CLEVELAND FIRE AUTHORITY

MINUTES OF ORDINARY MEETING

26 JULY 2019

PRESENT:

CHAIR
Cllr Paul Kirton – Stockton on Tees Borough Council
HARTLEPOOL BOROUGH COUNCIL
Cllrs Tim Fleming, Marjorie James, Stephen Thomas
MIDDLESBROUGH COUNCIL
Cllrs Teresa Higgins, Naweed Hussain, Ashley Waters
REDCAR & CLEVELAND BOROUGH COUNCIL
Cllrs Billy Ayre, Norah Cooney, Mary Ovens
STOCKTON ON TEES BOROUGH COUNCIL
Cllrs Luke Frost, Jean O'Donnell, William Woodhead MBE
AUTHORISED OFFICERS
Chief Fire Officer, Director of Corporate Services/Clerk, Legal Adviser and Monitoring Officer, Treasurer
MAZARS
Audit Engagement Lead, Audit Director
FIRE BRIGADES UNION (FBU)
Davy Howe, Brigade Secretary (observing)

APOLOGIES:

Councillor Jon Rathmell - Middlesbrough Council
Councillor Adam Brook - Redcar & Cleveland Borough Council
Councillor Andrew Stephenson – Stockton Borough Council

28. DECLARATIONS OF MEMBERS INTEREST

It was noted no Declarations of Interests were submitted to the meeting.

29. MINUTES

RESOLVED - that the Minutes of the Annual Meeting on 7 June 2019 be confirmed.

30. MINUTES OF MEETINGS

Councillor James referred to minute no. 24.1 from the Executive Committee on 5 July 2019 and asked for further clarity regarding collaboration with Cleveland Police. The Chief Fire Officer (CFO) confirmed that as instructed by the Authority, work to explore collaborative options was underway and a scoping document had been considered by the Executive Committee, where Members agreed to progress to the next stage of the process which was to develop a full business case. This project should be completed by March 2020 when it would be considered by the full Authority.

Councillor James suggested all Members should have been involved with the detail of the scoping document. The Chair pointed out that this fell within the role of the Executive Committee. Councillor James queried the purpose of taking minutes of committees to the Authority.

30. MINUTES OF MEETINGS cont.

The Legal Adviser and Monitoring Officer (LAMO) confirmed that the minutes of committees were presented to the Authority for accuracy and acknowledged the issue of whether Members were being sufficiently appraised. He suggested the option of holding supplementary briefing sessions in the future. Councillor Frost asked that consideration be given to providing more detailed minutes.

RESOLVED - that the Minutes of the Audit & Governance Meeting on 28 June 2019 and Executive Committee Meeting on 5 July 2019 be confirmed.

31. COMMUNICATIONS RECEIVED BY THE CHAIR

ZOE BILLINGHAM	Fire & Rescue Inspection Update (June)
	HMICFRS Tranche 2 Reports
LGA	Circular EMP/3/19
	Chairs/Chiefs Meeting: Broadening the Role
	EMP/4/19 & NJC/2/19
	Pay and Broadening the Role – Update

RESOLVED – that the communications be noted.

32. REPORT OF THE TREASURER

32.1 Final 2018/19 Financial Report and Audit Completion Report

The Treasurer presented the draft accounts and reported that they had been scrutinised by the Audit & Governance Committee at its meeting on 28 June 2019 and no issues had been raised.

The Audit Engagement Lead outlined the keys areas of the Audit Completion Report (ACR) at Appendix A which included:

- Executive Summary
- Significant Findings
- Internal Control Recommendations
- Summary of Misstatements
- Value for Money Conclusion

He reported that the Audit identified no unadjusted misstatements in the financial statements and he highlighted the small number of misstatements and disclosure amendments identified at section 4 of the ACR.

The Audit Manager recognised the efforts of the Treasurer and his team in producing good quality accounts before the year end and high quality working papers and acknowledged that the Authority undoubtedly faced significant financial challenges and uncertainty going forward due to pending government funding decisions. He also highlighted the Authority's relentless need for making more savings and recognised that it was getting increasingly difficult for the Authority to identify these.

32.1 Final 2018/19 Financial Report and Audit Completion Report cont.

He concluded that he was satisfied the Authority was doing everything it could to manage a difficult financial situation and there was a need to increase funding to fire authorities nationally.

Councillor James requested clarity on where information relating to the £150k working capital loan to the Brigade's Community Interest Company (CIC) was included in the accounts. The Treasurer reported that it was included with the 'debtors' and would be covered in detail at the next CIC AGM.

The Audit Director confirmed that the detail of the CIC loan exists in the full accounts and he was satisfied as an external auditor that it was recorded as required.

RESOLVED:-

(i) That the matters raised in Mazars' Audit Completion Report at Appendix A be noted.

(ii) That the signing of the Letter of Representation at Appendix B be noted.

(iii) That the Final 2018/19 Financial Report attached at Appendix C, incorporating the changes agreed by Mazars, be approved.

(1442) The Auditors left the meeting

33. REPORT OF THE CHIEF FIRE OFFICER

33.1 HMICFRS Update – presentation

The CFO provided Members with the latest update on the progress of the Authority's HMICFRS inspection on the Brigade's Efficiency, Effectiveness and People which entailed a 'fieldwork' visit by the team of inspectors throughout the week commencing 8 July 2019.

He reported that the Authority's approach to inspection was to be self-aware and in order to achieve this a comprehensive self-assessment was undertaken showcasing the excellent work of the Brigade and highlighting areas of weakness, which were captured in an Improvement Plan.

