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# CLEVELAND FIRE AUTHORITY

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## MINUTES OF ANNUAL MEETING HELD ON

FRIDAY, 5 JUNE 2009

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### PRESENT:

#### **HARTLEPOOL BOROUGH COUNCIL:**

Councillors Cook, Fleming, Payne

#### **MIDDLESBROUGH COUNCIL:-**

Councillors Brunton, Clark, McTigue, Porley, Rogers, Thompson

#### **REDCAR AND CLEVELAND BOROUGH COUNCIL:-**

Councillors Dunning, Forster, Ovens

#### **STOCKTON ON TEES BOROUGH COUNCIL:-**

Councillors Beall, Cherrett, Larkin, O'Donnell, Salt, Stoker, Woodhead

#### **PROPER OFFICERS:-**

Legal Adviser, Treasurer

#### **FIRE BRIGADE OFFICERS:-**

Chief Fire Officer, Director of Corporate Services, Head of Planning and Democratic Services

### **APOLOGIES FOR ABSENCE:**

Councillor Wright (Hartlepool)

Councillors Briggs, Cooney, Fitzpatrick (Redcar & Cleveland)

### 1. **APPOINTMENT OF CHAIR**

The Director of Corporate Services sought nominations for the position of Chairman of Cleveland Fire Authority for 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 the ensuing year.**

### **Councillor Peter Porley in the Chair.**

The Chairman thanked Members for their nominations and stated that he was looking forward to continuing to work with Members and Officers on the challenges facing the Authority in the coming year. The Chairman asked to be placed on record, the Authority's thanks to Councillors Ken Dixon, Javed Ismail and Maelor Williams for the commitment and support that they have given during their time as Members of Cleveland Fire Authority.

The Chairman also welcomed Councillors Jan Brunton, Joan McTigue and Paul Thompson from Middlesbrough Council and Councillor Andrew Larkin from Stockton on Tees Borough Council to the Authority.

### 2. **DECLARATIONS OF MEMBERS INTEREST**

It was noted that 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 2009/10. It was subsequently proposed and seconded that Councillor Jean O'Donnell be appointed Vice Chair of Cleveland Fire Authority for the ensuing year.

**RESOLVED – that Councillor O'Donnell be appointed as Vice Chair of Cleveland Fire Authority for the ensuing year.**

**4. MINUTES**

**RESOLVED - that the Minutes of the Cleveland Fire Authority Meeting held on the 27 March 2009 be confirmed.**

**5. MINUTES OF COMMITTEES**

**RESOLVED - that the Minutes of the Executive Committee held on 24 April 2009 and the Policy Committee held on 15 May 2009 be confirmed.**

**6. REPORT OF THE LEGAL ADVISER**

**6.1 Business Report**

The Legal Adviser sought Members views regarding the Governance arrangements, the revised schedule of Authority meetings, role of CFA Members and Committee structure for 2009/10 and sought Member nominations for appointment to Committees and Outside Bodies as outlined at Appendix 1.

**RESOLVED –**

- (i) That the Governance arrangements outlined in paragraph 4 and Appendix A be approved.**
- (ii) That the revised schedule of Meetings and Committees of the Authority at Appendix B be approved.**
- (iii) That the Role of CFA Members as outlined at Appendix C be approved.**
- (iv) That the Cleveland Authority Meeting and Committee structure, terms of reference and membership as defined in Appendix D be approved.**
- (v) That Members attendance at meetings of Outside Bodies as outlined at Appendix E be approved.**
- (vi) That the Delegation Scheme (Governance Arrangements) as outlined at paragraph 9 and Appendix F be approved.**
- (vii) That the updated Financial Procedure Rules as outlined at Appendix G be approved.**
- (viii) That the updated Standing Orders for Proceedings and Contract Procedure Rules as outlined at Appendix H be approved and the amendment as outlined in paragraph 12 stand adjourned without discussion to the next ordinary meeting of the Authority.**
- (ix) Members approved the endorsement and compliance of the Authority's Code of Conduct for Members, Standards and Partners Policy and the Anti-Fraud and Anti-Corruption Policy as outlined at Appendices I, J and K.**
- (x) Members endorsed the existing Authority Policies as displayed on the Authority's website – [www.clevelandfire.gov.uk](http://www.clevelandfire.gov.uk).**

**6.1 Business Report (cont)**

- (xi) That Members appointment to committees/groups, Member Champions and Outside Bodies as outlined at Appendix 1 be approved. A copy of Appendix 1 is attached to the Minutes for Members information.**
- (xii) That all outstanding nominations for vacant positions be forwarded to the Legal Adviser within 28 days of the meeting.**

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

**7.1 Fire Improvement Group**

The Chief Fire Officer stated that the Fire Improvement Group is a partnership of high performing Brigades whose aims are:

- To share information and best practice at elected member and officer level and to develop initiatives and resources that would assist each Authority in implementing its improvement programme
- To work with national bodies to share notable and best practice across the wider fire and rescue service and public service sector
- To demonstrate over time the contribution the group has made to the achievements of individual authorities

The Chief Fire Officer reported that the Fire Improvement Group originally consisted of Cleveland, Merseyside and Staffordshire and that Kent and West Yorkshire FRS have now joined the Group.

