

Item 3 (i)

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 11 DECEMBER 2017 at
10.30am.

Present:

Councillor T Wright in the Chair

Councillors Dodds, Flynn, Forbes, Haley, Harrison, Kilgour, Maughan, Oliver, Perry, Pickard and Renton together with Dame Vera Baird DBE.

Part I

Councillor Galbraith was welcomed to his first meeting of the Authority.

Apologies for Absence

Apologies for absence were submitted to the meeting on behalf of Councillors Burdis, Stephenson, Maughan, Pickard, Harrison and also Dame Vera Baird DBE.

Announcements

The Chairman announced that Station Mike had received the latest Princes Trust Award. Staff were thanked for being an outstanding role model and changing the lives of many young people.

TWFRS had been awarded 4th best in the country at the recent National Inclusive Employment Awards. The Chairman, on behalf of the Authority, asked that all staff be both congratulated and thanked.

Declarations of Interest

There were no declarations of interest.

Minutes

57. RESOLVED that:-

- (i) the minutes of the Authority, Part I held on 6 November 2017 be confirmed and signed as a correct record subject to the following amendment – Page 4 (Paragraph 4) to read ‘Councillor Haley thanked the FBU for providing the opportunity to watch a video which demonstrated the dilemma of riding 4’; and
- (ii) The Minutes of the Extraordinary Meeting of the Authority held on 21 November, 2017, Part I, be confirmed and signed as a correct record.

Appointment to the Authority – Sunderland City Council

The Deputy Clerk to the Authority submitted a report to notify the Authority of an appointment made by Sunderland City Council.

Members were advised at the meeting on 16 October 2017 that Councillor Paul Middleton had resigned from the Authority due to work commitments. Sunderland City Council considered an appointment at their meeting on 22 November 2017 and has appointed Councillor Ian Galbraith to the vacant position.

Members noted the following current vacancies on Committees of the Authority as a result of Councillor Middleton’s resignation:

Governance Committee
Policy and Performance Committee
Personnel Appeals Sub-Committee

58. RESOLVED that:-

- (i) The appointment of Councillor Galbraith to Tyne and Wear Fire and Rescue Authority be noted; and
- (ii) Councillor Galbraith be appointed to the Governance, Policy and Performance and Personnel Appeals Sub-committees.

Appointment of Independent Person

The Chief Fire Officer/Chief Executive (Clerk to the Authority) and the Deputy Clerk to the Authority submitted a joint report to recommend an appointment of Dennis Hall as Independent Person.

Members were reminded that under the Localism Act 2011, the Authority was required to appoint an Independent Person (IP), whose views were sought and taken into account in connection with complaints about members’ conduct. The IP received an annual allowance of £200 and reasonable travel and subsistence expenses were reimbursed.

The term of office of the Authority’s previous IP, Sheba Joseph, had now expired. Following public advertisement and consideration of applications received, the Chief Fire Officer, Chair of the Governance Committee and Deputy Clerk recommended that the Authority appoint Mr Dennis Hall to the post.

Mr Hall recently retired from local government, his most recent post being that of Commercial Manager and Solicitor at Gateshead Council. He is a former monitoring officer and has extensive knowledge and experience of local government in general and, of particular relevance to this role, of advising Standards and other committees, as well as town and parish councils, on issues of probity and ethics. He also has experience of conducting and reporting on investigations.

59. RESOLVED that the Authority appoint Dennis Hall as Independent Person for an initial period of two years, renewable for a further 2 terms (i.e. a maximum of 6 years in total).

Financial Update Report

The Chief Fire Officer and Chief Executive (Clerk to the Authority) and the Strategic Finance Manager submitted a joint report providing members with an update on the financial position of the Authority as requested at the last authority meeting held on 6th November 2017.

Members were reminded that in November 2017 it was reported to Members the Authority was projected to be facing a cumulative funding shortfall of £2.733m by the end of 2020/2021 assuming all remaining IRMP actions to save £4.243m were achieved. This included a saving of £1.389m in 2018/2020 in respect of the final Response Review IRMP action of riding 4 on all pumps on all stations. The amount of budget deficit within the 4 Year Efficiency Plan remained as originally estimated at £1.8m based on the assumption all previous IRMP savings would be achieved.

