

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, 16TH JUNE,
2008 at 10.30 a.m.

Present:

Councillor T. Wright in the Chair

Councillors Armstrong, Bell, Bollands, Boyes, Charlton, Clark, Cooney, Heron,
Jordan, Renton, Scaplehorn and Woodwark.

Part I

Appointment of Chairman

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

Declarations of Interest

Councillor Heron declared a personal and prejudicial interest in item 25 – Purchase of Land, as a Member of Hetton Lyons.

Apologies for Absence

Apologies for absence were received from Councillors Forbes, McMillan and McIntyre.

Appointment of Vice-Chairman

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

Appointment of Clerk to the Authority

The Deputy Clerk to the Authority submitted a report (circulated) advising that the Chief Executive of Sunderland City Council and Clerk to the Authority, Mr. G. Fitzgerald resigned from his post on 20th May, 2008 to take up the position of Chief Executive in another Authority.

(For copy report – see original minutes).

It was:-

3. RESOLVED that:-

- (i) the resignation of Mr. G. Fitzgerald be noted; and
- (ii) Mr. D. Smith be appointed the Acting Clerk to the Authority with effect from 16th June, 2008.

Membership of the Authority, Appointment of Committees and Appointment of Spokesmen for 2008/2009

The Deputy Clerk to the Authority submitted a report (circulated) concerning the position with regard to appointments made to the Authority by the Constituent Councils for the Municipal Year 2008/2009.

(For copy report – see original minutes).

4. RESOLVED that:-

- (i) the undermentioned Members be appointed to serve on the Committees of the Authority indicated for the Municipal Year 2008/09:-

- (a) Governance Committee

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

- (b) Policy Advisory Committee
Councillors Bollands, Boyes, Clark, Cooney, Forbes and Wright
N.B. To be Chaired by the Chairman of the Authority.
- (c) Civil Contingencies Committee
Councillors Bell, Charlton, Clark, Cooney, Heron, McIntyre, Renton and Wright
- (d) Human Resources Committee
Councillors Armstrong, Bollands, Boyes, Cooney, Jordan, McMillan, Woodwark and Wright
- (e) Performance Review Committee
Councillors Bollands, Cooney, Jordan, McIntyre, Renton and Wright
- (f) Appointments Committee
Councillors Bollands, Boyes, Cooney, Mrs. Forbes, Renton and Wright
- (g) Disciplinary Appeals Committee
Councillors Wright, Cooney, Chair of Personnel, Charlton, Jordan and Renton
- (h) Personnel Appeals Sub-Committee
Bell, Clark, Forbes, Heron, McIntyre and Scaplehorn
- (i) Emergency Sub-Committee
Councillors Cooney, Woodwark and Wright
- (ii) North East Fire and Rescue Regional Management Board
Councillors Cooney, Forbes, Renton and Wright
Substitute Members – Councillors Bollands, Boyes and Jordan

- (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 Bollands
Newcastle	Councillor Cooney
North Tyneside	Councillor Jordan
South Tyneside	Councillor Ms. Bell
Sunderland	Councillor Wright

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

Community Engagement and Partnerships

Lead Member	-	Councillor Wright
Support Member	-	Cooney

Diversity and Equality

Lead Member	-	Councillor Wright
Support Member	-	Councillor Cooney

Performance Management

Lead Member	-	Councillor Ms. Bell
Support Member	-	Councillor Heron

- (v) Councillors Wright and Cooney be appointed as the Authority's representatives on the Local Government Association.
- (vi) Councillor Wright be appointed to the Local Government Association Urban Commission.
- (vii) Councillors Heron and Bell be appointed to the North East Fire Control Company Limited and Councillor Armstrong be appointed as Substitute Member.

Date, Time and Venue of Future Meetings

The Clerk to the Authority submitted a report (circulated) setting out the proposed date, time and venue of meetings of the Authority and its Committees for the Municipal Year 2008/2009.

(For copy report – see original minutes).

5. RESOLVED that the cycle of meetings for 2008/2009 as set out in the report be approved.

Minutes

6. RESOLVED that:-

- (i) the minutes of the meeting of the Authority held on 28th April, 2008 – Part I (circulated) be confirmed and signed as a correct record; and
- (ii) the minutes of the meeting of the Performance Review Committee held on 28th April, 2008 – Part I (circulated) be received and noted.

