

Minutes of the meeting of
the TYNE AND WEAR FIRE AND
RESCUE AUTHORITY held in the
Fire and Rescue Service
Headquarters, Barmston Mere on
MONDAY, 20 SEPTEMBER 2010
at 10.30 am

Present:

Councillor T. Wright in the Chair

Councillors Bell, Boyes, Charlton, Clare, Clarke, Essl, M. Forbes, N. Forbes,
Huscroft, Jordan, Mole, D. Trueman and Woodwark.

Part I

Apologies for Absence

Apologies for absence were submitted to the meeting on behalf of Councillors Haley
and Renton.

Declarations of Interest

All present Members of the Authority declared a Personal Interest in relation to
Item 7 – Members' Allowances Scheme.

Councillors Bell and Charlton declared a personal interest in relation to Item 12 –
Regional Fire Control Update, as Directors of the North East Fire Control Company
Limited.

Minutes

25. RESOLVED that:-

- (i) the minutes of the meeting of the Authority held on 19 July 2010, be confirmed and signed as a correct record,
- (ii) the minutes of the meeting of the Human Resources Committee held on 12 July 2010, be received and noted, and
- (iii) the minutes of the meeting of the Policy and Performance Committee held on 13 September 2010, be received and noted.

Brave and Meritorious Conduct Award

Mr. Alan Smith and Mr. Karl Smith were in attendance for this item of business.

The Chief Fire Officer submitted a report for the Authority to recognise the Meritorious and Brave actions taken by Mr. Alan Smith and Mr. Karl Smith during the rescue of a neighbour from a house fire.

The Chairman of the Authority presented a Fire Authority award for Brave and Meritorious conduct to the gentlemen in recognition of their actions in rescuing a neighbour from a house fire at 11 Highland Road, Newcastle and acknowledged that if not for the actions of these gentlemen there could well have been a tragic end to the incident.

Mr. Karl Smith had attended a Fire Service Phoenix course at Newcastle West Community Fire Station a number of years ago and, as a result of safety information delivered on the course, he had the presence of mind to isolate the gas and electricity supply prior to him and his father entering the property to rescue the occupier.

It was:-

26. RESOLVED that:-

- (i) the Fire Authority Award for Meritorious Action be endorsed; and
- (ii) Mr. Alan Smith and Mr. Karl Smith be congratulated and awarded for their actions.

Mr. Alan Smith and Mr. Karl Smith thanked Members for the award and left the meeting.

EPU Review

Mr. Dave Smith and Mr. Paul Dowling (Review Team Lead – Gateshead Council) were in attendance for this item of business.

Paul Dowling delivered a presentation which explained the following to Members:-

- A review was commissioned in the Summer of 2009 by the Tyne and Wear Chief Executives. This review was part of a broader review of Tyne and Wear Joint Services to focus on efficiency and effectiveness.
- The Review Team commissioned by the Tyne and Wear Chief Executives is led by Paul Dowling and is supported by Linda Scott, together with representatives from the five Local Authorities, the EPU and the Fire and Rescue service;
- The review process identified objectives, approach and evaluation. The evaluation criteria included: value for money; sustainability, deliverability and proportionality. The aim being to identify the best possible model for Tyne and Wear local authorities to deliver resilience responsibility. This being a rigorous review process;
- Seven options were initially identified and were subsequently narrowed down to three, namely:-

Option 1 – Joint Resilience Team – a single joint LA/EPU Team.

Option 2 – Consolidated Local Authority Delivery model – consolidated resilience activities and resources in individual LAs, with co-ordination through the Northumbria Local Resilience Forum and network.

Option 3 – Tyne and Wear Joint Resilience Service – a refinement of existing arrangements;

- The proposal was to consult Category 1 Responders on Option 2. The estimated annual savings of this option were £224,007 (although this saving would fall to £185,507 if the option of supporting the post of LRF Secretariat were to be agreed).
- The timescales included:-

7 October – Update to Tyne and Wear Leadership Group.

10 November – draft final report to Tyne and Wear Chief Executives, alongside draft budgets for all of the Tyne and Wear Joint Services.

17 December – final report to the Tyne and Wear Leadership Group alongside the draft budgets for all of the Tyne and Wear Joint Services for 2011/12.

Members were then afforded the opportunity to ask any questions.

Councillor N Forbes asked whether Dave Smith had taken the role of Clerk to the Authority or Lead Chief Executive throughout the review. Dave Smith advised that he had taken the role of Lead Chief Executive.

Councillor N. Forbes also queried what timescales had been applied to the anticipated savings in Option 2. Dave Smith responded by advising that this would depend upon the final framework and also the individual circumstances of staff involved as some staff may be employed on temporary contracts or may be able to retire, therefore savings would depend upon the Implementation Plan.

Councillor N. Forbes then went on to ask who would pick up the ancillary costs and the costs of any redundancies, and was advised that it was expected that these would be shared across the five local authorities.

In response to a question from Councillor Mole asking if the consultation had been completed, Paul Dowling advised that the consultation was ongoing and that no clear response had been established to date.

