

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, 15TH SEPTEMBER,
2008 at 10.30 a.m.

Present:

Councillor T. Wright in the Chair

Councillors Armstrong, Bell, Bollands, Charlton, Clark, Cooney, Forbes, Heron,
Jordan, McIntyre, Renton and Scaplehorn.

Part I

Apologies for Absence

Apologies for absence were received from Councillors Boyes, McMillan and
Woodwark.

The Authority noted the absence of Mr. Rayner and wished him well.

Declarations of Interest

There were no declarations of interest.

Urgent Item

In accordance with Section 100B of the Local Government (Access to Information)
Act 1985 the Chairman requested that consideration be given to the Appointment of
an Alternate Director on the North East Fire Control Company as a matter of
urgency, as a decision was required in advance of the next Board meeting of the

Company in order to ensure representation by Tyne and Wear Fire and Rescue Authority.

It was:-

43. RESOLVED that the request to consider an urgent item be approved.

RCC – Appointment of Alternate Director

The Deputy Clerk proposed that the Authority endorse the appointment of a substitute Director to the North East Fire Control Company.

It was:-

44. RESOLVED that approval be given to the appointment of Councillor Charlton as a substitute Director for Councillor J. Bell and R. Heron, in place of Councillor Armstrong on the North East Fire Control Company Ltd.

Minutes

45. RESOLVED that:-

- (i) the minutes of the meeting of the Authority held on 21st July, 2008 – Part I (circulated) be confirmed and signed as a correct record;
- (ii) the minutes of the meeting of the Policy Advisory Committee held on 28th July, 2008 – Part I (circulated) be received and noted;
- (iii) the minutes of the meeting of the Appointments Committee held on 28th July, 2008 – Part I (circulated) be received and noted; and
- (iv) the minutes of the meeting of the Appointments Committee held on 6th August, 2008 – Part I (circulated) be received and noted.

Matters Arising

3(i) – Minutes of the Authority

Publication of RCC Business Case P1 : Regional Annexes

The Chief Fire Officer advised Councillors that a letter had been sent to local MPs briefing them on the situation and requesting their support. A further update would be given once a response had been received.

Tyne and Wear Fire Authority -v- Ultimate Leisure Limited

The Chief Fire Officer and the Acting Clerk to the Authority submitted a joint report (copy circulated) informing Members of the successful outcome in the case of Tyne and Wear Fire Authority -v- Ultimate Leisure Limited heard at Gosforth Magistrates Court on 1st September.

(For copy report – see original minutes).

The Deputy Clerk advised the Authority that on the 23rd June, 2007 a member of the public, Andrew Reilly of Low Fell Gateshead, suffered serious burns to his back during a night out at Sea Nightclub in Newcastle.

An investigation was conducted which concluded that there was no suitable and sufficient fire risk assessment in place, which addressed the use of candles or tea lights, furthermore, general fire precautions had not been taken to ensure that the premises were safe.

As usual Sunderland City Council Legal Services represented the Authority in the prosecution of the case resulting in Ultimate Leisure pleading guilty to both offences. They were fined £2,000 on each count (a total of £4,000), the standard £15.00 victim surcharge was imposed together with costs of £975 being awarded to the Authority.

Upon discussion, it was:-

46. RESOLVED that:-

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

Medium Term Financial Strategy 2009/2010 to 2013/2014

The Chief Fire Officer, the Clerk to the Authority, the Finance Officer and the Chief Emergency Planning Officer submitted a joint report (circulated) outlining the Medium Term Financial Strategy (MTFS) 2009/2010 to 2013/2014 and seeking approval to the Budget Planning Framework for the preparation of the 2009/2010 Revenue Budget.

(For copy report – see original minutes).

The Finance Officer reminded Councillors that the Authority received formula grant of £34.746m in 2008/2009 and would receive £35.184m in 2009/2010 and £35.570m in 2010/2011. These increases represented 2.40%, 1.26% and 1.10% respectively. In order to maintain the requisite service levels in 2008/2009, the Authority had a budgetary requirement of £58.07m.

The outturn position had been reviewed to identify the impact of variations experienced in 2007/2008. Whilst these were not yet fully reflected in the MTFS, further work would be undertaken over the next two to three months, as part of normal budget preparation work, to determine the impact of these variations on the medium term position of the Authority.

Various spending commitments had been taken into account in the MTFS for 2009/2010 to 2013/2014 and considered in framing the budget planning framework for 2009/2010, namely:-

- The pay award for firefighters had been settled for 2008/2009 at 2.45%, effective from 1st July, 2008.
- The results of the actuarial review of the Local Government Pension Fund for the Tyne and Wear area as at 31st March, 2007 provided for stepped increases in the deficiency contribution.
- The Government's target for the Customer Price Index was 2% with a 1% tolerance. The actual rate of inflation (as at July 2008) was 4.4%. The previously used measure of inflation, the Retail Price Index, stood at 5.0%.
- The Public Private Partnership Scheme was fully operational and the significant savings envisaged at the inception of the Scheme were being realised. The planned reduction of Fire Fighters by natural wastage had enabled an annualised saving of £888,000 to be realised in 2008/2009.

