

Minutes of the Meeting of the TYNE
AND WEAR FIRE AND RESCUE
AUTHORITY held in the Fire and Rescue
Headquarters, Barmston Mere, Sunderland
on MONDAY, 23RD FEBRUARY, 2009 at
10.30 a.m.

Present:

Councillor T. Wright in the Chair

Councillors Bell, Boyes, Charlton, Clark, M. Forbes, N. Forbes, Haley, Heron,
Jordan, McIntyre, McMillan, Renton, Scaplehorn and Woodwark.

Part I

Apologies for Absence

An apology for absence was received from Councillor Bollands.

Declarations of Interest

There were no declarations of interest.

The Chairman advised that the Clerk to the Authority would be arriving late and therefore varied the order of business on the agenda to consider this item on his arrival.

Minutes

95. RESOLVED that:-

- (i) the minutes of the meeting of the Authority held on 19th January, 2009 – Part I (circulated) be confirmed and signed as a correct record;

- (ii) the notes of the Budget Consultation meeting held on 3rd February, 2009 – Part I (Circulated) be received and noted; and
- (iii) the minutes of the meeting of the Performance Review Committee held on 9th February, 2009, Part 1 (circulated) be received and noted.

Final Revenue Support Grant Settlement for 2009/2010 and Provisional Settlement for 2010/2011

The Chief Fire Officer and the Finance Officer submitted a joint report (circulated) advising the Committee of the Final Revenue Support Grant Settlement for 2009/2010 and the Provisional Settlement for 2010/2011.

(For copy report – see original minutes).

The Finance Officer informed Members that the Authority's final grant entitlement for 2009/2010 had remained unchanged from the figure of £35.184 million announced in November, which represented an increase of 1.26% and that the Authority's provisional grant entitlement for 2010/2011 had also remained unchanged at £35.570 million, representing an increase of 1.10%.

It was:-

96. RESOLVED that the report be received and noted.

Revenue Budget 2009/2010

The Chief Fire Officer, the Chief Emergency Planning Officer, the Clerk to the Authority and the Finance Officer submitted a joint report (circulated) presenting for consideration and approval by Members, the Revenue Budget for 2009/2010, including the precept required to be levied on the District Councils in Tyne and Wear.

(For copy report – see original minutes).

The Finance Officer advised that the Authority would receive a capital grant allocation of £745,323 in 2009/2010 and £959,579 in 2010/2011, whilst the revenue budget for 2009/2010 totalled £58.714 million.

At this juncture, the following provisions were highlighted to Members:-

- The significant savings envisaged at the inception of the Public Private Partnership Scheme had accrued, and the planned reduction of Fire Fighters by natural wastage had enabled an annualised saving to be built into the base budget. The saving for 2009/2010 had been increased to £910,629 reflecting inflationary adjustments.

- The economic downturn that looked like a possibility earlier in this financial year was now a reality. As a result, the Chief Fire Officer was undertaking a review to identify activities that were designed to help sustain the local economy and support businesses and local residents who suffered hardship as a consequence of the worsening economic condition.
- Regional Control Centre (Fire Control) – despite the project being delayed, the government remained committed to the Regional Control Centre project. An extension in timescales meant that the new proposed 'go-live' date for this Region was July 2010.
- Firelink Project – The Revenue Budget for 2009/2010 had been set on the basis that there was no additional cost to this Authority arising from the Firelink Project.
- General Balances and Earmarked Reserves – taking account of the level of risk within this Authority, the retention of a minimum level of general fund balances of between £3 million and £3.5 million was considered, at this stage, to be appropriate.
- Minimum Level of General Fund Balances – taking into account all uncommitted general balances. It could be seen that uncommitted general balances were estimated to be approximately £3.337 million by 31st March, 2009, representing just over 5% of the proposed revenue budget for 2009/2010 and within the minimum range specified.
- Tyne and Wear Emergency Planning Unit (TWEPU) - in October, 2006, a standstill budget of £535,289 was agreed up to the end of the 2009/2010 financial year and a review of funding for all Joint Service arrangements was currently ongoing, and would inform the Revenue Budget for TWEPU in 2010/2011.
- Council Tax - in setting a revenue budget of £58.714 million, the Authority would precept the five District Councils which would increase the Band D Council Tax from £71.61 to £72.50, a rise of £0.89 per annum, which represented an increase of 1.24%.

