
CLEVELAND FIRE AUTHORITY

MINUTES OF ORDINARY MEETING

13 OCTOBER 2017



- PRESENT:** **CHAIR**
Cllr Jan Brunton-Dobson – Middlesbrough Council
HARTLEPOOL BOROUGH COUNCIL
Cllrs Rob Cook, Marjorie James, Ray Martin-Wells
MIDDLESBROUGH COUNCIL
Cllrs Teresa Higgins, Naweed Hussain
REDCAR & CLEVELAND BOROUGH COUNCIL
Cllrs Neil Bendelow, Norah Cooney, Ray Goddard, Mary Ovens
STOCKTON ON TEES BOROUGH COUNCIL
Cllrs Gillian Corr, Paul Kirton, Jean O'Donnell, Mick Stoker
AUTHORISED OFFICERS
Chief Fire Officer, Director of Corporate Services, Legal Adviser and
Monitoring Officer, Treasurer
- APOLOGIES FOR** Councillor Tom Mawston – Middlesbrough Council
ABSENCE: Councillor William Woodhead – Stockton Borough Council

50. CHIEF FIRE OFFICER'S AWARD & COMMENDATION

50.1 Firefighter Andy Shea

The Chief Fire Officer (CFO) welcomed Firefighter (FF) Andy Shea and Thornaby White Watch to the meeting. He informed Members that FF Shea had been nominated for a Chief Fire Officer's Commendation by Group Manager Mick Picknett, Head of Emergency Response for his act of bravery on 23 April 2017 as a single rescue swimmer. The CFO reported that wearing full water personal protection equipment, FF Shea swam out to an unpredictable, non-compliant suicidal male at night in the River Tees near Stockton Town Centre and brought him to safety and ultimately saved his life. The CFO presented FF Shea with a certificate of commendation for displaying drive and determination and disregard for his own personal safety.

50.2 Thornaby Green Watch

The CFO reported that Crew Manager (CM) Adam Robinson, FF Andrew Whorlton, FF Steven Carter and FF Craig Cass of Thornaby Green Watch had been nominated for a Chief Fire Officer Appreciation of Effort Award by Group Manager Dave Turton, Head of Community Safety in recognition of their unfazed professionalism. He reported that on 19 April, 2017 the crew was deployed to a serious high rise flat fire at Anson House, Thornaby and then immediately reassigned to a water rescue in the River Tees, both involving fatalities with no time to recover or reflect between incidents. Certificates of Appreciation for all of Green Watch were presented to CM Adam Robinson by the CFO in recognition of their outstanding efforts and professionalism.

51. DECLARATIONS OF MEMBERS INTEREST

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

52. MINUTES

RESOLVED – that the minutes of the meeting of 28 July 2017 be confirmed.

53. MINUTES OF MEETINGS

Councillor James queried Min. No.42 of the Audit & Governance Committee minutes from the meeting on 25 August 2017. The Legal Adviser and Monitoring Officer reported that the minutes could only be approved by the Authority if deemed accurate and suggested they be re-reconsidered by the Audit & Governance Committee on 10 November 2017 and any amendments thereto could then be referred back to the Authority for approval.

Councillor Cook referred to Minute No. 45.1 of the Executive Committee meeting from 22 September 2017 and reported that he had attended a Tees Valley Combined Authority meeting that week where NEAS had stated that the calls attended by the Fire Brigade accounted for just 0.05% of their overall calls. The CFO confirmed that subsequent to the Tees Valley Combined Authority's meeting he had met with NEAS senior management to discuss the way forward. He confirmed that although the percentage of overall calls was small the Brigade had still attended over 3,000 calls in support of NEAS and for those families for whom the Brigade was a first responder it had made a difference.

The CFO reported that the Authority had expended money as part of the trial and NEAS would need to fund any future work if they wanted the Authority to continue to deliver this non-statutory duty.

Councillor Ovens reported that she had attended a Better Health meeting where she felt the Brigade's role in the EMR trial had been greatly played down by NEAS.

Councillor Martin-Wells confirmed he was Chair of the North East Joint Health Scrutiny Committee and was of the view that for the 60 people per week who had the Brigade respond to their medical emergency call during the EMR trial, a massive difference had been made to them and their families.

RESOLVED:-

- (i) that the Minutes of the Local Pensions Board Meeting on 12 September 2017 and Executive Committee on 22 September 2017 be confirmed.**

- (ii) that the minutes of the Audit & Governance Committee 25 August 2017 be considered by the Audit & Governance Committee on 2 November 2017 and be referred back to the next Authority meeting.**

54. COMMUNICATIONS RECEIVED BY THE CHAIR

54.1 The following communications were received by the Chair and circulated to

Members:-

Gill Gittins - FBU Circulars, EMP/10/17 Pay Claim 2017, EMP/09/17 Pay Claim 2017

Shehla Husain - Service and Maintenance Grant to Fire and Rescue Services, 2017/18 Fire Revenue New Dimensions Grant.

