



**MINUTES OF THE MEETING OF THE CHESHIRE FIRE AUTHORITY held on Wednesday 23 September, 2015 at Fire Service Headquarters, Winsford at 10.30 a.m.**

**PRESENT:** Councillors D Bailey, M Biggin, P Booher, R Daniels, D Flude, P Harris, J Joyce, D Mahon, D Marren, J Mercer, G Merry, S Nelson, S Parker, R Polhill, B Rudd, T Sherlock, M Simon, J Weatherill, N Wright and S Wright.

**PART 1 – MATTERS CONSIDERED IN PUBLIC**

**1 PROCEDURAL MATTERS**

**A RECORDING OF MEETINGS**

Members were reminded that the meeting would be audio-recorded.

**B APOLOGIES FOR ABSENCE**

Apologies were received from Councillors P Carey and L Morgan.

**C CHAIR'S ANNOUNCEMENTS**

The Chair said a few words and asked the Authority to stand for a minutes silence in memory of Councillor Peter Mason who had recently passed away. Councillor Mason had been appointed to the Fire Authority in June 2015 and was a long-standing Councillor with Cheshire East Council and, prior to local government re-organisation, Congleton Borough Council and Cheshire County Council.

The Chair asked Members to note the rest of the Chair's Announcements which included details of the Authority's achievements and events Members had attended since the Annual meeting in June. It also included dates for Members diaries for forthcoming events in October and November 2015.

The Deputy Chair requested that congratulations be passed on to Terry McDermott (previously an area manager at CFRS) on his appointment as Chief Fire Officer for Derbyshire Fire and Rescue Service.

**D DECLARATION OF MEMBERS' INTERESTS**

There were no declarations of interest.

**E MINUTES OF THE FIRE AUTHORITY**

**RESOLVED:**

That the Minutes of the annual authority meeting held on 17 June 2015 be confirmed as a correct record.

**F MINUTES OF THE POLICY COMMITTEE – 24 JUNE 2015**

**RESOLVED:**

That the Minutes of the meeting of the Policy Committee held on 24 June be received, for information.

**G MINUTES OF THE POLICY COMMITTEE – 19 AUGUST 2015**

**RESOLVED:**

That the Minutes of the meeting of the Policy Committee held on 19 August 2015 be received, for information.

**H MINUTES OF THE CLOSURE OF ACCOUNTS COMMITTEE**

**RESOLVED:**

That the Minutes of the meeting of the Closure of Accounts Committee held on 24 June 2015 be received, for information.

**I MINUTES OF THE GOVERNANCE AND CONSTITUTION COMMITTEE**

**RESOLVED:**

That the Minutes of the meeting of the Governance and Constitution Committee held on 15 July 2015 be received, for information.

**J MINUTES OF THE PERFORMANCE AND OVERVIEW COMMITTEE**

**RESOLVED:**

That the Minutes of the meeting of the Performance and Overview Committee held on 19 August 2015 be received, for information.

**K APPROVAL OF PROPOSAL FOR PARTNERSHIP UNDER THE PRIMARY AUTHORITY SCHEME BETWEEN CHESHIRE FIRE AUTHORITY AND HYDES' BREWERY LIMITED.**

This item was submitted to the Fire Authority, for information, in accordance with paragraphs 4.87 to 4.89 of the Constitution – Urgent Business determined between Fire Authority meetings.

**L APPOINTMENT OF MEMBER CHAMPION FOR PENSIONS**

Members were invited to appoint a Member Champion with responsibility for Pensions (who will chair the Pension Board).

**RESOLVED: That:**

- [1] Councillor Marren be appointed as the Pensions Member Champion for 2015/16.**

**2 AUDIT FINDINGS REPORT 2014-15**

The Head of Finance introduced this item and explained that Robin Baker, Engagement Lead for Grant Thornton, the Authority's external auditor, was in attendance at the meeting to present the Audit Findings Report 2014-15 for Members' consideration.

Robin Baker (the Auditor) provided an overview of the content and purpose of the report which was to highlight the key matters arising from the audit of the Authority's financial statements for the year ended 31 March 2015. He explained that the External Auditor was required to report the audit findings in accordance with the requirements of International Standard on Auditing 260 (ISA UK&I).

The findings of the report showed that there were no significant matters to report to the Authority and also no adjustments that would affect the Authority's reported position. He provided further detail on two significant accounting issues that had been discussed with management. The first was the need for management to make a decision on how it would account for the investment in the North West Fire Control Centre project. The second was the ruling by the Pensions Ombudsman in May 2015 in relation to firefighters commutation rates which created a significant liability for Fire Authorities. He commented that in both cases the Auditors were satisfied that the Authority had applied the correct accounting treatment. In the second case the Authority had created a contingent liability because there was still uncertainty about the amount of liability. This liability would be affected by Government grant.