At this juncture, Councillor Renton took the opportunity to congratulate the Finance Officer and his team for the much welcomed increase of only 1.24%.

Detailed consideration having been given to the report, it was:-

97. RESOLVED that:-

- (a) the revised estimate for 2008/2009, as summarised at Appendix A, be approved;
- (b) the Revenue Budget for 2009/2010, as summarised at Appendix A, be approved;
- (c) the Medium Term Financial Strategy detailed at Appendix F, be noted;

- (d) the position on general and earmarked balances and reserves, the associated risks and their mitigation as outlined at Appendices C, D and E, be noted;
- (e) the Council Tax base of 323,282 for the year 2009/2010, as notified by the billing authorities within Tyne and Wear, be noted;
- (f) the following amounts now be calculated by the Authority for the year 2008/2009, in accordance with Sections 43 and 44 of the Local Government Finance Act 1992:
 - (i) £66,166,409 - being the aggregate of the amounts which the Authority estimates for the items set out in Section 43(2)(a) to (d) of the Act;
 - (ii) £7,452,292 - being the aggregate of the amounts which the Authority estimates for the items set out in Section 43(3)(a) to (b) of the Act;
 - (iii) £58,714,117 - being the amount by which the aggregate at (i) above exceeds the aggregate at (ii) above, calculated by the Authority in accordance with Section 43(4) of the Act, as its budget requirement for the year;
 - (iv) £35,276,171 - being the aggregate of the sums which the Authority estimates will be payable for the year into its Authority Fund in respect of redistributed Non-Domestic Rates, Revenue Support Grant and additional grant, and as increased by the net surplus on the Billing Authorities' Collection Funds;
 - (v) £72.5000 - being the amount at (iii) above, less the amount at (iv) above all divided by the amount in paragraph 7.4 above, calculated by the Authority in accordance with Section 44(1) of the Act, as the basic amount of its Council Tax for the year;

(vi) **Valuation Bands**

A	48.3333	being the amount given by multiplying the amount at (v) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation and divided by the number which that proportion is applicable to dwellings listed in valuation band D, calculated by the Authority in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.
B	56.3889	
C	64.4444	
D	72.5000	
E	88.6111	
F	104.7222	
G	120.8333	
H	145.0000	

Capital Programme 2009/2010 Including Prudential Indicators and Treasury Management Strategy

The Chief Fire Officer, the Clerk to the Authority, the Finance Officer and the Chief Emergency Planning Officer submitted a joint report (circulated) presenting for consideration and approval of Members, the Capital Programme for 2009/2010, the Prudential Indicators and the Treasury management Strategy for 2009/2010.

(For copy report – see original minutes).

Members were advised of the following:-

- New Starts – the Capital Programme for 2009/2010 included provision of £1,143,200 to fund New Starts;
- Fire Capital Grant – as reported previously to Members, the Authority would receive a Fire Capital Grant allocation of £745,323 in 2009/2010 and £959,579 in 2010/2011. This grant represented new money and would not involve borrowing;
- The Annual Minimum Revenue Provision Statement – for 2009/2010, having considered all of the options available, it was proposed that the Authority used Option 1 (the regulatory method) for government supported borrowing. This took into account all loan advances and repayments through the Authority's consolidated advances and borrowing pool with MRP being calculated at 4% of the opening 'credit ceiling' balance;
- Treasury Management – in accordance with the Authority's Financial Regulations, all investment and borrowing was made on the Authority's behalf by Sunderland City Council. This ensured that the Fire and Rescue Authority benefits from beneficial interest rates achieved through pooling resources.

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

98. RESOLVED that:-

- (i) the Capital Programme and Vehicle Replacement Programme for the year 2009/2010 as set out at Appendix A, be approved;
- (ii) the prudential Indicators for the years 2009/2010, 2010/2011 and 2011/2012 as set out in Appendix B, be approved;
- (iii) the Treasury Management Policy set out at Appendix C, be noted;
- (iv) the Treasury Management Strategy for 2009/2010 set out at Appendix D, be approved; and
- (v) the Annual Minimum Revenue Provision Statement set out in Section 6, be approved.