The Chief Fire Officer was undertaking a full review of the Authority's operational staffing profile and associated salary structure. This review had identified that the Authority was currently operating at above its optimum operational staffing levels, and identified a number of efficiency savings arising from this, as well as areas requiring further investment in order to achieve continuing progress in relation to current and future priorities.

It was:-

47. RESOLVED that:-

- (i) the Budget Planning Framework for the preparation of the 2009/2010 Revenue Budget be approved; and
- (ii) the Medium Term Financial Strategy for 2009/2010 to 2013/2014 be noted and updated to reflect the reviews outlined in the report.

Attendance Management in the Fire and Rescue Service

The Chief Fire Officer, the Finance Officer, the Personnel Advisor and the Clerk to the Authority submitted a joint report (circulated) informing Members of the content of an attendance management study report by the Health and Safety Executive (HSE)

and Communities and Local Government (CLG) in which this Authority was a participant.

(For copy report – see original minutes).

The review concluded that:-

“Tyne and Wear has a clearly documented policy for the management of sickness absence, and interviews with staff confirmed that occupational health arrangements were both effective and highly valued by line managers and employees”.

It was:-

48. RESOLVED that:-

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

Communications Strategy – External Communications Strategy

The Chief Fire Officer, the Clerk to the Authority and the Finance Officer submitted a joint report (circulated) to outline, for the information of Members, the Authority's External Communications Strategy, which would supplement the Staff Communications Strategy that was already in place.

(For copy report – see original minutes).

The Chief Fire Officer reported that significant progress had already been made with regard to developing external communications, in line with the strategy document, and these developments included the following:-

- Membership of four out of the five Local Strategic Partnerships
- Clearer communication as a result of the move to co-terminosity, reflecting the boundaries of the constituent local authorities
- Appointment of Station Managers to support District Managers in attending key partnership meetings and engaging in key partnership work
- Appointment of three community advocates
- Proactive, planned approach to external media relations
- Media briefings with the Chief Fire Officer

It was:-

48. RESOLVED that:-

- (i) the publication of the External Communications Strategy be endorsed; and

- (ii) further reports be received as appropriate.

Operational Response Times

The Chief Fire Officer, the Clerk to the Authority, the Finance Officer and the Personnel Advisor submitted a joint report (circulated) informing Members of the Ministerial response to a Parliamentary question raised by Fraser Kemp MP in respect of fire appliance average attendance times to primary fires for all Fire and Rescue Services in England.

(For copy report – see original minutes).

The Chief Fire Officer reminded Councillors of an approach made to Fraser Kemp MP, the Authority's Honorary Parliamentary Advisor, to ask him if he would raise a Parliamentary question in order to ascertain the average time taken for the first fire appliance to attend primary fires in each of the Fire and Rescue Services in England for the fiscal years 2006 and 2007.

A response to the question was provided on 15th June 2008, which clearly demonstrated that this service was continuing to provide a first class operational response to incidents. This was based on data for 2006 only as CLG did not have all of the 2007 data available.

Furthermore, it was noted that this excellent standard had been achieved whilst also pursuing a comprehensive community safety programme and also realising significant efficiency savings.

At this juncture, Councillor Forbes commended the Service on this excellent achievement.

Upon discussion, it was:-

49. RESOLVED that:-

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

Provision of Reinforcement Arrangements

The Chief Fire Officer, the Clerk to the Authority, the Finance Officer and the Personnel Advisor submitted a joint report (circulated) outlining for Members the proposed arrangements for the provision of operational assistance between Tyne and Wear Fire and Rescue Authority and County Durham and Darlington Fire and Rescue Authority.

(For copy report – see original minutes).

The Chief Fire Officer advised that agreement was sought to enter into an arrangement with County Durham and Darlington Fire and Rescue Authority under Sections 13 and 16 of the Fire and Rescue Services Act 2004 to provide reinforcements to one another in the event of an emergency occurring on a no-cost basis.

Furthermore, agreement was also sought to enter into a special arrangement to provide Durham and Darlington Fire and Rescue Authority with emergency cover of one fire appliance to emergencies on the southbound section of the A19 between Seaton Interchange and Herrington Interchange and for operational cover of one fire appliance to emergencies occurring in the Burnmoor, West Rainton, Lumley and Pittington areas of the County Durham and Darlington area. Assistance provided in relation to incidents on the southbound carriageway of the A19 would also be at no cost but the attendance of a fire appliance to emergencies occurring in Burnmoor, West Rainton, Lumley and Pittington would be subject to the payment of a charge on each occasion at the rate set down in the Local Government Association's (LGA's) standard Scale of Charges.

Finally, approval was also sought to enter into arrangements to provide County Durham and Darlington Fire and Rescue Authority with Rope Rescue Services in the event of an emergency requiring such assistance.

