
CLEVELAND FIRE AUTHORITY

MINUTES OF ORDINARY MEETING

12 FEBRUARY 2016



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

Members held a minute silence to mark the recent death of former long serving Cleveland Fire Authority Member Hazel Pearson OBE.

74. DECLARATIONS OF MEMBERS INTEREST

Councillors James, Martin-Wells and Woodhead declared a personal interest as members of NEREO. Minute No. 84.1 refers.

75. MINUTES

RESOLVED – that the Minutes of the Cleveland Fire Authority Ordinary Meeting on 11 December 2015 be confirmed.

76. MINUTES OF COMMITTEES

RESOLVED – that the Minutes of the Executive Committee on 22 January 2016, be confirmed.

77. COMMUNICATIONS RECEIVED BY THE CHAIR

- 1) Clair Alcock, LG: Protected Pension Ages, Scheme Advisory Board Update. Pensions Board Chair
- 2) FBU – Three Shift System
- 3) Theresa May MP – Transfer To The Home Office
- 4) Daniel Greaves, Fire Transition Director
- 5) Mike Penning MP – Local Finance Settlement

RESOLVED – that the communications be noted.

78. REPORTS OF THE CHIEF FIRE OFFICER

78.1 Emergency Services Mobile Communications Programme (ESMCP)

The Director of Technical Services informed Members that the ESMCP was a cross-government programme led by DCLG to replace the existing mobile communications service for the three emergency services (Firelink for the FRS) with a new secure system based on commercial 4G networks.

The DoTS reported that the main three objectives of the ESMPC were to be:-

- 1) **Better**, with integrated broadband data services; public service functionality; national coverage and high availability.
- 2) **Smarter**, to be more flexible, to evolve and improve over time, pay only for features required by users.
- 3) **Cheaper**, to address budget pressures, re-competed regularly to leverage market forces.

The DoTS outlined the key areas of the report which covered:

- Current Situation
- Project Transition Plan
- Financial Information
- Proposed Staffing
- Regional Governance

Councillor Kirton referred to potential for slippage and asked how robust the arrangements were. The DoTS reported that as an Authority, communications and mobilising was a critical activity and it was his role to ensure that resilience and contingency plans were in place outside of the current Airwaves network.

RESOLVED : –

- (i) **That the formal response to DCLG, (Appendix A, Annex A), confirming that Cleveland Fire Authority will transition to the new Emergency Services Network via the ESMCP programme, be approved subject to the following caveats:-**
 - **that the system provides, as a minimum, the same level of coverage and resilience as the existing Airwave system;**
 - **that the Authority’s transition funding and steady state costs are not significantly different to the figures as reported to the Fire Customer Group and in the Fire and Rescue Authority’s Financial Information and Sign-Off Pack.**
- (ii) **That the proposed implementation of staffing arrangements, extending the three grant-funded temporary posts within the ICT department from March 2017 to March 2019, to cover the technical workloads associated with the transition, be noted.**
- (iii) **That the proposed North East FRS Regional Governance model (Appendix B) for the ESMCP programme be noted.**

78.2 Public Consultation on Emergency Services

The CFO updated Members on the Government's response to the recent public consultation on a range of proposals to increase joint working between emergency services, in order to improve effectiveness and deliver savings for the public.

The CFO tabled a document entitled 'Police & Crime Bill: Emergency Services Collaboration' which outlined the background and an overview of Part 1 of the Bill.

He reported that on 5 January 2016 the Government reported that DCLG was transferring to the Home Office and on 10 February 2016 legislation went through parliament as part of the Police and Crime Bill, which had significant consequences in relation to allowing Police and Crime Commissioners (PCCs) to take some courses of action that would be outside the Fire and Rescue Service's control.

The CFO reported that the PCCs would be considering their next steps following the elections in May. Councillor Arundale stated that the Authority should maintain that the system it currently operates is still fit for purpose. The Chair agreed to forward that view.

Councillor Ayre asked if police and fire merge which governance will be followed. The CFO referred to the various options outlined in the tabled document. Councillor Ovens pointed out the potential difficulties of two different organisations having a single employer.

