



**MINUTES OF THE PERFORMANCE AND OVERVIEW COMMITTEE held on 3 December 2014 at Lecture Theatre, Fire Service HQ, at 10:00am.**

**PRESENT:** Councillors D Flude, P Harris, M Simon, A Tate (Chair), J Weatherill, N Wright and S Wright. Independent Member: Mr M McBride

**ALSO IN ATTENDANCE:** Tony Cobain and Kevin Lloyd, representatives from Mersey Internal Audit Agency.

**PART 1 – MATTERS CONSIDERED IN PUBLIC**

**1 PROCEDURAL MATTERS**

**A RECORDING OF MEETING**

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

**B APOLOGIES FOR ABSENCE**

There were no apologies for absence.

**C DECLARATION OF MEMBERS' INTERESTS**

There were no declarations of Members' interests.

**D MINUTES OF THE MEETING OF THE PERFORMANCE AND OVERVIEW COMMITTEE**

**RESOLVED: That**

**the minutes of the meeting of the Performance and Overview Committee held on Wednesday 1 October 2014 be confirmed as a correct record.**

**MATTERS ARISING:**

**Item 2: Quarter 1 Financial and Performance Review 2014-15**

At the meeting in October Members had asked for consideration to be given to future scheduling of the Performance and Overview Committee meetings to enable the quarterly performance reporting to be presented on a more timely basis for scrutiny by the Committee. The Head of Planning, Performance and Communications informed Members that for the municipal year 2015/16 the dates of the Performance and Overview Committee had been revised to align more closely with quarterly performance and financial reporting. The proposed timetable had been submitted to the Fire Authority meeting in December for approval. He highlighted to Members that this had resulted in a meeting being scheduled in August 2015 which would normally be avoided.

The Chair confirmed that she was satisfied with the changes that had been made to accommodate the request.

## **D MINUTES OF THE MEETING OF THE POLICY COMMITTEE**

**RESOLVED: That**

**the minutes of the Meeting of the Policy Committee held on Tuesday 18 November 2014 be received, for information.**

### **ITEMS REQUIRING DISCUSSION**

#### **2 MID YEAR FINANCIAL AND PERFORMANCE REVIEW 2014 - 15**

The Head of Planning, Performance and Communications introduced this report which provided Members with the mid year position in respect of the Authority's performance against Service plans and budget.

The Head of Finance drew Members' attention to Appendix 1 of this report which showed the estimated revenue outturn of the Authority compared to the budget. He explained that each department's mid year net costs were detailed with any key variances briefly explained which included the following in relation to departmental underspends:

- Service Delivery: the net cost was broadly on target. However, the impact of the Emergency Response Programme (ERP) which was expected to be covered from reserves has been less than anticipated and has been covered from underspends, particularly as a result of lower than anticipated on call activity.
- Community Fire Protection: there were continuing vacancies in Community Fire Protection, and in addition, some non pay budget savings had been identified which would be shown as savings in the 2015-16 budget.
- Fleet: there had been a reduction in the cost of fuel and also some more general underspends on the vehicle maintenance budget.

The Head of Finance referred Members to the reported corporate costs where he explained that there were lower than anticipated levels of inflation. The budget was not being reduced, which would mean underspends in 2014-15 and 2015-16, because the costs of employer national insurance would rise in 2016-17 and this budget would be used to accommodate the increase.

He informed Members that the overall estimated outturn of the Authority showed around £1m underspend which represented 2% of the budget. It would be recommended to the Fire Authority that any underspend would be transferred to the IRMP reserve to fund the impact of the delivery of ERP.

The Head of Finance concluded by referring Members to the Authority's capital programme detailed in Appendix 2 to the report. He explained that the full capital amount had been approved for the building of four new stations and the safety centre and this was reflected in the Authority's capital programme

reported. He provided an update on progress on each of the schemes detailed which were all currently ongoing.

Members queried what impact the industrial action was having on the budget. The Head of Finance responded that from the additional costs incurred and the 'savings' made the net overall spend was around £100k. The Chief Fire Officer confirmed that a report was being presented to Members of the Authority's Staffing Committee in December which outlined the costs of industrial action to date.

