

Minutes of the Annual
Meeting of the TYNE AND WEAR
FIRE AND RESCUE AUTHORITY
held in the Fire and Rescue
Service Headquarters, Barmston
Mere on MONDAY, 14TH JUNE,
2010 at 10.30 a.m.

Present:

Councillor T. Wright in the Chair

Councillors Bell, Boyes, Charlton, Clark, Essl, N. Forbes, Haley, Huscroft, Jordan, Mole, Renton and Trueman.

Part I

Appointment of Chairman

1. RESOLVED that Councillor Wright be appointed as Chairman of the Authority for the ensuing period to the next Annual Meeting.

The Chairman welcomed everyone, in particular the new Members Councillors Essl, Huscroft and Trueman, to the first meeting of the Municipal Year.

In addition, the Chairman referred to the Authority's Equality and Diversity Charter, in addition to undertaking to abide by the Code of Conduct and Register of Interests forms and requested Members to complete and return their forms as quickly as possible.

Apologies for Absence

Apologies for absence were received from Councillors Clare and Woodwark.

Appointment of Vice-Chairman

2. RESOLVED that Councillor N. Forbes be appointed as Vice-Chairman of the Authority for the ensuing period to the next Annual Meeting.

Declarations of Interest

There were no declarations of interest.

Minutes

3. RESOLVED that:-

- (i) the minutes of the meeting of the Authority held on 26th April, 2010 be confirmed and signed as a correct record; and
- (ii) the minutes of the meeting of the Policy and Performance Committee held on 7th June, 2010 be received and noted.

Membership of Authority, Appointment to Committees and Appointment of Spokesmen for 2010/2011

The Deputy Clerk to the Authority submitted a report (copy circulated) to notify the appointments to the Fire and Rescue Authority made by the Constituent Authorities and to consider the appointments to the Committees and the spokesmen for 2010/2011.

(For copy report – see original minutes).

Consideration having been given to the report, it was:-

4. RESOLVED that:-

- (i) the undermentioned Members be appointed to serve on the Committees of the Authority indicated for the Municipal Year 2009/10:-

- (a) Governance Committee

Independent Chairman	-	Mr. G.N. Cook
Second Independent Member	-	Mr. J.P. Paterson
Independent Member	-	Ms. G. Goodwill
Councillors Haley, Bell, Charlton, Clark, Woodwark and M. Forbes		

(b) Policy and Performance Committee

Councillors Boyes, Essl, N. Forbes, M. Forbes, Huscroft and Wright,

Chairman - N. Forbes
Vice-Chairman - Essl

(c) Civil Contingencies Committee

Councillors Bell, Charlton, Clark, Jordan, Mole, Renton, Trueman and Wright

Chairman - Bell
Vice-Chairman - Charlton

(d) Human Resources Committee

Councillors Boyes, Charlton, Clare, M. Forbes, N. Forbes, Trueman, Woodwark and Wright

Chairman - Charlton
Vice-Chairman - Trueman

(e) Appointments Committee

Councillors Bell, Boyes, Charlton, M. Forbes, N. Forbes, Huscroft and Wright

Chairman - T. Wright

(f) Disciplinary Appeals Committee

Councillors Charlton, N. Forbes, Huscroft, Renton and Wright

Chairman - Charlton
Vice-Chairman - Wright

(g) Personnel Appeals Sub-Committee

Councillors Clark, Essl, Haley, Jordan, Mole and Renton

Chairman - Mole

(h) Emergency Sub-Committee

Councillors Wright, N. Forbes and Woodwark

(ii) North East Fire and Rescue Regional Management Board

Councillors Wright, N. Forbes, Woodwark and M. Forbes
Substitute Members – Councillors Essl, Mole, Jordan and Renton

(iii) the undermentioned Members be appointed as spokesmen for the purpose of answering questions from Members of the undermentioned Constituent Councils on the discharge of the Authority's functions:-

Gateshead	Councillor Mole
Newcastle	Councillor N. Forbes
North Tyneside	Councillor Jordan
South Tyneside	Councillor Bell
Sunderland	Councillor Wright

(iv) the undermentioned Members be appointed as Lead Members and Support Members:-

Community Engagement and Partnerships

Lead Member	-	Councillor Bell
Support Member	-	Councillor Boyes

Diversity and Equality

Lead Member	-	Councillor N. Forbes
Support Member	-	Councillor M. Forbes

Performance Management

Lead Member	-	Councillor Wright
Support Member	-	Councillor Jordan

(v) Councillors Wright and N. Forbes be appointed as the Authority's representatives, with Councillor Haley as a substitute, on the Local Government Association.

(vi) Councillor Wright be appointed to the Local Government Association Urban Commission.

(vii) Councillors Bell and Haley be appointed to the North East Fire Control Company Limited and Councillor Charlton be appointed as Substitute Member.