RESOLVED:-

- (i) That the contents of the report be noted**
- (ii) That any next steps be considered by Members and additional reports received as appropriate.**

(2.25pm) Councillor Akers - Belcher left the meeting

78.3 Community Integrated Risk Management Plan (CIRMP) Annual Review - Alternative Proposal: Three Watch Duty System

The CFO provided Members with an update regarding the proposal to amend the Community Integrated Risk Management Plan (CIRMP) by introducing a Three Watch Duty System. He reported that the proposal had been reported to Members in detail through the Executive and Overview & Scrutiny Committees and acknowledged that it was outside of the principles of the Grey Book Terms and Conditions and EC Working Time Directive.

The CFO outlined the benefits of the Three Watch Duty System, as detailed at para 4 of the report, and reported that the Brigade Management had entered into negotiations with the FBU, in good faith, with the intention to reach a local agreement which varied the conditions of service for staff who volunteered to adopt the new duty system. He informed Members that there had been a joint referral to the Technical Advisory Panel (TAP) which had concluded it was unable to recommend either of the options.

The CFO reported that as Brigade Management were unable to make fundamental changes to the three shift system proposals and the FBU were unable or unwilling to agree to a collective agreement on behalf of the volunteering firefighters that would provide the necessary derogations under the Working Time Regulations, the Fire Authority and Brigade Management had no choice but to discontinue its efforts to introduce the three shift system proposal.

78.3 Community Integrated Risk Management Plan (CIRMP) Annual Review - Alternative Proposal: Three Watch Duty System continued

This left the Authority with little option but to continue with the implementation of the third year of the previously agreed CIRMP 2014 – 2018, which entailed:

- the closure of the Marine Fire Station and the associated relocation of staff and appliances;
- the withdrawal of the Hydraulic Platform from the operational fleet;
- the commencement of the transition of wholetime-staffed appliances to the retained (on-call) duty system.

Councillor Dennis asked if 35% of FBU members had said 'yes' to the Three Shift System, were the other 65% a definite 'no'? Mr Davy Howe, FBU Secretary, who had been observing the meeting, reported that a full and extensive workplace ballot of Members had taken place and around 70% said a definite 'no'. Of the Members that turned up, 98% said 'No'.

RESOLVED:-

- (i) That the contents of the report be noted**
- (ii) That the findings and recommendations of the Independent Expert on behalf of the NJC Technical Advisory Panel (Appendix A) be noted.**

78.4 Draft Service Plan Priorities 2016/17

The Director of Corporate Services (DoCS) reported that each business year the Brigade's Executive Leadership Team undertakes key strategic and integrated risk management and financial planning activities to ensure that the strategic direction is reviewed and remains appropriate and that annual priorities are set to ensure the delivery of that direction.

The DoCS reported that these planning activities for 2015/16 were now complete and referred Members to the detailed draft Priorities for 2016/17, stemming from the following two main sources:

• **Community Integrated Risk Management Plan (CIRMP) 2014 -18 Year 3 priorities** which reflect the Authority's current risk assessment outcomes, the outcomes from the CIRMP consultation exercise and the medium term financial position including the use of the Authority's reserves; and

• **Corporate priorities** identified by the Brigade's Executive Leadership Team as a result of a strategic risk assessment (the opportunities that will support or the threats that will prevent the achievement of the Authority's strategic outcomes).

