stated that there should be legislation around the installation of sprinklers in all new-builds. It was agreed that Members be kept updated on the installation of sprinklers in new build initiatives.

**RESOLVED –**

- (i) that the report be noted.**
- (ii) that Members be kept informed on the installation of sprinklers in new builds initiative.**

**87. REPORT OF THE DIRECTOR OF CORPORATE SERVICES**

- 87.1** Standards Committee
- 87.2** Fire Improvement Group
- 87.3** Combined Fire Authorities Meeting
- 87.4** Visit by Members to North East FireControl
- 87.5** Requests for Brigade Information

The Chair presented Councillor Brenda Forster with an award on behalf of the Asian Fire Service Association, in recognition of her professional commitment to equality and diversity both regionally and nationally.

Councillor Payne queried if the monies we would receive through the demise of the RMB could be used for fire prevention in the community. The Treasurer informed the meeting he had written to each of the four Chief Fire Officers advising the balance figure to be shared between them resulted in a figure of £23,000 for each Authority.

**RESOLVED –**

- (i) that the report be noted.**

**88. VERBAL BRIEFING ON THE NE FIRE CONTROL COMPANY BOARD**

Councillor Forster updated Members regarding the NE Fire Control Company Board and also complimented the Fire Brigades Union in their negotiations with the Board.

Councillor Rogers commented that during a recent visit to the facility he had been very impressed, but felt the specification was not deliverable and questioned other uses for the building if the project did not proceed. The Chief Fire Officer advised the building was leased from CLG at an annual lease of £1.5m/annum and if the RCC project did not proceed the ownership would revert back to CLG.

A discussion ensued regarding potential HR issues if the project did not go ahead.

The Chief Fire Officer updated Members on the Cleveland Fire Brigade SEED telecommunication system which was being developed by Hull University and the Brigade which had the potential to go live in February 2011.

**RESOLVED: that the briefing be noted.**

**89. REPORT OF THE TREASURER**

**89.1 Treasury Management Annual Review 2009/10**

The Treasurer informed Members of the Treasury Management activities for 2009/2010, which had been undertaken in accordance with relevant legislation, regulations and the Authority's approved Treasury Management Strategy and associated Prudential Indicators. He reported this was an outturn report with no issues to bring to Members' attention.

**89.1 Treasury Management Annual Review 2009/10 contd**

The Treasurer reported that the Authority had operated a Pooled Investment Fund with Hartlepool Borough Council since February 2009 to enable the Authority and the Council to diversify the risk of counterparty default by increasing the spread of investments. The Council and the Authority now had differing treasury management needs and it had therefore been agreed to terminate the pooled investment fund and replace it with new separate investments for each Authority by 31 March 2011.

The Treasurer advised that following the Chancellors announcement on the Spending Review on 20 October 2010, HM Treasury instructed the Public Works Loans Board (PWLB) to increase the interest rate on all new loans to 1% above the Governments cost of borrowing with immediate effect.

**RESOLVED - that the Treasury Management position for 2009/2010 be noted.**

**90. REPORT OF THE CHAIR OF THE AUDIT AND GOVERNANCE COMMITTEE**

**90.1 Information Pack**

- 90.1.1 Organisational Performance Report 2010/11 – (April – Sept)
- 90.1.2 District Performance Target Report 2010/11 – (April – Sept)
- 90.1.3 Corporate Risk Register Review 2010/11
- 90.1.4 Scrutiny of Internal Audit Reports – quarterly update
- 90.1.5 Progress Against Revenue & Capital Budgets 2010/11
- 90.1.6 Treasury Management Review 2009/2010

**RESOLVED: that the report be noted.**

**91. REPORT OF THE CHAIR OF THE OVERVIEW AND SCRUTINY COMMITTEE**

**91.1 Information Pack**

The Vice Chair reported that at the last Overview & Scrutiny Committee meeting, Members agreed that the seven project areas being progressed by the Brigade's Strategic Management Team (as detailed in the report) would be presented a future Scrutiny meeting.

**RESOLVED: that the report be noted.**

**92. ANY OTHER BUSINESS**

**92.1 Private Finance Initiative Update**

The Chief Fire Officer informed Members of the CLG's recent decision on the NEFRA 2 PFI project, which advised the Authority that there was no funding provision for those projects where the OBC had not yet been approved by the Department and HM-Treasury's PRG. He sought Members support to review the Authority's Asset Management Plan and Estates Strategy and the proposed action the NEFRA 2 Authorities would be taking.

The Chief Fire Officer referred Members to a letter he had sent to CLG highlighting the costs expended by the Authority to the project to date, and advised any additional costs would be factored into any future correspondence with the CLG.

**92.1 Private Finance Initiative Update contd**

He reported that CLG were being asked to review their decision, and were also looking to determine if there was a legal route for a judicial review in relation to this decision. He informed Members the Authority had a maintenance backlog of over £7m, therefore to do nothing was not an option.

Members unanimously agreed there was no political divide on this matter and there would be all party support to take this matter forward with their respective MPs. Members also agreed this matter should be pursued through the legal channels.

Councillor Stoker stated the press should be made aware of the situation, and it was agreed that an open letter from the Chair of the Authority to the editors of the newspapers covering the area be sent out.

**RESOLVED:-**

- (i) that Members note the content of the report**
- (ii) that Members support the actions taken by the NEFRA 2 Authorities**
- (iii) that Members support the review of the Authority's Asset Management Plan and Estates strategy and receive further reports on the outcomes**
- (iv) that Members note the alternative funding arrangements as specified in Section 6 of the report and support the work to arrive at the best Value for Money solution for our Estates.**
- (v) that Members seek support from their respective MP to take this matter forward**
- (vi) that an open letter be written by the Chair to the local newspapers outlining the situation**
- (vii) that legal advice be sought regarding a judicial review on the decision not to grant PFI credits to the NEFRA 2 project**

**93. 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”.**

paragraph 3 – namely information relating to the financial or business affairs of any particular person (including the authority holding that information)

paragraph 4 – namely information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.

**94. CONFIDENTIAL MINUTES**

**RESOLVED – that the Confidential Minutes of the Cleveland Fire Authority Meeting held on 24 September 2010 be confirmed.**

95. **CONFIDENTIAL MINUTES**  
**RESOLVED – that the Confidential Minutes of the Executive Committee meeting held on 19 November 2010 be confirmed.**

**COUNCILLOR JEAN O'DONNELL**  
**CHAIR**