The Strategic Finance Manager advised the Authority that the first Autumn budget was announced on 22nd November 2017 however unfortunately, there were no significant matters announced that directly impacted on the fire service and it was silent on a number of key issues including; pay awards and who would fund them, additional responsibilities resulting from the Grenfell tragedy, no mention of relaxation of Council Tax limits and no mention of additional funding except for the £2.8b announced for the National Health Service and the monies (£3b) put aside for managing Brexit.

Members were then advised inflation continued to be higher than the government's 2% target with government acknowledging that inflation would peak to 3.0% in October 2017 and it was expected to remain around 2.75% early next year before gradually falling to around 2.0% by the end of 2020, this being higher than the 2% rate over the 4 year settlement. Also included within the 4 year settlement was a 1% pay award however 2% had been proposed and the Authority would need to bear these costs which were approximately £300,000 for grey book staff.

Government funding was forecast to reduce overall by £1.559m in 2018/19 compared to the current year and that the Revenue Support Grant accounts for most of this reduction if the 4 year settlement was honoured.

Members were asked to note the fact that there was a report later on the agenda with proposals for the final phase of the response review. If members were minded

not to approve these proposals, the funding gap would increase from £1.8 to £3.8m which then widened further to £4.7m by 2021.

The Authority referred to Appendix 1 of the report (2018-19 Local Government Finance Settlement) and thanked the Strategic Finance Manager for the detailed response (Appendix 2) and hoped that the comments made were addressed within the final settlement.

The Vice Chairman raised the issue of austerity and commented that further austerity was causing significant damage as demonstrated within the Policy and Performance Committee which needed to be addressed within the settlement. Further cuts were therefore having a significant impact on the residents of Tyne and Wear

60. RESOLVED that:

- (i) The contents of the report and the estimated revised funding gap based on the most up to date information available be noted; and
- (ii) The updated current Medium Term Financial Strategy and the full Medium Term Financial Strategy 2018/2019 to 2021/2022 would be presented to Authority in February 2018 as part of the Revenue Budget 2018/19 process.

IRMP Response Review Consultation Summary

The Chief Fire Officer and Chief Executive (Clerk to the Authority), the Strategic Finance Manager and the Personnel Advisor to the Authority submitted a joint report to present the Authority with the findings of all internal consultation, relating to implementing the agreed action to crew all pumping appliances with four staff. The report presented a further analysis of the concerns that had been raised and presented recommendations for action.

The Chief Fire Officer began by explaining that an extremely extensive research exercise had been undertaken and given the financial situation the Authority was faced with (as discussed in the previous item) the recommendations detailed within the report had not been taken lightly. Further options had been explored however were not deemed to be appropriate. Members were assured that if the financial position of the Authority was to improve, the report would be brought back to the Authority for further consideration. In addition, Members were provided with assurances that the decision would not affect the safety of residents or firefighters in Tyne and Wear.

ACFO Robson (Acting) referred Members to section 3 of the report which provided details of the consultation exercise which had been undertaken.

The table provided at Appendix A illustrated the staff and elected member feedback regarding crewing on-pump stations with four staff on the appliance. This included;

- a) One hundred and ninety four responses received from members of staff and stated concerns about this proposal based on increased risk to the public or firefighters see Appendix B;
- b) Twelve emails were received via Authority Members from ten members of staff;
- c) Six questions were raised by five members of staff via emails sent directly to elected members;
- d) Five questions were raised by one elected member to the Assistant Chief Fire Officer, Community Safety via email;
- e) One suggestion relating to the IRMP proposals from one member of staff was received via the designated IRMP email facility.