North East Fire Control Company Limited

The Deputy Clerk to the Authority submitted a report seeking approval from the Authority to adjourn the AGM of the North East Fire Control Company Limited, as requested by the Company Secretary.

(For copy report – see original minutes).

It was:-

7. RESOLVED that the request to adjourn the AGM of the North East Fire Control Company Limited until audited accounts are available be approved.

Proposed Amendment of the Articles of Association of North East Fire Control Company Limited

The Chief Fire Officer, the Clerk to the Authority, the Finance Officer and the Personnel Advisor submitted a joint report (circulated) setting out, for the consideration and approval of Members, a proposed amendment to the Articles of Association of the North East Fire Control Company Limited.

(For copy report – see original minutes).

The Authority had received a communication from the Company relating to the difficulties that were being experienced in respect of the LACC decision making process due to the high quorum threshold that currently applied.

Due to this the Authority was therefore asked to consider:-

- (a) Alteration to the quorum from 75% of Directors to 50% of Directors to be present (i.e. a reduction from six to four Directors to form a quorum); and that one Director from each of the constituent North East Fire and Rescue Authorities must be present.
- (b) The appointment of substitute Directors as appropriate.

It was:-

8. RESOLVED that proposals as detailed in paragraph 3.2 of the report be approved and further reports be received as appropriate.

Proposed Amendment to Standing Orders

The Chief Fire Officer, the Clerk to the Authority, the Finance Officer and the Personnel Advisor submitted a joint report (circulated) to propose an amendment to the current Fire and Rescue Authority Standing Orders to include a section on partnerships.

(For copy report – see original minutes).

Members recognised that the Authority had in place policies and procedures which covered the effective use of partnerships including comprehensive measurement of outcomes and benefit analyses for the Authority. However, in building stronger relationships with partners it had been identified that the current Standing Orders do not directly reference partnerships in any way.

Members having read through the proposed text to be included, it was:-

9. RESOLVED that:-

- (i) the amendment to the Standing Orders as detailed in Section 3 (with effect from 16th June, 2008) be approved;
- (ii) the responsibility for making the amendment be delegated to the Deputy Clerk to the Authority; and
- (iii) further reports be received as appropriate.

Capital Programme Outturn 2007/2008 and First Capital Programme Review 2008/2009

The Chief Fire Officer and the Finance Officer submitted a joint report (circulated) presenting the capital outturn for 2007/2008, highlighting the main variances from the 2007/2008 Third Capital Review, and to review the current year's programme to reflect the actual outturn 2007/2008 position and other changes, since the original programme was approved.

(For copy report – see original minutes).

The Finance Officer referred Members to the following details within his report:-

- Minor net underspends relating to a number of schemes completed during 2007/2008 amounting to £30,103.

- The addition to the programme of £109,710 relating to the purchase of PCs (£11,828) and 4 vehicles (£87,882) during the year. With regard to the replacement vehicles, these were originally included within the Vehicle Replacement Programme, where assets have traditionally been financed through operating leases. An option appraisal was undertaken whenever new vehicles were purchased and, in the case of these 4 vehicles, it was identified that the best value option was to purchase outright. Funding was made available for this through an increased Revenue Contribution to Capital Outlay.
- All schemes that had slipped were being financed through a Revenue Contribution to Capital Outlay. This funding would be realigned to reflect the need to fund these schemes in 2008/2009. The total value of slippage for 2007/2008, combined with the impact of profiling variations referred to at the Third Review stage, was £1,501,314, and revenue funding to this value would be carried forward into 2008/2009. Of this total, £180,000 was already contained within the Budget Carry Forward Reserve to meet the cost of the Fireground Radios scheme, with a further £104,000 being retained in the New Dimensions Reserve to contribute toward the cost of the Brigade Training Centre – Incident Management Training Facilities scheme. It was, therefore, proposed to transfer a further £1,217,314 from the Revenue Budget into the Budget Carry Forward Reserve to ensure that resources were available in future years to meet the cost of the slipped expenditure.

Upon discussion, it was:-

10. RESOLVED that the revised Capital Programme for 2008/2009 be approved.

Revenue Budget Outturn 2007/2008 and First Revenue Review 2008/2009

The Chief Fire Officer and the Finance Officer submitted a joint report (circulated) advising Members of the Revenue Budget Outturn position for 2007/2008 as it currently stood, outlining the main areas of variance and any related proposed action.

(For copy report – see original minutes).