The Chief Fire Officer asked for Member's comments regarding member representation on the Fire Improvement Group.

Councillor Forster stated that she did not believe that Cleveland Fire Brigade were receiving value for money as we were sending 6 Member representatives, whilst other Authorities were only sending 2. She suggested that 2 or 3 Members with 1 or 2 Officers would be adequate. Councillor Forster confirmed that she thought the Group did have very good benefits including the opportunity to network.

Members agreed that the FIG membership should be reduced from 6 to 2/3 and that nominations would be provided to the Legal Adviser within 28 days of the meeting.

**RESOLVED-**

- (a) That Members agreed the numbers attending the Fire Improvement Group should be reduced from 6 to 2/3.**
- (b) That Members nominations to the Fire Improvement Group be forwarded to the Legal Adviser within 28 days of the meeting.**

**7.2 Rising to the Challenge**

The Chief Fire Officer gave a presentation outlining how well Cleveland Fire Authority performs under the Audit Commission's Rising to the Challenge national report. He stated that the report looked at the £2 billion of public money spent on the 46 fire services in England and challenges fire services to improve in the following five areas:

- The Cost of the Fire Service
- Efficiency Challenge
- Performance Challenge
- Working in partnership
- Managing People

## 7.2 Rising to the Challenge (cont)

The Chief Fire Officer confirmed that Cleveland Fire Authority were one of the best performing brigades in the country and that those Services lagging behind will have no choice but to follow our example.

The Chief Fire Officer highlighted that Cleveland Fire Authority had achieved the fourth highest efficiency savings over a 4 year period, making Cleveland the 4<sup>th</sup> most efficient Brigade. He stated that our savings were made through changes to crewing arrangements and that Cleveland now has 11% less Firefighters than 10 years ago, whilst Corporate Staff have increased by 54%, which reflects the changes in the way that we work.

Councillor McTigue asked what criteria is applied to classify Cleveland Fire Authority as a high risk. The Chief Fire Officer explained that under the government grant, Cleveland received approximately £21-£22 million based on risk in the area. The Treasurer clarified that the government grant is issued per head of population and is risk based dependent upon the number of COMAH sites (of which Cleveland have the highest amount), make up of population which takes into account deprivation, Houses in Multiple Occupation and employment and also an element for education.

Councillor Thompson asked if the BME target reflects the 'make up' of the local community. The Chief Fire Officer confirmed that the BME targets do not reflect BME representation in the local community.

Councillor Rogers congratulated the Brigade on the results contained in the report and asked if Cleveland Fire Authority would be penalised with regard to funding in the future because of its success. The Chief Fire Officer commented that he did not believe that Cleveland would be penalised and it will be those Services who have not grasped the efficiency agenda who will be targeted via inspection.

Councillor Cook asked for clarification with regard to day crewing and self-rostering. The Chief Fire Officer explained that self-rostering had been implemented at 9 stations in Merseyside. He continued that self-rostering means the station is regarded as one shift thus reducing the number of Firefighters required. He explained that day crewing is possible for stations that are busy during the day but have a low number of fires at night and the shifts could be 8 or 12 hours with cover provided by neighbouring Fire Stations at night.

Councillor Forster urged Members to highlight any efficiency savings.

### **RESOLVED-**

- (i) that Members note the report**
- (ii) that an efficiency strategy be developed to identify further efficiency savings across the organisation**

## 7.3 Energy and Environment Strategy and Action Plan 2009-2012

The Chief Fire Officer informed Members that the Energy & Environment Strategy and Action 2009-2012 had been presented to the Policy Committee at their meeting on 15 May 2009 where it recommended its adoption. He reiterated that the premise of the Energy and Environment Strategy and all environmental impact reviews falling out of the action plan will bring no additional financial burden and there are demonstrable efficiency savings.

