

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 18 FEBRUARY 2019 at  
10.30am.

**Present:**

Councillor Curran in the Chair

Councillors Bell, Burdis, Dodds, Duggan, Flynn, Haley, Harrison, Kilgour, Oliver, Perry, Pickard, Stephenson, Taylor and Woodwark.

The Chairman, on behalf of the Authority, welcomed all those present to the meeting.

**Part I**

**Apologies for Absence**

Apologies for absence were submitted to the meeting on behalf of Councillor Forbes and Dame Vera Baird DBE QC.

**Declarations of Interest**

There were no declarations of interest.

**Minutes**

59. RESOLVED that:-

- (i) the minutes of the Authority, Part I held on 14<sup>th</sup> January 2019 be confirmed and signed as a correct; and
- (ii) the minutes of the Policy and Performance Committee, Part I held on 12<sup>th</sup> November 2018 be noted for information.

**Revenue Budget 2019/2020 and MTFS 2019/2020 to 2022/2023**

The Chief Fire Officer/Chief Executive (the Clerk to the Authority) and the Strategic Finance Manager submitted a joint report to present for consideration and approval by Members:

- the Revenue Estimates for 2019/2020;
- the Authority's Council Tax Requirement for 2019/2020;
- the Council Tax Precept required to be levied on the District Councils in Tyne and Wear for 2019/2020, and
- an updated Medium Term Financial Strategy Statement for 2019/2020 to 2022/2023.

The Strategic Finance Manager reminded Members that Since 2010/11, the Authority's Net Budget Requirement reduced from £59.4m to £48.1m in 2018/19, a reduction of £11.3m. The Authority's Core Spending Power (CSP) had reduced by 18.41%, the third biggest decrease of all Fire & Rescue Authorities.

The Chairman and Chief Fire Officer had recently met with the Minister, who had accepted that the cuts Tyne and Wear Fire and Rescue Authority were faced with, were disproportionate.

The Government's Core Spending Power for Tyne and Wear Fire and Rescue Authority would increase by £0.732m or 1.54% in 2019/2020. The government figures assumed a Council Tax increase of 4.65%, made up from the revised cap put in place last year, which allowed an increase of below 3% (2.99%) for the fire service, and an assumption that the Authority's Tax Base would grow by 1.66%.

The Strategic Finance Manager advised that in compliance with the Authority's statutory obligations, Members and Officers had met with representatives of the North East Chamber of Commerce at the Service Headquarters on 15th February 2019. No issues were raised.

Members were then advised that it was now clear that the 2019/2020 updated budget position had improved by almost £0.500m since that indicated in the Provisional Local Government Finance Settlement report. The main impact had been a number of positive outcomes received from the District Council's in respect of higher Council Tax Surpluses and higher Business Rates share than anticipated. The combined impact of taking all of these changes into consideration, allowed the Authority to propose a revenue budget for 2019/2020 of £48.615m and a Council Tax Requirement of £23.712m.

The Council Tax Base for 2019/2020 was £288,014, a 1.22% increase, which alone would increase Council Tax precept income by £0.277m. There was also a one-off net surplus on the Council Tax Collection Fund for 2018/2019 of £0.442m, which improved the financing of the 2019/2020 budget.

Members were then advised that the Authority's local share of business rates income, as notified by the five District Councils within Tyne and Wear for 2019/2020, totalled £3.934m. This compared unfavourably to the Government assessed business rates income total of £4.023m included in the settlement. Fortunately, the Authority had planned for a more realistic income collection of £3.886m. However, there was an added cost pressure of £0.041m in relation to the Authority's share of the net deficit position on the business rates element of the Collection Fund for 2018/2019. In effect therefore, the actual Business Rates income in total was £0.007m more than that estimated in the MTFS but £0.130m

short of the Government's estimate.

