

Item No. 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 15 DECEMBER 2014 at
11.00am.

Present:

Councillor T Wright in the Chair

Councillors Bell, Burdis, M Forbes, N Forbes, Haley, Harrison, Lauchlan, Mole, Mortimer, Perry, Price and Renton.

Part I

Chairman's Announcements

The Chairman informed the Authority members of the fatality which had occurred during one of the recent periods of industrial action. A report was being prepared by the Coroner and the Chief Fire Officer would keep Members up to date as matters progressed.

This was a tragic event and condolences would be sent to the family on behalf of the Authority.

Apologies for Absence

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

Declarations of Interest

There were no declarations of interest.

Minutes

40. RESOLVED that the minutes of the Authority, Part I, held on 17 November 2014, be confirmed and signed as a correct record subject to an amendment to reflect that Councillor Haley seconded the Notice of Motion on the Firefighters Strike at the meeting.

Sunderland City Council Membership

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

The representative of the Deputy Clerk to the Authority advised that at their Council meeting on 26 November 2014, Sunderland City Council had appointed Councillor Len Lauchlan to the Tyne and Wear Fire and Rescue Authority.

Members of the Authority were reminded that the resignation of Councillor Padgett on 13 October 2014 had led to vacancies on the Governance, Policy and Performance and Personnel Appeals Committees and were asked to consider appointments to fill these vacancies.

The Chairman welcomed Councillor Lauchlan to the meeting and proposed that he be appointed to the vacancies on the sub-committees of the Authority.

41. RESOLVED that: -
- (i) the appointment of Councillor Lauchlan be noted; and
 - (ii) Councillor Lauchlan be appointed to the vacancies on the Governance, Policy and Performance and Personnel Appeals Committees.

Results of Prosecutions

The Clerk to the Authority and the Chief Fire Officer submitted a joint report to update Members in relation to the outcome of Tyne and Wear Fire and Rescue Authority prosecutions which had come before the local courts this year.

The representative of the Deputy Clerk to the Authority reported that the first prosecution was in relation to the Thai Manor restaurant in Sunderland. Following a fire safety audit it was found that the premises were being used for accommodation as well as a restaurant. At the time of the inspection, one of the fire exits was secured with a cycle lock and the staff member present could not locate the key. Another fire exit was obstructed and the escape route for staff sleeping in the basement of the building was unprotected.

Officers returned to the property the next day for a more detailed inspection and found the cycle lock on the fire exit was still in place and fire precautions in the

basement were totally unsatisfactory. A Prohibition Notice was issued due to the serious concerns which existed.

The leaseholder of the property, Mr Jahangir Husain Qureshi accepted the findings, cooperated with officers and entered a guilty plea to eight offences charged under the Regulatory Reform (Fire Safety) Order 2005. The matter was transferred to Newcastle Crown Court for sentence, where the Judge imposed a sentence of four months' imprisonment for each of the offences, to run concurrently, which was suspended for 15 months. The leaseholder was also ordered to pay £5,000 towards prosecution costs and a victim surcharge of £80.

Another prosecution had taken place following an inspection of Drinks Express in Adelaide Terrace, Newcastle. Fire officers had discovered 18 boxes of fireworks stored at the rear of the property which were not in their original packaging and there were insufficient fire extinguishers at the premises.

Mr Muhammed Tahir Mehmoud, the owner of the business, had stated that the fireworks were left over stock from previous years and that personal circumstances had led to him failing to renew his licence, however he had a history of late renewals.

The owner entered a guilty plea to two offences under the Manufacture and Storage of Explosives Regulations 2005 and magistrates imposed a sentence of 16 weeks for failing to take appropriate measures to limit the extent of fire and explosion and a concurrent sentence of four weeks for unlicensed storage of fireworks. The sentences were suspended for a period of 12 months and the defendant was also ordered to pay prosecution costs of £500 and victim surcharge of £80.

The representative of the Deputy Clerk to the Authority highlighted that it had previously been reported to Members in November 2013 that Passion Leisure Limited had been convicted of three offences relating to fire safety deficiencies at Butler's Bistro in Nun Street, Newcastle. The defendant had lodged an appeal against the magistrates' decision to impose a fine of £7,500, costs of £4,890 and a victim surcharge of £120, however this application had been withdrawn the day before it was due to be heard and the original decision had therefore not been superseded.

Finally, it was reported that the operators of the North Terrace Hotel Jesmond had also accepted a caution for three offences under the Regulatory Reform (Fire Safety) Order 2005 regarding the locking of a fire exit and the obstruction of an escape route.

Councillor Price asked who would be responsible for a fire risk assessment and the representative of the Deputy Clerk to the Authority advised that this was self-regulatory and it was the responsibility of individual businesses to carry out an assessment under the requirements of the Fire Safety Order.

Assistance Chief Fire Officer Baines added that for each of the businesses who were found to be in breach of the Fire Safety Order, there were hundreds of premises where the service was working in partnership with owners and tenants to help them carry out risk assessments.

Having considered the report, it was: -

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

LGA Annual Fire Conference 10 and 11 March 2015

The Chief Fire Officer submitted a report informing Members of the Authority of the Annual Fire Conference of the Local Government Association (LGA) which was scheduled to be held in Gateshead on 10 and 11 March 2015 and proposing that the Authority be represented at the conference.