There would be a financial charge levied whenever rope rescue assistance was provided and this would also be at the rate set down in the LGA's standard Scale of Charges.

Upon discussion, it was:-

50. RESOLVED that:-

- (i) reciprocal arrangements under Section 13 of the Fire and Rescue Services Act 2004 to provide reinforcements in the event of an emergency, at no charge to either Authority be approved;
- (ii) emergency cover under Sections 13 and 16 of the Act in relation to incidents on the A19, at no charge to either Authority, as set out in paragraph 3.2 of the report be approved;
- (iii) emergency cover under Section 13 of the Act of one fire appliance to property fires with persons reported trapped or road traffic collisions with persons reported trapped in Bournmoor, West Rainton, Lumley and Pittington, as set out in paragraph 3.2, with a charge for use being levied at the appropriate rate in accordance with the LGA's standard scale of charges be approved; and
- (iv) a Rope Rescue provision to all of Durham and Darlington Fire and Rescue Authority's area, with a charge for use being levied at the appropriate rate in accordance with the LGA's standard scale of charges be approved.

Draft Integrated Risk Management Plan for the period April 2009 to March 2012 and the Associated 2009/10 Action Plan

The Chief Fire Officer, the Clerk to the Authority and the Finance Officer submitted a joint report (circulated) to inform Members of the production of the Authority's draft Integrated Risk Management Plan (IRMP) for the period April 2009 to March 2012 and the associated 2009/2010 Action Plan and seeking approval for the draft IRMP to be subject to the statutory public consultation period of twelve weeks.

(For copy report – see original minutes).

For the 2009/1012 period four key IRMP objectives had been established. These were:-

- **Objective 1:** Continue to reduce the number and severity of preventable fires and other emergencies and their impact on the community we serve.
- **Objective 2:** Ensure we have an appropriate, trained, competent workforce representative of the community we serve and who are capable of performing the challenging role of a high performing Fire and Rescue Service.
- **Objective 3:** Protect the environment.
- **Objective 4:** Work in partnership with key stakeholders to prevent the incidence of fire and other emergencies to make strong, safe and prosperous communities.

These objectives would be used as a comprehensive structure within which the development of annual action plans can take place. In accordance with information contained within IRMP national guidance documents and, following approval by the Authority, the draft 2009/2012 IRMP and associated 2009/10 Action Plan would be subject to public consultation. The consultation exercise would enable the Authority to collect and collate a wide range of opinions all of which would be considered by the Authority in approving the 2009/2012 IRMP and associated 2009/10 Action Plan.

It was:-

51. RESOLVED that:-

- (i) the contents of the draft 2009/2012 IRMP and associated 2009/2010 Action Plan be noted;
- (ii) the draft 2009/2012 IRMP and 2009/2010 Action Plan be subject to public consultation; and
- (iii) the Chief Fire Officer report the results of the consultation exercise to the Authority for consideration prior to final approval and implementation of the 2009/2012 IRMP and associated 2009/2010 Action Plan.

Emergency Planning Unit : ISO 9001/2000 Quality Management System Certification

The Chief Emergency Planning Officer submitted a report (circulated) advising the Authority that the EPU had now achieved ISO 9001/2000 Quality Management System (QMS) Certification.

(For copy report – see original minutes).

The Chief Emergency Planning Officer advised the meeting that following achievement of IIP, the next logical step was to quality assure the EPU's systems and processes through certification to the ISO 9001:2000 standard.

A company called SGS were used to undertake the EPU inspection. SGS was the world's leading certification body in inspection, verification, testing and certification services and recognised as the global benchmark in quality and integrity.

At the end of the inspection, the Auditor confirmed that EPU would be recommended for ISO 9001/2000 Certification. The next external audit would be conducted in 2009 and would follow up on the Auditor's recommendations. Once the Certificate of Registration to ISO 9001 was received, there would be surveillance visits (usually once to twice a year) to ensure that the system continued to meet the standard and continuous improvements were demonstrated.

Tyne and Wear EPU was the only Emergency Planning Unit in the North East to achieve ISO 9001:2000 Certification. Notes of congratulation had been received from the Cabinet Office, Government Office and other key resilience partners.

The Chief Emergency Planning Officer acknowledged the support afforded by an Officer of the City Solicitor's Department, whose previous ISO experience, help and advice was invaluable in assisting the EPU to achieve the standard. In addition, the Chief Emergency Planning Officer took the opportunity to recognise the excellent support provided by the City Treasurer's Department, the Personnel Services Department, and the Fire and Rescue Service; all of whom had contributed in a significant way to help create the conditions that make such achievements possible.

At this juncture Councillor Bell expressed her sincere congratulations to staff from the EPU for obtaining this excellent achievement.

52. RESOLVED that:-

- (i) the EPU's achievement in obtaining the ISO 9001/2000 Quality Management System Certification be noted; and
- (ii) further reports be received as appropriate.

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).

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

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

54. 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 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, Paragraph 4).

(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.