Taking all government funding, precept income and the local share of business rates into consideration, it was not possible to construct a balanced budget on the assumption that a 2.99% increase in the Precept (within the capping criteria of 3%) was approved by members. The proposed increase in Council Tax in 2019/2020 would result in a 'basic' Band D Council Tax of £82.33, an increase of £2.39 from the previous years' precept of £79.94. The temporary use of balances of £0.842m was therefore considered unavoidable, however this could not be sustained on a permanent basis.

Councillor Haley commented that it was disappointing that the Fire Authority had not been allowed the same flexibility to raise the precept by a flat rate (£24 at Band D), as the PCC. Had this been applied, this would have helped significantly with the budget shortfall that the Authority was faced with.

The Strategic Finance Manager agreed and advised that the only other alternative way to raise the precept further, was to exceed the cap of 2.99% which would then trigger a referendum at a cost of approximately £1m, which was a huge risk if the electorate voted against the increase.

60. RESOLVED that:

- (a) the revised estimate for 2018/2019, as summarised at Appendix A be noted;
- (b) the proposed Revenue Estimates for 2019/2020, as summarised at Appendix A be approved;
- (c) the Projected Pensions Account 2019/2020 detailed at Appendix B be noted;
- (d) the associated risks and their mitigation as set out in Appendix C be noted;
- (e) the updated position on the General Reserves and Earmarked Reserves (Appendix D) be approved;
- (f) the updated Medium Term Financial Strategy Statement for 2019/2020 to 2022/2023 detailed at Appendix E be noted;
- (g) the Council Tax base of 288,014 (known as Item T) for the year 2019/2020, as notified by the billing authorities within Tyne and Wear under the new regulations be noted;
- (h) the following amounts for the Authority for the year 2019/2020 which represents a Council Tax increase of 2.99% for 2019/2020, in accordance with Sections 42A to 47 of the Local Government Finance Act 1992 as amended be approved:

- (i) £57,924,169 - being the aggregate of the amounts which the Authority estimates for the items set out in Section 42A(2)(a) to (d) of the Act;
- (ii) £34,211,977 - being the aggregate of the amounts which the Authority estimates for the items set out in Section 42A(3)(a) to (b) adjusted for item of the Act;
- (iii) £23,712,192 - being the amount by which the aggregate at (i) above exceeds the aggregate at (ii) above, calculated by the Authority in accordance with Section 42A(4) of the Act, as its Council Tax Requirement for the year, Item R in the formula in Section 42B of the Act;
- (iv) £82.33 - being the amount at (iii) (Item R) above divided by the Council Tax Base (Item T), calculated by the Authority in accordance with Section 42B(1) of the Act, as the basic amount of its Council Tax for the year.

(v) **Valuation Bands**

|          | £             |  |
|----------|---------------|--|
| <b>A</b> | <b>54.89</b>  | being the amount given by multiplying the          |
| <b>B</b> | <b>64.03</b>  | amount at (iv) above by the number which, in       |
| <b>C</b> | <b>73.18</b>  | the proportion set out in Section 5(1) of the Act, |
| <b>D</b> | <b>82.33</b>  | is applicable to dwellings listed in a particular  |
| <b>E</b> | <b>100.63</b> | valuation and divided by the number which that     |
| <b>F</b> | <b>118.92</b> | proportion is applicable to dwellings listed in    |
| <b>G</b> | <b>137.22</b> | valuation band D, calculated by the Authority in   |
| <b>H</b> | <b>164.66</b> | accordance with Section 47(1) of the Act, as the   |
|          |               | amounts to be taken into account for the year in   |
|          |               | respect of categories of dwellings listed in       |
|          |               | different valuation bands.                         |

- (i) It be noted that under Section 52ZB of the Local Government Finance Act, the Authority's relevant basic amount of council tax for 2018/2019 is not excessive in accordance with the principles determined under Section 52ZC(1) of the Act (i.e. no referendum is required).
- (j) It be approved that in accordance with Section 40 of the Local Government Finance Act 1992, the billing authorities within the area of this authority be issued with precepts in the amount of £23,712,192 for the financial year beginning 1<sup>st</sup> April 2019, the amount of the respective precepts to be issued to each billing authority's area in accordance with Sections 42A to 48 of the 1992 Act.