The Head of Planning, Performance and Communications continued by presenting those sections of the report that related to the Service's performance. It included a summary of the mid year position from each Head of Department which reflected progress to date against 2014-15 Service plans and targets, attached as Appendix 3 to the report. He also referred Members to the Corporate Performance Scorecard, attached as Appendix 4 to the report, which reflected the mid year position against targets for the organisation's Key Performance Indicators (KPIs).

He advised that substantial progress had been made by the Service on its campaign to require landlords to fit smoke alarms in all private rented homes with the final decision/announcement on whether the law would be implemented being made in December. He highlighted the progress made within each of the unitary areas in relation to the sprinkler campaign.

In conclusion, the Head of Planning, Performance and Communications referred to the Service's performance in relation to its KPI's where the number of fire related injuries recorded across Cheshire remained low and showed a slight decrease compared to the same period last year. He explained that the move of the control function to North West Fire Control (NWFC) had caused slight changes in performance in relation to the number of Automatic Fire Alarms attended in non-domestic premises. He confirmed that the Service was currently working with NW Fire Control Limited to ensure that the Service's policy was applied consistently and at all times so the stretching target could be achieved.

A Member noted the positive performance of 99.3% availability of the ICT systems. A member referred to Item 5 on the agenda where the report reflected positively the Service's successful prosecutions and queried the arson conviction rate performance which was reported as failing to meet the target by more than 10%. The Head of Planning, Performance and Communications responded that there were external factors which impacted the reported arson conviction rate which were outside the Service's control and therefore this performance indicator did not fully reflect the Service's performance. Members asked whether it would be beneficial to redefine the arson conviction rate to enable a better understanding of the Service's performance. The Chief Fire Officer confirmed that officers would review this target and would report back to Members with an alternative proposal for measuring the Service's impact. Members agreed that reporting of this target should be reviewed.

A Member referred to the reported slippage of the replacement of appliances and queried whether this resulted in a risk to the Service. The Head of Finance

confirmed that the Service had a substantial fleet of appliances and there was no risk to the Service if the replacement vehicles were delayed by a few months. The Chief Fire Officer advised Members that a report would be presented to the Fire Authority which requested an increase in the time that appliances would be utilised before being replaced (from 13 to 15 years). He confirmed that this was currently being assessed by officers, as the appliances were being maintained more effectively and also the mileage was lower than in previous years. Members asked how the Service disposed of old appliances and the Assistant Chief Fire Officer assured Members that the Service had a robust asset disposal policy. The appliances were on occasion gifted abroad. If appliances could not be gifted or sold they would be sold as parts. In any event any CFRS branding was removed.

Members expressed their concerns in relation to the reported potential overspend against the ERP of approximately £500k. The Assistant Chief Fire Officer informed Members that the Service was currently awaiting tenders from contractors for the building of the fire stations and safety centre (excluding Alsager). Only following the closing date for the tenders on the 18 December, would officers have a clearer picture of the costs.

**RESOLVED: That**

**[1] the Mid Year Financial and Performance Review 2014-15 be noted.**

**3 QUARTERLY INTERNAL AUDIT PLAN PROGRESS REPORT**

The Head of Finance introduced Tony Cobain and Kevin Lloyd, the Authority's appointed Internal Auditors from Mersey Internal Audit Agency, who were in attendance at the meeting and would be presenting this report to the Committee.

The Auditor advised Members that this report provided a brief update on progress against the 2014-15 Internal Audit plan attached as Annex 1 to the report.

He explained that since the last meeting of the Committee the Auditors had carried out a review of the utilisation of the vehicle fleet which provided the Service with advisory support. He advised that a draft report had been provided to management and was due to be reported to the Service's Policy Approval Group.

The Auditor continued by informing Members that work on the Combined Financial Systems was now in progress and three further reviews were in the planning stage and would commence shortly.

He concluded by drawing to Members' attention the change to the audit plan which involved replacing the proposed review of Payroll – On Call staff with a review of pension payments.