### **7.3 Energy and Environment Strategy and Action Plan 2009-2012 (cont)**

The Chief Fire Officer continued by highlighting the main areas of the Energy and Environment Strategy and Action Plan 2009-2012.

Councillor Cherrett asked if the Fire Authority had considered using Fairtrade Tea and Coffee rather than using the current hot beverage machines. She commented that Tristar had recently changed to using Fairtrade and had experienced cost reductions. Councillor Cherrett commented that both Hartlepool and Stockton have changed to Fairtrade and Middlesbrough and Redcar & Cleveland are working towards this. The Chief Fire Officer stated that he will provide information regarding this at a future meeting.

Councillor Rogers asked if a reduction in street lighting by Councils, in order to assist in their environmental impact, is affecting the number of fires. The Chief Fire Officer stated that the Brigade works along side Local Authorities and tracks the impact of their policies and any changes are noted and then the Brigade can work in partnership with the Local Authority to ensure that policies are aligned.

Councillor Thompson raised the issue of energy savings and the Chief Fire Officer stated that the PFI project would provide opportunities in this area as currently the majority of buildings are over 50 years old and are not energy efficient. He explained that although energy efficiency is not a criteria set by Government in PFI projects, Cleveland Fire Brigade have built in sustainable energy reductions.

#### **RESOLVED-**

- (i) that the Energy and Environment Strategy and Action Plan 2009-2012 be approved.**
- (ii) that the use of Fairtrade tea and coffee within the Brigade be reported at a future meeting.**

### **7.4 Health & Safety Strategy 2009-2012**

The Chief Fire Officer informed Members of the aims of the Health & Safety Strategy and that a Health & Well Being Strategy will be presented at a future date.

The Chief Fire Officer advised that the Policy Committee recommended that the Statement of Intent would be strengthened by stating that violence or aggression towards their employees would not be tolerated and therefore the following paragraph was added to the Strategy:

'Any person or persons who obstruct Cleveland Fire Brigade employees in their duties or subject them to any form of violence or aggression will be pursued through all legal channels to secure successful prosecution'.

#### **RESOLVED-**

- (i) That Members approved the Health and Safety Strategy 2009-2012.**
- (ii) That the Chair of the Authority sign and date the Health and Safety Policy document to endorse the Authority's approval and commitment to the Policy**
- (iii) That Members noted that the Welfare Policy when completed be presented to the Policy Committee prior to being presented to Cleveland Fire Authority for approval.**

**7.5 Chief Fire Officer's Information Pack – June 2009**

- 7.5.1 Fire and Rescue Service Circulars
- 7.5.2 Employers Circulars
- 7.5.3 National Joint Circulars
- 7.5.4 Stonewall 'Top 100' Employers List for 2009
- 7.5.5 Freedom of Information Statistical Report 2008
- 7.5.6 Cleveland Fire Brigade : Community Awards 2009

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

**8. REPORTS OF THE DIRECTOR OF CORPORATE SERVICES**

**8.1 Member Development Plan 2009/10**

The Director of Corporate Services sought Members approval of the Member Development Plan for 2009/10 which has been updated to reflect updated guidance, good practice, organisation changes, revised corporate objectives, updated Member roles and terms of references for Cleveland Fire Authority meetings.

The Director of Corporate Services reported that on 24 June 2009, the Authority were being assessed on their application for Member Development Charter Status.

**RESOLVED – that Members approved the Member Development Plan 2009/10.**

**8.2 Corporate Governance Information Pack**

- 8.2.1 Member Attendance at Conferences
- 8.2.2 Ministerial Visit to Redcar and Cleveland Safer Partnership Meeting – 7 April 2009
- 8.2.3 LGA Fire Services Forum Meeting – 3 April 2009

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

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

Councillor Forster updated members on progress in respect of the establishment of a North East Local Authority Fire Control Company (LACC). She confirmed that Board Directors have now been confirmed from Northumberland and that Director nominations from Durham and Tyne & Wear are still to be announced.

Councillor Forster highlighted the Governments commitment to support Fire and Rescue Services directly through annual fire control payments to ensure that no Authority will pay more for the Regional Control Centre (RCC).

Councillor Forster stated that according to the Business Case the running costs for the four existing control centres in the North East is currently £4,684,000 and that this is expected to rise to £5,358,000 when the RCC is fully operation in November 2010. She explained that using the current calculation, Cleveland Fire Authority will save £35,000 per annum, following the move to RCC, however further work is required to confirm the actual RCC operating budget which, when complete, will validate the potential saving.

