

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, 15TH JUNE,
2009 at 10.30 a.m.

Present:

Councillor T. Wright in the Chair

Councillors Ball, Bell, Charlton, Clare, M. Forbes, N. Forbes, Haley, Jordan,
McIntyre, 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.

Apologies for Absence

Apologies for absence were received from Councillors Boyes, Bollands and Clark.

Appointment of Vice-Chairman

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

Declarations of Interest

There were no declarations of interest.

Membership of the Authority, Appointment of Committees and Appointment of Spokesmen for 2009/2010

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 2009/2010.

(For copy report – see original minutes).

Members were reminded that as North Tyneside would not be considering their appointments until 18th June, a further report would be submitted to the July meeting to confirm their appointments.

The Vice-Chairman drew the attention of Members to the Appointments Committee and proposed that the number of members required on the Appointments Committee be reviewed.

3. RESOLVED that:-

- (i) the undermentioned Members be appointed to serve on the Committees of the Authority indicated for the Municipal Year 2009/10:-

(a) Governance Committee

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

(b) Policy and Performance Committee

Councillors Wright, N. Forbes, Clare, Boyes, Renton and
McIntyre

Chairman - N. Forbes
Vice-Chairman - Clare

(c) Civil Contingencies Committee

Councillors Bell, Charlton, Wright, N. Forbes, Scaplehorn, Clark,
Renton and Jordan

Chairman - Bell
Vice-Chairman - Charlton

(d) Human Resources Committee

Councillors Haley, Charlton, Wright, N. Forbes, Ball, Boyes, Woodwark and Jordan

Chairman - Charlton
Vice-Chairman - Haley

(e) Appointments Committee

Councillors Wright, N. Forbes, Charlton, Boyes, M. Forbes and McIntyre

Chairman - Charlton
Vice-Chairman - T. Wright

(f) Disciplinary Appeals Committee

Councillors Wright, N. Forbes, Charlton, Clare, Renton and Jordan

Chairman - Charlton
Vice-Chairman - Wright

(g) Personnel Appeals Sub-Committee

Councillors Scaplehorn, Bell, Bolland, Clark, M. Forbes and McIntyre

Chairman - Bell
Vice-Chairman - Scaplehorn

(h) Emergency Sub-Committee

Councillors Wright, N. Forbes and Woodwark

(ii) North East Fire and Rescue Regional Management Board

Councillors Wright, N. Forbes, Woodwark and M. Forbes
Substitute Members – Councillors Renton and Jordan

Two Labour substitutes to be appointed at the next meeting.

- (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 Haley
Newcastle	Councillor N. Forbes
North Tyneside	Councillor Jordan
South Tyneside	Councillor Bell
Sunderland	Councillor Wright

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

Community Engagement and Partnerships

Lead Member	-	Councillor Bell
Support Member	-	Councillor Boyes

Diversity and Equality

Lead Member	-	Councillor N. Forbes
Support Member	-	Councillor M. Forbes

Performance Management

Lead Member	-	Councillor Wright
Support Member	-	Councillor Jordan

- (v) Councillors Wright and N. Forbes 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 Bell and Haley be appointed to the North East Fire Control Company Limited and Councillor Charlton 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 2009/2010.

(For copy report – see original minutes).

4. RESOLVED that the cycle of meetings for 2009/2010 as set out in the report be approved. Subject to the amendment of the Civil Contingencies Committee in March being moved to 15th March, 2010.

Minutes

5. RESOLVED that:-

- (i) the minutes of the meeting of the Authority held on 20th April, 2009 – Part I (circulated) be confirmed and signed as a correct record;
- (ii) the minutes of the meeting of the Appointments Committee held on 20th April, 2009 – Part I (circulated) be received and noted;
- (iii) the minutes of the meeting of the Appointments Committee held on 30th April, 2009 – Part I (circulated) be received and noted;
- (iv) the minutes of the meeting of the Performance Review Committee held on 27th April, 2009 (circulated) be received and noted; and
- (v) the minutes of the meeting of the Regional Management Board held on 26th March, 2009 (circulated) be received and noted.