**RESOLVED: That**

**[1] the Quarterly Internal Audit Plan Progress Report be noted.**

#### **4 AGE UK PARTNERSHIP PERFORMANCE**

The Head of Legal and Democratic Services advised Members that unfortunately Mr Ken Clemens, CEO, Age UK partnership was unable to attend this meeting to present this report on behalf of Age UK and this agenda item would be deferred to the next meeting of the Performance and Overview Committee.

Members expressed the view that a request should be made to Age UK to provide a substitute at the next meeting should Mr Clemens not be available, to enable this item to be discussed by the Committee in February.

**RESOLVED: That**

**[1] the Age UK Partnership Performance report be deferred and submitted to the next meeting in February.**

#### **5 PREVENTION AND PROTECTION PROSECUTIONS UPDATE**

The Policy and Partnerships Manager introduced this annual report which outlined the Authority's approach to prosecutions following a serious breach of the Regulatory Reform (Fire Safety) Order 2005 and provided details of the results of cases prosecuted to date which were attached as Appendix A to the report.

He explained that specialist training was provided to officers to enable them to pursue a range of enforcement options (dependent on the seriousness of the regulatory breach of the Order) with prosecution being the final stage. He informed Members that when a breach of the Order was deemed by officers to be so serious that prosecution was a probability a case file was prepared by the inspecting officer. The file was reviewed by officers attending the prevention and protection monthly prosecution meeting including the Head of Prevention and Protection and one of the Service's solicitors. He confirmed that two tests were applied to decide whether the case should proceed to prosecution. The final stage was for formal approval to prosecute to be given by the Deputy Chief Fire Officer and the Head of Legal and Democratic Services.

The Policy and Partnerships Manager concluded by advising Members that the Service had successfully prosecuted 16 business (and/or 'responsible persons') since the introduction of the Order in 2006 and these cases were detailed more fully in the appendix attached to the report. He drew Members' attention to a recent case in Halton which had been successfully prosecuted by the Service and had received good publicity on the serious fire safety risks identified in a premises which had been changed from an office block and was being used as a house in multiple occupation.

Members confirmed they were happy with the approach being taken by the Service and the number of prosecutions that had taken place and commented that they seemed proportionate.

**RESOLVED: That**

- [1] the Prevention and Protection Prosecutions update be noted;**
- [2] the approach to managing prosecutions and enforcement used by the Service continue to be endorsed; and**
- [3] the Prevention and Protection Prosecution update be added to the Forward Work Programme for 12 months time.**

**6 INTERIM BONFIRE REPORT**

The Policy and Partnerships Manager provided Members with a handout at the meeting which provided an interim update on the Service's activity over the bonfire period for 2014 (Friday 17 October – Friday 7 November). He confirmed that a full written report would be presented to the Committee at its next meeting in February 2015.

The Policy and Partnerships Manager advised Members that this interim report summarised the number of small deliberate fires during the bonfire period within each unitary area in Cheshire and the activity of the stations with the highest activity volumes during this period. He confirmed that there had been a 15% decrease in small deliberate fires recorded in 2014 compared to the same period of 2013 despite the good weather during this period which indicated that the interventions carried out by the Service were focussed in the correct areas.

Members queried whether there were any regulations that the Service were able to enforce to control the building of very large bonfires close to residential areas. The Policy and Partnerships Manager confirmed that the Regulatory Reform (Fire Safety) Order 2006 covered such circumstances and that a licence was also required from the local authority by businesses wishing to hold a large bonfire event for attendance by the public. Members suggested that it may be useful for the Service to send out a press release in the months prior to the bonfire period informing individuals that they require a licence to hold a large event. The Chief Fire Officer confirmed that the Service's communications department could liaise with the local authorities to arrange for a press release in time for the next bonfire period in 2015.

**RESOLVED: That**

- [1] the verbal update be noted.**

**7 ESSENTIAL CAR USERS SCHEME REVIEW**

The Assistant Chief Fire Officer made a presentation to Members which provided an overview of the Service's current Essential Car Users scheme and details of the outcomes of the recent review of the scheme.

