

# CLEVELAND FIRE AUTHORITY

## MINUTES OF ORDINARY MEETING

10 FEBRUARY 2023



**PRESENT:**

**CHAIR**

Cllr Paul Kirton – Stockton on Tees Borough Council

**HARTLEPOOL BOROUGH COUNCIL**

Cllr Angela Falconer

**MIDDLESBROUGH COUNCIL**

Cllr Tom Mawston

**REDCAR & CLEVELAND BOROUGH COUNCIL**

Cllrs Billy Ayre, Julie Craig, Martin Fletcher, Mary Owens

**STOCKTON ON TEES BOROUGH COUNCIL**

Cllrs Lynn Hall, Jean O'Donnell, Steve Matthews

**AUTHORISED OFFICERS**

Chief Fire Officer, Legal Adviser and Monitoring Officer, Treasurer

Assistant Chief Fire Officer - Strategic Planning & Resources

Assistant Chief Fire Officer - Community Protection

**FIRE BRIGADES' UNION**

Mr Dave Howe – Brigade Secretary (observing) Minute Nos. 91 – 97

**APOLOGIES:**

Councillors Ben Clayton, Leisa Smith – Hartlepool Borough Council

Councillors Teresa Higgins, Naweed Hussain - Middlesbrough Council

**91. DECLARATIONS OF MEMBERS INTEREST**

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

**92. MINUTES**

**RESOLVED – that the Minutes of proceedings of the Ordinary Meeting of 9 December 2022 be confirmed.**

**92.1 Matters Arising - Firefighters' Pay Claim 2022**

The Chief Fire Officer (CFO) informed Members that the NJC had met on 8 February in a final bid to avert strike action and agreed a two-year pay offer for firefighters comprising 7% on basic pay and continual professional development payments with effect of 1 July 2022 and a further 5% from 1 July 2023. The Fire Brigades' Union (FBU) was currently consulting its members on the offer and the outcome of the consultation was expected on 6 March.

Mr Dave Howe – Brigade Secretary for the FBU informed the meeting that he had just received notification that the FBU was recommending Members accept the offer. The CFO thanked Mr Howe for providing the latest update and the Chair reminded Members that they had budgeted for 2% pay increases for 2022/23 therefore the Budget would need to be adjusted.

**RESOLVED – that the verbal update be noted.**

**93. MINUTES OF MEETINGS**

**RESOLVED - that the Minutes of the Executive Committee on 20 January 2023 be confirmed.**

**94. COMMUNICATIONS RECEIVED BY THE CHAIR**

- FBU – Firefighters Pay Negotiations
- LGA – Pay Claim
- NJC – Pay Negotiations – Green Book

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

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

**95.1 HMICFRS Inspection 2021/22 – Summary of Findings**

The CFO presented the outcomes from the Authority's second HMICFRS Inspection which was rated 'Good' across the three pillars of People, Efficiency and Effectiveness, making Cleveland one of the highest performing fire and rescue services in the country.

The report comprised:

- Summary of Findings for Tranche 3 Inspections - Appendix 1
- Cleveland Fire Brigade's HMICFRS Inspection Report 2021/22 - Appendix 2
- Brigade Improvement Plan 2023/24 – Appendix 3
- HMICFRS Inspection Programme and Framework for 2023 onwards – Appendix 4

The CFO highlighted the Brigade's improvement journey since the last inspection in 2018/19 which identified sixteen improvement actions. Twelve of these improvements have now been resolved and four are being progressed. This was recognised by HMI Roy Wilshire as testament to the hard work and professionalism of staff at Cleveland.

The CFO informed Members that all areas for improvement have been captured in the Improvement Plan 2023/24 and will be monitored by the Executive Committee. Similarly, details of the third round of inspection to commence Summer 2024 will be provided to Members as available.

**RESOLVED: -**

- (i) **That the report and appendices be noted.**
- (ii) **That Members receive further reports on the next round of inspection when available from HMICFRS.**

**95.2 HMICFRS State of Fire and Rescue 2022**

Members received details of the annual assessment of fire and rescue services in England produced by HM Inspector Andy Cooke QPM DL. The report also gave an overview of the Inspection process and the findings from each Tranche 3 inspection.