The Auditor confirmed that an unqualified opinion on the Authority's financial statements would be issued together with an unqualified value for money conclusion in respect of the Authority's arrangements to secure economy, efficiency and effectiveness in its use of resources for the year ending 31 March 2015. The Auditor informed Members that the work on the value for money conclusion had highlighted that the Authority continued to work effectively with partners and had a good track record for delivering the savings required.

The Auditor thanked the Authority's Finance Team for all their hard work and the co-operation received during the audit. He commented that, despite a challenging year for the Authority, it continued to maintain an excellent relationship and engaged positively with the External Audit Team. Members thanked Grant Thornton for the report and the Head of Finance and his team for all their hard work in securing a positive outcome to the audit.

**RESOLVED: That**

**[1] the content of the Audit Findings Report 2014-15 be approved.**

**3 2014-15 FINAL ACCOUNTS**

The Head of Finance presented the 2014-15 Final Accounts to Members for approval prior to publication before the end of September and explained that the overview of the accounts needed to be considered in conjunction with the Grant Thornton Audit Findings Report. He informed Members that full copies of the accounts had been provided in group rooms prior to the Authority meeting and had been made available on the Service's website.

The Head of Finance explained that, following further debate nationally regarding firefighters commutation payments, as mentioned in the External Auditors report and discussions with Grant Thornton, a more detailed explanation on the contingent liability relating to these payments had been added to the notes in the accounts and the letter of representation. Revised versions of the documents had been issued.

The accounts showed an underspend of £494k against the revised revenue budget of £43,055k. The budget had been revised twice during the year, after reports on the mid-year review and third quarter review position had been reported to Members. In total these reports projected underspends of £1,646k. The underspend achieved by the Authority should be seen in the context of the preparations to meet the substantial savings requirements included in the Authority's Medium Term Financial Plan. It was recommended that all the underspend, including the £494k in the final accounts, should be transferred to the IRMP reserve.

The current reserves position was highlighted and Members were informed that the General Reserve had a balance of £6,962k which mitigated against the possibility of a significant financial consequence arising in the event of any of the Authority's corporate risks materialising. The Head of Finance drew Members attention to earmarked IRMP reserve of £15,857k and stated that this reserve was a key part of the Service's strategy in delivering future IRMPs. He added that the reserve would support the ambitious capital build programme which was a key part of the delivery of the IRMP actions plans and that, in future, the Authority would be unlikely to receive capital grant to support its core capital requirements.

It was noted that the Authority was required to sign a letter of representation to the External Auditors which explained the Authority's responsibilities in relation to the audit on an annual basis. A revised copy of the letter was distributed prior to the meeting and it was recommended that the Authority approve the signing of the letter by the Chair and the Chief Fire Officer and Chief Executive.

Members discussed the content of the report and the Chair of the Fire Authority commented that, although there was some concern over the current level of reserves Members should be reassured that the Authority had a clear strategy which detailed where the reserves would be used to invest in the future delivery of the service.

**RESOLVED: That**

- [1] the 2014-15 Final Accounts be approved for publication;**
- [2] the current balances of the Authority's reserves be noted;**
- [3] the transfer of the Authority's underspend in 2014-15 to the IRMP reserve be approved; and**
- [4] the Letter of Representation to the Auditors be approved and the Chair of the Authority be authorised to sign it.**

**4 FIRE AND RESCUE NATIONAL FRAMEWORK ANNUAL STATEMENT OF ASSURANCE 2014-15**

The Head of Performance, Planning and Communications introduced this report which presented Members with the draft Annual Statement of Assurance for approval to fulfil one of the requirements under the Fire and Rescue National Framework for England (2012) to publish an Annual Statement of Assurance.

The Head of Performance, Planning and Communications explained that the Statement outlined the significant financial and operational issues facing the Authority that needed to be effectively managed. It also highlighted areas where further improvements could be made to evidence compliance with the Authority's Local Code of Corporate Governance. He added that the draft statement was presented to Governance and Constitution Committee in July for review prior to its submission to the Fire Authority.

The Statement of Assurance for 2014-15 and all compliance and assurance documentation together with other relevant links and signposts would be published and accessible directly from the Service's website. Members congratulated the Head of Performance, Planning and Communications and his team on the production of an excellent and easy to read document.

**RESOLVED: That**

- [1] the Annual Statement of Assurance 2014-15 be approved for publication on the Service's website**

## **5 PUBLICATION OF AUTHORITY'S ANNUAL REPORT 2014-15**

The Head of Planning, Performance and Communications presented the report to Members which sought approval for the publication of the Service's Annual Report for 2014-15. The draft report incorporated statutory information on the annual Statement of Accounts, summary information about key areas of performance during the last financial year, details and opportunities to comment on future plans and key safety messages and advice. It was noted that there remained both a statutory duty and an expectation for Fire Authorities to publish and widely distribute information about its performance and finances.

