



MINUTES OF THE MEETING OF THE CHESHIRE FIRE AUTHORITY held on Wednesday 17 April 2013 at Fire Service Headquarters, Winsford at 10.30 a.m.

PRESENT: Councillors M Biggin, D Brickhill, P Carey, D Flude, P Harris, E Johnson, L Jones, J Joyce, J Kerr-Brown, J Leather, B Livesley, G Merry, H Mundry, S Nelson, R Polhill, B Rudd, T Sherlock, M Simon, A Tate, C Thorley, D Topping, J Weatherill and N Wright.

PART 1 – MATTERS CONSIDERED IN PUBLIC

1 PROCEDURAL MATTERS

A APOLOGIES FOR ABSENCE

None

B CHAIR’S ANNOUNCEMENTS

Improvement and Efficiency Awards

The Chair congratulated the Service on receiving this award and informed Members that Dr Andrew Lerner, Chief Executive of the iESE would be attending the Fire Authority in June 2013 to present the award to the Authority.

Long Service and Good Conduct Awards

The Chair congratulated all the staff from Cheshire Fire And Rescue Service who had received the Long Service and Good Conduct Award.

Respect/Prince’s Trust Graduations

The Chair explained that, due to the success of the Prince’s Trust programme the number of Prince’s Trust graduations had increased and there were 25 arranged for this year. As the programme had become busier a number of the graduations throughout the four unitaries would be held in the afternoon.

C DECLARATION OF MEMBERS’ INTERESTS

The Monitoring Officer provided information on the position in respect of Members’ interests relating to Items 5 and 7. He explained that Members from Cheshire East and Warrington Borough Council had received a briefing note in respect of their interest in these items as they appeared to have a Disclosable Non-Pecuniary Interest that in the circumstances would prevent them from taking part in the debate and from voting. Two of the preferred

sites referred to in the report at Item 7 were owned respectively by Cheshire East Borough Council and Warrington Borough Council. Members of these two authorities had confirmed that they wished to apply for a dispensation. Dispensations were granted by the Governance and Constitution Committee on 17th April 2013 to all Fire Authority Members appointed by Cheshire East Borough Council and Warrington Borough Council to allow them to take part in the debate and vote. These dispensations would be effective for 12 months from the date of the decision.

Item 5 and 7: Acquisition of Sites and Design and Build of New Fire Stations outlined in IRMP 10

The following Members declared a Disclosable Non-Pecuniary Interest in these Items and sought to rely upon the dispensation:

Cheshire East Borough Council appointees:

Councillors D Brickhill, D Flude, B Livesley, G Merry, M Simon, C Thorley, D Topping and J Weatherill.

Warrington Borough Council appointees:

Councillors M Biggin, P Carey, J Joyce, J Kerr-Brown and H Mundry.

The Monitoring Officer also commented upon the situation that Fire Authority Members may find themselves in where they were part of a decision-making body within their constituent authority that would determine whether to sell one of the pieces of land and/or grant planning permission for the Fire Authority's benefit. He explained that those Members would need to refer to their own authority's constitution and planning protocol to assist them in determining how to handle declarations of interest. The Chair of Governance and Constitution Committee reminded Members about the potential for their involvement as Fire Authority Members to be argued as illustrating predetermination.

D MINUTES

Members were asked to confirm the minutes of the Fire Authority meeting held on 13 February 2013 and receive, for information, minutes of the Performance and Overview Committee, Governance and Constitution Committee and notes of the Member Training and Development Group.

RESOLVED: That

- [1] the Minutes of the meeting of the Cheshire Fire Authority held on 13 February 2013 be confirmed as a correct record; and**
- [2] the Minutes of the following meetings be received:
Performance and Overview Committee – 10 April 2013;
Governance and Constitution Committee – 27 March 2013; and
Notes of the Member Training and Development Group – 21 March 2013.**

E TERMS OF REFERENCE – RISK MANAGEMENT BOARD

At its meeting held on 12 March 2013 the Risk Management Board had reviewed its Terms of Reference and proposed certain changes. A copy of the Terms of Reference, with the revisions highlighted in red, was submitted to the Fire Authority and approval for the changes was sought.

Councillor Thorley, who sat on the Risk Management Board, commented that the meetings of the Board were very comprehensive and the reports submitted to these meetings were of a high standard.

RESOLVED: That

[1] the revised Terms of Reference for the Risk Management Board be approved.

F MEMBER-OFFICER BUDDY ARRANGEMENTS

Members received, for information, the revised list of Member- Officer buddies which reflected some changes to the responsibilities of Senior Managers.