The CFO referred Members to Section 4 of the report which provided the headlines and key findings. He confirmed that he would consider the State of Fire report in detail and incorporate any areas of learning into the Authority's internal operating plan.

**95.2 HMICFRS State of Fire and Rescue 2022 cont.**

**RESOLVED - That Members noted: -**

- (i) the contents of the State of Fire and Rescue: Annual Assessment of Fire and Rescue Services in England 2022 Report attached at Appendix 1.
- (ii) that the Chief Fire Officer will review the Report and ensure that any new areas for development are captured within the Authority's Internal Operating Plan for 2023/24 onwards.
- (iii) that, in line with current arrangements, the Chief Fire Officer will continue to provide the Executive Committee with update reports in regard to the next round of Inspection

**95.3 Scale of Charges 2023/24**

The CFO presented the Scale of Charges which had been fully reviewed for 2023/24 for implementation from 1 April 2023. The review was undertaken in agreement with the Treasurer and entailed a 5% uplift to all pay-related elements to reflect the current pay awards and a 10.7% uplift to all non-pay items based on the November 2022 CPI figure.

The CFO confirmed that the Scale of Charges had been approved in line with the delegation scheme, subject to any further changes required to reflect pay awards above 5%, and will be published on the Brigade website by 31 March 2023.

Members queried whether the Authority could charge for attending false alarm calls. The CFO confirmed that the Authority did have the power to charge however prefers to work with businesses to prevent re-occurrence rather than use the charging mechanism.

**RESOLVED – That Members noted the Scale of Charges for 2023/24 to be implemented with effect of 1 April 2023.**

**95.4 Information Pack**

95.4.1 National Joint Circulars

95.4.2 Campaigns

**RESOLVED – that the information pack be noted.**

**96. JOINT REPORT OF THE CHIEF FIRE OFFICER AND TREASURER**

**96.1 Medium Term Financial Strategy (MTFS) 2023/24 – 2025/26**

The Treasurer reported that the Executive Committee had considered a detailed MTFS which integrates the revenue budget, Asset Management Plan, and Reserves Strategy and underpins the delivery of the Community Risk Management Plan (CRMP). The report covered:

- Changes in recurring funding 2013/14 to 2022/23
- Low council tax base
- Impact of previous budget reductions
- Local Government Finance Settlement 2023/24
- Impact of Provisional 2023/24 settlement on resources
- Update of MTFS Forecasts 2023/24 – 2025/26

## **96.1 Medium Term Financial Strategy (MTFS) 2023/24 – 2025/26**

- National Pay Awards
- Business Rates
- Asset Management Plan (AMP)
- Summary Impact on 2023/24 budget
- Budget forecast up to 2025/26
- Planning scenarios – Alternative potential budget deficits 2023/24 to 2025/26
- Reserves Review

The Treasurer tabled an update of the 2023/24 resources and a revised recommendation (Appendix D) which provided Members with information which was not available when the report was being prepared. This included the final local government finance settlement which was issued on 7 February 2023; the impact of the national pay offer above the 5% forecast; and changes in business rates income and Section 31 grants. He confirmed that the impact of these recent announcements was an increase in the net deficit from £0.425m to £0.611m which he proposed could be funded by increasing planned use of investment income and use of the Budget Support Fund to provide longer lead time to address the deficit. Table 2 of the revised Appendix D details how this will increase the deficit deferred to 2024/25. Appendix E provides a revised Fire Brigade Best Value Budget 2023/24 which also takes into account the new information.

The Treasurer reported that the government's mixed funding strategy created a reliance on Council Tax and approving the £5 referendum limit would generate £552k for the Authority. The CFO acknowledged the dilemma Members faced in supporting the increase in Council Tax. However, he highlighted the long-standing cuts already faced by the Brigade which had already significantly reduced the whole-time operational workforce.

Councillor Hall fully supported the increase and stated that the Brigade was highly valued by the people of Cleveland.