Revenue Budget Outturn 2008/2009 and Revenue Budget First Review 2009/2010

The Chief Fire Officer and the Deputy Finance Officer submitted a joint report (circulated), advising Members of the Revenue Budget Outturn position for 2008/2009 as it currently stood, outlining the main areas of variance and any related proposed actions.

(For copy report – see original minutes).

The Deputy Finance Officer referred Members to Appendix A which showed spend against both the original and revised budget. A small number of issues had still to be received, 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 2008/2009 showed a net underspending of £115,000 (a reduction of £292,000 from the Third Review) after transfers had been made to and from earmarked reserves.

The Deputy Finance Officer went on to highlight the main areas of variance from the third review as follows:-

- Premises (£80,000 underspend) – the main area of underspend related to utility costs of £70,000.

- Transport (£110,000 underspend) – in 2008/2009, a number of vehicles that had been anticipated to be leased were bought outright following an options appraisal exercise. This had resulted in an underspend on the leasing budget.
- Supplies (£290,000 underspend) – the Chief Fire Officer had reviewed the underspend, and identified priorities totalling £203,000 that still needed to be delivered in 2009/2010, including in support of Community Safety initiatives.
- Insurances (£120,000 underspend) – the Authority had been successful in recent years in reducing its risk and exposure to insurance claims.
- Interest Payable (£90,000 underspend) – following a restructuring of its debt portfolio, the lead authority delivered lower borrowing costs than originally anticipated.
- Interest Received (£90,000 overspend) – the decrease in interest rates was more significant than previously anticipated, resulting in an overspend on this budget heading.
- Grants and Contributions (£130,000 underspend) – the Authority had been successful in leveraging in contributions to fund Community Safety initiatives, such as Safetyworks.
- Other Variances (£56,000 underspend) – a number of minor variances had arisen during the year, including reduced support service costs following a review of service provision, and charging arrangements by the lead authority.

With regards to the Budget Carry Forward Reserve it was proposed to fund the slippage of specific items of revenue expenditure from 2008/2009 into 2009/2010, by transferring £723,000 into this reserve.

Following a thorough review, the Chief Fire Officer had identified key priorities, totalling £203,000, within this underspend that still needed to be delivered during 2009/2010 namely:-

- Learning and Development training delivery (£65,000);
- ICT Network support costs (£50,000); and
- SafetyWorks community safety equipment (£45,000).

It was considered appropriate to retain uncommitted general balances of around 5% of the revenue budget, which for 2009/2010 equated to approximately £2.9 million. The level of uncommitted balances as at 31st March, 2009 was £3.045 million, which was considered appropriate in this context.

Upon detailed discussion, it was:-

6. RESOLVED that:-

- (i) the Revenue Budget Outturn for 2008/2009 as detailed at paragraph 2.4 of the report, be noted;
- (ii) the sums earmarked within the Budget Carry Forward Reserve and the proposed transfers to other earmarked reserves at paragraphs 2.8 to 2.12 and at Appendix B of the report, be noted;
- (iii) the position with regard to the Revenue Budget for 2009/2010 detailed at section 3 of the report, be noted;
- (iv) the Balances position detailed at paragraph 4.2 and at Appendix C of the report, be noted; and
- (v) 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.

Capital Programme Outturn 2008/2009 and Capital Programme First Review 2009/2010

The Chief Fire Officer and the Deputy Finance Officer submitted a joint report (circulated) presenting the provisional capital outturn for 2008/2009, highlighting the main variances from the 2008/2009 Capital Programme Third Review, and to review the current year's programme to reflect the actual outturn 2008/2009 position and other changes, since the original programme was approved.

(For copy report – see original minutes).