Once approved, an electronic copy of the publication would be published on the Service's website by 30<sup>th</sup> September and delivery of printed copies to residents would commence on 13<sup>th</sup> October and was scheduled to be completed within a week. The Head of Planning, Performance and Communications added that from a financial perspective the costs would be met from within existing budgets and equated to just under 5p per head of population.

### **RESOLVED: That**

**[1] the draft Annual Report 2014-15 be approved for publication.**

## **6 ANNUAL ACTION PLAN – DRAFT INTEGRATED RISK MANAGEMENT PLAN 2016-17 (IRMP13)**

The Head of Planning, Performance and Communications presented the report which sought Members approval for the draft IRMP for 2015-16 (IRMP13) for consultation. The report highlighted the key themes in the draft plan which included an updated Medium Term Financial Plan and an outline timetable for the consultation programme. Copies of the draft IRMP13 had been distributed with the agenda.

Members had received updates on the development of the draft document at recent planning days in July and September. The main focus of IRMP13 was on the implementation of the final phases of the Authority's initial emergency response programme and on preparing for the second comprehensive review of its frontline services. However, there were a number of other issues and proposals which were summarised in the plan under the following key headings:

- Developing the organisation;
- Protecting local communities; and
- Responding to emergencies.

The Head of Planning, Performance and Communications explained that the Authority would continue with its approach of taking consultation out to the community and also using events to promote key safety messages and raise general awareness of the Service. It was noted that the formal 12-week consultation period would run from 28<sup>th</sup> September to 28<sup>th</sup> December 2015. Emerging issues from the consultation would be presented to Members at the

Member Planning Day in November and the Fire Authority meeting on 9<sup>th</sup> December 2015. A formal report on the outcomes from the consultation programme would be submitted to the Fire Authority at its meeting on 10<sup>th</sup> February 2016.

Members discussed the content of the draft IRMP document and a number of queries/comments were raised. A Member queried how the current co-responder scheme at Nantwich would link to the pilot scheme proposed to support North West Ambulance Service (NWAS) by mobilising resources to cardiac incidents. The Head of Planning, Performance and Communications explained that this was a slightly different scheme where the service would respond to cardiac incidents along with NWAS.

Members also discussed the implementation of the new legislation requiring private landlords to fit smoke alarms in all their properties, following the successful campaign by the Service and other key partners. Concerns were expressed over engagement with landlords and tenants. The Head of Planning, Performance and Communications explained that an extensive communications campaign would be delivered initially targeting landlords with tenants being targeted in phase 2. He also explained that the distribution of free alarms and engagement with letting agencies was proving to be effective. The Deputy Chief Fire Officer informed Members that the Service now had the power to append a charge to a landlords assets. Perhaps more importantly the duty of care regarding fire was now more explicit which meant that it was feasible that a landlord could be pursued for manslaughter if there was a fire fatality. However he added that there was still a lot of work to do to communicate and implement the new legislation. The Chair added that Members could assist by using local knowledge to identify any specific areas where the communications could be targeted to maximise effectiveness.

A Member asked for further information on the proposals for the introduction of a pilot firefighter apprenticeship scheme. The Head of People and Development provided a brief overview of progress to date and explained that a more comprehensive report on the scheme would be presented to Members at a future date.

Members briefly discussed the blue light collaboration proposals and the need to consult with the public to obtain their views. It was noted that this would be discussed in more detail further on the agenda.

**RESOLVED: That**

- [1] the draft Annual Action Plan for 2016-17 be approved for formal internal and external consultation.**

## **7 SAFER CHESHIRE LIMITED**

The Head of Legal and Democratic Services introduced the report which provided an update for Members about the work carried out to establish a charity and sought Members approval in relation to a number of recommendations detailed in the report which would allow the charitable company to be formed. The report covered the following areas where Members were required to make a decision in respect of the setting up of the charitable company:

- Name
- Purpose (objects)
- Powers
- Charity structure

Members discussed the content of the report and a Member queried whether the membership of the Board of Directors would be politically proportionate. The Head of Legal and Democratic Services responded that it was the intention to appoint with a view to securing the right skill sets required to run the charitable company. A Member requested that a further presentation be provided to update Members on the current position with the Safety Centre project and commented that this would be particularly useful for new Members to ensure they made informed decisions.

The Chair of the Safety Centre Sounding Board thanked the Officers and Members involved for all their hard work and input on the project to date. The Chair of the Fire Authority also wished to record his thanks to members of the Sounding Board who had done an excellent job so far.