Councillor Bell left the meeting.

## **IRMP Review – How We Respond Relative to Risk**

The Chief Fire Officer/Chief Executive (the Clerk to the Authority), the Strategic Finance Manager and the Personnel Advisor to the Authority submitted a joint report to document and report the findings of recent consultation activities relating to the proposed changes to operational response resulting from the Integrated Risk Management Plan (IRMP) 2017-2020.

The report outlined the duty to involve stakeholders, the approach taken in undertaking the consultation activity, documents the consultation findings and analysed those findings in terms of the themes of the feedback received.

The report also set out revised proposals in the light of the consultation feedback, sought the Authority's agreement to adopt the revised proposals and authorise the Chief Fire Officer to begin implementation.

Following the meeting on 5<sup>th</sup> November 2018, the Authority entered into a twelve week consultation period on the following proposals:

**Proposal 1** – Dynamically adjust the distribution the distribution and availability of appliances based on risk and demand

**Proposal 2** – Introduce Day Crewing (On Call) / On Call duty systems based on risk and demand

**Proposal 3** – Adjust the staffing model to deliver a more effective and efficient use of resources

Members were advised that a total of 3,140 completed surveys were received from members of the public and a total of 130 staff surveys were completed.

ACFO Robson outlined the following findings and consultation feedback to Members and also explained the response to such feedback as follows:-

- Community safety, and firefighter safety, health and wellbeing – Concerns were raised about the potential for decreased fire cover and increased response times, resulting in a detrimental impact on community and firefighter safety.

Members were assured that proposals would not have been put before the Authority had they not been deemed to be safe.

Throughout the review, the multi-disciplinary team had assessed and analysed the potential risk to the community and firefighters and an intelligence-led approach had underpinned the selection of proposals for change. These proposals had been carefully selected to protect as much of the frontline service as possible whilst targeting risk as a priority and reducing cost in line with the need to set a balanced budget.

- Resilience of the proposals to changes in future risk – concerns about having a sufficient number of appliances available, as well as suitably qualified and experienced firefighters and control staff.
- Local considerations and potential to redistribute rather than reduce risk – some highlighted that the proposals simply redistributed rather than reduced risk, leaving areas that were currently served more vulnerable.

Members were advised that the proposals had focused specially on targeting high life risk incidents by moving specific resources closer to the highest risk areas. Accidental fires and associated life risk remained a strategic priority for the Authority and therefore risks the proposals were targeted at addressing the issues raised by the FBU around speed and weight of attack.

A dedicated programme of risk reduction was planned for communities that had raised concerns about their perception and safety.

- Work-life balance and morale – Some highlighted that proposals may lead to increased childcare costs whilst others welcomed the introduction of more modern working practices, viewing it as a more efficient use of resources and potentially more financially beneficial for some staff.
- Working conditions for firefighters and control staff – particularly in relation to Proposal 3, concerns were raised about the impact of a reduction to the overall staffing levels of firefighters and control.

ACFO Robson explained that the proposals did not significantly impact on the working conditions or work-life balance of firefighters any more than existing patterns. One element of the proposals was a change of start finish times that would see dayshifts end by 17:00hrs and the introduction of a negotiated agreement that provided greater flexibility, whilst removing unpopular elements of existing patterns.

Members were also advised that, the review had not proposed the introduction of a permanent mid shift nor had it proposed the introduction of an eight hour shift pattern. The proposal was to use a flexible swap a shift process that was an extension of locally agreed arrangements already in place.

- Standard response times – concerns were raised about the ability to maintain standards, attendance times for the 2<sup>nd</sup> and 3<sup>rd</sup> fire engines and the perceived loss of fire engines at night.