Members were advised that net slippage from 2008/2009 to 2009/2010 of £519,629 was largely due to:-

- IT Equipment - £108,432
- Incident Recording System (£47,500) – slippage had arisen due to supplier delays in delivering a workable software solution;
 - Smart Cards (£34,040) – delays had arisen with the integration of this, resulting in a delayed roll-out and slipped expenditure;
 - Firelink call-off items (£20,000) – delays in the national roll-out of the Firelink project had resulted in delays at a regional level also.
 - Other IT equipment (£6,892)

Operational Equipment - £231,866

- Appliance CCTV (£67,620) – the fit out of CCTV had been delayed due to the installation of Phase B of the Firelink project.
- Other Operational Equipment (£60,417) – slippage had arisen on a number of other schemes

Estates - £179,331

- CCTV Improvement (£85,000) – contract negotiations took longer than originally anticipated;
- PFI land transfer costs (£36,000) – the demolition and remedial works were now complete, and an exchange of contracts in relation to the land exchange at Fossway was anticipated in the next month;
- Other (£58,331) – slippage had arisen on a number of other schemes.

The Vehicle Replacement Programme for 2009/2010 provided for the replacement of three Operational Support Units at a cost of £450,000 in total. It was proposed, however, to purchase two Operational Support Units at a cost of £300,000 and a Special Rescue Tender at a cost of £200,000, an overall increase of £50,000.

The tender process for the acquisition of the Aerial Ladder Platform, included in the Vehicle Replacement Programme at an estimated cost of £600,000, was complete at a cost of £485,000. It was proposed that the underspend on this purchase be used to offset the cost of the Special Rescue Tender.

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

7. RESOLVED that the revised Capital Programme for 2009/2010 as set out in Appendix A of the report, be approved in light of the provisional capital outturn 2008/2009.

NEFRA Collaborative PFI Project: Progress to Financial Close

The Chief Fire Officer, the Deputy Finance Officer and the Clerk to the Authority submitted a joint report (circulated) to seek approval to the submission of the Final Business Case to CLG, to authorise Officers to conclude and execute the relevant documentation in order to enter into a Public Private Partnership arrangement under the terms of the Government's Private Finance Initiative, and to authorise Officers to conclude and execute the relevant documentation in order to enter into a Co-operation Agreement with County Durham and Darlington Fire and Rescue Authority and Northumberland County Council.

(For copy report – see original minutes).

Members of the Authority were advised that work in relation to the affordability of the project had now been completed and a response had been received from CLG. Consequently, the Project, with the approval of Members, could now proceed to Financial Close.

It was anticipated that Financial Close would take place during June 2009, following which CSS would commence site mobilisation and preparation. This would then be followed by the construction phase with the new community fire station at Tynemouth anticipated to be completed during June 2010, following which the facilities management services would be provided for the operational phase of the Project.

The attention of Members was drawn to the overall anticipated annualised affordability gap, which for this Authority was c. £164,319. This represented an increase of c. £9,319 above that approved by the Authority at its meeting on 3rd November 2008.

Members were advised that the Authorities bear the risk of changes in interest rates up until the date of Financial Close whereupon this risk was borne by the Contractor. At financial close this rate would be fixed upon the rate available in the money markets at that time for a project of this nature. Any reduction in interest rate from the assumed 4.5% would result in a financial benefit to the Authorities (i.e. a lower unitary charge) whilst an increase would result in additional cost.

Any changes that the Authorities required to the works or services that the Authorities had currently specified to be provided by the Contractor may result in additional costs. In accordance with the terms of the Project Agreement, Authorities must agree the costs associated with any changes.

The Agreement was structured around the basic framework of an initial phase during which the construction works would take place followed by a 25-year service contract for the provision of facilities management services. There was also a Co-operation Agreement which underpinned the “contractual” relationship between the three Authorities for the operation of the Project and set out the obligations of each Authority to the others.

The Authorities were required to enter into a Co-operation Agreement to establish the legal relationship between Tyne and Wear Fire and Rescue Authority and other Authorities and arrangements for how the Project would be monitored and managed on the basis that each Authority bore the costs and risks of its part of the project.