- OD12: New Complex on Queens Meadow Business Park Consisting of Administrative Headquarters, Fire Control, Learning and Development Centre and Asset Resource Centre
- OD15, 16: Revenue Budget 2016/17
- ER1: Emergency Response: Industrial and Commercial
- ER3: Major Estate Rebuild and Refurbishment Programme
- ER3 (iii): Build a New Community Fire Station at Thornaby
- ER3 (iv): Build a New Community Fire Station at Grangetown
- ER3 (v): Refurbish Stranton Community Fire Station

78.4 Draft Service Plan Priorities 2016/17 continued

- ER3 (vi): Refurbish Guisborough Community Fire Station
- ER3 (vii): Refurbish Loftus Community Fire Station
- ER6: Introduce Combined Aerial Rescue Pumps into the Brigade's Fleet
- ER7: De-staff Marine Fire Station
- ER9: Prepare for the Introduction of On-Call Crewing Arrangements for the Second Fire Engine at either Thornaby, Grangetown or Redcar Fire Stations
- C1: Emergency Services Collaboration
- C1.1 Collaboration with Cleveland Police (CP)
- C61.2 North East Ambulance Service (NEAS) Partnership
- C61.3 Tees Valley Shadow Combined Authority
- C61.4 Fire as a Health Asset
- C2: Leadership, Culture and Valuing our Workforce

The DoCS confirmed that the final approved priorities would be published in the Authority's Service Plan 2016/17 in April.

Councillor Dennis referred to the use of first responders and asked if the Authority could be confident that all firefighters attending would be fully trained. The CFO confirmed that the clinical governance of NEAS assured compliance and the training programme delivered to firefighters was accredited by NEAS.

The CFO reported that to date, three casualties who were clinically dead had been resuscitated by regional fire crews participating in the trial. Members commented that our firefighters should be applauded for the work they do.

RESOLVED:-

- (i) That following consideration, the final draft Service Plan Priorities 2016/17, as attached at Appendix 1, be approved and included within the Authority's Service Plan 2016/17.**
- (ii) That the publication of the Authority's Service Plan 2016/17 in April 2016, be noted.**

78.5 Safeguarding Children, Young People and Vulnerable Adults Policy

The Chief Fire Officer (CFO) reported that the Safeguarding Children, Young People and Vulnerable Adults Policy reflected the Authority's commitment to ensuring this group of individuals were given an equal right to protection from abuse, harassment, violence and aggression regardless of their age, race, religion, ability, gender, language, background or sexual identity and considers the welfare of the child, young person or vulnerable adult as paramount.

He reported that this new policy was implemented and underpinned by two key procedures, which were:

- The Safeguarding Children and Young People Procedure
- The Safeguarding Vulnerable Adults Procedure

78.5 Safeguarding Children, Young People and Vulnerable Adults Policy continued

RESOLVED:-

- (i) That the Authority's Safeguarding Children, Young People and Vulnerable Adults Policy (Appendix 1) be approved.
- (ii) That the Safeguarding Children and Young People Procedure at Appendix 2 and Safeguarding Vulnerable Adults Procedure at Appendix 3 be noted.
- (iii) That Councillor Jan Brunton be appointed as the Authority's Safeguarding Member Champion 2015/16, as recommended by the Executive committee at its meeting on 22 January 2016.

78.6 Information Pack

- 78.6.1 Fire & Rescue Service Monthly Bulletins
- 78.6.2 Campaign Launches
- 78.6.3 Fire Brigade Long Service and Good Conduct Medals

RESOLVED – that the information pack be noted.

79. JOINT REPORT OF THE CHIEF FIRE OFFICER AND TREASURER

79.1 Medium Term Financial Strategy 2016/17 – 2019/20

Revised copies of Appendix G were circulated to Members which reflected minor changes to the Revenue Support Grant.

The Treasurer outlined the Medium Term Financial Strategy (MTFS) which had been reviewed to reflect the impact of the 2016/17 Local Government Finance Settlement announcement on 17 December 2015. The report covered:

- Background and Budget History 2010/11 to 2015/16
- Provisional Local Government Finance Settlement 2016/17
- Government Funding Allocations
- Update MTFS Forecasts 2016/17 to 2019/20
- Council Tax and Business Rates Forecast 2016/17
- Council Tax Level 2016/17
- Strategy for Managing Revised Forecast Deficits 2016/17 to 2019/20
- Reserves Review
- 2016/17 to 2018/19 Capital Programme
- Use of One-Off Resources to support the CIRMP

The Treasurer reported that over the next 4 years the Authority would need to make further cuts of £3.982m and as Government grant cuts would be front loaded, recommended that one-off resources be used to support the budget in 2016/17 and 2017/18, providing slightly longer lead times to implement the necessary budget reductions.

