
CLEVELAND FIRE AUTHORITY

MINUTES OF ORDINARY MEETING

16 OCTOBER 2015



- PRESENT:**
- CHAIR:-** Councillor Jan Brunton – Middlesbrough Council
HARTLEPOOL BOROUGH COUNCIL
Cllrs Stephen Akers-Belcher, Rob Cook, Marjorie James
MIDDLESBROUGH COUNCIL
Cllrs Ronald Arundale, Shamal Biswas, Teresa Higgins, Naweed Hussain, Tom Mawston
REDCAR & CLEVELAND BOROUGH COUNCIL
Cllrs Norah Cooney, Ray Goddard, Bob Norton, Mary Ovens
STOCKTON ON TEES BOROUGH COUNCIL
Cllrs Gillian Corr, John Gardner, Paul Kirton, Jean O'Donnell, Stephen Parry, Mick Stoker, William Woodhead
AUTHORISED OFFICERS
Chief Fire Officer, Director of Corporate Services, Legal Adviser and Monitoring Officer, Deputy Treasurer
BRIGADE OFFICERS
Democratic & Administration Manager
- APOLOGIES FOR ABSENCE:** Councillor Ray Martin-Wells – Hartlepool Borough Council
Councillors Billy Ayre, Mary Lanigan – Redcar & Cleveland Borough

36. DECLARATIONS OF MEMBERS INTEREST

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

37. MINUTES

RESOLVED – that the Minutes of the Cleveland Fire Authority Ordinary Meeting on 24 July 2015 be confirmed.

38. MINUTES OF COMMITTEES

RESOLVED – that the Minutes of the Special Executive Committee on 7 August 2015, Tender Committee on 11 September 2015 and Executive Committee on 25 September 2015 be confirmed.

39. COMMUNICATIONS RECEIVED BY THE CHAIR

- Department of Communities and Local Government – Directorate Changes, Public Consultation on Emergency Response
- Sarah Benioff – Introduction by new Director covering Fire, Resilience and Emergencies
- FBU / Gill Gittins – MTFAs Training – Action Short of Strike
- Clair Alcock – Taxation of the ill health part of an injury claim

RESOLVED – that the communications be noted.

40. REPORTS OF THE CHIEF FIRE OFFICER

40.1 Public Consultation on Emergency Services

The CFO updated Members on the Government's recent consultation document on proposals to increase joint working between emergency services for the purpose of improving effectiveness and delivering savings to the public.

The CFO reported that the government was consulting on a series of measures to transform the delivery of local fire and police services and drive greater collaboration between the police, fire and rescue and NHS ambulance services, which included:

- introducing a new duty on all three emergency services to actively consider collaboration opportunities with one another to improve efficiency and effectiveness;
- enabling Police and Crime Commissioners to take on the duties and responsibilities of fire and rescue authorities, where a local case is made;
- where a Police and Crime Commissioner takes on the responsibilities of a fire and rescue authority, enabling him or her to create a single employer for police and fire staff, facilitating the sharing of back office functions and streamlining management;
- in areas where a Police and Crime Commissioner has not become responsible for fire and rescue services, enabling them to have representation on their local fire and rescue authority; and
- abolishing the London Fire and Emergency Planning Authority and giving the Mayor of London direct responsibility for the fire and rescue service in London, as will be the case in Greater Manchester.

The CFO outlined the key proposals contained within the consultation document at Appendix A and the associated 16 questions that the Authority was required to respond to by 23 October 2015.

The CFO reported that on 25 September 2015, the Executive Committee had considered the Public Consultation document and agreed to establish a working group to enable a thorough consideration of the issues raised. The working group of Executive Members approved the draft response, as attached at Appendix B, for further discussion at this meeting.

Councillor Biswas acknowledged the aim of the consultation to encourage collaboration between the Emergency Services to save lives. However he commented that it felt more like a private sector take-over than a public sector approach.

Councillor Stoker moved the CFA response to the public consultation which Councillor Kirton then seconded.

Councillor Akers-Belcher pointed out that Councillor James had indicated she wished to speak. The Chair highlighted that if Councillor James asked her question it would be contrary to Labour Group policy. Councillor Akers-Belcher asked for a legal opinion to outline the constitutional reason for refusing Councillor James to speak.

40.1 Public Consultation on Emergency Services continued

Councillor Kirton pointed out that the response had been agreed and seconded and that Councillor James was also a member of the Executive Committee which had formulated the response and had not been present at the CFA Labour Group meeting that day.