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

8. RESOLVED that:-

- (i) the Final Business Case be noted and endorsed;
- (ii) the arrangements for the NEFRA Collaborative PFI Project on the basis of the financial terms and general principles contained within the report be approved;

- (iii) the execution of the following documents (collectively known as “the Agreements”) be authorised:-
- The Project Agreement and its Schedules, being the principal agreement to be entered into between the Authorities and Collaborative Services Support NE Limited (“Project Co.”);
 - The Direct Agreement, being the agreement entered into between the Authorities, SMBC, Nord LB (“the Funders”) and Project Co (“the Direct Agreement”).
 - The Collateral Agreements to be entered into between the parties set out below:
 - The Authorities, Shepherd Construction and John Laing Integrated Services;
 - The Authorities, Nappers and Shepherd Construction;
 - The Authorities, [relevant member of professional team] and Shepherd Construction;
 - The Authorities and John Laing Integrated Services; and
 - Any other Collateral Agreements required under the terms of the Project Agreement.
 - The Independent Certifier Deed of Appointment to be entered into between the Authorities, Project Co., the Funders and Gleeds;
 - The Co-operation Agreement being the agreement being entered into between (1) the Authority (2) Northumberland County Council and (3) Durham and Darlington Fire and Rescue Authority in relation to the relationship between the Authorities for the duration of the Project (“the Co-operation Agreement”); and
 - Any other agreements, certificates, acknowledgements, waivers, notices, letters or other documents incidental to the documents listed above or to the Project or otherwise necessary or desirable in connection with the Project.
- (iv) the Finance Officer (Keith Beardmore), or in his absence, the Deputy Finance Officer (George William Blyth) be authorised to certify that the following contracts are intra vires in accordance with the Local Government (Contracts) Act 1997:
- The Project Agreement and its Schedules: and
 - The Direct Agreement
- (v) the Chairman (Thomas Wright), or the Clerk (David Smith), or the Deputy Clerk (Robert Crawford Rayner) be authorised to execute the Agreements under seal on behalf of the Authority and agree that their execution of the Agreements should conclusively demonstrate approval by the Authority of the Agreements in their final form;
- (vi) the Chief Fire Officer (Iain Bathgate), Finance Officer, Deputy Finance Officer, Clerk and Deputy Clerk (“the Relevant Officers”) as appropriate be authorised to take all necessary action in connection with the Agreements, in consultation with Dickinson Dees LLP, the Authority’s

legal advisers in relation to this Project; and where appropriate in consultation with the Chairman of the Authority, or in his absence, the Vice-Chairman of the Authority;

- (vii) the Authority will indemnify any of the Relevant Officers in respect of any claims and costs relating to the Contract arrangements, provided that the Officer has acted reasonably and within the ordinary course of their duties.

Upgrade of Communications Network

The Chief Fire Officer, the Deputy Finance Officer and the Clerk to the Authority submitted a joint report (circulated) to set out for consideration by Members, a proposal to upgrade the Authority's Information Communications Technology (ICT) network.

(For copy report – see original minutes).

The Chief Fire Officer advised Members that with the increased pace of development in ICT over the past five years, most of the equipment installed as part of the original network was now approaching the end of its effective life.

In line with the existing contract, a quotation had been received from EADS, in the form of a Change Control Notice, to implement a technology refresh programme, upgrading the ageing components of the ICT and telephony network in order to provide an enhanced technical architecture. Placing the order with EADS would be desirable from a technological standpoint, as this would ensure there was only a single party who could be held to account for the operation and maintenance of the whole system.

The total cost for the technology refresh provided by EADS was £310,760.00 excluding VAT. However, as there was no external cost comparator against which to compare the quotation it was proposed that an independent third party with relevant industry knowledge evaluate the quotation in order to provide an assurance as to whether it provided value for money.

It was:-

9. RESOLVED that:-

- (i) the use of a third party to validate the quotation received from EADS be approved; and
- (ii) the Chief Fire Officer, in conjunction with the Finance Officer and Deputy Clerk to the Authority be approved to bring the matter to a conclusion.

Annual Efficiency Statement

The Chief Fire Officer, the Deputy Finance Officer and the Clerk to the Authority submitted a joint report (circulated) informing Members of the contents of the Annual Efficiency Statements (AES) which were due to be submitted to the Department for Communities and Local Government (CLG) on the 20th July, 2009.

(For copy report – see original minutes).