Rachel Stevens - Pay Award 2017 (Brigade Managers)

Helen Quinn - Independent Assessment Process

Nick Hurd MP - Policing & Crime Act 2017: Police & Fire Collaboration

Home Office - Review of Building Regulations and Fire Safety

RESOLVED - that the communications be noted.

54.2 The following events were attended by the Chair:-

Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) Introductory Event (London) - 10 October 2017

The Chair attended this event with the CFO and the Director of Corporate Services and reported that speeches were given by Nick Hurd MP, Sir Thomas Winsor HM Chief Inspector of Constabulary and Fire and Rescue Services and Zoe Billingham lead for Fire and Rescue Services (FRS) Inspection.

She reported that the 3 key themes of inspection were likely to be:

- Effectiveness of delivering Services (operations, prevention Protection, National Resilience)
- Efficiency of Delivering Services
- People (Leadership, Training, Culture, Values and Ethics)

Three pilots were expected to take place in January and February 2018 and all FRSs would be inspected by September 2019.

The Chair reported that Durham Police, supported by Durham and Darlington Fire and Rescue Services, was to host a seminar to provide an insight into the HMICFRS inspection programme on 24 and 28 November 2017 and Executive Members and the Chair of Audit & Governance were to be invited to attend.

Combined Fire Authorities Conference (Wyboston, Beds) – 11/12 October 2017

The Chair confirmed that she had attended the Combined Fire Authorities Conference – Wyboston, Bedfordshire with the CFO and Director of Corporate Services. She reported that this conference was held annually between Combined Fire Authorities' Elected Members and its purpose was to take a collective political view to lobby and influence government particularly on Home Office Inspection, Finance, PCCs and Collaboration. She confirmed that she had been appointed Vice Chair of the Combined Fire Authorities.

RESOLVED - that Members of the Executive Committee and the Chair of Audit & Governance Committee be invited to attend the HMICFRS inspection programme event on 24 and 28 November 2017.

54.3 The following event was attended by Councillors Stoker and Corr:-

LGA Inclusion & Diversity Masterclass (London) – 26 September 2017

Councillors Stoker and Corr reported that they had attended the LGA Inclusion and Diversity Masterclass in London which covered: tackling unconscious bias in the FRS, Inclusive Leadership and Introducing an Inclusiveness Workforce Strategy.

They reported that the second part of the event gave an overview of the new FRS inspection framework.

RESOLVED – that the feedback be noted.

55. REPORTS OF THE CHIEF FIRE OFFICER

55.1 Trades Union Congress (TUC) Dying to Work Campaign

The CFO reported that the Fire Brigades Union (FBU) had requested that the Authority consider signing up to the TUC Dying To Work Charter and in doing so make a commitment to its employees that they will be supported, protected and guided through their employment should they become terminally ill.

The CFO reported that the Authority had a history of providing excellent care to staff who had been diagnosed with a terminal illness or life changing injury. He referred Members to the Charter at Appendix 1 which asks employers to make a commitment to:

- Review Sick Pay and Sickness Absence Procedures
- Ensure that they have an Employee Assistance Programme
- Provide training to line managers and all HR staff
- Adopt the Dying to Work Charter

The CFO reported that the Brigade already works within the spirit of the TUC Charter and will be signing the Charter which provided peace of mind to staff and their families and fostered a supportive organisational culture.

Councillor Bendelow congratulated the CFO for embracing the Charter and said he considered using ‘discretion’ in relation to terminally ill employees would gain the Brigade a lot of respect.

RESOLVED – Members overwhelmingly supported the TUC Dying to Work Charter and approved the Authority’s signing.

55.2 Grangetown Fire Station – Presentation

The CFO reported that the new Grangetown Fire Station, built on the same site between the old station and LDC, had become operational on 28 September 2017.

He reported that it incorporated the state of the art facilities needed to deliver a modern 21st Century emergency service to the community and which values the welfare of the Brigade’s firefighters. These include:

- Four bay station
- Community hub room
- Modern gym

55.2 Grangetown Fire Station – Presentation continued

The CFO reported that a partnership agreement with NEAS was in place to ensure better efficiencies and service outcomes. The arrangement enables NEAS ambulance staff to 'touch down' and utilise the welfare facilities for ambulances standing by in the area. He reported that an external power charger had been funded by NEAS to allow ambulances to be charged up whilst on their welfare touch down.

The CFO outlined the next phase involved the demolition of the old Grangetown Fire Station to complete this project and reported that the rebuild project had been delivered on schedule and on budget - £2.723m financed within the Asset Management Plan.

The CFO invited all Members to visit the new station and to consider holding future Authority meetings at one of the new resources. Councillor Cook congratulated those involved for delivering this 'absolutely fantastic' project on time and on budget.

RESOLVED – that the presentation be noted.