- (viii) Councillors Wright and N. Forbes be appointed, with Councillors Essl and Trueman as substitutes, to the Association of Metropolitan Fire and Rescue Authorities (AMFRA).

Date, Time and Venue of Future Meetings

The Chief Fire Officer, Clerk to the Authority, the Finance Officer and the Personnel Adviser submitted a joint report (circulated) setting out the proposed dates, time and venue of meetings of the Authority and its Committees together with the Awareness and Development Programme for the Municipal Year 2010/2011.

(For copy report – see original minutes).

5. RESOLVED that:-

- (i) subject to the Policy and Performance Advisory Committee being moved from 6th June to 4th July, 2011 and the dates of the meetings of the Civil Contingencies Committee to be held in October 2010 and January 2011 being confirmed at the next meeting, the cycle of meetings for 2010/2011 as set out in the report be approved, and
- (ii) the Awareness and Development Programme 2010/2011 dates be noted.

Revenue Budget Outturn 2009/2010 and Revenue Budget First Review 2010/2011

The Chief Fire Officer and the Finance Officer submitted a joint report (circulated), advising Members of the Revenue Budget Outturn position for 2009/2010 as it currently stood, outlining the main areas of variance and any related proposed actions.

(For copy report – see original minutes).

The Finance Officer advised that this was a provisional outturn report as some issues were still to be resolved while the Authority's Statement of Accounts were currently being prepared for the Governance Committee on 28th June 2010. He reported that there were a small number of issues still to be resolved, and it was possible that the Outturn position could change as the Statement of Accounts was progressed, though any changes were very unlikely to have a material impact on the Authority's financial position. He advised that decisions were required to be made regarding the use and the provision of reserves, arising from the anticipated outturn 2009/2010 compared with the Third Review reported to the Authority in January. He proposed that he, in consultation with the Chief Fire Officer and the Chairman, be given delegated authority to take any appropriate actions in order to ensure that the accounts were published within the prescribed timescale.

The Finance Officer drew the attention of Members to the outturn position and the main variations to the Third Review, which were set out in paragraph 2.5 of the report. He explained that the important message to get across was that the number of identified under spends were essentially one off in nature and their ongoing affect was covered in the Budget for 2010/2011. He reported that the savings indicated in paragraph 2.5 allowed the Authority to make contributions to earmarked reserves.

The Chief Fire Officer had identified key priorities, totalling £388,000, within the identified under spendings, that still needed to be delivered during 2010/2011 including:-

- Learning and Development training delivery (£41,000);
- ICT Network support costs (£161,000);
- Safety Works community safety equipment (£45,000); and
- Protective clothing (£130,000).

The Finance Officer then referred to other proposed transfers to reserves in relation to the creation of a Carbon Reduction Plan and towards a number of capital schemes to address Equalities and Diversity issues. He added that one further issue was an anticipated under spend of approximately £256,000 in 2010/2011 in relation leasing charges arising from the consequences of the outright purchase of 12 fire tenders in 2009/2010 which were originally earmarked to be financed through lease arrangements.

Turning to the General Balances, the Finance Officer reported that based on the financial risk profile of the Authority, it was considered appropriate to retain uncommitted general balances of around 5% of the revenue budget for 2010/2011.

Upon detailed discussion, it was:-

6. RESOLVED that:-

- (i) the Revenue Budget Outturn for 2009/2010, as detailed at paragraph 2.4 of the report, be noted;
- (ii) the sums earmarked within the Budget Carry Forward Reserve and the proposed transfers to other earmarked reserves at paragraphs 2.8 to 2.12 and at Appendix B of the report, be noted;
- (iii) the position with regard to the Revenue Budget for 2010/2011 detailed at section 3 of the report, be noted;
- (iv) the Balances position detailed at paragraph 4.2 and at Appendix C of the report, be noted; and
- (v) delegated authority be given to the Finance Officer, in consultation with the Chief Fire Officer and the Chairman of the Authority to take any additional final accounts decisions in order to maximise the financial position of the Authority.

Capital Programme Outturn 2009/2010 and Capital Programme First Review 2010/2011

The Chief Fire Officer and the Finance Officer submitted a joint report (circulated) presenting the provisional capital outturn for 2009/2010, highlighting the main variances from the 2009/2010 Capital Programme Third Review, and the review of the current year's programme to reflect the actual outturn 2009/2010 position and other changes, since the original programme was approved.

(For copy report – see original minutes).