The Finance Officer advised the Authority that a small number of issues had still to be resolved, and it was possible that the Outturn position would change as the Statement of Accounts was progressed, though any changes were very unlikely to have a material impact on the Authority's position.

The Revenue Budget Outturn for 2007/2008 showed a net underspending of £535,000 after transfers to/from earmarked reserves and the proposed carry forward of delegated budget surpluses.

Referring to paragraph 2.4.5 of the report identified slippage on the Capital Programme amounted to £1.115 million, and it was proposed to transfer this amount to the Budget Carry Forward Reserve to ensure that these costs were funded in 2008/2009. Additionally, the Capital Programme Outturn Report identified additional costs of £93,095 in relation to the Brigade Training Centre – Incident Management Training Facilities scheme, and it was proposed to transfer sufficient provision for meeting the additional cost of this scheme in 2008/2009 into the Budget Carry Forward Reserve also.

The Estates Development Plan, presented to the Authority in July 2007, identified a number of priority schemes to be taken forward on a phased basis over the medium to long term.

The latest estimate for the minimum cost of the Estates Development Plan was £17.2 million. Members were reminded that the Authority had established a Development Reserve in order to fund medium term and long term capital and revenue developments, and this reserve stood at £13.62 million leaving a current funding gap of £3.6 million. In light of the Revenue Budget Outturn position, it was proposed to transfer £750,000 into the Development Reserve at this stage, increasing the balance to £14.37 million and reducing the funding gap to £2.85 million.

With regards to the Community Safety Reserve it was proposed to undertake a further initiative in 2008/2009, again targeting high-risk areas throughout the region. It was, therefore, proposed to transfer £250,000 into the Community Safety Reserve to fund the cost of Operation Early Warning 3 during 2008/2009.

In relation to General Balances it was considered appropriate to retain uncommitted general balances of around 5% of the revenue budget, which for 2008/2009 equates to approximately £2.9 million. The level of uncommitted balances as at 1st April, 2008 was £2.930 million, which was considered appropriate in this context.

It was:-

11. RESOLVED that:-

- (i) the Revenue Budget Outturn for 2007/2008 be noted;
- (ii) the sums earmarked within the Budget Carry Forward Reserve and the proposed transfers to other earmarked reserves be noted;
- (iii) the position with regard to the Revenue Budget for 2008/2009 be noted;
- (iv) the Balances position at paragraph 4.1 be noted; and
- (vi) 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.

Fitness Standards for Firefighters

The Chief Fire Officer, the Clerk to the Authority, the Finance Officer and the Personnel Advisor submitted a joint report (circulated) informing the Authority about the current national position relating to the implementation of the recommendations contained within the document; Fitness for Fire and Rescue. Standards, Protocols and Policy (2007), produced by the FireFit Steering Group (FSG).

(For copy report – see original minutes).

The Chief Fire Officer highlighted the reasons for introducing a Fitness Standard namely:-

- Demonstrating the required level of aerobic fitness at the entry stage was the only way of knowing if an applicant had the physical characteristic required for the role of firefighter,
- Demonstrating the required level of fitness at the entry stage would reduce the risk of capability issues, potential back coursing and/or having to terminate employment due to fitness related issues,
- Meeting the required standard would reduce the risk of injury to the trainee during the training course, and
- There was no evidence to show that the training course would develop the aerobic fitness of trainees.

Upon discussion, it was:-

12. RESOLVED that:-

- (i) the adoption of 42mlsO₂/kg/min as a fitness standard for existing firefighters be approved;
- (ii) the adoption of 34mlsO₂/kg/min as the point at which an existing firefighter is taken off operational duties and remedial action is sought be approved;
- (iii) the adoption of 42mlsO₂/kg/min as a fitness standard for potential trainees, to be demonstrated at point of entry be approved; and
- (iv) further reports be received as appropriate.

Royal Society for the Prevention of Accidents (RoSPA) Gold Award

The Chief Fire Officer submitted a report (circulated) advising Members of the RoSPA Gold Award achievement.

(For copy report – see original minutes).

Chief Fire Officer I. Bathgate was pleased to announce that the Authority had been awarded the prestigious RoSPA Gold Award for the fourth time. This award was an excellent reflection of the team approach and positive health and safety culture that existed within all levels of the service.

To commend this the Authority would receive a framed certificate and were entitled to use the Gold Award emblem on letter headings and to fly the Gold Award flag.