Members collectively, however, felt that the information provided to them was insufficient at this stage to arrive at any conclusion and as a result, any options were difficult to endorse.

Councillor Clare commented upon the successes of the Emergency Planning Unit and its well known effectiveness in responding to situations and therefore asked whether these proposals were largely due to economics? Paul Dowling informed Members that this was not the case. He felt that there was currently duplication of work and plans which could be removed by integration into the LRF Structure.

Councillor Bell expressed her view that the timescales which were proposed were extremely tight, leaving little time for the authority to gain clarity on issues they may have. In addition, she was disappointed that Tyne and Wear Chief Executives were discussing the issue prior to the consultation with Category 1 responders and also with the lack of information available to make an informed decision.

Councillor Woodwark agreed with the points made and added that a report should have been submitted for discussion by Members detailing the benefits and financial implications of the proposed options.

Councillor M. Forbes agreed and commented that the consultation and involvement with Members should have taken place earlier and did not feel happy with the way things had been handled. If seven options had been considered, she explained that she would have liked to be advised on all of these and exactly what they entailed.

As a result of the comments and feelings of Members, Dave Smith agreed that a more detailed report would be submitted to the next meeting of the Authority, for further consideration.

It was:-

27. RESOLVED that a more detailed report be submitted to the meeting to be held on 22 November 2010.

Dave Smith and Paul Dowling left the meeting.

Appointment of Deputy Clerk and Monitoring Officer

The Clerk to the Authority submitted a report to note the retirement of Bob Rayner, Deputy Clerk to the Authority and its Monitoring Officer, and to agree the appointment of a successor.

Members were advised that Sunderland City Council had approved the retirement of its Chief Solicitor and, also, Deputy Clerk to the Authority, Mr. Bob Rayner. This would take effect on 30 September 2010. Miss Elaine Waugh had been re-designated as Head of Law and Governance and would also become the Council's Monitoring Officer.

The Chairman, on behalf of the Authority, thanked Mr. Rayner for the impeccable advice given over the years and the strict high standard he had maintained, making him a highly respected officer of both the Council and the Authority. Mr. Rayner responded accordingly and received a gift from the Authority.

It was:-

28. RESOLVED that the designation of Miss E. Waugh as the Authority's Deputy Clerk and as Monitoring Officer, with effect from 1 October 2010, be agreed.

Members' Allowances Scheme

The Clerk and the Finance Officer submitted a report which considered proposals for a review of the current Members' Allowances Scheme and for the membership of the Independent Remuneration Panel which would make recommendations to the Authority on the allowances to be paid to Members.

The Authority's practice was to use the same Panel as that used by Sunderland City Council. It was therefore suggested that an advertisement be placed and that relevant officers were granted delegated powers to make additional appointments having regard to statutory guidance.

When the scheme was last approved by the Authority, the Panel recommended that the provision for annual adjustments should run for three years before the next formal review was undertaken. As the third and final adjustment had been made another formal review of the Allowances' Scheme was now required.

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

29. RESOLVED that:-

- (i) a review of the current Members' Allowances be undertaken; and

- (ii) the Clerk, Deputy Clerk and the Finance Officer be given delegated powers to take all necessary action to facilitate the review including the appointment of the Independent Remuneration Panel.

Budget Planning Framework 2011/2012

The Chief Fire Officer and the Finance Officer submitted a joint report setting out the macro economic legislative environment which will form the budget planning framework for the production of the Budget for 2011/12 and provide a basis for the development of the Medium Term Financial Strategy (MTFS), to be presented later in the year.

The Finance Officer reminded Members that the financial crisis had led to a significant increase in Government borrowing as a result of Government injecting resources to support financial situations and to seek to stimulate the economy. Latest forecasts however suggested that the low level inflation would remain for 2011/12. Views were also varied on when an increase in interest rates would occur.

With regards to public sector spending plans, the Comprehensive Spending Review to be published in October, would provide the framework for delivering the deficit reduction with significant cuts anticipated across the whole public sector.

Members were informed that it was likely that Departmental Expenditure Limit figures would be cut by at least 25% in real terms, over the next 4 years, with potential for 33% reductions because of the financial protection being provided to some Government departments. This could result in a reduction of £9 - £12m over the next four years, for the Authority.

In addition, a two year pay freeze for public sector workers had been announced except for those earning less than £21,000 a year. The Coalition Government had also stated intentions to work with Local Authorities, to freeze Council Tax for 2011/12 whilst VAT was to increase to 20% from 4 January 2011.

The Government had also been reviewing the formula used to allocate formula grant. A consultation paper had been issued which proposed numerous changes to the system. There was a view about all metropolitan fire authorities that the proposals were detrimental to the grant allocations and that grant allocations should not be changed at a time when there were likely to be sweeping cuts in formula grant. A joint response was therefore being progressed by the Association of Metropolitan Fire and Rescue Authorities.

Councillor M. Forbes asked what would happen if the RCC did not progress and the Chief Fire Officer advised that the authority would need to consider a variety of options, including the possible use of the Estates Development Reserve, to replace the existing control room facilities.

