



**MINUTES OF THE PERFORMANCE AND OVERVIEW COMMITTEE held on 4 December 2013 at Lecture Theatre, Fire Service HQ, at 10:00am.**

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

**PART 1 – MATTERS CONSIDERED IN PUBLIC**

**1 PROCEDURAL MATTERS**

**A APOLOGIES FOR ABSENCE**

Apologies were received from Councillor P Harris.

**B DECLARATION OF MEMBERS' INTERESTS**

There were no declarations of Members' interests.

**C 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 25 September 2013 be confirmed as a correct record.**

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

**the minutes of the Meeting of the Policy Committee held on Wednesday 27 November 2013 be received, for information.**

**ITEMS REQUIRING DISCUSSION**

**2 MID YEAR FINANCIAL AND PERFORMANCE REVIEW 2013-14**

The Head of Finance introduced this report which provided Members with a mid year summary of organisational performance against plans and budget.

The Head of Finance drew Members attention to Appendix 1 of the report which showed the projected Financial Outturn position for the Authority's Revenue Budget at the Mid Year position. He explained that additional detail had been added to the Appendix in relation to reserve movements and income. He referred Members to the variance for each of the Service's departments, highlighting the underspend due to vacancies in Service Delivery, Community Fire Protection, Community Safety and Human Resources. However, he explained that although the Community Safety Budget was underspent, there

were a number of variances including a significant budget deficit on the Prince's Trust Teams. He advised that the intention would be to fund the deficit from the Community Risk Reduction Reserve in 2013-14 and include a Business Case for Members consideration as part of the approval process for the 2014-15 budget. He also referred to the overspend in Property Management which included some initial Emergency Response Programme (ERP) costs and explained that these would be capitalised or funded from the IRMP reserve.

The Head of Finance informed Members that within the budget there were others costs (corporate costs managed outside the departmental structure) and he highlighted some of the key variances. He advised that the overspend on non distributed employee costs was in relation to potential issues arising from pensions and taxation.

In conclusion, the Head of Finance explained that the overall anticipated outturn for the Authority, after reserve movements, was estimated at around a £700k underspend. He suggested that subject to approval by the Fire Authority, this underspend be transferred to the IRMP reserve at year end to help manage the implementation of the ERP.

The Head of Finance detailed the Service's capital programme, attached as Appendix 2 to the report, which included all active capital schemes, with the exception of that part of the programme relating to the ERP. He summarised the projects detailed and confirmed that the 2013-14 schemes had either been delivered or were on target.

The Head of Finance referred Members to the Service's outstanding debt detailed within the report for which the majority related to colleges in respect of the Prince's Trust. He provided an update on payments that had since been received and provided assurance that there was no history of default on the large debts which the Authority has with colleges and other public bodies.

Members queried the number of vacancies reported in Community Safety and asked whether they would be filled as they were aware that there were a number of vacancies in the Crewe area. The Deputy Chief Fire Officer confirmed that resources would be utilised from within the department to cover vacancies in one particular area in order to ensure that targets were met.

A member asked if the automatic pension enrolment would have an impact on the non distributed employee costs. The Head of Finance confirmed that this was currently being monitored and that there had been an impact but it was not felt it would become significant. Members referred to the report which detailed that 62 people had been automatically enrolled for the pension and that 29 had opted out straight away and asked whether the age of the employee appeared to be a factor. The Head of Finance confirmed he would look into this and provide Members with further information.

The Head of Planning, Performance and Communications continued by presenting those parts of the report related to the Service's performance including the mid year position against targets set at the start of the year for the Service's Key Performance Indicators (KPIs). These were detailed in the

accompanying Corporate Performance Scorecard attached as Appendix 3 to the report.

He summarised the headline performance explaining that the number of primary fires during the first half of the year remained low although they were slightly higher than last year. This was due to a higher number of fires in non-domestic premises, however, the increase was minimal. He advised that the downward trend in accidental fires continued after a record low last year. He referred to the significant increase in secondary deliberate fires compared to last year, which had been expected, due to the warmer, drier weather this summer. In conclusion, he drew Members attention to the 89% pass rate achieved at mid year, for the new 10 minute response standard and confirmed that the overall on-call availability continued to improve.

The Head of Planning, Performance and Communications summarised the IRMP 10 projects detailed within the report and advised Members that the programme of value for money reviews was reaching its conclusion. A report providing an overall summary of all the outcomes would be presented to the Committee at a future meeting. He commented on the two major campaigns currently in progress, smoke alarms and sprinklers. Both are nationally focused with lobbying taking place for changes to legislation. Recently during consideration of the Energy Bill in the House of Lords, an opportunity to bring forward a legal requirement for landlords to fit smoke alarms and carbon monoxide detectors arose and found support. Finally, he advised that the ERP was making good progress, with new stations at Penketh and Alsager on track to be delivered in 2015.

In summary, the Chief Fire Officer congratulated the Deputy Chief Fire Officer on the work he had been leading on the smoke alarm campaign and the recent successful amendment in legislation. In addition, he advised Members that there would be detailed papers on the progress of North West Fire Control and the first of three budget reports would be presented to Members at the December meeting of the Fire Authority.