**RESOLVED – that Members noted the briefing.**

**10. REPORT OF THE CHAIR OF AUDIT & GOVERNANCE COMMITTEE**

**10.1 Information Pack**

- 10.1.1 External Audit: Audit Fee Letter for the Authority's 2009/10 Audit
- 10.1.2 Cleveland Rises to the Challenge
- 10.1.3 External Improvement Action Plan
- 10.1.4 Comprehensive Area Assessment: CFA Arrangements 2009/10
- 10.1.5 Internal Audit Outturn Report 2008/09
- 10.1.6 Review of the effectiveness of the System of Internal Audit
- 10.1.7 Review of the Authority's Annual Governance Statement 2008/09

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

**11. CHAIR OF THE OVERVIEW & SCRUTINY COMMITTEE**

**11.1 Information Pack**

- 11.1.1 Presentation Regarding Deliberate Fires
- 11.1.2 Occupation Health
- 11.1.3 Presentation Regarding Flooding – Water Rescue
- 11.1.4 Fire Fatality

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

**12. REPORT OF THE TREASURER**

**12.1 Members Allowance Scheme**

The Treasurer presented the recommendations of the Independent Remuneration Panel (IRP) who had undertaken a review of the Members Allowances Scheme. The current Members Allowance Scheme had been approved by the Authority on 25 July 2008 and continues to operate until any amendments to the scheme are approved.

The Treasurer informed Members the IRP had considered the current level of allowances, roles, duties and responsibilities, and the views of Members given via a questionnaire which had achieved a response rate of 35%. The IRP reviewed the role and responsibility of all CFA Members under the Governance arrangements, and had also considered the allowances paid by other Fire Authorities.

The Panel confirmed that the Special Responsibilities Allowances were appropriate for the Chair and Vice Chair of the Authority and the Chairs of the Audit & Governance Committee and Overview & Scrutiny Committee. The IRP further discussed an SRA for LACC Members and it was agreed that Members and in particular the Chair are becoming increasingly involved in activities. Consequently it was recommended that the 3 other Fire & Rescue Authorities involved in the LACC be contacted with a view to discussing the need and, if applicable, the level of SRAs for Board Members.

**12.1 Members Allowance Scheme (cont)**

The Treasurer informed Members that the IRP had recommended a 3.1% inflation increase be added to the basic and special responsibility allowances and if approved commence from 5 June 2009.

The Treasurer confirmed that the 3.1% increase would cost just over £2,000 extra per annum.

**RESOLVED –**

- (i) That Members agreed with the recommendations by the IRP
- a. That the 3.1% inflation increase be added to the basic allowances resulting in the following:
    - i. Basic Allowance £2,194/annum
    - ii. Audit & Governance Chair £2,742/annum
    - iii. Overview & Scrutiny Chair £2,742/annum
    - iv. Vice Chairman £4,388/annum
    - v. Chairman £8,776/annum
  - b. That the increased Basic Allowance commence from 5 June 2009
  - c. That the Treasurer contact the other 3 FRA's to discuss whether SRA's should be paid to LACC Directors and alternate Directors
  - d. That an SRA be paid to at least one Member who is not a member of the "controlling" group to facilitate compliance with statutory requirements
  - e. That the IRP review the Members Allowance Scheme in 12 months time or earlier if required
- (ii) That the Members Allowance Scheme be amended to reflect the above amendments

13. 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 Number 14

Paragraph 1 – namely information relating to any individual

Paragraph 3 – 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 Confidential Minutes of the Cleveland Fire Authority meeting held on 27 March 2009 be confirmed.

**COUNCILLOR PETER PORLEY  
CHAIRMAN**

## APPENDIX 1

### APPOINTMENTS - 2009/10

#### 1. APPOINTMENT TO AUTHORITY POSITIONS

Chairman 2009/10  
 Vice Chair 2009/10

Councillor Porley  
 Councillor O'Donnell

#### 2. APPOINTMENT TO COMMITTEES

##### **POLICY COMMITTEE (4:1:1:1)**

HARTLEPOOL BOROUGH COUNCIL:-  
 MIDDLESBROUGH BOROUGH COUNCIL:-  
 REDCAR & CLEVELAND BOROUGH COUNCIL:-  
 STOCKTON ON TEES BOROUGH COUNCIL:-

Councillor Payne  
 Councillor Porley  
 Councillors Forster, Ovens  
 Councillors Larkin, O'Donnell, Woodhead