Councillor N. Forbes commented that timescales for settlements were crucial for future planning and would, in turn, impact on when decisions would need to be

taken. The Finance Officer agreed and added that the Authority could be faced with two, two-year settlements.

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

30. RESOLVED that the report be noted as the basis on which the budget for 2011/12 would start to be produced and also that a fully updated medium term financial strategy would be presented to the Authority meeting on 22 November 2010, taking into account the outcome of the Spending Review announcement on 20 October 2010.

Local Transparency and Publication of Financial Spend

The Chief Fire Officer, the Clerk to the Authority, the Finance Officer and the Personnel Advisor submitted a joint report informing Members of the proposal from the Parliamentary Under Secretary of State, Bob Neill MP, that Fire and Rescue Authorities commence publishing all items of spend over £500.00 in value.

The Chief Fire Officer advised that from a practical standpoint, undertaking this work and publishing the results, should not be unduly onerous and it was anticipated that publishing all spend over £500.00 on the internet, could be achieved by the end of December 2010.

The key issue with regard to implementing this proposal was the potential to generate a large number of Freedom of Information requests from individuals or groups who wished to explore further the rationale underpinning the various items of spends, and this could become a significant burden.

It was:-

31. RESOLVED that:-

- (i) the above report be noted;
- (ii) commencement of work to publish all items of spend over £500.00 be approved; and
- (iii) further reports be received, as appropriate.

Review of Establishment Levels

The Chief Fire Officer submitted a report presenting the diversity monitoring statistics of the initial training course held on 6 September 2010.

The Chief Fire Officer advised Members that 17% of trainees on the course were female, therefore 1% below the stretch target set to be achieved by 2013. Two trainees were from a black or minority ethnic background which represented 6.6% of the total trainees. It also meant that the Authority's BME diversity target for 2010/11,

to have 2.7% of the workforce drawn from black or minority ethnic backgrounds, had been achieved, with the figure now standing at 2.8%.

It was:-

32. RESOLVED that:-

- (i) the contents of the report be noted;
- (ii) the actions of the Chief Fire Officer working towards the diversification of the workforce be endorsed; and
- (iii) further reports be received as appropriate.

Fire Futures: Strategic Review of the FRS

The Chief Fire Officer submitted a report informing the Authority of the launch of a national Strategic Review of the Fire Service by the Department of Communities and Local Government.

Assistant Chief Fire Officer, J. Brindle, advised Members that in August 2010 the Fire Minister announced a Strategic Review of the Fire and Rescue Service which would inform the Spending Review. It was the intention that the review would be carried out with the Section and four workstreams had been established to facilitate this. These being:-

1. Role and Delivery Models,
2. Efficiency, Effectiveness and Productivity,
3. Localism and Accountability, and
4. National Interest.

The Policy and Performance Committee considered each workstream at their meeting on 13 September. Members therefore referred to the comments detailed within the minutes. Members agreed with these comments and added that amalgamating with rural areas could almost definitely lead to challenges and affect, for example, response times.

Councillor Mole commented that he was apprehensive about change, especially when Tyne and Wear's current model worked extremely well.

With regards to the localism and accountability workstream, Councillor Bell was pleased to comment that there was often Fire Service presence at events across the region and also at Community Area Forums.

Referring to the National Interest, Councillor Clare stressed that where Tyne and Wear saw themselves in terms of the national picture also needed to be highlighted.

Councillor N. Forbes agreed and added that some detail celebrating the success of the Authority should also be included within the response. Assistant Chief Fire

Officer agreed to action this within a future report, setting out the response of Members.

It was:-

33. RESOLVED that:-

- (i) the issues raised within the Policy and Performance Committee be endorsed;
- (ii) a further report detailing the above response of Members be submitted to a future meeting; and
- (iii) further reports be received as appropriate.

Regional Fire Control – Update

The Chief Fire Officer, the Finance Officer and the Clerk to the Authority submitted a joint report providing Members with an update in respect of recent developments in the FiREControl project and the Regional Control Centre (RCC) in the North East.

Members were advised that CLG had assured authorities that no fire and rescue service would have to go-live before July 2011. As there was no clarity regarding the contract EADS were delivering against, and also questions such as the ability to mobilise officers, the ability to mobilise retained staff and the status of mobile data terminals, the Chief Fire Officer expressed his concerns. In view of these risks, it had not been possible to enter a meaningful dialogue with CLG and therefore no go-live date for the first wave currently existed.

Contractual agreements were currently being considered by Sunderland City Council's Legal Department but there was little room for negotiation between the LACC and the individual FA's.

It was:-

34. RESOLVED that:-

- (i) the contents of the report be noted; and
- (ii) further reports be received 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.

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

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

36. RESOLVED that in accordance with the Local Government (Access to Information) (Variation) Order 2006 the public be excluded during their consideration of the reports as they contain exempt information relating to the financial or business affairs of any particular person (including the Authority holding that information) (Local Government Act 1972, Schedule 12A, Part I, Paragraph 3).

(Signed) T. WRIGHT,
Chairman.

Note:

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

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