The CFO confirmed that following the 'hot debrief' by HMICFRS on 18 July, inspectors were not able to indicate any outcomes although they gave assurances that there were no significant risks, no areas of concern and no surprises which were not already covered in the Brigade's Self-Assessment Improvement Plan.

The CFO detailed the following key messages to come out of the self-assessment:

- Our communities are safer and stronger
- Our staff are supported, competent and motivated
- Through the efficient use of the available resources we provide a first class value for money fire and rescue service
- Our CIRMP is at the heart of everything we do
- Our strong Risk and Performance, Prevention, Protection and Response functions aligned to a diverse range of collaborative working arrangements has maintained an integrated and risk-based focus to community safety

33.1 HMICFRS Update – presentation cont.

- Our People are key to everything and we have made significant investment and focus on health, safety and wellbeing; technology assisted learning; leadership; flexible working practices; and being a great place to work
- Although we have saved over £10m in last 7 years by streamlining our configuration, structures and processes and investing in assets and technology, we have maintained outstanding performance outcomes such as the lowest rate of Accidental Dwelling Fires in the country
- Our journey has been a strong one, we believe we are transforming Cleveland Fire Brigade into an outstanding risk-focused organisation in which our staff have PRIDE and our communities have CONFIDENCE

The CFO confirmed that a draft inspection report was expected in October ahead of the final Tranche 3 reports being published in December 2019.

RESOLVED – That Members noted the contents of the presentation.

33.2 The Combined Fire & Rescue Authorities (Membership & Allowances) (Variation) Order 2019 Consultation: Change to the Scheme

The CFO provided Members with an update on the proposal to vary the combination schemes of Fire and Rescue Authorities (FRAs) established under section 2 or continued in existence under section 4 of the Fire and Rescue Services Act 2004 to implement the 'representational model' of the Policing and Crime Act 2017.

He reported that Members had considered a report at the Fire Authority meeting on 8 December 2017, as detailed at Appendix 1, which sought Members views on the proposed changes to enable a Police and Crime Commissioner (PCC) to have representation on their local FRA and/or its committees, with voting rights; subject to the PCC making clear reasons for seeking membership and the FRA agreeing.

Members resolved that the Chair should respond on behalf of the Authority (Appendix 2 refers) outlining the key concerns of political balance, remuneration and how the arrangements for deputyship would operate should a PCC request to become a Member of the FRA with voting rights.

The CFO reported that following formal consultation (November 2017 – January 2018) and an independent inquiry (June to November 2018) to the objections of two FRAs the Government decided to insert the relevant enabling provisions into combined FRA combination schemes (26 November 2018). The Order will also include provisions to remove the requirement to pay allowances to members of the FRAs who are PCCs.

The CFO informed Members that the Order had now been drafted (Appendix 4) and all FRSs were invited to provide any technical/legal comments by Friday 16 August 2019.

Members discussed the issues previously raised at length and concluded there was no change to the Authority's position. Mr Davy Howe, Fire Brigades Union (FBU) Brigade Secretary, confirmed the FBUs position of opposing the PCC taking part in Authority meetings despite the legislation and supported Members opposition to the draft Order. He highlighted the differing public perception of firefighters and police and how closer association with the police would make it difficult to gain access to some properties to carry out fire prevention and social care work.

33.2 The Combined Fire & Rescue Authorities (Membership & Allowances) (Variation) Order 2019 Consultation: Change to the Scheme cont.

RESOLVED:-

(i) That the Chairman be authorised to respond on the Authority's behalf in respect of the proposed amendments to its Combination Scheme, as set out at page 6 of the Home Office consultation, that it remains in disagreement with the proposed amendments for the reasons outlined in the original response at Appendix 2.

(ii) Members noted that, if the amendments are made, there will be some minor consequential amendments to the Authority's Combination Scheme as indicated at page 7 of the Home Office consultation.

33.3 Information Pack

33.3.1 Employers Circulars
33.3.2 National Joint Council Circulars
33.3.3 Campaigns & Events

Councillor James suggested the Brigade should liaise with local authorities offering swim schemes and youth activities over the school holidays to target safety messages at this age group. The CFO agreed to disseminate this idea to the district teams.

RESOLVED – that the information pack be noted.

34. ANY OTHER BUSINESS

34.1 FBU Query - Firefighters Payclaim update – Broadening the Role

Mr Howe queried why this item was to be considered as a confidential report (confidential minute no. 37.1 below refers). The CFO reported that he had attended a National Joint Council (NJC) Employers Side meeting in Manchester on 17 July with the Chair and that the report included details from that meeting which may impede negotiations relating to FBU members.

35. LOCAL GOVERNMENT (ACCESS TO INFORMATION) (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 paragraphs 3 and 4 below of Part 1 Schedule 12A of the Local Government Act 1972 as mended by the Local Government (Access to Information) (Variation) Order 2006", namely information relating to any financial or business affairs of any particular person (including the authority) holding that information and 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.

36. CONFIDENTIAL MINUTES
RESOLVED – that the confidential minutes of the Executive Committee on 5 July 2019 be confirmed.

37. CONFIDENTIAL REPORT OF THE CHIEF FIRE OFFICER

37.1 Firefighters Payclaim update – Broadening the Role

Members received an update on the ongoing negotiations on firefighters pay.

COUNCILLOR PAUL KIRTON
CHAIR