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# CLEVELAND FIRE AUTHORITY

## MINUTES OF SPECIAL MEETING

8 DECEMBER 2017

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**PRESENT:**

**CHAIR**

Cllr Jan Brunton Dobson – Middlesbrough Council

**HARTLEPOOL BOROUGH COUNCIL**

Cllr Ray Martin-Wells

**MIDDLESBROUGH COUNCIL**

Cllrs Teresa Higgins, Tom Mawston

**REDCAR & CLEVELAND BOROUGH COUNCIL**

Cllr Norah Cooney, Ray Goddard, Mary Ovens

**STOCKTON ON TEES BOROUGH COUNCIL**

Cllrs Gillian Corr, Paul Kirton, Jean O'Donnell, Mick Stoker, William Woodhead

**AUTHORISED OFFICERS**

Chief Fire Officer, Treasurer

**BRIGADE OFFICERS**

Director of Community Protection

**APOLOGIES FOR ABSENCE:**

Councillors Rob Cook, Marjorie James – Hartlepool Borough Council

Councillor Naweed Hussain – Middlesbrough Council

Councillor Neil Bendelow – Redcar & Cleveland Borough Council

Legal Adviser and Monitoring Officer

Director of Corporate Services

**73. DECLARATIONS OF MEMBERS INTEREST**

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

**74. MINUTES**

**RESOLVED - that the minutes of the meeting of 13 October 2017 be confirmed.**

**75. MINUTES OF MEETINGS**

**RESOLVED - that the minutes of the Executive Committee Meeting on 24 November 2017 be confirmed.**

**76. COMMUNICATIONS RECEIVED BY THE CHAIR**

**76.1 The following communications were received by the Chair and circulated to Members:-**

Rachel Stevens - NJC/15/17 - Revised CPD payments, NJC/14/17 - Revised pay rates, NJC/13/17 - Pay/Broadening the role negotiation, NJC/12/17 - Broadening the Role

HMIC Communications - Monthly Update - FRS

Gill Gittins - EMP/11/17 - Pay Update

Home Office - Enabling Police & Crime Commissioners (PCCs) to sit and vote on Combined Fire and Rescue Authorities (FRAs)

Nick Hurd MP / Philip Dunne MP - Emergency Services Collaboration

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

**77. ANY OTHER BUSINESS**

**77.1 Policing and Crime Act 2017 Consultation: Changes to the Authority's Combination Scheme – Tabled Report**

The CFO reported that the Home Office had issued a consultation in relation to changing legislation to enable Police & Crime Commissioners (PCCs) to have representation on their local Fire and Rescue Authorities and/or its committees, with voting rights. This would be subject to PCCs making clear reasons for seeking membership and the FRA agreeing.

He reported that the consultation sought Members views 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 (the 2004 Act) to implement the 'representation model' of the Policing and Crime Act 2017 (the 2017 Act).

Members were asked to consider and comment on the following proposed amendments:

- (A) Subject to paragraphs B and C, the Authority may appoint a relevant police and crime commissioner to be a member of the Authority.*
- (B) A relevant police and crime commissioner may only be appointed as a member of the Authority in response to a request by the commissioner.*
- (C) If a relevant police and crime commissioner makes such a request the Authority must:-*
  - (a) consider the request*
  - (b) give reasons for its decision to agree to or refuse the request, and*
  - (c) publish those reasons in such a manner as it thinks appropriate*
- (D) Paragraph E applies where the Authority appoints a relevant police and crime commissioner to be a member of the Authority and the police and crime commissioner makes arrangements under section 18 of the Police Reform and Social Responsibility Act 2011 to delegate their attendance at a meeting of the Authority.*
- (E) A person who attends a meeting of the Authority on behalf of a relevant police and crime commissioner -*
  - (a) may speak at the meeting but not vote, and*
  - (b) is not to be treated as a member of the Authority for any purpose.*

*The above amendments will;*

- (A) – Enable a PCC to be appointed with voting rights;*
- (B) – Set out this provision can only take place after a request has been made by a PCC;*
- (C)– Set out the process for making such a request;*

## **77.1 Policing and Crime Act 2017 Consultation: Changes to the Authority's Combination Scheme – Tabled Report**

*(D) and (E) – Enable a PCC to delegate to a deputy to attend and speak at FRA meetings, but that this deputy does not have any voting rights and will not be treated as a member of the Authority for any purpose, for example being part of the meeting quorate. This is owing to Fire and Rescue Authorities comprising of elected individuals, who do not themselves have similar rights to delegate to an unelected official as exists for PCCs.*

Councillor Corr asked what benefit this would be to the people in our communities. The CFO confirmed that the Government's stance was that this arrangement would aid collaboration and improve efficiency and effectiveness and reported that this was already being achieved in Cleveland.

Councillor Mawston noted that in Cleveland, the PCC had not shown an interest in being on the Authority and asked whether there was any financial benefit. The CFO reported that the only benefit would be if it enhanced collaboration and cost sharing and highlighted the current arrangements adding that there were currently no barriers to collaboration in Cleveland.

Councillor Stoker asked if a PCC came onto the Authority would they form part of a political group and would it lose one of its members. The CFO referred to the Local Government Housing Act 1989 which stated that Fire Authorities had to be politically representative.

Councillor Stoker asked if the Authority could justify paying an additional allowance when it was proposing to reduce firefighter posts.

The CFO noted that it is enabling legislation and it was for Members to decide whether the same principle should be applied to Combined FRAs as Metropolitan and County FRAs.

### **RESOLVED:–**

- (i) That the Chair 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 does not agree with the proposed amendments.**
- (ii) That if the amendments are made, Members noted there will be some minor consequential amendments to its Combination Scheme as indicated at page 7 of the Home Office consultation.**

## **77.2 Cancellation of CFA Meeting**

The Chair notified Members that the Cleveland Fire Authority Ordinary meeting scheduled for 15 December 2017 had been cancelled.

**RESOLVED – That the cancellation of the Ordinary meeting of the Cleveland Fire Authority scheduled for 15 December 2017 be noted.**

**78. 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 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.**

**79. CONFIDENTIAL MINUTES RESOLVED – that the Confidential Minutes of the proceedings of 13 October 2017 be confirmed.**

**79.1 MATTERS ARISING – PAY CLAIM**

The CFO gave Members a verbal update regarding the Pay Claim 2017.

**80. CONFIDENTIAL MINUTES OF COMMITTEES**

**RESOLVED – that the Confidential Minutes of the Executive Committee Meeting on 24 November 2017 be confirmed.**

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

**81.1 Medium Term Financial Strategy (MTFS) Update**

Members received an update to the Authority’s Medium Term Financial Strategy.

**82. CONFIDENTIAL REPORT OF THE CHIEF FIRE OFFICER**

**82.1 Draft Community Integrated Risk Management Plan (CIRMP) 2018/19 – 2021/22**

The CFO gave a detailed presentation on the Draft Community Integrated Risk Management Plan 2018/19 – 2021/22.

**COUNCILLOR JAN BRUNTON DOBSON  
CHAIR**