55.3 Information Pack

- 55.3.1 Employers Circulars
- 55.3.2 National Joint Council Circulars
- 55.3.3 Campaigns

RESOLVED – that the information pack be noted

56. REPORTS OF THE TREASURER

56.1 Local Government Financial Settlement – Technical Consultation Paper

The Treasurer reported that the 2018/19 Local Government Financial Settlement technical consultation was issued on 14 September 2017 with a closing date of 26 October 2017. He directed Members to his response to the 13 questions as detailed in Appendix A and specifically:-

Question 1: Do you agree that the government should continue to maintain the certainty provided by the 4-year offer as set out in 2016-17 and accepted by more than 97% of local authorities?

Question 9: Do you have views on council tax referendum principles for 2018-19 for principal local authorities?

Question 10: Do you have views on whether additional flexibilities are required for particular categories of authority? What evidence is available to support this specific flexibility?

In relation to Q10, Councillor Cook challenged the part of the response that stated '*The Authority believes that increased Council Tax flexibility would help address the impact of continuing cuts in funding and inflationary pressures over the next two years*' and requested that it be removed. He reported that his own ward was the 4th most deprived ward in the country and people genuinely could not afford to pay any extra.

The Chair suggested this statement be left in the response as it gave the Authority the flexibility should it need it in the future.

56.1 Local Government Financial Settlement – Technical Consultation Paper continued

Councillor James said she understood the pressure but was concerned about the impact on Local Authorities and their staff who were capped at 1% yet would have to increase council tax support for those struggling to pay.

Councillor Ovens reminded Members that the Authority had a long history of going to Government to question unfair funding and felt the Authority needed to demonstrate that it had explored all possibilities to ensure they remain operationally viable.

Councillor Higgins reiterated Councillor Cook's concerns that many people in the Brigade area cannot afford an increase to their Council Tax and need to be made aware it is the government forcing police and fire to go down these routes.

The Treasurer reported that at this stage it was about the Authority asking for the tool and flexibility for the future and that over the last few years the balance has shifted towards increasing Council Tax which puts the Authority in a very difficult position. He reported that the CFO would recommend a service level that will come at a cost and require the Authority to make some very difficult decisions over the next 2-3 years.

Referring to Councillor Cook's request to remove part of paragraph 5.4 from the report the Legal Adviser and Monitoring Officer (LAMO) reported that this had already been published on the Brigade website and could not be redacted.

The CFO noted that other authorities had been keen to avoid the issue of referenda and gave examples of some that had gone ahead and held a referendum at the cost of circa £600k only to achieve a resounding 'no'. He said that if the Authority had the tool to be flexible and the limit is lifted in the future at least it would have the choice.

The Treasurer reported that not having the tool would restrict the Authority. Councillor Kirton stated that once the Authority had the tool to increase Council Tax the Government would expect it to be used.

RESOLVED – that the Authority's final response to the Government's 2018/19 Local Government Financial Settlement – Technical Consultation Paper, as detailed in Section 5, be agreed with the Chair prior to sending.

56.2 Members Allowance Scheme

The Treasurer reported that the Authority approved the current Members Allowance Scheme on 4 June 2010 and the allowances paid by the Authority had been frozen since 2009/10. They currently stand at £2,194 basic allowance with Special Responsibilities Allowances (SRAs) for the Chair and Vice Chair of the Authority and the Chair of Audit & Governance Committee.

The Treasurer outlined the arrangements for establishing an Independent Remuneration Panel (IRP) as detailed on Page 2 of the report and noted that the recommendations of IRP may have financial implications for the Authority and these could either be accepted, or rejected and a lower level than recommended be set.

56.2 Members Allowance Scheme continued

Councillor Martin-Wells asked whether it was necessary for the Authority to go through the extensive and costly process of holding an IRP given that he envisaged no change to the current allowances. The LAMO confirmed an IRP was long overdue and was considered good governance and asked Members to be receptive to future reports.

RESOLVED – that the following arrangements in relation to establishing an Independent Remuneration Panel (IRP) be approved:-

- i) one member of each of the four authorities' IRPs will be invited to become a member of the Authority's IRP and the quorum shall be 3 persons;**
- ii) individual Members will be invited to submit their views on the Authority's Members Allowance Scheme to the IRP;**
- iii) the Treasurer will support the work of the IRP; and**
- iv) recommendations made by the IRP will be submitted to a future meeting of the Authority for consideration and if approved will be implemented with effect from 1st April 2018 (i.e. financial year 2018/19).**

- 57. 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 and 7 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 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 and namely information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

58. CONFIDENTIAL MINUTES

Councillor James highlighted an error at Minute No. 32.1 at bullet point 1 of the Confidential Minutes of the CFA meeting of 28 July 2017.

RESOLVED – that the Confidential Minutes of the proceedings of 28 July 2017 be confirmed, subject to the above amendment.

59. CONFIDENTIAL MINUTES OF MEETINGS

RESOLVED – that the Confidential Minutes of the Executive Committee on 22 September 2017 be confirmed.

59.1 Matters Arising

The CFO gave Members a verbal update on the latest correspondence in relation to the Pay Claim 2017.

**COUNCILLOR JAN BRUNTON-DOBSON
CHAIR**