### **RESOLVED: That**

**[1] the information in the report be noted;**

**[2] the following be approved:**

- (a) Safer Cheshire Limited as the name of the charitable company;**
- (b) the purpose (objects) of the charity as set out in paragraph 5 of the report;**
- (c) the approach to the description of the powers of the charity set out in paragraphs 7 and 8 of the report;**
- (d) the approach to the design of the charity structure as set out in paragraphs 9-15 of the report; and**

**[3] Officers be authorised to pursue the registration of the company Safer Cheshire Limited and thereafter its registration as a charity.**

## **8 CONSULTATION – ENABLING CLOSER WORKING BETWEEN THE EMERGENCY SERVICES**

The Chief Fire Officer introduced the report which provided Members with details of a consultation issued by the Government on 11th September 2015 titled *Enabling closer working between the Emergency Services*. It was noted that the report should be considered in conjunction with the report on Blue Light Collaboration (BLC) which was the next item on the agenda.

The Chief provided a brief summary of the content of the consultation paper and highlighted the key points for consideration. The Chair stated that the Authority was already exploring the options for closer working through the BLC Programme and had already established a good working relationship with the Police and Crime Commission on the Blue Light Executive Board. It was highlighted that officers had not had time to fully consider the issues contained in the consultation document. Therefore, it was proposed that a draft response should be developed, as far as possible, in conjunction with the PCC for Cheshire and the Cheshire Constabulary. The draft response would then be submitted to Policy Committee on 8<sup>th</sup> October 2015 to approve on behalf of the Authority. Members requested that a copy of the response agreed at Policy Committee be distributed to all Members, for information.

Members discussed the content of the consultation document and a number of comments were made. Members stated that the Authority needed to be mindful of retaining its independence and that 'not one size fits all' but should recognise that the Government may decide to enforce the proposals in the future. Members also re-iterated that the Authority needed to ensure that it had a well developed exit strategy to ensure that the Service could step away from the programme if it proved that it was not the most viable option. Members also commented that the consultation did not provide a reference to the views of the public and asked that the possibility of a referendum be given further consideration as part of a case for change when formulating the Authority's response.

Members expressed concern that, if the BLC programme was approved at the December Authority meeting, the public may get the impression that this was already a done deal and felt it was important to ensure that the public knew how it affected them as residents of Cheshire. It was suggested that more information should be included in the draft IRMP13 consultation programme to secure more feedback from the public in order to inform the decision about BLC.

### **RESOLVED: That**

- [1] the report be noted; and**
- [2] the Authority's response to the consultation be approved by Policy Committee at its meeting on 8<sup>th</sup> October 2015.**

## 9 BLUE LIGHT COLLABORATION

The Assistant Chief Fire Officer presented this report which provided details of work carried out to date in relation to Blue Light Collaboration (BLC). The report also set out some of the key issues and sought Members approval to continue to develop the proposals for Members to consider at the Fire Authority meeting in December 2015. The report provided background information on the initial meetings held between representatives of the Police and Crime Commissioner's Office (PCC), Cheshire Constabulary (CC), North West Ambulance Service (NWAS) and Cheshire Fire and Rescue Service (CFRS) and the formation of the Blue Light Executive Board. It updated Members on work to date and the proposed next steps.

Members discussed the content of the report and a number of comments were made. The Chair of the Performance and Overview (P&O) Committee asked that the scrutiny role of the P&O Committee be tied into this programme. A Member suggested that it would be useful to have a task and finish group to review the BLC programme and enhance Member involvement. A Member commented that it was regrettable that NWAS was not coming on board at the present time and reiterated the need to ensure that the public's views were taken into consideration.

The Chief Fire Officer and Chief Executive commented that, if more time was required the report could be submitted to the Fire Authority meeting in February. This would be discussed in more detail at the November Planning Day. He concluded by highlighting the next steps in the process if the proposal was approved. This included the need to consider additional resources to progress the programme and the future structure of the Service Management Team. The Chair added that the formation of a BLC task and finish group to provide scrutiny for the programme should be progressed.

### **RESOLVED: That**

- [1] the report be noted; and**
- [2] Officers be authorised to further develop Blue Light Collaboration along the lines indicated in the report with a view to reporting back to the Fire Authority at the meeting scheduled for 9<sup>th</sup> December 2015.**

## 10 EXCLUSION OF THE PRESS AND PUBLIC

### **RESOLVED: That**

**As Members did not wish to discuss the information contained in Item 11 there was no requirement to exclude the press and public and the meeting was closed.**

**11 APPROVAL OF PROPOSAL TO PURCHASE AN ADDITIONAL PIECE OF LAND FOR THE SITE OF THE NEW FIRE STATION AT PENKETH**

This item was submitted to the Fire Authority, for information, in accordance with paragraphs 4.87 to 4.89 of the Constitution – Urgent Business determined between Fire Authority meetings.

The report included information which related to financial and business affairs which was considered exempt by virtue of Schedule 12A of the Local Government Act 1072. It provided details about a site, the site owner and the anticipated purchase costs of the site.