He reported that using one-off resources in 2016/17 and 2017/18 would not provide a permanent solution to address the impact of ongoing additional Government grant cuts and this would only be recommended on the basis that Members approve the proposals to balance the budget and support the Chief Fire Officer's implementation of these changes over the next few years.

79.1 Medium Term Financial Strategy 2016/17 – 2019/20 continued

The Treasurer reported that over the last 5 years (2011/12 to 2015/16) the Authority had faced significant financial challenges owing to the impact of sustained Government grant cuts and the restriction of Council Tax increases. He noted these grant cuts have had a greater impact on the Authority owing to its high dependency on Government grant.

The Treasurer reported that the LGF settlement confirmed that further significant Government funding cuts will be implemented over the next 4 years, although the provisional LGF settlement restores an element of resource equalisation within the funding system meaning the Authority's grant cuts would not be as high as forecast.

The Treasurer highlighted that by 2019/20, the Authority would only receive Government funding of £12.270m, compared to £22.555m in 2010/11 – a cut of £10.285m, which equates to a reduction of 46%.

The Treasurer referred Members to paragraph 6.5 of the report which summarised how one off resources would be used to support the CIRMP in light of the Three Watch Duty System Proposal being rejected. The CFO reported that the Brigade had circa 369 firefighter posts and 104 would be removed over the life of this MTFs.

The Chair invited Davy Howe, FBU Secretary, to comment. Mr Howe said he understood the situation the Authority, the CFO and the firefighters were in and that the funding mechanism was not fair to Cleveland. He noted that 18 years ago the Brigade had more than 600 firefighters and today there were 369, with plans to cut a third more. He acknowledged the Sir Ken Knight report that stated firefighters attended fewer fires than in the past and said this was down to the extensive community safety work carried out. Mr Howe expressed concern that when resources are reduced and community safety work is affected then there may be an increased risk of fires and fire injuries.

Councillor Ayre noted that Mr Howe's response on behalf of the FBU had raised a lot of serious issues and asked to see these points in writing. The Chair stressed the need for the budget to be set today and the report needed to be approved. The CFO informed Cllr Ayre that all of the issues raised by the FBU had been clearly addressed during the consultation period for the CIRMP 2014-18 and acknowledged that Cllr Ayre had not been a Member of the Fire Authority at that time.

Councillor Dennis queried whether historical risk was used to determine response standards. The CFO confirmed that the Brigade did not use historical data to measure risk and that a whole range of data is used in the risk formula.

Councillor Dennis asked if the Brigade could respond to an incident today the same way it would have 15 years ago and asked if there was a point where the risk could no longer be managed. The CFO acknowledged the concerns raised and assured that risk and response were both evaluated and if the Brigade could not respond it would be deemed a failing Fire Authority.

The Chair confirmed that the Authority had met with Government many times to lobby against the continued cuts in grant for Cleveland.

79.1 Medium Term Financial Strategy 2016/17 – 2019/20 continued

Councillor James asked how closely the Brigade monitors new houses being built and the potential income these will generate. The Treasurer confirmed that the districts update forecasts in increased house building for four years with an annual review.

The LAMO asked Members to vote on the recommendations. All Members voted in favour of the recommendation with the exception of Councillors Ayre and Woodhead, who abstained.