The current, and future efficiencies, were associated with initiatives arising from the Integrated Risk Management Planning process and from proposals emanating from staff as part of the Authority's value for money framework. These had included a reduction in the ridership factor due to improved sickness absence levels, several revisions to departmental structures and a reduction in ill-health retirement costs due to improved management processes. As a consequence of these actions the following had been achieved:-

- The Backward Looking AES showed cumulative cashable efficiency gains to the value of £1.3m, or 2.27%, by the end of March 2009.

With regard to the forward looking AES 2009/10 the Chief Fire Officer stated verbally that it was currently estimated that the following would be achieved:-

- A cumulative cashable efficiency gain of £2.6m or 4.63% by the end of 2009/10. This figure was above the 3.2% target required by CLG.

Councillor N. Forbes acknowledged that whilst the savings made were excellent, they had not been easy to make and it would become increasingly difficult to continue to realise such efficiencies in the future.

It was:-

10. RESOLVED that:-

- (i) the efficiency statements attached as Appendices A and B of the report, be approved; and
- (ii) further reports be received as required.

Internal Audit Services Annual Report for 2008/2009

The Deputy Finance Officer submitted a report (circulated) to provide details of the performance of Internal Audit Services (IAS) during 2008/2009 and an opinion on the overall system of internal control in place within the Fire and Rescue Authority.

(For copy report – see original minutes).

The Deputy Finance Officer advised the Authority that 69 recommendations had been made during the year, four of which had been placed in the significant category.

Three of the significant findings were related to the currency of mobile data held on front-line fire appliances and the fire safety audit system together with the limited staff support arrangements that existed in respect of the mobile data system. With regard to these three findings the Chief Fire Officer (CFO) had instigated action to install wireless connections to allow more rapid updating of the vehicle computer terminals together with enhanced staff support arrangements and had also undertaken a review of the outstanding fire safety audits in order to re-categorise and re-schedule audits which had passed their recommended completion dates.

The remaining finding was associated with the issue of ICT data back-up, with the concern being that whilst the data back-ups were held in a secure safe in a separate, secure building from the main ICT systems, this was still within the curtilage of the main site which could present a problem in the event of a major disaster occurring on-site. The CFO was exploring ways of improving the security of the back-up facility to mitigate this risk.

Action plans had been drawn up for the implementation of the above recommendations.

Within the year IAS also took part in a user satisfaction survey run by the CIPFA benchmarking club. All senior managers at the Fire and Rescue Authority and organisations to whom IAS provided an internal audit service were invited to complete a questionnaire. The benchmarking club received 15 responses from 40 invited to participate (37.5% response).

At this juncture the Chairman commented that he was disappointed in this response rate.

A discussion then ensued in relation to the reporting mechanisms to Members during which the Vice-Chairman proposed that all significant risks be reported to the relevant Committee. The Chief Fire Officer advised that as the 'significant' category was not implemented until October 2008, so that this was the first time such issues had been placed within the category, and they would be reported to Members in future. It was also highlighted that the Corporate Risk Management Group considered such and the Chairman was a Member of the Group.

Upon discussion, it was:-

11. RESOLVED that the Committee note the report.

Prosecution – Fire Safety

The Chief Fire Officer and the Clerk to the Authority submitted a joint report (circulated) to inform Members of the successful outcome of a recent prosecution

brought by the Authority against Jesmond Court Limited which was heard at Newcastle Magistrates Court on 1st June, 2009.

(For copy report – see original minutes).

The representative of the Deputy Clerk to the Authority advised Members that on the 10th November, 2007, a member of the public, Alan Brown, suffered serious burns to his back during a night out at Mr. Lynch Bar. This was as a result of his shirt catching fire from a tea light resting on a ledge inside the bar.

A subsequent investigation concluded that no suitable or sufficient training had been provided to staff in respect of the use of tea lights. In addition, there had been a failure to combat or avoid risks by replacing the dangerous tea lights with something less dangerous or non dangerous and a failure to give appropriate instructions to employees regarding the use of tea lights. As a result Jesmond Court Limited as the responsible person for fire safety was charged with 2 offences against the Regulatory Reform (Fire Safety) Order 2005.