ACFO Robson (Acting) then referred Members to Appendix D which provided a detailed response to the proposals from the FBU and explained that three emails were also received by elected members from the FBU Brigade Secretary stating the following concerns:-

- a) The FBU believed that if the Fire Authority accepted the recommendation to implement this action, it would place firefighters and the public at an intolerable risk;
- b) Removal of one firefighter from each crew would present the incident commander with the dilemma of making a judgement call of whether to commit crews into the incident and, in the FBU's view, prompt action outside of the current breathing apparatus guidance (OGBA); or wait until the appropriate resources arrive on scene.
- c) A Tynemouth Constituency Labour Party (CLP) Branch Motion on cuts within the Fire Service in Tyne and Wear had been received by the FBU.
- d) A full detailed response on behalf of Members was provided by the Assistant Chief Fire Officer for Community Safety (Appendix E).

Section 8 of the report detailed the response to the concerns raised which Members considered in turn.

ACFO Robson (Acting) explained that the implementation of a crewing level of four across all pumping appliances was essential to balance the available resources against community and firefighter risk and it was considered that potential risks were mitigated by the approaches undertaken on behalf of the Authority.

Implementation would begin on 1 January 2018 on four stations initially and on all pumps dependent upon overall staffing availability. Full implementation would take effect on 1 June 2018 subject to evaluation and reporting.

Councillor Haley commented on two incidents which had taken place in Gateshead whereby the second appliance attendance time was 13 and 17 minutes later and asked for assurances that fire safety was not at risk.

ACFO Robson (Acting) commented that TWFRS had the fastest attendance time for a second appliance and assured members that firefighters would not be at increased risk due to the implementation of this action, as this is what extensive data and risk analysis had shown. Firefighters would need to change their approach to dealing with some incidences however, but this was accommodated within existing procedures. In addition, he was not aware of any issues at either of these incidences in Gateshead.

The Chief Officer agreed and commented that following an assessment of risk and benefit, Operational Guidance for Breathing Apparatus (OGBA), would allow entry into a building within the safe parameters of this guidance, without a second pump present. This entry would be under 'rapid deployment', where there existed an opportunity to preserve life, or, take action that would prevent an incident deteriorating if the Incident Commander were to wait for additional resources.

Councillor Haley then went on to ask if mechanisms were in place to report near misses and incidences to management and was advised that yes staff were encouraged to raise any concerns and that the Authority had been commended for its Health and Safety policies and procedures.

Councillor Oliver referred to section 7 which provided details of other fire and rescue services currently riding four on one pump stations and asked whether they had reviewed the change. The Chief Fire Officer explained that this would be reviewed when they review their IRMP actions therefore information could be provided at a later date. If approved, members of the Authority would receive an update and review at each phase of implementation of riding four on all appliances.

61. RESOLVED that:-

- (i) The feedback from consultation on the action to crew all pumping appliances with four staff be noted;
- (ii) The responses to the concerns raised during the consultation be noted,
- (iii) The Chief Fire Officer, in consultation with the Personnel Advisor to the Authority and the Strategic Finance Manager, be authorised to take all action necessary to implement the proposal detailed in section 5 of the report;
- (iv) Should the financial situation of the Authority sufficiently improve as a result of the Local Government Financial Settlement 2017, or in subsequent years, a report would be brought back to the Fire Authority for a full discussion on the current and previous IRMP recommendations in relation to reduced crewing levels on front line Pumping and Special Appliances with considerations to include reviewing those decisions;

- (v) The Authority notes the current financial difficulties within the Fire sector as a whole, and agreed that Fire Funding should be a Risk Based consideration rather than being demand led, and asked that the Chief Fire Officer and Chairman issue a joint press statement in the strongest possible terms highlighting the challenges the service faced now and into the future as a consequence of the cumulative impact of Government Austerity measures.

LGA Annual Fire Conference 13th-14th March 2018

The Chief Fire Officer and Chief Executive (Clerk to the Authority) the Strategic Finance Manager and the Personnel Advisor to the Authority submitted a joint report to advise Members that the Annual Fire Conference of the Local Government Association (LGA) was scheduled to be held in Gateshead on 13th and 14th March 2018. The report proposed Authority Representation at the conference.

Members were advised that the conference would be held at the Hilton Hotel Gateshead. This provided an opportunity for TWFA to maximise the many benefits available from such a prestigious event which was also held in Gateshead in 2017.

The conference theme would be designed to address the issues and key challenges facing the service in the coming months and years.

