

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 19 SEPTEMBER 2011
at 10.30 am.

Present:

Councillor B Heron in the Chair

Councillors Ahad, Bell, M Forbes, N Forbes, Gambling, Haley, Mole, Mortimer,
Mulvenna, Ord, Padgett, and Trueman.

Part I

Apologies for Absence

Apologies for absence were submitted to the meeting on behalf of Councillors
Renton, Stephenson and Watters.

Declarations of Interest

The following Councillors declared a personal interest in the reports below as a
Member of the bodies indicated:-

Item 12 – Fire Control – The Future	Councillors Bell and Haley	Directors of the North East Fire Control Company
Item 13 – Contingency Planning Update	Councillor Gambling	Employee of a Trade Union

Minutes

24. RESOLVED that:-

- (i) the minutes of the meeting of the Authority, Part I held on 18 July 2011, be confirmed and signed as a correct record; and
- (ii) the minutes of the meeting of the Governance Committee, Part I held on 18 July 2011, be noted for information.

Bravery and Meritorious Conduct Award

The Chief Fire Officer submitted a report to recognise the meritorious and brave actions taken by Mr David Thompson during an incident that occurred in his neighbourhood on 1 July 2011.

The Chief Fire Officer advised members that Mr Thompson ran to his next door neighbour's house when he heard a large explosion, to find her behind a locked front door and on fire. He put out the flames on Mrs Black and attempted to leave via the front door but was unable to find a key. Mr Thompson therefore picked up Mrs Black and made his way through the burning kitchen when a second gas explosion occurred, blowing them both out of the rear door of the property.

The Chief Fire Officer commented that it was extremely sad that Mrs Black died later that day from her injuries however Mr Thompson's brave actions gave Mrs Black's family a few precious hours to share before her passing.

Mr Thompson was presented with a Gold Award for brave and meritorious conduct by the Chairman who thanked him for the enormous courage he had shown. Condolences were expressed to the friends and family of Mrs Black.

25. RESOLVED that:-

- (i) the Gold Award for Meritorious action be noted and endorsed, and
- (ii) Mr Thompson be congratulated and thanked for his actions.

Mr Thompson left the meeting at this juncture.

Results of Prosecutions

The Clerk to the Authority and the Chief Fire Officer submitted a joint report to update members in relation to the outcomes of two recent fire safety prosecutions.

Members were advised that on 21 February prosecutions were brought against Tirsul Ltd and Mrs Parkin (of Bowland Lodge) following the discovery on 18 August 2009, in response to an incident, that a fire exit in the ground floor annex of the premises had been chocked and nailed shut. A full fire and safety audit was conducted the following day, resulting in a further four charges against the owner of the premises.

The Magistrates took a serious view of the matter and Mrs Parkin was ordered to pay a total fine of £2,415.00 and Tirsul Ltd were ordered to pay a total fine of £20,365.00.

A second prosecution had been brought against Boaden Hindmarsh Limited following a fire safety audit in November 2008 when a number of deficiencies were noted and remained outstanding in a follow-up inspection six months later. The follow up inspection also revealed that fire extinguishers were not being maintained, there was no emergency lighting on the external fire escape, and a stairwell was partially obstructed. Of particular concern was the fact that the fire alarm was not working at all.

Magistrates again took a serious view of the failings and the lack of remedial action between the first and second inspections and fined the Company a total of £7,809.87.

The Vice-Chairman commented that the serious view which had been taken by the Magistrates was welcoming in that it portrayed a very important message that these offences would not be tolerated.

Councillor N Forbes also raised the issue of the Manager being prosecuted as an individual, whilst the Company was prosecuted as an entity and not as individual directors. The Company owners were however named within the report which he felt was important and hoped that valuable lessons had been learnt.

Councillor N Forbes then went on to say that the Care Quality Commission was not able to enforce fire regulations and the local authority also did not have any powers which in turn, led to wider issues for the Fire Regulations Regime.