The cost of the conference was £360 per person for LGA member authorities and these prices were held at 2008 rates. Under normal practice, the Chairman and one other member of the Authority would attend, however as the conference was to be in Tyne and Wear there was an opportunity for more Members to attend. The Chief Fire Officer also advised that the Authority would be provided with two free places due to it being held in the service area.

The Chief Fire Officer asked Members to provide an early indication of their interest in attending, as places tended to be booked from January onwards. Councillor Burdis suggested that one member from each of the five districts could attend and Councillor Perry expressed his interest as this was his first year as a Member of the Authority.

Councillor Mole stated that he and Councillor Haley would also like to attend as the conference was taking place in Gateshead and offered any assistance which their local authority could provide to other Fire Authority members.

The Chair requested that any further expressions of interest be submitted to the Chief Fire Officer by email.

It was: -

43. RESOLVED that the Chief Fire Officer be authorised to proceed with booking the places at the LGA Fire Conference in line with the approach discussed at the meeting.

Budget Planning Framework 2015/2016

The Chief Fire Officer and the Finance Officer submitted a joint report identifying the key factors influencing the development of the Authority's financial plans into the medium term and setting out the Budget Planning Framework for 2015/2016.

The Finance Officer stated that the Government was continuing with its deficit reduction plan and austerity measures would continue throughout the next parliament. Health and education spending would be protected and it was clear that the savings required over the next few years would be significant as only 40% of the

reductions needed to eliminate the budget deficit had been made by the Government.

The report provided Members with a summary of the national economic context and the local income position. Members were directed to paragraph 7.1 of the report which set out the detailed financial information and summarised the funding gap which was projected over the next three years. Taking all of the IRMP savings which had already been achieved into account, the overall position was showing an estimated funding gap of £6.148m.

It was highlighted that the figures presented did not include any future savings from the IRMP actions still to be implemented relating to greater collaborative working and a further organisational review; any increase in the council tax precept or take up of freeze grant; any budget surplus achieved over the period; and temporary use of reserves to smooth the implementation of IRMP savings.

It remained to be seen what would happen beyond 2015/16 and Members were asked to consider the proposed Budget Planning Framework to guide the preparation of the Revenue Budget for 2015/2016 as set out below:

- Budget planning to be based on the high level position outlined at section 7 of the report and this would be updated in light of the Local Government Finance Settlement expected later in the month;
- Provision for spending commitments to be included at this stage on the basis set out at section 6 of the report and was to be kept under review;
- Budgets to be prepared on the basis that all spending pressures not specifically identified as commitments to be accommodated within existing budgets;
- All commitments against Delegated surpluses/reserves to be reviewed;
- The position regarding the Council Tax Precept to be considered as part of the budget process; and
- Commitments against general balances and earmarked reserves are to be updated as necessary throughout the budget process.

There was a session arranged for the Authority to discuss budget planning in more detail in February 2015 and an update would also be provided at that month's Authority meeting.

Having considered the report, the Authority: -

44. RESOLVED that: -

- (i) the contents of the report and the revised estimated funding gap based on the most up to date government funding releases be noted;
- (ii) the proposed Budget Planning Framework summarised at Section 8.1 of the report which would guide the preparation of the Revenue Budget for 2015/2016 be agreed; and
- (iii) it be noted that the full Medium Term Financial Strategy 2015/2016 to 2017/2018 would be presented to the Authority in February 2015.

Integrated Risk Management Plan Update

The Chief Fire Officer presented a report providing the Authority with an update in respect of the implementation of the current Integrated Risk Management Plan (IRMP) actions.

IRMP actions were developed on a four year rolling programme to enable medium term planning and consultation with staff, partners and communities. The current series of IRMP actions were agreed as a programme in October 2012 and augmented by two additional actions in November 2014.

Assistant Chief Fire Officer Brindle reminded Members that the Authority had agreed to make changes to the operational response model in January 2014 and the implementation plan had been approved in March 2014. Phase 1 of the implementation process had seen the removal of two main appliances from Swalwell and Wallsend in June 2014 and the impact of the change was being monitored. Staffing numbers had reduced at these stations through natural wastage.

The introduction of the new Targeted Response Vehicles was ongoing and the planned standing down of two appliances at night would take place between December 2014 and May 2015.

Monitoring and reviewing processes for the plan had been designed and monitoring had commenced. Day Crewing Close Call had been implemented at Rainton Bridge in June 2014 and this completed all planned Day Crewing stations.

With regard to the review of diversionary activities, funding had been identified to continue to support Safetyworks, the Phoenix Project and the Prince's Trust and the review was now complete.

Final agreement was given to the new structure for the catering service in July 2014 and the changes would be implemented from February 2015. The work on the potential establishment of a Trading Company was almost complete and a full report would be presented to the Authority in the New Year.

Work was now beginning to establish the scope, process and timescale for the organisational review which had been agreed by the Authority in November 2014. The review would start from management level and it was intended to have input from an external provider to assist with, and provide challenge to, the process.

Initial meetings had been held with Northumbria Police and the North East Ambulance Service to begin scoping the opportunities which could be explored for further developing collaborative relationships with partners.

ACFO Brindle advised that for the purpose of future IRMP updates, the Day Crewing, Diversionary and Catering reviews were now deemed to be complete and would not be included in future reports.

Upon consideration of the report, it was: -

45. RESOLVED that the contents of the progress report be noted and received for information.

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

46. 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 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, 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.