There would be a strong national attendance from members and officers of fire and rescue authorities as well as key figures from central government, which would provide an ideal opportunity to further develop an understanding of the emerging issues. As the 'host' FRA, TWFA were provided with two free places at the conference. The cost of additional places totalled £395 + VAT.

62. RESOLVED that Members notify the Chief Fire Officer should they wish to attend and places would be reserved accordingly.

Results of Prosecutions

The Chief Fire Officer/Chief Executive (Clerk to the Authority) submitted a report to update members in relation to the outcome of Fire and Rescue Authority prosecutions that had come before the local courts this year.

The Chief Fire Officer explained that one related to Usman Ali – Ray's Discount Store and the other Katherine High – Vivente. The outcome of both legal proceedings were explained to Members.

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

Bonfire Campaign

The Chief Fire Officer/ Chief Executive (Clerk to the Authority) the Strategic Finance Manager and the Personnel Advisor to the Authority submitted a joint report to inform Members of the impact of the 2017 bonfire campaign.

ACFO Robson (Acting) advised Members that a proactive bonfire campaign was undertaken the weeks prior to 5th November. The key objectives being:

- To raise awareness of the dangers and consequences of the misuse/abuse of bonfires and fireworks amongst young people.
- To encourage everyone to attend an organised display
- To reinforce the message amongst young people that attacks on fire crews would not be tolerated and legal action would be taken
- To work with partners to ensure that effective arrangements were in place to uplift illegal bonfires, prior to ignition
- To investigate and prosecute where necessary, any concerns relating to the storage of fireworks

Members were referred to section 3 of the report which provided in detail, what the campaign entailed.

Statistics for the bonfire periods 2009/10 to 2017/18 were included in Appendix A of the report. Highlights for the period 1st - 6th November and variance from 2016 were:

- 62.5% increase in the number of calls received by Control – 729 to 1192
- 42.5% increase in the number of incidents attended - 468 to 667
- 85.3% increase in the number of deliberate secondary fires – 177 to 328
- 22.2% increase in the number of attacks on our fire crews – 9 to 11
- 75.0% decrease in the number of Firework related primary fires – 4 to 1

To enable the Service to deal effectively with the increased demand and ensure business continuity, additional command and control arrangements were in place over the period. Additional officers were in attendance at both Police and Fire Control on both the 4th and 5th November.

Also on the 4th and 5th November the Targeted Response Vehicles (TRV's) at Washington Community Fire Station were primary staffed from 1500-0000 hours to ensure frontline appliances were available for risk level one and two incidents. Between these hours the TRV's attended 103 out of 342 secondary fire incidents (accidental and deliberate).

Members were then advised of attackers on Firefighters and were disappointed to note that there were 11 reported attacks on operational fire crews in 2017, which represented an increase of 2 in comparison to 2016. There were 9 incidents of physical attack (objects and fireworks thrown) – 1 in Gateshead, 5 in Newcastle, 1 in North Tyneside, 1 in South Tyneside and 1 in Sunderland. There were also 2 incidents of aggression & verbal abuse – 1 in Sunderland and 1 in South Tyneside.

Thankfully no injuries were sustained by firefighters over the 2017 bonfire period, but in light of this increase, the Service would continue to work in collaboration with local partners and Northumbria Police to tackle incidents of anti-social behaviour and attacks on all emergency crews.

Members acknowledged that whilst the number of calls and incidences had increased, collaboration through a partnership approach to the bonfire period continued to be the most efficient and effective way of reducing risk to the community.

Councillor Dodds commented that organised displays were ultimately the safest and suggested that collaboration work should be undertaken with Local Authorities to reduce or even ban unorganised displays.

The Authority referred to the Private Members Bill which was being taken forward by MP Chris Bryant, and hoped that this would act be a powerful deterrent in future years.

64. RESOLVED that:-

- (i) The contents of the report be noted; and
- (ii) Further reports be received as necessary.

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

65. 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 any individual or which was likely to reveal the identity of an individual or information relating to the financial or business affairs of any particular person (including the Authority holding that information) or information 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 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.