26. RESOLVED that the contents of the report be noted.

Future of Local Audit

The Chief Fire Officer submitted a report providing Members with information relating to the future of the Audit Commission's in house audit function.

Assistant Chief Fire Officer J. Brindle advised members that the review had now been concluded and CLG had determined that the audit work traditionally undertaken by the Commission's staff would be transferred into the private sector and this would be achieved via a procurement exercise. TUPE terms would apply and it was likely that contracts would be let as a number of "lots" based on geographic areas.

Audit staff within the Audit Commission had recently been transferred into a body called the 'Audit Practice', which had indicated that it intended to bid for the work.

As the new auditor appointment would not be in place until September 2012, the Commission proposed that the current Auditors appointment be extended to cover the period up to 31 August 2012.

27. RESOLVED that:-

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

Members Links with Community Fire Stations

The Chief Fire Officer submitted a report setting out for consideration of Members, a revised list of links between Members and the Community Fire Stations and departments within Tyne and Wear Fire and Rescue Service.

Assistant Chief Fire Officer T. Capling advised Members that a revised list had been compiled (which was detailed at appendix A of the report) which set out for consideration the proposed links between fire stations and service departments and Members.

Contact would be made with the relevant Member to arrange a programme of visits to the link stations/departments. A typical agenda would include discussion of current issues affecting locality, scrutinising of the departmental plans and their associated targets and issues of concern to staff.

In response to a question from Councillor Ord, Assistant Chief Fire Officer T. Capling advised that ward councillors were also welcome to visit the stations within their ward.

28. RESOLVED that:-

- (i) the report and the proposed link arrangements set out in Appendix A be noted and endorsed; and
- (ii) the links between Members and stations/departments be endorsed.

Procurement of Specialist Appliances

The Chief Fire Officer and the Finance Officer submitted a joint report setting out for the information of Members, the procurement arrangements in respect of three Specialist Appliances and seeking Authority approval to proceed with the award of a contract.

The Chief Officer advised Members that the tender submitted by WH Bence (Coachworks) Ltd for two Operational Support Units at a cost of £166,854.02 each was both the lowest cost and the most economically advantageous tender. The tender submitted by this Company for one Heavy Rescue tender at a cost of £231,742.48 was not the lowest cost however was the most economically advantageous tender.

A full option appraisal would be undertaken at the point of acquisition to identify the best option for financing, including outright purchase, leasing and / or borrowing.

It was:-

29. RESOLVED that approval be given to the acceptance of the tender from WH Bence (Coachworks) Ltd in the sum of £565,450.52 excluding VAT, for the supply of two Operational Support Units and one Heavy Rescue Tender.

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 to seek approval to amend the currently approved establishment structure to better reflect the requirements of the service.

Members were advised that the Chief Fire Officer had recently undertaken a comprehensive review of the existing operational staffing profile to ascertain whether crewing levels were relevant to the demands of the Service. Due to the increased level of training now being undertaken locally, together with the continued reduction in employee sickness absence levels, a reduction of twelve posts (8 x Firefighter and 4 x Crew Manager) was proposed. This would be achieved through natural wastage.

A risk assessment had been undertaken and the risk had been assessed as low. The financial implications relating to the proposed reduction of the posts was a saving of £451,384 per annum, inclusive of costs.

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

30. RESOLVED that:-

- (i) the reduction in establishment of twelve operational posts by natural wastage by 1 April 2012 be approved; 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.

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

The Chairman then informed members that requests had been received to change the membership on three committees. It was agreed that a written report would be submitted to the next meeting.

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

32. 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 exempt information relating to the financial or business affairs of any particular person (including the Authority holding that information) or information relating to consultations/negotiations in connection with any labour matter arising between the Authority and employees of the Authority (Local Government Act 1972, Schedule 12A, Part I, Paragraphs 3 and 4).

(Signed) B HERON
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.