Integrated Risk Management 2008/09 Action Plan – Update

The Chief Fire Officer, the Clerk to the Authority and the Finance Officer submitted a joint report (circulated) to provide an update for Members in respect of the implementation of the Integrated Risk Management Plan (IRMP) Annual Action Plan for 2008/09, approved by the Authority in March 2008.

(For copy report – see original minutes).

Members were reminded that a significant amount had been undertaken to implement the Annual Action Plan and it was pleasing to report that all the improvement actions within the plan were progressing well.

Detailed monitoring of the financial implications of the IRMP continued to be undertaken in order to ensure that efficiency savings and spending on the proposed areas of reinvestment accorded with the overall strategy set out in the Authority's Integrated Risk Management Plan and Strategic Plan.

With regards to Action 6 – identify and record all buildings considered to be a 'Heritage Risk', Councillor N. Forbes suggested that the Authority contact Ian Ayris of Newcastle City Council to Advise on Heritage Sites.

Upon discussion, it was:-

99. RESOLVED that:-

- (i) the progress made in relation to the implementation of the 2008/09 IRMP action plan be endorsed; and
- (ii) a final report on 15th June, 2009 would be received.

Retirement of Assistant Chief Fire Officer David Simpson

The Chief Fire Officer, the Clerk to the Authority, the Finance Officer and the Personnel Advisor to the Authority submitted a joint report to inform the Authority that Assistant Chief Fire Officer, David Simpson had announced his intention to retire from Tyne and Wear Fire and Rescue Service in May 2009 and to inform the Authority that a report was included in Part II of the agenda with regard to the resultant vacancy.

(For copy report – see original minutes).

Members were advised that Assistant Chief Fire Officer, David Simpson had served in Tyne and Wear Fire and Rescue Services for 33 years, during which time he had been responsible for a wide variety of departments and had overseen the introduction of a range of innovations and initiatives which had helped the Authority to improve the service it provided to the public. Overall his contribution throughout his 33 year career had been exemplary and he had played a significant part in shaping the service and in raising the standards overall.

The Chief Fire Officer placed on record his appreciation for all of the hard work that Mr. Simpson had undertaken over the ;years and the support he had provided throughout his time.

In addition to this, the Chairman, on behalf of the Authority, acknowledged Mr. Simpson's contribution and personally thanked him for his hard work over the past 33 years.

It was:-

100. RESOLVED that:-

- (i) the intention of Mr. Simpson to retire in May, 2009, be noted; and
- (ii) his contribution to Tyne and Wear Fire and Rescue Service be acknowledged.

Rising to the Challenge: Improving Fire Service Efficiency

The Chief Fire Officer submitted a report (circulated) to brief the Authority on the key messages of the Audit Commission report *Rising to the Challenge*, and to give initial consideration to its content.

(For copy report – see original minutes).

Members were advised that the report acknowledged both the rapid and dramatic change in the risks managed by FRS in recent years and the level of change that many services had undergone in return, including the positive impact of work to increase the focus on prevention and community safety.

The Chief Fire Officer highlighted the following to Members:-

- Cost per head

TWFRA was still a high cost Authority when measured on a cost per head basis.

The report highlighted that the majority of reported efficiencies had been achieved through reviewing shift patterns and crewing arrangements.

- Community Safety

The Audit Commission's 2008 Value for Money profile showed that TWFRA spends a higher proportion of total resources on Community Fire Safety than any other Authority (2007/08 figures).

- The potential range of partnerships in an area was acknowledged to be complex and the report recognised the tension between the need to be locally responsive and the requirement/opportunity for national, regional and sub-regional cooperation.

Upon detailed discussion, it was:-

101. RESOLVED that:-

- (i) the contents of the above report be noted; and
- (ii) the Chief Fire Officer consider the implications of the report in more detail within the Authority's strategic planning framework.

Appointment of Clerk to the Authority

The Deputy Clerk to the Authority submitted a report (circulated) for the Authority to consider the appointment of Dr. D. Smith as Clerk to the Authority.

(For copy report – see original minutes).

Mr. Rayner reminded the Authority that on 20th May, 2008, Mr. G. Fitzgerald resigned from his post of Chief Executive of Sunderland City Council and Clerk to the Authority. As a result of this, on 16th June, 2008 the Authority approved the appointment of Dr. D. Smith as Acting Clerk to the Authority.