Members were advised that net slippage from 2009/2010 to 2010/2011 of £406,573 was largely due to:-

IT Equipment – £157,752

- Hardware (£57,376) – the Authority had been encouraged to utilise e-auction to procure IT hardware as there was the potential to provide better value and efficiency savings. As this did not take place until March the Authority was unable to evaluate the process or procure any hardware in 2009/2010 resulting slipped expenditure.
- Carbon Footprint (£60,000) – difficulties had arisen in procuring Storage Area Network equipment to the Authority's requirements. In order to overcome this, a functional specification document had been created which would go out to tender. The additional work required to produce the specification had resulted in delays so the expenditure would now be incurred in 2010/2011.
- Smart Cards (£34,040) – delays had arisen in relation to the procurement process in order to agree the specification of the Smart Cards as compared to the tender documents.
- Other IT equipment (£6,336) - slippage had arisen on a number of other schemes.

Operational Equipment - £74,376

- Fireground Radios (£68,427) – as reported at third review there was potential for slippage due to problems in the procurement of breathing apparatus communications (BA Com's) and repeater units due to compatibility issues between the new personal radios and the BA Com's equipment. A number of other BA Com's models were currently being evaluated in order to find a suitable alternative which had resulted in slipped expenditure.
- Other Operational Equipment (£5,949) – slippage had arisen on a number of other schemes.

Estates - £174,445

- BTC Incident Training Area (£67,927) – delays were caused by the severe winter weather conditions, which had resulted slipped expenditure
- BTC Repairs to Fireground and Offices (£80,916) – part of the planned works involved the installation of additional fire tiles to the training areas. After initial testing it was discovered that further tiles were required to be replaced than initially envisaged which had resulted in delays in the project but no additional costs are expected.
- Other (£25,602) – slippage had arisen on a number of other schemes.

The Finance Officer again referred to the Vehicle Replacement Programme which had been traditionally financed through operational leasing however following an options appraisal it had been identified that the best value option had been to purchase outright funded from an increased Revenue Contribution to Capital Outlay made possible by the under spends identified in the Revenue Budget Outturn for 2009/2010.

Consideration having been given to the matter, it was:-

7. RESOLVED that the revised Capital Programme for 2010/2011 as set out in Appendix A of the report, be approved in light of the provisional capital outturn 2009/2010.

Internal Audit Annual Report for 2009/2010

The Finance Officer submitted a report (circulated) to provide details of the performance of Internal Audit Services (IAS) during 2009/2010 and an opinion on the overall system of internal control in place within the Fire and Rescue Authority.

(For copy report – see original minutes).

The Finance Officer highlighted a summary of the work which had been undertaken during the year and that the Key Performance Indicators had been agreed by the Governance Committee in March 2009 as part of the Internal Audit Operational Plan. He drew attention to Appendix 2 of the report which detailed the findings of a number of audits which had been completed in addition to some key financial systems. He advised that all 9 audits set out in paragraph 2.1.2 of the report had been completed within the year and of the 77 recommendations which arose for the Authority, none had been placed in either the high or significant category, with recommendations being placed in the medium and low categories.

Action plans had been drawn up for the implementation of the above recommendations and follow up audits would be undertaken to ensure that they were followed through. It was also intended to develop a progress report for the Chief Fire Officer and the Chief Emergency Planning Officer to provide them with appropriate information on a regular basis.

The Finance Officer reported that the IAS had successfully retained its ISO accreditation for operating a quality system, for the third consecutive time following an external assessment. He explained that these assessments were undertaken every three years.

Within the year IAS also took part in a user satisfaction survey run by the CIPFA benchmarking club and that the overall performance score was higher than all of the other authorities that took part.

Within the year 12 post audit questionnaires were issued to managers at the Fire and Rescue Authority of which 6 were returned. The overall rating of Internal Audit was 1.0 on a scale of 1 (Good) to 4 (Poor).

The Finance Officer then referred to the independent review on the effectiveness of the IAS undertaken by the Audit Commission and was delighted to report that it had found that robust arrangements continued to be in place that complied with the CIPFA Code of Practice for Internal Audit Services.

Members having congratulated the officers on the findings of the report, it was:-

8. RESOLVED that the report be noted.

Annual Governance Review 2009/2010

The Chief Fire Officer, the Clerk to the Authority, the Finance Officer and the Personnel advisor submitted a joint report (circulated) to provide details of the findings of the 2009/2010 Annual Governance Review and seeking approval to the Annual Governance Statement, prior to its incorporation in the Statement of Accounts.

(For copy report – see original minutes).

The Deputy Chief Fire Officer highlighted the report and in particular drew attention to the four key roles of a local authority to:-

- Engage in effective partnerships and provide leadership for and with the community;
- Ensure the delivery of high quality local services whether directly or in partnership or by commissioning,
- Perform a stewardship role which protects the interests of local people and makes the best use of resources, and
- Develop citizenship and local democracy.

Attention was then drawn to the agreed methodology of the annual review shown at paragraph 4.2 of the report.