Councillor Akers-Belcher raised a point of order and asked if the Chair was going to allow Councillor James to speak. He informed the Chair that the Hartlepool Members would be leaving the meeting and not participating in the discussion any further.

Councillor Akers-Belcher requested a meeting with the Legal Adviser and Monitoring Officer (LAMO) to make a formal complaint.

(2.12pm) Hartlepool Councillors Akers-Belcher, Cook and James left the meeting.

The LAMO pointed out that Councillor Akers-Belcher had made reference to the Authority's constitution and clarified to Members that it was not a 'constitution' as such. He reported that instead, the Authority had governance arrangements which were conducted within adopted procedure rules and the control, power and prerogative lay firmly with the Chair, who has to proceed with the overall consensus of the meeting. In this instance the meetings should record that Councillors Akers-Belcher, James and Cook had disassociated themselves from the meeting and could not therefore be considered as agreeing to the recommendation. He would contact those members following the request that had been made.

RESOLVED:-

- (i) That the content of the report be noted.**
- (ii) That the CFA response to the public consultation be approved.**

40.2 Regulation of Investigatory Powers (RIPA) Policy

The Chief Fire Officer (CFO) updated Members on the Authority's arrangements in place to comply with the Regulation of Investigatory Powers Act 2000, as outlined in the RIPA Policy at Appendix 1. He reported that the Office of Surveillance Commissioners (OSC) had responsibility for providing an effective oversight of the conduct of public authorities and an OSC inspector had visited the Authority on 9 April 2015 to review its management of surveillance activities.

The CFO reported that the inspection was passed with the OSC noting the commitment of the Authority to comply with relevant legislation. The OSC recommended that the Authority reviewed its RIPA Policy to align with the newly revised OSC RIPA guidance.

The CFO reported that that the policy now explicitly confirms the considerations which must be taken into account for applications of directed surveillance activities and the use of a covert human intelligence source. It also includes a new section detailing surveillance investigations involving social media and internet sites.

He reported that at the Executive Committee meeting on 25 September 2015, Members recommended the approval of the policy by the full Fire Authority.

RESOLVED – that the Authority's Regulation of Investigatory Powers (RIPA) Policy, as outlined in Appendix 1, be approved.

40.3 Information, Communication & Technology (ICT) Policy

The CFO confirmed that the ICT Policy, outlined at Appendix 1, and the strategy had been reviewed in line with the Brigade's Policy Framework, brought up to date and re-formatted.

The CFO highlighted the specific objectives which underpin the ICT Policy, which were that the Authority's:

- ICT fully supports existing and future business demand
- ICT developments support and drive improvement
- ICT services are underpinned by fit for purpose technology infrastructure
- All staff are effective in the use of new and emerging technologies
- ICT services are supported by robust information governance.

The CFO outlined the nine key outcomes of the ICT Strategy, as detailed at p2 of the report. These were:

- Fire Control
- Emergency Service Networks
- Resilience
- Technology & Infrastructure Systems
- Information Governance
- Operational Risk Information
- Interoperability and National
- Strategic Drivers
- New Ways of Working
- Key information systems

The CFO confirmed that the policy had been recommended for approval by the Executive Committee on 25 September 2015 and aimed to drive forward the Authority's use of ICT to enable more efficient processes and improve service delivery as well as being a key element in the delivery of the Authority's strategic goal of 'organisational excellence'.

Councillor Biswas referred to Section 2.1 on page 5 of the policy and suggested a reference be included to the Authority's responsibility for the finance aspect of ICT. The Deputy Treasurer agreed that this would be considered.

RESOLVED- that the Authority's ICT Policy, as outlined as Appendix 1, be approved.

40.4 Efficiency Policy

The CFO informed Members that changes had been made to the Efficiency Policy to strengthen and signpost the Authority's planning and implementation arrangements relating to efficiency.

The CFO referred Members to Section 3 of the Policy at Appendix 1 and noted that it was an umbrella policy implemented through the Authority's financial, risk; and performance management, procurement, corporate governance framework and associated strategies and plans.

Councillor Norton made an observation that it appeared the Authority was creating policies for the sake of policies and questioned whether it was a good use of resources. The CFO pointed out that it was a requirement of the Auditors that the Authority produce an Efficiency Policy.

RESOLVED- That the Authority's Efficiency Policy, as detailed at Appendix 1, be approved.