The Authority was advised that there were 24 engines in service now, and that there would be the same number available should the implementation be approved. The proposals were merely ensuring that the fire engines were positioned where they were needed most, and then staffed in a flexible and sustainable way.

In terms of firefighter numbers available on duty, the proposals ensured that the total number of firefighters was maintained at 96 throughout the 24 hour period, flexing based on risk and demand through greater use of more appropriate duty systems and predetermined delays. In addition, the proposed introduction of Day Crewing

duty systems at certain locations supported the more productive use of resources in line with risk and demand.

ACFO Robson went on to say that it was planned to introduce critical improvements to the mobilising and resource management system that would further help the protection of fast response times whilst ensuring the correct resources were promptly selected to maintain speed and weight of response.

- Business Decisions made by the Authority – views were expressed about whether decisions made by the Authority could be changed or reversed to minimise the impact on frontline services.

Members were advised that usable financial reserves were split into revenue and capital. Revenue reserves were categorised into a General Fund to cover unforeseen spending pressures and Earmarked Reserves which were held for a specific purpose. Capital reserves must, according to statute, be ring fenced for capital investment; such as for new equipment, fire engines and replacement stations.

The Authority had approved a total budget of £5.25m for the replacement of Hebburn Community Fire Station and it was considered prudent that the full budget allocation remained earmarked in the capital programme for this purpose. In the event that the proposed development required less than the full allocation, then the budget would be amended accordingly.

- Additional points in Feedback from the Fire Brigades Union – a view that proposals affecting staffing arrangements should be subject to formal negotiation rather than public consultation; the use of inaccurate data; concerns around extending the use of Day Crewing Duty systems; concerns about work-life balance and compliance with the Scheme of Conditions of the Service.

Members were reminded that Officers reported to the December Authority meeting, errors in one table and the audit work which had been undertaken to ensure that the remainder of the report, as well as data relied on to formulate the proposals were correctly quality assured and valid, and had little, or no direct impact on proposals.

With regards to compliance with the Scheme of Conditions of the Service, unless the workforce through their representative bodies agreed to vary this duty system, then the proposed system would be grey book compliant.

- Consideration of alternatives to operational response changes – it was highlighted that the Service may wish to consider where budget reductions could be found from other services which included non-operational staff and management costs and also suggested that existing reserves could be used to meet the budget shortfall.

Of the alternative proposals received, six were further analysed in detail. One proposal involved the repositioning of the Heavy Rescue Tender from Newcastle Central to another location rather than Wallsend. Further analysis indicated that

relocation to Washington Community Fire Station would meet the Service's requirements for this type of vehicle at no additional cost.

Other alternative proposals included:-

Proposal A – Amend existing Proposal 2 to utilise alternative fire engines to provide cover at Wallsend and Hebburn Community Fire Stations between 20:00 and 8:00hrs

Proposal B – Amend existing Proposal 2 to introduce Day Crewing (On Call) duty system for the second fire engine at Gateshead rather than the fire engine at Hebburn Community Fire Station

Proposal C - Amend existing Proposal 2 to introduce additional Day Crewing (On Call) duty system for each fire engine at Gosforth and Marley Park Community Fire Stations and do not introduce an On Call duty system for the second fire engine at Farringdon Community Fire Station

Proposal D – Amend existing Proposal 2 to change Day Crewing (Close Call) duty system for each fire engine at Birtley and Rainton Bridge Community Fire Stations to Day Crewing (On Call) and do not introduce an On Call duty system for the second fire engine at Farringdon Community fire Station

Proposal E – Amend existing Proposal 2 to introduce Day Crewing (On Call) duty system for the second fire engines at Tynemouth and South Shields rather than the fire engine at Wallsend and Hebburn Community Fire Stations

Proposal F – Amend existing Proposal 2, to close Hebburn and South Shields Community Fire Stations and build a new Community Fire Station in between to host three fire engines rather than replace Hebburn Community Fire Station and introduce a Day Crewing (On Call) duty system for the fire engine at Hebburn

Members were then referred to the revised proposals detailed in section 6 of the report and were advised that it was proposed to implement them over a number of years with final implementation included by 1<sup>st</sup> April 2021. The financial implications within section 7 were indicative, and based on anticipated phased implementation dates that may be subject to change.