Jesmond Court Limited pleaded guilty to both offences. They were fined £5,000 for each offence, which was then discounted to £3,500 for each offence for an early guilty plea. In addition, they were ordered to pay the standard £15.00 victim surcharge and costs of £2,700, this being a total fine of £9,715.00.

It was:-

12. RESOLVED that the contents of the report be noted and further reports be received as appropriate.

Prosecution – Fire Safety

The Chief Fire Officer and the Clerk to the Authority submitted a joint report (circulated) to inform Members of the successful outcome of a recent prosecution brought by the Authority against Gurmail Singh Lally which was heard at Newcastle Magistrates Court on 11th May, 2009.

(For copy report – see original minutes).

On the 8th July, 2008 Officers from the Protection and Technical Department carried out an inspection of Bolam House, Douglas Terrace, Newcastle, which was in use as student accommodation. The investigation concluded that there were a number of serious deficiencies within the premises. Gurmail Singh Lally, as the responsible person for fire safety, was charged with offences against the Regulatory Reform (Fire Safety) Order 2005.

Sunderland City Council Legal Services represented the Authority in the prosecution of the case. Mr. Lally pleaded guilty to 13 offences. He was fined £500 for each offence (a total of £6,500), together with the standard £15.00 victim surcharge and costs of £5,087.14 being awarded to the Authority. A total fine of £11,602.14.

It was:-

13. RESOLVED that the contents of the report be received and further reports be received as appropriate.

Annual Governance Review 2008/2009

The Chief Fire Officer, the Clerk to the Authority and the Deputy Finance Officer submitted a joint report (circulated) to provide details of the findings of the 2008/2009 Annual Governance Review and seeking approval to the Annual Governance Statement, prior to its incorporation in the Statement of Accounts.

(For copy report – see original minutes).

Members were informed that the Corporate Risk Profile had been considered and of the 43 risks faced by the Authority, 14 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 2009/10;

Three high priority areas had been identified as follows:-

1. Failure to effectively and safely deploy and manage operational staff and resources at incidents leading to staff and public being exposed to unnecessary risks.
2. Risk that the Authority does not retain a fully effective local control centre (at West Denton) in the lead up to the transition to the new Regional Control Centre (RCC) resulting in poor quality emergency call handling and a detrimental effect on operations.
3. There was a risk that “Breathing Apparatus training in ‘hot fire’ ” scenarios at the BTC may not be carried out because of the current condition of the hot fire training structures and the continued problems relating to repair and maintenance. Unless resolved this could result in inability to train/QA staff and lost income to the Authority through cancelled training courses from other FRS. There was also a possibility of having to pay to have our staff trained elsewhere (including travel and subsistence).

In conclusion, the Authority had robust and effective governance and internal control arrangements in place. The views elicited during the review from Members and all senior managers across the Authority demonstrate 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 have been identified to further develop governance and control arrangements.

It was:-

14. RESOLVED that:-

- (i) the revised Code of Corporate Governance be noted and endorsed;
- (ii) the Annual Governance Statement be noted and endorsed; and
- (iii) further reports be received as appropriate.

Integrated Risk Management 2008/09 Action Plan Update

The Chief Fire Officer, the Clerk to the Authority and the Deputy 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 advised that within the 2008/09 annual plan a total of seven specific improvement actions were identified.

Overall, sound progress had been made in respect of all seven action points contained within the 2008/09 IRMP Annual Action Plan. Of those actions which would continue to develop into the future, for example swift water rescue, specific departments had been allocated the responsibility for monitoring progress within their existing annual action plans.

The delivery of the 2008/09 IRMP Annual Action Plan had progressed well with all of the actions contributing to an overall improvement in the service delivered to the public whilst also ensuring that efficiencies were realised that assisted the Authority to meet the targets set by central government and reduced the pressure on the precept increase each year.

It was:-

15. RESOLVED that the contents of the report be noted and approved.

Regional Fire Control – Update

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

(For copy report – see original minutes).

