

Minutes of the Meeting of
the TYNE AND WEAR FIRE AND
RESCUE AUTHORITY held in the
Fire and Rescue Service
Headquarters, Barmston Mere on
MONDAY 20 JULY 2015 at
10.30am.

Present:

Councillor T Wright in the Chair

Councillors Bell, M. Forbes, N. Forbes, Haley, Harrison, Maughan, Mole, Perry, Pickard, Stephenson and Renton.

Councillors Maughan and Pickard were welcomed to their first meeting of the Fire Authority.

Part I

Apologies for Absence

Apologies for absence were submitted to the meeting on behalf of Councillors Burdis, Lauchlan, Price and Stockdale.

The Chairman announced that TWFRS had been involved in a number of events across the Newcastle Pride Weekend which had taken place 17-19 July, to celebrate diversity and strengthen relationships within the community.

Thanks were extended to both the Vice-Chairman for attending this, and also ACFO Baines for organising the 'blue-light' Pride Breakfast at Newcastle City Council on Saturday 18 July. Following this, thousands marched from the Civic Centre to the Town Moor and overall, the event had been a huge success.

Declarations of Interest

Councillors M. Forbes and Wright declared an interest in relation to Item 13 – TWFRS Estate: Surplus Assets, as a member of Sunderland City Council.

Minutes

12. RESOLVED that:-

- (i) the minutes of the Authority, Part I held on 8 June 2015 be confirmed and signed as a correct record.

Local Pension Board for the Firefighters' Pension Scheme (FPS) 2015: Consultation Feedback

The Chief Fire Officer, the Clerk, and the Personnel Advisor to the Authority submitted a joint report to inform members of the outcome of consultation with the representative bodies regarding the membership of the local pension board (LPB referred to as 'the Board') for Firefighters' Pension Scheme (England) Regulations 2014: S.I. 2848/14 (the Scheme), and other associated pension schemes by 1 April 2015.

Members were advised that the Fire Brigades Union (FBU) in particular, proposed that the membership should be raised to provide a wider representation of the workforce by proposing that an additional employee representative be added to the Board membership. If approved the membership would be required to be increased by two, with an additional employer representative nominated to the Board to maintain the balance set out in the Regulations.

Members were referred to the amended draft Terms of Reference which were appended to the report and also the proposed nominations for employer and employee representatives. It was also proposed that the budget allocation be increased to £7,500 to cover costs of training and reasonable expenses for the additional members.

Councillor Haley referred to sections 60 and 61 of the Terms of Reference and commented that the quorum would need to be revised given the increase in membership. ACFO Baines agreed to incorporate this amendment to the Terms of Reference.

13. RESOLVED that:-

- (i) The contents of the report be noted;
- (ii) The increase in membership of the Local Pension Board to six, as set out in sections 3.2 to 3.3 of the report be approved and the appointments to the Board, as set out in 3.4 be noted and endorsed;
- (iii) The increase in budget, as set out in 4.1 of the report and the support of work of the Local Pension Board be approved;
- (iv) The amended Draft Terms of Reference for the Local Pension Board; in line with the highlighted changes set out in section 3.3 of the report be approved; and
- (v) Further reports be received as necessary.

Surplus Asset Policy (Community Benefit)

The Chief Fire Officer submitted a report to seek Authority approval of a Surplus Asset (community benefit) policy to be used in determining and managing any future transfers of surplus Authority assets into community ownership and/or management.

ACFO Baines referred Members to the draft policy statement detailed within the report. The policy was also appended which contained a framework for the management of community asset transfer proposals, and for decision making around these. This included working alongside relevant councils to determine community need. A key premise of the policy was that surplus assets would only be considered suitable for community asset transfer if they had limited commercial value.

14. RESOLVED that:-

- (i) The draft Community Asset Transfer policy be approved;
- (ii) The Chief Fire Officer be authorised to make provision for it to be reflected in the Standing Orders; and
- (iii) Further reports be received as appropriate.

Member Links with Community Fire Stations

The Chief Fire Officer submitted a report, setting out for the 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.

Members were referred to the revised table, detailed at Appendix A of the report which set out proposed links between each fire station and service departments and Fire Authority Members. If approved, the officers responsible for each specific location would arrange a programme of visits.