At this juncture, the Chief Fire Officer recorded his appreciation and thanks to all members of staff who not only had direct responsibility for health, safety and welfare but also to all employees for seeking to secure, a safe working environment.

It was:-

13. RESOLVED that:-

- (i) the accolade given to the Authority by the RoSPA Gold Award, be recognised; and
- (ii) the Chief Fire Officer conveys congratulations and thanks to all staff and their representative bodies for their contribution to a safe working environment.

The Fire and Rescue Service National Equality and Diversity Strategy 2008-2018, and the National Equality and Diversity Awards

The Chief Fire Officer, the Clerk to the Authority, the Finance Officer and the Personnel Advisor submitted a joint report (circulated) advising Members of the publication of the Fire and Rescue Service National Equality and Diversity Strategy 2008-2018 (the Strategy), and the recent Equality and Diversity Awards.

(For copy report – see original minutes).

Members were advised that the National Strategy was designed to support the Fire and Rescue Service in tackling any inequalities, promoting equality, diversity and fairness, and establishing a culture of inclusion which enabled the Service to meet the needs of all the diverse communities.

The Strategy was launched on 28th May, 2008 by the Minister for Fire, Parmjit Dhanda MP in London and the Chief Fire Officer informed the meeting that he was currently evaluating the full likely impact of the Strategy on the Authority.

The National Equality and Diversity Awards took place in London on 28th May, 2008. The Awards were designed to recognise individuals and fire and rescue services who had notably presented good practice and achievement in equality and diversity over the last twelve months.

The Chief Fire Officer was particularly pleased to inform Members that Mr. Mick Skee, the Catering Manager, was runner-up in one of the individual awards.

It was:-

14. RESOLVED that:-

- (i) the publication of the National Equality and Diversity Strategy be noted;
- (ii) the Authority adopt the 'stretch' targets as detailed in paragraph 2.8, and make application for the additional funding when that becomes available;
- (iii) the Chief Fire Officer to offer congratulations to Mr. Skee on his achievements; and
- (iv) further reports be received as appropriate.

Fulwell Community Fire Station

The Chief Fire Officer, the Finance Officer and the Clerk to the Authority submitted a joint report (circulated) to inform Members of the research undertaken into the proposal in the IRMP Action Plan 2007/2008 to consider replacing Fulwell Community Fire Station, either on the existing site or on a new site.

(For copy report – see original minutes).

One of the key initiatives contained within the 2007/2008 Action Plan was the proposal to undertake a review of Fulwell Community Fire Station with the intention of making recommendations to the Authority on the future of the station.

In particular, detailed work was undertaken into the operational benefits to be derived from relocating the station to another site in the area, both in terms of operational response and community safety involvement.

Consideration having been given to the matter proposals suggested that relocating the station to the Southwick area would enable the fire appliance to reach almost 1,196 incidents more rapidly than that currently achievable from its present location in Fulwell. In particular, the fire appliance would be able to reach 7% more dwelling fires within this time, which was significant in that the majority of fire related injuries and fatalities occur in such incidents. The appliance would also be able to reach almost 10% more fires in other buildings which had the potential to reduce both injuries and property loss over time.

With regard to the financial element of the evaluation it was apparent that there was a difference in the costs of the two options with the 'New Site' option being the more favourable. In addition the majority of the fires that occurred in the fire station's area were situated further to the west of the current site and occurred in areas that, in accordance with the IMD methodology were amongst the most deprived in the country. This was the sort of area that the Authority's community safety initiatives were primarily aimed at addressing, hence a new community fire station in the locality would be, potentially, of great benefit.

Upon detailed discussion, it was:-

15. RESOLVED that:-

- (i) approval be given, in principle, the relocation of Fulwell Fire Station to a new site in order to provide an enhanced operational and community service to the area, subject to the outcome of a formal consultation exercise with the public, representative bodies and other relevant stakeholders; and
- (ii) further reports be received as appropriate.

Review of Operational Response to the Flooding of 2007

The Chief Fire Officer submitted a report (circulated) to inform Members of the Authority of the Chief Fire and Rescue Advisor's review of the operational response to the widespread flooding in England during 2007. The report was entitled "Facing the Challenge".

(For copy report – see original minutes).

The final report was published at the end of March 2008. Of the 28 recommendations there were seven which were of particular significance for the Authority. These being recommendations 1, 4, 6, 12, 13, 15 and 16.