Sunderland City Council, at its meeting on 28th January, 2009 approved the appointment of Dr. D. Smith as Chief Executive to the Council, therefore, in turn, Members were now asked to consider the appointment of Clerk to the Authority.

It was:-

102. RESOLVED that the appointment of Dr. D. Smith as Clerk to the Authority with effect from 23rd February, 2009, be approved.

Report on the Consultation Regarding Relocation of Fulwell Fire Station

The Chief Fire Officer, the Clerk to the Authority and the Finance Officer submitted a joint report (circulated) to inform Members of the outcome of the consultation exercise undertaken in respect of the proposals to relocate Fulwell Fire Station to a new site, west of the existing site.

(For copy report – see original minutes).

The Chief Fire Officer advised Members of the Authority that a comprehensive consultation exercise had been undertaken regarding the relocation of Fulwell Fire Station.

The comments received during the consultation process were split into four groups:-

- A. Comments arising from presentations to partners/LSP/local councillors.
- B. Comments arising from presentations to the public/residents.
- C. Comments from discussion with the Fire Brigade's Union.
- D. From feedback sheets submitted.

At this juncture Members spent time considering the comments and fundings detailed within the report.

The main comments were regarding the future use of the existing location and questions asking why the station should be moved away from the Fulwell area. At all presentations, discussions took place regarding the merits of a move and the impact upon the service to the community and even with the low levels of response, the majority of people agreed with the plans to move the station.

It could now be confirmed that on conclusion of the consultation process, those benefits were still valid as no new unforeseen issues were raised during consultation.

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

103. RESOLVED that:-

- (i) the content of this report had been considered; and
- (ii) the relocation of Fulwell Fire Station to a new site in order to provide an enhanced operational and community service to the area be approved in principle.

Publication of RCC Business Case Part 2

The Chief Fire Officer, the Finance Officer and the Clerk to the Authority submitted a joint report (circulated) informing Members of the publication of Part 2 of the Fire Control Business Case (Version 1.1) and highlighting some of the key issues within it.

(For copy report – see original minutes).

Members were advised that Communities and Local Government (CLG) was carrying out formal consultation on this Business Case, with responses requested by 27th February, 2009.

Part 2 of the Business Case was concerned with detailing CLF's reasons for undertaking the FiReControl project and these fell into under five broad categories: Strategic Case, Economic Case, Commercial Case, Financial Case and Project Management Case.

Considering the projected call profile of the North East RCC, it was reasonable to predict that capacity might be available and used to undertake national roles and functions. By undertaking such activities, RCC's would receive funding, which in turn, would offset a modest proportion of regional costs.

Due to the North East being within the first wave regions, clarification on the national roles and functions was required immediately. Members were asked to consider the urgency of the need for clarification and consider requesting clarification from CLG on the detail of roles, functions and funding arrangements.

Members acknowledged the extremely challenging timeline, attached to the 2010 'GO-live' date.

Given the issues within the report, it was proposed that the Chief Fire Officer in consultation with the Chairman of the Authority, the Finance Officer and the Clerk to the Authority respond to the consultation by 27th February, 2009 highlighting the concerns of this Authority as outlined in the report.

Upon discussion, it was:-

104. RESOLVED that:-

- (i) the content of the report had been considered;
- (ii) the Chief Fire Officer, the Finance Officer and the Clerk to the Authority, formally respond in line with the issues highlighted in the report; and
- (iii) further reports be received as appropriate.

Procurement of a Medical Advisory Service

The Chief Fire Officer, the Finance Officer and the Clerk to the Authority submitted a joint report (circulated) setting out for the information of Members, the procurement arrangements in respect of a Medical Advisory Service and seeking Authority approval to proceed with the award of a contract.

(For copy report – see original minutes).

Members were advised that the contract was for the provision of a complete health care service to include health surveillance, medical clinics, the undertaking of various medical examinations such as those required under other legislation (Road Traffic and Drivers Regulations) and the provision of medical advice for all staff.

The requirement was advertised in the Official Journal of the European Union and TWFRS website and completed tenders were received from the following companies, listed in alphabetical order:-

Dr. G. Douglas
Well Work

The values of tenders received in ascending order, excluding VAT, is set out below:-

£ 55,000 per annum
£124,800 per annum

Consideration being given to the matter, it was:-

105. RESOLVED that the award of a contract for a Medical Advisory Service to the most economically advantageous tenderer, Dr. G. Douglas, for a period of 3 years commencing 1st April, 2009, with an option to extend by a further 2 x 12 month periods, be approved.