##### **EXECUTIVE COMMITTEE (4:1:1:1)**

Membership to be the same as the Policy Committee

##### **TENDERS COMMITTEE (2:1)**

Chair or Vice Chair -  
 Vice Chair or 1 majority Member-  
 Minority Member

Councillor Porley  
 Councillor O'Donnell  
 Councillor Woodhead

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

Majority Member:-  
 Majority Member:-  
 Minority Member:-  
 Minority Member

Councillor Beall  
 Councillor Clark  
 Councillor Rogers  
 Councillor Ovens

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

HARTLEPOOL BOROUGH COUNCIL:-  
 MIDDLESBROUGH BOROUGH COUNCIL:-  
 REDCAR & CLEVELAND BOROUGH COUNCIL:-  
 STOCKTON ON TEES BOROUGH COUNCIL:-

1 Independent Member - TBA  
 Councillor  
 Councillors Brunton, Clark  
 Councillors Cooney, Dunning  
 Councillors Beall, Cherrett

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

HARTLEPOOL BOROUGH COUNCIL:-  
 MIDDLESBROUGH BOROUGH COUNCIL:-  
 REDCAR & CLEVELAND BOROUGH COUNCIL:-  
 STOCKTON ON TEES BOROUGH COUNCIL:-

1 Liberal Democrat Member - TBA  
 Councillor Cook  
 Councillors McTigue, Thompson  
 Councillor Briggs  
 Councillors Salt, Stoker

##### **APPEALS COMMITTEE (4:1:1:1)**

HARTLEPOOL BOROUGH COUNCIL:-  
 MIDDLESBROUGH BOROUGH COUNCIL:-  
 REDCAR & CLEVELAND BOROUGH COUNCIL:-

1 Independent Member - TBA  
 Councillor  
 Councillors Rogers, Thompson  
 Councillor Briggs

STOCKTON ON TEES BOROUGH COUNCIL:-

Councillors Beall, Cherrett, Stoker

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

HARTLEPOOL BOROUGH COUNCIL:-  
MIDDLESBROUGH BOROUGH COUNCIL:-  
REDCAR & CLEVELAND BOROUGH COUNCIL:-  
STOCKTON ON TEES BOROUGH COUNCIL:-

1 Liberal Democrat Member - TBA  
Councillors Cook, Fleming  
Councillor Porley  
Councillor Forster  
Councillors O'Donnell, Salt

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

HARTLEPOOL BOROUGH COUNCIL:-  
MIDDLESBROUGH BOROUGH COUNCIL:-  
REDCAR & CLEVELAND BOROUGH COUNCIL:-  
STOCKTON ON TEES BOROUGH COUNCIL:-

1 Independent Member - TBA  
Councillor Payne  
Councillors Porley, Rogers  
Councillor Forster  
Councillors Cherrett, O'Donnell

**3. MEMBER CHAMPIONS**

Hartlepool Community Leadership Champion  
Middlesbrough Community Leadership Champion  
Redcar & Cleveland Com Leadership Champion  
Stockton Community Leadership Champion  
Safer Communities Champion  
Children and Young People Champion  
Healthier Communities Champion  
Neighbourhoods Champion  
Employer of Choice Champion  
Partnership Champion  
Diversity Champion  
Improvement and Value for Money Champion

Councillor Payne  
Councillor Porley  
Councillor Forster  
Councillor Stoker  
Councillor Cook  
Councillor Beall  
Councillor Brunton  
Councillor Forster  
Councillor Porley  
Councillor Payne  
Councillor Forster  
Councillor O'Donnell

**4. OUTSIDE BODIES**

Local Government Association Fire Forum  
Substitute

Councillor Porley  
Councillor Forster

**Regional Management Board**

One Labour Member  
One Labour Member  
One Labour Member substitute  
One Labour Member substitute

Councillor Forster  
Councillor Porley  
Councillor Briggs  
Councillor Dunning

One Conservative Member  
One Conservative Member substitute

Councillor Cooney  
Councillor Woodhead

One Liberal Democrat Member  
One Liberal Democrat Member substitute

Councillor To Be Advised  
Councillor Cherrrett

**Safer Partnership Forums (CDRP's or equivalent**

Hartlepool Community Leadership/  
Safer Partnership/CDRP representative)

Councillor Cook

Middlesbrough Community Leadership/  
Safer Partnership/CDRP representative)

Councillor Brunton

Redcar & Cleveland Community Leadership/  
Safer Partnership/CDRP representative)

Councillor Forster

Stockton Community Leadership/  
Safer Partnership/CDRP representative)

Councillor Stoker

**Local Strategic Partnerships Board – Hartlepool**

Councillor Payne

**I&DeA**

NE Improvement and Efficiency Partnership )  
Community Engagement and Empowerment)  
Programme Member Sounding Board )

Councillor Forster