The Deputy Chief Fire Officer was pleased to report that a good rate of return of questionnaires, assessments and assurance statements had been received. These

had been analysed and the findings were used to update the Local Code of Corporate Governance at Appendix A, the Annual Governance Statement 2009/2010 at Appendix B and the Action Plan for 2010/2011 at Appendix C of the report. The Chairman was disappointed with the rate of return of the views of Elected Members and encouraged all Members of the Authority to respond to such questionnaires.

Councillor Renton having requested further information on what the Authority was planning to implement in order to improve its carbon footprint was advised that an Environmental Policy had been put in place to ensure that the Authority delivered its services in an efficient, effective and sustainable manner. The increased actions mainly centred around invest to save actions, reducing the carbon footprint and environmental priorities. Work was also being undertaken via a Steering Group with the Carbon Trust and Members could be updated on progress as appropriate.

Councillor Clark having enquired whether low carbon emission vehicles were promoted throughout the Authority was advised that all fleet cars had a CO₂ ceiling imposed.

Members then gave consideration to the Corporate Risk Profile and of the risks faced by the Authority, some of which were considered sufficiently significant to warrant close monitoring by the Corporate Risk Management Group subject to continual analysis and review during 2009/10.

In conclusion, Members having considered that the Authority continued to have robust and effective governance and internal control arrangements in place, it was:-

9. RESOLVED that:-

- (i) the revised Code of Corporate Governance be noted and endorsed;
- (ii) the Annual Governance Statement and Improvement Plan be noted and endorsed; and
- (iii) further reports be received as appropriate.

Audit Commission – Comprehensive Area Assessment

The Chief Fire Officer submitted a report (circulated) to inform Members of the national decision to abolish the Comprehensive Area Assessment (CAA) and the impact of this on the Tyne and Wear Fire and Rescue Authority.

(For copy report – see original minutes).

The Chief Fire Officer reported that notification had been received on 28 May that all work on the area assessment and the organisational assessment, which formed the CAA, would cease with immediate effect. He added that unfortunately, despite all the work for the year being undertaken and improvements being achieved, no new scores would be published for the Use of Resources, Managing Performance or Overall Organisation assessments however he would endeavour to request some informal written feedback instead.

The Chief Fire Officer advised that the abolition of the CAA might also have an impact on the annual audit fee for the statutory work undertaken by the Audit Commission.

Councillor N. Forbes advised that this should not be seen as the end of performance monitoring as a similar process would need to be in place in order to provide the evidence of how well the Authority was performing and in order to inform financial planning and decision making. He added that there was still a need for some form of benchmarking with similar Fire Authorities and external scrutiny to provide evidence to the local tax payers as to how well the Authority was performing.

Councillor Mole agreed that the public deserved to be able to find out this information and have confidence in the Authority's services. He suggested that such an assessment framework would need to be revisited in the future and representations to the Minister on this matter should be considered.

Consideration having been given to the report, it was:-

10. RESOLVED that:-

- (i) the content of the report be noted, and
- (ii) further reports be submitted to the Authority as appropriate.

North Tyneside Local Area Agreement

The Chief Fire Officer submitted a report (circulated) to advise Members of the Authority's success in achieving the stretch target contained within North Tyneside's Local Area Agreement (LAA) which would, it was anticipated, attract reward grant as a result.

(For copy report – see original minutes).

The Chief Fire Officer reminded Members that in April 2007, North Tyneside Council and its Local Strategic Partnership had entered into a LAA around the topics of:-

- Children and young people;
- Safer and stronger communities;
- Healthier communities and older people; and
- Economic development.

He explained that a fire related stretch target had been adopted as one of the ten targets which underpinned the above topics. The target adopted centred on a commitment to reduce deliberate anti-social behaviour fires within North Tyneside and supported the Safer and Stronger Communities agenda. He was delighted to report that the Service had more than achieved the target and it was anticipated that of the approximately £4.5 million reward grant to be received by North Tyneside Council, that the Authority would receive £344,000.

The Chief Fire Officer then referred to change in Government and its intention to implement financial cutbacks in the public sector and advised that this might result in no reward grant being forthcoming.

During the discussion, Members noted that Government proposals had indicated a 50% cut in grant and suggested that North Tyneside Council be lobbied to ensure that they were doing all that they could to secure the reward grant and in turn to provide the share to the Authority.

It was indicated that there would be continuing discussions with North Tyneside Council in this respect.

Consideration having been given to the report, it was:-

11. RESOLVED that:-

- (i) the report be noted;
- (ii) further discussions be undertaken with North Tyneside Council and further reports be submitted to the Authority as appropriate.

Correspondence List for Information

The Chief Fire Officer submitted a list of items of correspondence that had been received since the last meeting of the Authority, and were not subject to a separate report.

12. RESOLVED that the correspondence list be received for information.

(Signed) T. WRIGHT,
Chairman.