RESOLVED:-

- i) That the use of one-off resources of £0.764m in 2017/18 and £0.258m in 2018/19 as part of the recommended strategy for managing the front loaded Government grant cuts over the period 2016/17 to 2019/20 be approved and Members noted this will provide a longer lead time to implement permanent budget reductions.**
- ii) That the CIRMP savings proposals for the period 2016/17 to 2019/20 detailed in paragraph 6.7 be approved.**
- iii) That a 2016/17 Council Tax increase of 1.9%, which equates to a Band D Council Tax of £71.70 and supporting statutory calculations detailed in the revised Appendix G, which includes the following Council Tax levels, be approved:**

Property Band	2016/17		Annual increase £
	Annual Council Tax £	Weekly Council Tax £	
	A	47.80	
B	55.77	1.07	1.05
C	63.73	1.23	1.19
D	71.70	1.38	1.34
E	87.63	1.69	1.63
F	103.57	1.99	1.94
G	119.50	2.30	2.23
H	143.40	2.76	2.68

Approximately 64% of households are in a Band A or B

- iv) That Indicative Council Tax increases of 1.9% for 2017/18, 2018/19 and 2019/20, be approved.**

79.1 Medium Term Financial Strategy 2016/17 – 2019/20 continued

- v) That the 2016/17 revenue budget as detailed in Appendix E, which includes the 2016/17 CIRMP savings proposals, be approved.
- vi) That the updated capital programme for 2016/17 to 2018/19 as detailed in Appendix F, which underpins the continued implementation of the Asset Management Plan approved by the Authority on 25th July 2014, be approved.
- vii) That the financial impact of the net Council Tax and Business Rate Collection Fund deficit of £410,000, which is mainly owing to the impact of Rateable Value appeals which are back-dated to 1st April 2013, be noted. That the recommended strategy that this amount is funded from a combination of an increase in the Council Tax base and the establishment of a 2016/17 Occupancy Target of £364,000, be approved. That the achievement of the 2016/17 Occupancy Target will be underwritten from the Un-earmarked General Fund Reserve, be noted.
- viii) That Members authorise the Chief Fire Officer and Treasurer, in consultation with the Chair, to determine whether the Authority should apply for a 4 year settlement from the Government when more information of this arrangement is available.

80. REPORT OF THE TREASURER

80.1 Treasury Management Strategy 2016-2017

The Treasurer reported that the Treasury Management Strategy 2016/17, detailed at Appendix 1, had been considered by the Audit and Governance Committee on 13 November 2015 and covered:

- Economic Background and Outlook for Interest Rates
- Treasury Management Outturn position for 2014/15
- Treasury Management Strategy 2015/16 mid-year review
- Treasury Management Strategy 2016/17
- Minimum Revenue Provision and Interest Cost and other regulatory information

He reported that since the Audit & Governance Committee on 13 November 2015, prudential indicators and other regulatory information had now been completed and were attached at Appendix 2.

RESOLVED:-

That the report be noted and the following detailed recommendations from the Audit & Governance Committee for the 2016/17 Treasury Management Strategy and related issues, be approved:

80.1 Treasury Management Strategy 2016-2017 continued

i) Investment Strategy

- a. The use of Government Treasury Bills/Gilts and the appointment of King and Shaxson as custodian.**
- b. The addition of Svenska Handelsbanken to the counterparty list with a limit of £1m and time limit of three months.**
- c. Counterparty limits as set out in Appendix 1 paragraph 9.8.**

ii) Minimum Revenue Provision (MRP) Statement

The MRP statement outlined in Appendix 1 paragraph 10.2.

iii) Prudential Indicators 2016/17

The prudential indicators detailed in Appendix 2.

81. 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 1, 3 & 4 below 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 an individual, 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.

82. CONFIDENTIAL MINUTES

RESOLVED – that the Minutes of the Cleveland Fire Authority Ordinary Meeting on 11 December 2015 be confirmed

83. CONFIDENTIAL MINUTES OF COMMITTEES

RESOLVED – that the Confidential Minutes of the Executive Committee on 22 January 2016 be confirmed.

84. CONFIDENTIAL JOINT REPORT OF THE TREASURER AND LEGAL ADVISER AND MONITORING OFFICER

84.1 Pay Policy Statement 2015/16 – Salary Review

The Chief Fire Officer, Director of Corporate Services and Director of Technical Services left the meeting.

The Treasurer and Legal Adviser and Monitoring Officer provided an outline of the Pay Policy Statement 2015/16 – Salary Review.

**COUNCILLOR JAN BRUNTON
CHAIR**