These visits would include a discussion on current issues affecting locality, scrutinising station/departmental plans and their associated targets and issues of concern.

15. RESOLVED that:-

- (i) The contents of 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 noted and endorsed.

Primary Authority Scheme Update

The Chief Fire Officer submitted a report providing Members with an update on Tyne and Wear Fire and Rescue Authority (TWFR) involvement in the Primary Authority Scheme (PAS) for the Fire Safety and Explosives Licensing categories, as reported to Members in March 2014.

Members were advised that TWFRAs had decided to become an active participant as a PAS and seek businesses to partner with, and agree terms and conditions.

Sainsbury's Supermarket Ltd had shared best practice in management processes and supported a number of community fire safety arrangements.

NHS Property Service now had Fire Safety Policy and Management Plans; and Home Group were developing fire safety information for tenants in their homes.

In April 2015, TWFRS Primary Authority Officer Ian Bell was nominated for an award by BDRO. He was presented with a certificate on 18 June at an event in Birmingham, highly commending his work with current partners and other regulators.

Members acknowledged that this was a well deserved tribute to Ian, that his hard work and efforts had been officially recognised by BRDO, which would in turn, raise the TWFRS profile as a PAS partner. It was therefore agreed that a letter of thanks be forwarded to Ian Bell.

16. RESOLVED that support be given to the continuation of the active participation of TWFRS in delivering the Primary Authority Scheme, and also to seeking additional prospective business partners and to procure additional personnel under the delegation scheme, if necessary.

The Firefighters' Pension Scheme 2015 – Scheme Manager Obligations and Discretions

The Chief Fire Officer, the Clerk to the Authority and the Personnel Advisor to the Authority submitted a joint report to inform managers of scheme manager obligations and discretions that applied to the Firefighters' Pension Scheme (England) Regulations and to seek agreement on those that required a policy decision.

Members were advised that to assist the Authority in carrying out the role, the Local Government Association (LGA) had published a list of the relevant regulation where there was an obligation on scheme managers. This was detailed at Appendix A of the report.

Within the LGA document, fifty two obligations were listed, a number of which the scheme manager would have some discretion over. There were three specific areas the scheme manager was required to make a policy decision on, namely: Delegation (Regulation 5), Pensionable Pay (Regulation 17) and Contributions during absence from work due to illness, trade dispute or authorised absence (Regulation 111).

17. RESOLVED that:-

- (i) The contents of the report be noted;
- (ii) The recommendations detailed within section 3.3 of the report be approved;
- (iii) Local Pension Board and scheme members be made aware of the decision in 10.1(b) of the report; and
- (iv) Further reports be received as necessary.

Annual Governance Statement

The Chief Fire Officer, the Clerk to the Authority, the Finance Officer and the Personnel Advisor submitted a joint report to provide members with details of the findings of the 2014/2015 Annual Governance Review and to seek approval of the Annual Governance Statement.

ACFO Brindle referred members to the diagram within the report which set out the agreed stages and methodology used. Detailed at Appendix A was the Local Code of Corporate Governance and the Annual Governance Statement 2014/15 was included at Appendix B.

The 2014/15 Annual Review of Corporate Governance and Internal Control Arrangement Action Plan was detailed at Appendix C of the report. Members were advised that this included:

- Review of the standing orders and financial regulations
- Review of the Members Learning Programme
- Review and further roll of Programme Evaluation
- Review and improve sharing across partners (focus - vulnerable people)
- Meet data security requirements
- Review the officer delegation scheme
- Ensure governance implications associated with trading company were built into Standing Orders.

ACFO Brindle explained that based on the evidence examined, the Authority had robust and effective governance and internal arrangements in place. The Annual Governance Statement had also been submitted to, and scrutinised by the Governance committee.

18. RESOLVED that:-

- (i) The revised Code of Corporate Governance be approved;
- (ii) The Annual Governance Statement be approved;
- (iii) The Corporate Governance Action Plan be approved; and
- (iv)** Further reports be received as appropriate.

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 was considered to involve a likely disclosure of information relating to the financial or business affairs of any particular person (including the Authority holding that information) or to consultations or negotiations in connection with labour relations matters arising between the Authority and

employees of the Authority (Local Government Act 1972, Schedule 12A, Part I, Paragraphs 3 and 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.