At this juncture the Deputy Clerk to the Authority advised that a petition had been received entitled 'Cuts Cost Lives! Support your Firefighters to halt the cuts' which had been launched by the FBU. The petition had received 2008 signatures. The Deputy Clerk read out the petition for the information of members of the Authority.

Councillor Haley questioned what the consequences would be of diverting the capital reserve and was advised that the capital reserve was earmarked for capital projects, therefore the new fire station would not be built and it would instead, be diverted into general reserves. In addition to this, the use of capital reserves to facilitate the revenue budget was not a long term solution and would put the Authority in an extremely dangerous position which would resultantly lead to redundancies as it was not a sustainable way to set a balanced budget.



Councillor Flynn commented that he was supportive of the replacement of Hebburn Fire station having recently visited it and had discussions with staff, with development plans being over and above that of a normal fire station.

Councillor Woodward referred to the austerity the Authority had been faced with since 2010 and commented that this had not come to an end, it had in fact continued. This had caused significant challenges for the Authority when receiving year on year cuts in funding, leaving Members in position of being faced with very difficult decisions to make.

The Chief Fire Officer agreed and explained the unfortunate position of the Authority given the disproportionate cuts in funding that Tyne and Wear had been faced with and commented that it was hoped that 'fairer funding' would be seen in the future. In the meantime, the Authority was required to continually use the IRMP to balance both risk and resource.

Councillor Stephenson expressed her concerns that the proposals still did not even meet the budget shortfall and commented that the decisions the Authority were required to make were unfair. Tyne and Wear had prudently managed its budget despite cuts in funding and sadly further cuts were still being made.

Councillor Oliver referred to Day Crewing Close Call (DCCC) and asked whether legal advice had been received. ACFO Robson advised that advice had been sought and that a review was to be undertaken.. The FBU had been invited to be involved in this process.

Councillor Haley, seconded by Councillor Burdis, moved the following amendment to the recommendations:

Paragraph C – Agree to implement Proposal 1 as set out in Section of the report from April 2019

Paragraph D – Authorise the CFO to carry out the necessary work to allow the Authority to fully consider the implications of implementing proposals 2 and 3 if future Central Government Funding is not forthcoming

Councillor Woodward expressed his concerns that problems within the revenue budget were being delayed and that evidence from Government did not back the optimism.

Councillor Pickard commented upon the consequences the disproportionate cuts were having on the Authority and that Tyne and Wear should be the same as other authorities across the Country. Whilst a promise of fairer funding had been made, this was yet to be seen.

The Chairman referred to the proposed amendments to the recommendation and upon being put to the vote, the amendments were carried with 12 members voting in favour:-

|             |        |          |         |            |
|-------------|--------|----------|---------|------------|
| Councillors | Burdis | Flynn    | Kilgour | Pickard    |
|             | Curran | Haley    | Oliver  | Stephenson |
|             | Dodds  | Harrison | Perry   | Taylor     |

And 2 Members voting against:-

|             |          |
|-------------|----------|
| Councillors | Duggan   |
|             | Woodwark |

61. RESOLVED that:-

- (i) The feedback and responses from the consultation regarding the proposals resulting from the IRMP review of how we respond relative to risk be noted;
- (ii) The responses provided to key concerns be noted;
- (iii) Approval be given to implement proposal 1 as set in section 6 of the report from April 2019;
- (iv) The CFO be authorised to carry out the necessary work to allow the Authority to fully consider the implications of implementing proposals 2 and 3 if future Central Government Funding was not forthcoming; and
- (v) Further reports be received as required.

The Chairman, on behalf of the Authority, thanked all officers, members of the public in attendance and the FBU.