The Chief Fire Officer advised that on 6th May, 2009 Communities and Local Government released what is expected to be the final iteration of the Fire Control Business Case. With regards to the payment, a large proportion of Fire and Rescue Authorities, including Tyne and Wear, responded that it would be difficult to achieve a regional consensus on a cost apportionment model and recommended that payments should be made at an authority level. Consequently, Ministers had considered all of the options and agreed that FiReControl payments should be made to individual Fire and Rescue Authorities.

In relation to the Critical National Infrastructure, there was concern that authorities would need to make a significant investment in security arrangements before connecting their systems to the RCC. Communities and Local Government had been working closely with EADS to design a security boundary between the RCC and Fire and Rescue Service systems which would ensure that the requirements could be readily and cost-effectively achieved.

Members were advised however, that Officers had not had sight of such a solution, therefore, despite the assurances received; the cost of achieving secure connectivity remains an area of concern.

The forecast change in data management resources was linked to an estimated expenditure of £100k per authority to implement new electronic interfaces to existing systems. CLG had assumed that this expenditure would take place over a three year period, which started six months prior to cut over and it has also been assumed that the resources required for data management will decrease over time. Members were advised that the £100k per authority was based upon current CLG assumptions and may not necessarily reflect the actual expenditure required. The Chief Fire Officer therefore would be continually reviewing these assumptions and would provide further reports as appropriate.

All of the aforementioned costs (savings) are calculated on the council tax base which is the Government's preferred method of apportionment. In addition, those authorities which incur a cost will receive a 'Fire Control Payment' and in the case of this Authority it is expected to be £760,000. Those authorities who make a saving would be allowed to keep the savings and invest in other areas of service.

Upon detailed discussions, it was:-

16. RESOLVED that:-

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

Transfer of Ownership of New Dimension Assets

The Chief Fire Officer, the Clerk to the Authority, the Deputy Finance Officer and the Personnel Advisor submitted a joint report (circulated) to update Members on the current status of the proposal, put forward by the Department of Communities and Local Government, to transfer the New Dimension Assets to individual Fire and Rescue Authorities as set out in Fire Service Circular 16/2009.

(For copy report – see original minutes).

Members were advised that CLG requested a response to the proposed transfer by the end of April 2009 with regard to the Authority's position on the transfer of assets.

Due to the short timescale, the Chief Fire Officer wrote to CLG, re-iterating there was no objection to the principle of asset transfer, providing that there would be no financial detriment to Tyne and Wear Fire and Rescue Service and that the matter would be considered by the Authority at the 15th June, 2009 meeting following which a further response would be forthcoming.

Having considered the content of the Fire Service Circular, the Chief Fire Officer was of the opinion that CLG have made a significant effort to provide a comprehensive framework within which the transfer of assets can be undertaken and subsequently managed and, in principle, such a transfer could be supported, this position being in line with that of other Fire and Rescue Authorities. However, the omission of any specific guarantee of future funding beyond the end of the 2010/2011 year, remained a concern.

In addition, the continuing commitment to channel funding through the RSG at some point after the end of the CSR07 period also remained as a concern. If the funding was directed through RSG, as proposed, there was a risk that the funding formula would not provide the full award of grant to this Authority in order to meet the additional cost arising.

There was a further uncertainty regarding asset refresh. CLG accepts that a major asset refresh can be anticipated every five or six years through the life of the programme, but no funding decisions have been taken on this, with the likelihood that Ministers would need to consider any refresh against other proposals and therefore priorities for government funding.

Consequently, having consulted with the Finance Officer and Deputy Clerk to the Authority, the Chief Fire Officer proposed that the Members support the transfer of assets in principle, subject to more specific guarantees on future New Dimension funding levels being forthcoming for the period beyond 2010/2011, and in the absence of those guarantees to continuing to receive funding in the form of a specific grant.

Members having requested that the issue be raised with the LGA, it was:-

17. RESOLVED that:-

- (i) the principle of the transfer of New Dimension assets be supported subject to acceptable guarantees on future funding arrangements being forthcoming;
- (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.

For copy report – see original minutes).

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

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

19. 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.