**RESOLVED: That**

**[1] the issues presented in the Mid Year Financial and Performance Review 2013-14 be noted**

**3 COMMUNITY FIRE PROTECTION PROSECUTIONS UPDATE**

The Group Manager, Community Fire Protection (CFP), provided some background to Members in relation to this annual report which outlined the Authority's approach to prosecutions and the results of the Service's cases to date, detailed in the Appendix to the report.

He informed Members that the Regulatory Reform (Fire Safety) Order 2005 was introduced in October 2006 and widened the range of premises that Fire and Rescue Services could inspect. He explained the associated cultural change in the approach to enforcement which had resulted nationally in an overall increase in the number of prosecutions for fire safety related offences. He

advised that fire inspectors had a range of enforcement options available dependent on the seriousness of the regulatory breach. These included basic advice and education, agreed action plans, prohibition and restriction of use and prosecution.

The Group Manager explained that the Service's legal department and also external solicitors had provided support in the successful prosecution of 12 businesses since the introduction of the Order. He referred to a further 10 cases which were currently being prepared by CFP. He explained that when the Authority successfully prosecutes a case there may be an award of costs to cover the Authority's legal fees. He advised that CFP had a budget for legal fees for prosecutions of £32k in 2013-14. However, when costs were awarded by the court in successful cases, those amounts were placed in reserve to offset future costs of prosecution cases and the total level of reserve was currently £148k.

He drew Members attention to the appendix of the report which detailed the completed prosecution cases and simple cautions issued since October 2006.

The Group Manager provided Members with a short presentation which gave more information about two recent cases prosecuted by the Service.

Members thanked the officer for the presentation which they had found very useful. They asked whether community service was considered as an alternative to a fine following a successful prosecution if the defendant was not in a financial position to repay the Service's costs awarded by the court. The Head of Legal and Democratic Services confirmed that the sentence awarded was a matter for the court and that the court did consider the individual's financial circumstances before sentencing. He explained that the Service did not have direct control over sentencing.

A Member referred to the new legislation which enabled office blocks to be converted to residential accommodation without the requirement for planning permission and queried whether the Service was monitoring this. The Group Manager confirmed that he had engaged with the local Planning and Building Control departments to request that the Service be notified of these conversions. Members commented that it was good that the Service liaised with other partners and thanked officers for the excellent work carried out.

**RESOLVED: That**

- [1] the Community Fire Protection Prosecution update be noted;**
- [2] the approach to managing prosecutions and enforcement used by the Service continue to be endorsed; and**
- [3] the Community Fire Protection Prosecution update be added to the Forward Work Programme.**

#### **4 INTERIM BONFIRE REPORT**

The Arson Reduction Manager provided Members with an interim update on the Service's activity over the bonfire period for 2013 (Thursday 17 October – Thursday 7 November). He confirmed that a full written report would be presented to the Committee at its next meeting in February 2014.

The Arson Reduction Manager summarised some of the interventions and strategies which had taken place across all four unitary areas in an attempt to limit deliberate fire activity during this period. These included; education, removal of 'fuel' sources and communication of a clear message to attend an organised bonfire. He explained that the Service's operational crews had been given instructions to apply the 'Tolerance Policy' to enable bonfires to burn if safe conditions were assessed to exist. Additionally call filtering principles were put in place for the Service's and Police's control staff to ensure that only fires that required attention were attended by the fire crews.

The Arson Reduction Manager summarised the Service wide performance over the bonfire period and confirmed that there had been a 46% decrease in small deliberate fires recorded in 2013 compared to the same period in 2012, this equated to 86 less incidents which was a very positive outcome. He referred to each unitary areas performance all of which had seen a decrease compared to last year with Cheshire East recording only 2 small deliberate fires for this period. He advised that 32% of all small deliberate fires had occurred on bonfire night and the additional Targeted Response Vehicles (TRVs) which were deployed from 2<sup>nd</sup> November – 5<sup>th</sup> November between 5.00pm and 10.00pm had continued to be used on the 5<sup>th</sup> November as a result of the increased activity levels.

The Arson Reduction Manager advised that the weather conditions over the period would have had an impact upon activity and that higher than average rainfall had been recorded. He also suggested that the industrial action which took place within the bonfire period when residents were urged to 'Take extra care' and fire safety messages were more frequently communicated may have had an impact.

Members welcomed the interim report and queried whether the Service provided any safety instructions for the lighting of bonfires at organised and civic events. The Arson Reduction Manager advised that guidance was available upon request from the organisers but indicated that liaison with organisers would be considered.

#### **RESOLVED: That**

**[1] the Interim Bonfire report verbal update be noted.**

#### **5 FORWARD WORK PROGRAMME**

The Monitoring Officer advised Members that the Community Fire Protection Prosecutions Update would be added to the forward work programme and be presented again in 12 months time. No further items were identified.

## MATTERS ARISING

Following discussions at the previous meeting in relation to the fire related injuries resulting from deliberate fires involving wheelie bins. The Deputy Chief Fire Officer assured Members that the Service continued to take the risk of wheelie bins very seriously. The Service would continue to work with planning departments and constituent authorities to look at the range of options available in an attempt to reduce the number of deliberate fires involving wheelie bins.

A Member also raised a recent issue with one of the constituent authorities garden waste collection service which had stopped in November and the resultant small bonfires of garden waste which were being lit by residents. The Service was asked to consider whether there were any related fire safety messages that could be communicated.