Procurement of Communication Circuits

The Chief Fire Officer and the Finance Officer submitted a joint report (circulated) setting out for the information and approval by Members, the tendering arrangements in respect of replacement communication circuits and seeking Authority approval to proceed with the procurement.

(For copy report – see original minutes).

The Chief Fire Officer advised that a framework agreement organised by the Office of Government Commerce (OGC) for communication circuits was currently in existence and available for use by the Authority. Use of this framework was recommended as good procurement practice and provided a value for money solution without having to go through a full EU tendering process.

Invitations to tender in accordance with the framework were sent to all seven contractors included on the framework for a three year contract with the option to extend by a further twelve months.

Completed tenders were received from the following companies listed in alphabetical order:-

British Telecommunications PLC, Birmingham
KCOM Group PLC, Hull

The values of the tenders received in ascending order, excluding VAT, for a four year period are set out below:-

£642,376.00

£786,550.42

Upon discussion, it was:-

106. RESOLVED that:-

- (i) the procurement procedure adopted together with the acceptance of the most economically advantageous tender from KCOM PLC, Hull in the sum of £642,376.00, excluding VAT, for the provision of communication circuits for a period of up to four years, be approved; and
- (ii) revenue budget provision be made for 2009/2010 and future years.

Procurement of Water Tenders 2009/2010 to 2011/2012

The Chief Fire Officer, the Finance Officer and the Clerk to the Authority submitted a joint report (circulated) setting out, for the consideration of Members, a proposal regarding the procurement of water tenders from the Firebuy framework agreement across the 2009/2010 to 2011/2012 time period.

(For copy report – see original minutes).

Members were reminded that, included within the Authority's Capital Programme over the next three years was the provision for the purchase of 22 water tenders in total which were distributed across the years in the following manner; 10 water tenders in 2009/2010, 7 in 2010/2011 and 5 in 2011/2012, at an estimated cost of £175,000 each.

Consequently, taking the above information into account, it was recommended that the Chief Fire Officer, in conjunction with the Finance Officer, was provided with the delegated authority to vary the size of the order, up to a total of 22 water tenders, dependent upon any further financial and economic information that became available in the near future.

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

107. RESOLVED that approval be given to:-

- (i) the procurement process for 22 water tenders in line with the Authority's vehicle replacement programme for the 2009/2010 to 2011/2012 period; and
- (ii) the Chief Fire Officer, in conjunction with the Finance Officer with delegated authority to vary the size of the order, up to the total of 22, dependent upon the market information available to them.

Emergency Planning Annual Conference and Exhibition 15th – 17th June 2009

The Chief Emergency Planning Officer submitted a report (circulated) advising that this year's Emergency Planning Society's (EPS) Annual Conference and Exhibition 2009 was scheduled to be held at the Ricoh Arena, Coventry on 15th – 17th June, 2009.

(For copy report – see original minutes).

The conference aimed to provide an opportunity for learning and a networking platform for individuals involved in emergency planning and business continuity. The focus would be on the key current and emerging challenges in the field of emergency planning. Tyne and Wear Emergency Planning Unit had been asked to run one of the workshops at this prestigious event.

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

108. RESOLVED that:-

- (i) the involvement of Tyne and Wear Emergency Planning Unit in running a workshop for this event, be noted; and
- (ii) the attendance of a member of this Authority at the conference, to be selected from the rota, be approved.

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.

(For copy report – see original minutes).

109. RESOLVED that the Correspondence List be received for information.

Local Government (Access to Information) (Variation) Order 2006

110. RESOLVED that in accordance with the Local Government (Access to Information) (Variation) Order 2006 the public be excluded during consideration of the remaining business as it contains information relating to any individual or likely to reveal the identity of an individual (Local Government Act 1972, Schedule 12A, Part I, Paragraphs 1 and 2).

(Signed) T. WRIGHT,
Chairman.

Note:

The above minutes comprise those relating to items of business during which the meeting was open to the public.

Additional minutes in respect of other items are included in Part II.