He provided Members with some background to the changes that had taken place in the Transport and Workshop department since 2010. He advised that a new Fleet Manager had been appointed and had recently completed a full review

of the Service's fleets which had been considered by the Service's management team.

The Assistant Chief Fire Officer explained that reviews had taken place on the Service's red fleet (appliances) and support vehicles. There had also been reviews into the schemes for essential users and casual users. He focussed his presentation on the essential user scheme and provided Members with details on the number of leased vehicles, the differences between essential and casual users and the numbers of officers and support staff who were currently assessed as essential users. He explained that the costs to the Service and the cost to the individual depended upon the vehicle leased. Alternatives had been considered by the Service such as provided vehicles and the salary sacrifice scheme but he explained that overall the lease scheme appeared to offer the best alternative at this time. Leased vehicles were readily accessible and provided good resilience and flexibility when officers were required to attend incidents. He advised Members that this was a general overview and asked if there were specific areas that they wished officers to provide more information about at a future meeting.

A Member confirmed he would like to take the time to consider the recent fleet reviews that had taken place with a view to determining whether further information and/or reports were necessary. He queried what level of insurance was provided on lease cars and who paid the insurance premiums for those vehicles. The Assistant Chief Fire Officer confirmed that the insurance was provided by the Service but that this was factored into the contribution made by the officers. Members queried who paid for any repairs to the vehicle if a family member had an accident in the leased vehicle. The Head of Finance confirmed that the vehicle would be repaired internally or a claim would be made by the Service on its insurance policy.

Members asked if the Service imposed an upper limit for the size of the engine for leased cars. The Assistant Chief Fire Officer advised that there was an upper limit on emissions of the vehicle and the Service was fitting electric charging points on stations and encouraged officers to lease electric cars. Members queried whether there was a government grant available for the use of electric cars and the Assistant Chief Fire Officer confirmed that the Service had registered for a government grant but that the original fund had been oversubscribed. However, he advised that should the government make further funding available the Service's application was already submitted.

Members queried the alternative option of a provided vehicle: could the officer use the vehicle for private use? The Assistant Chief Fire Officer confirmed that a provided vehicle could only be used for business use and the officer would be required to recompense the Service for any private use. He advised Members that the Service did not currently have provided vehicles.

**RESOLVED: That**

**[1] the content of the presentation be noted.**

## **8 INTEGRATED RISK MANAGEMENT PLAN 2014 – 15 (IRMP11) – PROJECTS PROGRESS**

The Head of Planning, Performance and Communications provided Members with a verbal update on progress in respect of the delivery of projects identified in the Service's Integrated Risk Management Plan 2014-15 (IRMP11). He advised that the value for money review programme was now completed and the final close down reports were to be received at the next monthly IRMP Programme Board meeting which was chaired by the Chief Fire Officer. He explained that the Corporate Programme Office were currently reviewing the lessons learnt from the reviews and were reporting the realisation of the VFM programme to the IRMP Programme Board. He suggested that it would be useful for Members to receive this report.

The Head of Planning, Performance and Communications explained that a temporary appointment had been made. The individual would assist in researching the options for the Service's IT systems and facilitate the next programme of VFM reviews.

### **RESOLVED: That**

- [1] the verbal update on Integrated Risk Management Plan 2014-15 (IRMP11) progress be noted.**

## **9 FORWARD WORK PROGRAMME**

The Head of Legal and Democratic Services confirmed that, as mentioned earlier, the Age UK Partnership Performance report would be brought back to the February meeting of the Committee. He advised Members that the Prevention and Protection Prosecutions update would be added to the forward work programme and be presented again in 12 months time.

He referred to the ongoing management of the capital programme once the contract had been awarded to build the fire stations and safety centre. He had noted that consideration needed to be given by officers on how best to report this to Members.

The Chief Fire Officer suggested that Members needed to receive a report on North West Fire Control's performance. Members agreed and asked for this item to be added to the agenda for the March meeting. No further items were identified.