It was:-

16. RESOLVED that:-

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

Amendment to the Tyne and Wear Fire and Rescue Service Establishment Scheme

The Chief Fire Officer, the Clerk to the Authority and the Finance Officer submitted a joint report (circulated) to seek approval to amend the currently approved establishment structure to better reflect the future requirements of the Authority.

(For copy report – see original minutes).

The Chief Fire Officer advised that he had recently undertaken a review of the existing operational staffing profile to ascertain whether the existing crewing levels were relevant to the current demands of the service. Due to the increased level of training now being undertaken locally instead of at external establishments such as the Fire Service College, together with the overall reduction in employee sickness absence levels, it was considered appropriate that the operational staffing profile could now be realigned to reflect these changes.

Upon detailed discussion, it was:-

17. RESOLVED that:-

- (i) the reduction of twelve firefighter posts from the establishment be approved;
- (ii) the introduction of an Operational Assurance Team consisting of two additional posts at Station Manager B level and a realignment of an existing Group Manager A post to a Group Manager B post be approved;
- (iii) the introduction of one additional post at Watch Manager B level be approved;
- (iv) the introduction of one additional post at Watch Manager A level be approved; and
- (v) the introduction of one additional post at Scale 5 (scp 22-25) level be approved.

Corporate Risk Profile

The Chief Fire Officer, the Finance Officer and the Clerk to the Authority submitted a joint report (circulated) to outline, for the information of Members, the content of the Authority's Corporate Risk Profile following the recent work undertaken to re-examine the risks facing the Authority.

(For copy report – see original minutes).

The new Corporate Risk Profile outlined an overview of 45 risks faced by the Authority. From the risks identified the following was noted:-

- Twenty six were now considered sufficiently significant to warrant close monitoring by the Corporate Risk Management Group, these would be subject to continual analysis and review during 2008/09.
- Seven risks were considered 'High Priority'.

Throughout the year the Corporate Risk Management Group would continually monitor progress of the actions established to mitigate the risks facing the Authority with the profile being amended as appropriate.

Regular updating and annual approval of the Authority's Corporate Risk Profile would ensure that the Authority had in place suitable and appropriate arrangements to mitigate the risks facing the Authority and its staff in delivering services to our community.

It was:-

18. RESOLVED that:-

- (i) the content of the report be noted; and
- (ii) the Corporate Risk Management Group's approach to managing risk be approved.

Annual Governance Review 2007/2008

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 2007/2008 Annual Governance Review and seek approval to the Annual Governance Statement, prior to its incorporation in the Statement of Accounts.

(For copy report – see original minutes).

The Chief Fire Officer advised the Authority that robust and effective governance and internal control arrangements were in place. The views elicited during the review from Members and all senior managers across the Authority demonstrated that the principles of good governance were embedded.

The review had not identified any weaknesses that would need to be highlighted in the Authority's Annual Governance Statement.

A small number of actions had been identified to further develop governance and control arrangements.

It was:-

19. RESOLVED that:-

- (i) the revised Code of Corporate Governance be approved;
- (ii) the Annual Governance Statement be approved;
- (iii) the 2008/2009 Action Plan be approved; and

- (iv) further reports be received as appropriate.

Procurement of Incident Management Training Facility

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 a new Incident Management Training Facility and seeking Authority approval to proceed with the procurement.

(For copy report – see original minutes).

Sunderland City Council, as TWFRS lead authority and facilitator of the approved standing list of contractors invited five suppliers to tender for provision of the capital works. Completed tenders were received from five suppliers. Following further investigation it was identified one tender was incomplete and this was withdrawn. Tenders were evaluated using the lowest cost tenderer principle due to the budgetary shortfall.

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

20. RESOLVED that:-

- (i) the procurement process be adopted; and
- (ii) the contract for the Incident Management Training Facility be awarded to Pyeroy Ltd at a value of £359,095 excluding VAT, as outlined above be approved.

Correspondence List

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).

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

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

22. 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 involves a likely disclosure of exempt information relating to any individual or likely to reveal the identity of an individual and to the financial or business affairs of a particular person (including the Authority holding that information) or information relating to any consultation or negotiations, or

contemplated consultations or negotiations in connection with any labour relations matters arising between the Authority and employees of, or office holders under, the Authority or in respect of which a claim to legal professional privilege could be maintained in legal proceedings (Local Government Act 1972, Schedule 12A, Part I, Paragraphs 1, 2, 3, 4 and 5).

(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.