3 EXTERNAL AUDIT PLAN, AUDIT RISK ASSESSMENT AND FEES

The Head of Finance introduced the report which included two reports and a letter from the Authority's External Auditors, Grant Thornton for Members' consideration. The reports included the External Audit Plan for 2012/13 and an Audit Risk Assessment report from Grant Thornton. The letter covered the proposed external audit fees for the year 2012-13. He provided information for Members on provisions that the Service had made in respect of emerging issues identified in the Audit Plan: Mutual Municipal Insurance; Equal Pay; and Redundancy Costs.

The Audit Plan also made reference to reports prepared by the Audit Commission and Grant Thornton namely 'Tough Times: Council's Financial Health in Challenging Times' and 'Towards a Tipping Point'. The Head of Finance informed Members that they had not been asked by officers to consider these reports. He felt that they contained fairly generic messages largely focused on Councils. Instead officers had engaged with Members on a number of occasions in respect of issues that were of relevance to the Authority, particularly at Members planning days. For example, Members were well aware of the risks in relation to funding.

Alan Rawlings, External Auditor, Grant Thornton attended the meeting to present the reports and fees letter to Members. Members' attention was drawn to the following:

Audit Fees – the fees had been reduced by 40% for 2012/13 and the same fee would be applied for 2013/14.

Audit Risk Assessment - previously the Risk Assessment had been dealt with through a letter to the Chair which was received at the Closure of Accounts Committee in June but this year a new approach was being taken. The report included a series of questions and responses from the Authority to enable the Auditors to obtain an understanding of management processes and the Authority's oversight in respect of the following areas: fraud, laws and regulations and the going concern assumption in the financial statements. Members were asked to consider the Service's responses and ensure that they accorded with Members' understanding of the situation.

A Member queried whether the 40% reduction in fees would mean that the scope of the audits would be reduced and the External Auditor assured Members that there would be no reduction in the service provided. The reduction in fees was welcomed.

The External Auditor was thanked for his report and attendance at the meeting.

RESOLVED: That

- [1] the External Audit Plan for Cheshire Fire Authority for the Year ended 31 March 2013 and the report 'Informing the Audit Risk Assessment for Cheshire Fire Authority' be noted; and**
- [2] the audit fee for 2012/13 be approved.**

3 INTERNAL AUDIT PLAN 2013-14

The Head of Planning, Performance and Communications introduced this item and explained that Shauna Mallinson, RSM Tenon was in attendance to present the proposed Internal Audit Plan for 2013-14 to Members for consideration and approval.

From April 2013 a new set of mandatory standards, the *United Kingdom Public Sector Internal Audit Standards*, was being introduced for public sector bodies, including fire authorities and would replace the *Code of Practice for Internal Audit in Local Government in the United Kingdom*. The document set out a number of principles, activities and standards that public organisations were required to comply with. The overarching requirement, which was to implement an annual risk-based internal audit plan from which an annual assurance opinion could be derived, had not changed.

The Head of Planning, Performance and Communications drew Members attention to the financial implications explaining that Internal Audit was a bought-in service. The existing contract with RSM Tenon had been extended for a further 12 months and the provision of the internal audit function would be subject to tender for 2014/15 onwards.

The Internal Auditor, RSM Tenon presented the proposed plan which set out the detailed Internal Audit Plan for 2013/14. She explained that the Audit Plan for 2013/14 had been developed in consultation with the Service agreeing the specific areas to be audited that would provide assurance or where advisory input was felt to be beneficial. The Plan would also cover the audit of key financial controls and key controls and areas to be tested would be agreed with External Audit.

A Member queried whether specialists were brought in for specific audits such as security of ICT assets. The Internal Auditor confirmed that there were specialists in different areas within the firm to carry out these specific audits.

The Internal Auditor was thanked for her report and attendance at the meeting.

RESOLVED: That

[1] the Internal Audit Plan for 2013-14 be approved.

4 EXTERNAL CONSULTATION ASSESSMENT OF THE INTEGRATED RISK MANAGEMENT PLAN FOR 2013-14 (IRMP10)

The report updated Members on the outcomes of an external assessment of the Authority's consultation programme in respect of the IRMP 10 proposals. The Head of Planning, Performance and Communications presented the report which detailed the Consultation Institute's compliance assessment process which the Authority had successfully completed. He explained that this report closed the loop on the IRMP10 consultation process.

As the proposals set out in the draft IRMP10 were the most significant in the Authority's history it was agreed that the IRMP consultation programme should be subject to external scrutiny. Accordingly the Service signed up to a formal process run by the national Consultation Institute which judged whether consultations complied with its best practice criteria. The Compliance Assessment Scheme was set up by the Consultation Institute in response to issues raised by a number of regional and local public sector organisations who were facing significant challenges to high-profile consultations.