The Legal Adviser and Monitoring Officer (LAMO) informed Members that in line with best practice a vote would be recorded on the budget decision. Votes were cast and Members unanimously supported the recommendations from the Executive Committee, as well as the additional recommendation detailed in Appendix D.

**RESOLVED - That Members approved the following recommendations from the Executive Committee at its meeting on 20 January 2023, noting that recommendation (v) has been updated to reflect the pay offer for 2022:-**

- i) **noted the 2023/24 Local Government Finance Settlement provides an increase in Core Spending Power, which at a national level assumes 38% of this increase will be achieved by all authorities using the available Council Tax flexibility;**
- ii) **noted the Government has set a Band D Council Tax Referendum limit of £5 for Fire and Rescue Authorities for 2023/24;**
- iii) **approved a £5 Band D Council Tax increase for 2023/24, which will provide additional recurring resources of £0.552m to help sustain services;**
- iv) **note that approving recommendation (iii) will result in 168,344 households (63.8%) having to pay a weekly increase of 7p or less, as highlighted in the following table:**

**96.1 Medium Term Financial Strategy (MTFS) 2023/24 – 2025/26 cont.**

2022/23		2023/24					
Annual Council Tax	Property Band	Annual Council Tax	Weekly Council Tax	Annual Increase	Weekly Increase (pence)	Number households	% households
£54.57	A	£57.91	£1.11	£3.34	6p	119,016.0	45.1%
£63.67	B	£67.56	£1.30	£3.89	7p	49,328.0	18.7%
£72.76	C	£77.21	£1.48	£4.45	9p	48,132.0	18.3%
£81.86	D	£86.86	£1.67	£5.00	10p	24,563.0	9.3%
£100.05	E	£106.16	£2.04	£6.11	12p	13,999.0	5.3%
£118.24	F	£125.46	£2.41	£7.22	14p	5,419.0	2.1%
£136.43	G	£144.77	£2.78	£8.34	16p	2,949.0	1.1%
£163.72	H	£173.72	£3.34	£10.00	20p	296.0	0.1%
						263,702.0	100.0%

- v) noted that the national pay offer for 2022 of 7% exceeds the MTFS forecast of 5% and increases recurring costs of £0.480m which can be mitigated by an increase in recurring resources of £0.294m. Members also noted that these factors increase the unfunded 2023/24 budget deficit from £0.425m to £0.611m and would be funded from a combination of temporary investment income and use of the Budget Support Fund, which defers this deficit until 2024/25 and provided longer lead times to address this position;
- vi) approved the updated AMP detailed in Appendix A and delegate authority to the Treasurer, in consultation with the Chair of the Authority and Chief Fire Officer, to finalise the 2022/23 and 2023/24 funding strategy to maximise future financial flexibility and resilience of the Authority, within the Prudential Borrowing limits approved by the Authority;
- vii) noted the forecast deficits for 2024/25 to 2025/26 detailed in paragraph 6.20 and to note that once the 2022 and 2023 national pay awards for Fire fighters are agreed an update of the forecasts will be presented to a future meeting to enable work to commence on developing a strategy to address the updated budget position.
- viii) Members also approved the supporting statutory calculations detailed in the revised Appendix D and the revised 2023/24 Revenue Budget detailed in Appendix E, which were both tabled at the meeting.

Mr Howe left the meeting.

- 97. 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 item of business, on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 1, 3, 4 and 7 of Part 1 Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006, namely information relating to any individual; information relating to the 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; namely information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime."

98. **CONFIDENTIAL MINUTES**  
**RESOLVED** – that the Confidential Minutes of proceedings of the Ordinary Meeting of 9 December 2022 be confirmed.
99. **CONFIDENTIAL MINUTES OF MEETINGS**  
**RESOLVED** – that the Confidential Minutes of the Executive Committee on 20 January 2023 be confirmed.
100. **CONFIDENTIAL REPORTS OF THE CHIEF FIRE OFFICER**
- 100.1 **Firefighters' Pay Claim 2022/2023**  
Members received details on the latest position in relation to the ongoing Pay Claim and Business Continuity Arrangements.

**COUNCILLOR PAUL KIRTON**  
**CHAIR**