### **Capital Programme 2019/2020 including Prudential Indicators for 2019/2020 to 2022/2023**

The Chief Fire Officer/Chief Executive (the Clerk to the Authority) and the Strategic Finance Manager submitted a joint report to present to Members the proposed Capital Programme for 2019/2020, including the Prudential Indicators for the next four year period from 2019/2020 to 2022/2023.

The Strategic Finance Manager advised the Authority that the proposed Capital Programme and Vehicle Replacement Programme totalled an estimated £10,809,735. This included the following:

|  | <b>£m</b>     |
|--|---------------|
| Commitments from 2018/2019               | 5.548         |
| Continuing Projects                      | 1.744         |
| New Projects                             | 0.224         |
| Vehicle Replacement Programme            | 3.294         |
| <b>Total Capital Programme 2019/2020</b> | <b>10.810</b> |

Members were advised that included within new projects was the purchase of 14 new pumps during 2020/2021. The specification was expected later that week.

The Authority would also need to utilise a further £3.473m of its capital reserves to fund the projected costs of the proposed capital programme over the following three years to 2022/2023, in addition to the £7.786m already earmarked from reserves for 2019/2020. The Strategic Finance Manager reminded Members that the use of reserves was not a sustainable model and that borrowing would be inevitable should government funding not be provided in the future. This would then mean additional debt charge costs for the revenue budget that the Authority could ill afford.

The Authority's Capital Programme over the next four year period, from 2019/2020 to 2022/2023 would cost an estimated £16.533m, the bulk of which was expected to be expended in 2019/2020 at this stage.

Members were then requested specifically and separately to approve the statutory Prudential Indicators, (P5) the Authorised Limit for External Debt of £48.352m and (P6) the Operational Boundary for External Debt of £43.352m for 2018/2019, in accordance with the statutory regulations.

62. RESOLVED that:-

- (i) the Capital Programme and Vehicle Replacement Programme for 2019/2020 as set out in Appendix A be approved;
- (ii) the Prudential Indicators for the years 2019/2020 to 2022/2023 as set out in Appendix B, and specifically the Authorised Limit for External Debt of £48.352m and the Operational Boundary for External Debt of £43.352m for 2019/2020 be approved; and
- (iii) the Annual Minimum Revenue Provision Statement as specified in Section 2.12 of Appendix 1 be approved.

### **Stonewall Workplace Equality Index Update**

The Chief Fire Officer/Chief Executive (the Clerk to the Authority), the Strategic Finance Manager and the Personnel Advisor to the Authority submitted a joint report providing Members with an update regarding the submission to enter the Stonewall Workplace Equality Index 2018 (WEI).

ACFO Baines advised Members that taking part in the Workplace Equality Index (WEI) involved completing a comprehensive on-line questionnaire including supporting evidence. Responses were completed anonymously and submitted directly to Stonewall.

The submission process was extremely thorough and a record number of 445 employers submitted entries to the 2019 Workplace Index.

The results were announced on 21 January 2019 and the Authority was ranked 84<sup>th</sup> and one of only three fire and rescue services and only one of eight emergency

services to be successful. This represented a significant achievement to maintain the status as a Top 100 inclusive Employer.

Members were advised that taking part in the WEI demonstrated that the Authority was clearly committed to LGBT equality and inclusion. Participation leads to improved equality outcomes both in the workplace and in the community.

Councillor Haley commented upon the importance of community engagement and asked about the costs and value of Pride events.

ACFO Baines responded by advising that attendance at the Newcastle and Sunderland Pride events reached between £80-90k and commented that such events required only a small investment yet had a huge impact and were incredibly powerful in terms of community engagement.

Councillor Woodward commented that WEI achievement was a positive news story that the Authority should be proud of.

63. RESOLVED that:-

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

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

64. 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) (Local Government Act 1972, Schedule 12A, Part I, Paragraph 3).

(Signed) B. Curran  
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.