The Consultation Institute had now formally signed off the assessment process and awarded the Service its Certificate of Best Practice. It was noted that Cheshire Fire and Rescue Service was the first fire service to complete the assessment.

A Member commented that the financial implications of the process were cost effective as compliance should reduce the likelihood of judicial review which would be a lot more costly than the compliance work.

Members had been supplied with a copy of the published IRMP10 and a summary document with their agenda papers. A debate ensued about the precise wording of these documents.

Members were generally content with IRMP10 and the summary document. However, the following comments were made:

One Member expressed concern that the documents gave the impression that firm decisions had been made in relation to crewing arrangements for the second fire engines at some fire stations, when this was not the case. He felt that the wording did not reflect the decisions recorded in the minutes of the Fire Authority meeting in February. The Chief Fire Officer took Members through relevant statements in IRMP10 and confirmed that proposals that were to be delivered later in the four year timetable would be given further consideration as future IRMPs were developed. There was a clear commitment to do this, 'to ensure proposals would continue to meet the Authority's objectives and future financial challenges'.

One Member felt that the Neston proposal was not as prominent as she had expected. Again, the Chief Fire Officer confirmed that this would be further considered as subsequent IRMPs were refined.

In view of Members' comments, there was a request to ensure that staff were properly briefed on IRMP10 and the status of some of the proposals. The Chief Fire Officer informed Members that the Head of Service Delivery had implemented a comprehensive programme of visits to fire stations, following approval of IRMP10, to discuss the proposals. These visits would continue to ensure that staff were kept informed and had the opportunity to provide comments/feedback. Members were encouraged to assist in this process by making officers aware of any concerns that were raised with them directly by staff on their visits to fire stations.

RESOLVED: That

[1] the report and successful completion of the Consultation Institute's compliance assessment process be noted.

5 ACQUISITION OF SITES AND DESIGN AND BUILD OF NEW FIRE STATIONS OUTLINED IN IRMP10

The Chair informed Members that this report was supplemented by the report at Item 7 of the agenda and explained that the Press and the Public would be excluded from the meeting during discussions in relation to Item 7 as it contained commercially sensitive information. The Authority would move back in to public session to make the decisions set out in the recommendations in the report at Item 5 and the Press and Public would be invited back into the room. The Head of Legal and Democratic Services added that the information contained in Item 7 would be capable of being made available to the public once it was no longer commercially sensitive.

The Assistant Chief Fire Officer (ACFO) introduced the report which provided Members with: an update on progress made in identifying sites for the new fire stations; information regarding the proposed approach to the design and build of new fire stations; and details of possible on-going Member involvement.

Members made it clear that they were keen to be fully engaged in the process for the delivery of the new fire stations. For example, they wished to receive assurances from officers about the NW Construction Hub before a commitment was made to use it.

Members discussed the vision at paragraph 11 of the report and, subject to the wording being tidied up, were able to support it.

Members debated their preference for on-going Member involvement. Members' indicated that they expected important decisions to be taken by the Fire Authority (even if that meant that additional meetings would be required). They did not support the extension of the powers of Policy Committee. Members were content that procedures were in place to allow urgent decisions to be made. However, if these were used officers were required to keep all Members fully informed.

Members had discussed the details about the preferred sites in private session and moved back into public session to consider the recommendations contained within the report.

RESOLVED: That

- [1] the information about the sites contained in this report (and the further information contained in the report at Item 7) be noted;**
- [2] officers be authorised to proceed to secure the sites detailed in the report at Item 7 at Alsager, Lymm and Penketh (provided that satisfactory contractual terms can be agreed) with further options to be explored for a site in the optimum location for the M53/M56; and**
- [3] the information about the design and build of the new fire stations be noted.**

6 EXCLUSION OF PRESS AND PUBLIC

RESOLVED:

That under Section 100(A) (4) of the Local Government Act 1972, as amended by the Local Government (Access to Information) Order 2006, the press and public be excluded from the meeting for the item of business listed below on the grounds that it involves the likely

disclosure of exempt information as defined in Schedule 12A to the Act in the paragraph indicated.

7 ACQUISITION OF SITES AND DESIGN AND BUILD OF NEW FIRE STATIONS OUTLINED IN IRMP10

The ACFO presented the report which provided supplementary information in respect to the report at Item 5 of the agenda.

Members discussed the details of the preferred sites provided in the report and provided feedback to officers on the information contained within it.

RESOLVED: That

- [1] the information (and implications of that information) about the preferred sites contained within the report be noted.**