40.5 Information Pack – July 2015

40.5.1 Fire & Rescue Service Monthly Bulletins

The CFO informed Members that the annual Bonfire Campaign had been launched on 15 October 2015 and this year the Brigade was using local radio to get the message across that arson is a criminal offence. He reported that the Brigade was working with the Borough Councils to remove fuel off the streets and a dedicated helpline had been set up to report bonfire making activities.

Councillor Biswas suggested the Brigade seek greater exposure and publicity via local media for the campaign. The Chair suggested Members use their own community groups to get the vital safety messages across.

Councillor Ray Goddard asked whether the closure of the tip at Redcar had contributed to the number of deliberate fires in this area. The CFO was not aware that the closure had made a significant impact but agreed to pick this issue up at the next Audit & Governance Committee meeting.

RESOLVED - That the Information Pack be noted.

40.6 Fire as a Health Asset

The Chief Fire Officer gave a presentation on the Fire Service as a Health Asset which covered the following key areas:

- What did Fire Service Reform (FRS) look like?
- Causes of Dwelling Fires, Fire Deaths and Arson
- What did FRS Reform achieve?
- The Challenges for Health
- The main causes of disease are lifestyle related
- Social Determinants (causes) of Health
- Prevention: Causes of Fire/Poor Health overlap
- Prevention is Key
- Opportunities to work together
- Tangible opportunities for intervention
- 30,000+ Opportunities for Intervention – the specifics
- FRS offer to Strategic Health Partners

The CFO advocated that Members make sure their respective Directors of Public Health know what the Brigade can do to help.

Councillor Kirton asked whether all councils had received the presentation. The CFO confirmed that he has been included on the agenda for the Health Board at Stockton. Councillor Stoker suggested the Stockton Safer Partnership was an ideal forum as it has a wide remit.

Councillor Mawston asked whether there was any financial gain from the Brigade delivering these additional health services. The CFO reported that the Brigade could be commissioned to deliver additional services.

40.6 Fire as a Health Asset continued

The CFO reported that only Redcar & Cleveland and Hartlepool Health & Wellbeing Boards had seen the presentation to date. The Chair agreed to take this forward to Middlesbrough and speak with the Mayor.

Councillor O'Donnell asked whether carbon monoxide alarms were included in the safety visits. The CFO confirmed that information was given out and a limited number of carbon monoxide alarms had been donated and distributed. Councillor O'Donnell asked if the Brigade targets advice to those in student accommodation at this time of year. The CFO confirmed that it did.

Councillor Biswas suggested the Brigade might wish to pursue some funding that he believed would be available via the Health & Wellbeing Boards.

RESOLVED – That the 'Fire as a Health Asset' presentation be noted.

41. REPORT OF THE CHAIR OF THE OVERVIEW & SCRUTINY COMMITTEE

41.1 Information Pack

Councillor Cooney, as Chair of the Overview & Scrutiny Committee, advised Members that at the meeting on 21 August 2015, Members agreed a Forward Work Programme for 2015/16 which included scrutinising the Three Watch Duty System and NEAS Trial.

RESOLVED – That the information pack be noted

42. REPORT OF THE CHAIR OF THE AUDIT & GOVERNANCE COMMITTEE

Information Pack

Councillor Stoker advised that the items presented on 28 August 2015 were outlined within the Information Pack. He highlighted the Organisational Performance for April – June 2015 and the 2014/15 Financial Report, which included the 2014/15 Statement of Accounts which had been scrutinised prior to approval by the Executive Committee on 25 September 2015.

RESOLVED – That the information pack be noted

43. ANY OTHER BUSINESS

The Chair informed Members that she had recently met with the Chair of Durham and Darlington Fire and Rescue Authority who had asked for a meeting to discuss the way forward regarding collaboration. She suggested that the Executive Committee meet with the Durham and Darlington Chair and some of its Members to discuss this issue further.

RESOLVED – that the Executive Committee meet with the Chair and some Members from Durham and Darlington FRA to discuss collaboration.

44. **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 & 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 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.**
45. **CONFIDENTIAL MINUTES OF COMMITTEES**
- RESOLVED – that the Confidential Minutes of the Special Executive Committee on 7 August 2015, Tender Committee on 11 September 2015 and Executive Committee on 25 September 2015 be confirmed.**

**COUNCILLOR JAN BRUNTON
CHAIR**