



MINUTES OF THE POLICY COMMITTEE held on 17 March 2010 at Lecture Theatre, FSHQ at 10:00am

PRESENT: Councillors G Smith (Chair), P Booher, B Crowe (substitute member for Councillor Topping), R Fletcher, G Merry, R Polhill and L Redhead.

APOLOGIES: Councillors D Topping, J Crockatt, J Joyce and J Weatherill

PART 1 – MATTERS CONSIDERED IN PUBLIC

1 PROCEDURAL MATTERS

A Apologies for Absence

Apologies for absence were received from:
Councillor D Topping;
Councillor J Joyce;
Councillor J Weatherill; and
Councillor J Crockatt

It was noted that Councillor B Crowe had been nominated as a Substitute Member for this meeting.

B Declaration of Members' Interests

There were no declarations of Members Interests.

C Minutes of the Policy Committee meeting held on 20 January 2010

RESOLVED: That

[1] the minutes of the meeting of the Policy Committee held on Wednesday 20 January 2010 be confirmed as a correct record.

ITEMS REQUIRING DISCUSSION / DECISION

2 PUBLICATION OF INTEGRATED RISK MANAGEMENT PLAN (IRMP)/CORPORATE PLAN 2010/11

The Head of Corporate Communications presented the report which sought Members' approval on the publication of the Authority's combined IRMP/Corporate Plan 2010-2011 (IRMP7). The final draft had been updated to include responses and amendments following the 12-week consultation period and copies had been circulated with the agenda.

A summary of the key issues and an interim consultation report were presented to the Fire Authority on 10 February 2010 where delegated authority was granted to the Policy Committee to approve publication.

A summary of the final IRMP7 consultation report was attached as an appendix to the report and full copies of the consultation report had been published on the Service's website. Full copies of the report were also made available at the meeting. It was noted that whilst the formal consultation period on IRMP7 was now over there would be ongoing negotiation and discussion with both local communities and representative bodies over the implementation of a number of specific projects.

The Chief Fire Officer highlighted several areas of the report for Members to note:

- The participation of Members in stakeholder and resident consultation events had significantly increased;
- A review of the balance of resources between community fire safety and road safety would be undertaken to ensure that there was a balance of resources against risks;
- The development of the Volunteer Programme would not lead to volunteers being used in an operational firefighting role;
- Shared Services were a key issue for the Service during the coming years and in particular local collaboration with the four constituent unitary authorities;
- The Service was keen to move the Equality & Diversity agenda forward to meet the excellence standard of the Equality Framework for Fire and Rescue Services and Members had an important role in assisting with embedding Equality & Diversity into the Service;
- 12 hour shift proposals were highlighted as one of the most contentious issues for employees and the Head of Unitary Performance was in dialogue with the Unions to review this and other proposals for changes to shift systems; and
- The Birchwood Community Fire Station proposal had received a high number of consultation responses from members of the public and the headline concerns and Service's responses were summarised in the report.

The Chief Fire Officer concluded by confirming the implementation date for the new duty system at Birchwood would be January 2011. He explained that this would provide the Service with sufficient time to evaluate the effectiveness of the new duty system at Wilmslow and to recruit retained firefighters for Birchwood prior to that date.

The Chief Fire Officer also stated that if there were any significant changes to the risk profile and activity levels for Birchwood, prior to the implementation date, then the proposal would be reviewed to ensure that it was still appropriate and viable.

Petition

Members of the Public were in attendance at the meeting and a petition titled 'Keep Birchwood Community Fire Station Whole-Time' containing 14,434 signatures was handed to the Chair who formally accepted the petition on behalf of the Fire Authority.

Questions from Members of the Public

Members of the Public had submitted a number of written questions in accordance with Standing Order no 3.59 to 3.67 and the following questions were asked and responded to at the meeting as detailed below:

Questions from Russell Bowden

Question 1

In high hazard industries, it is common practice for any risk assessment to be subject to rigorous review by an independent expert. There are two key observations from the supporting analysis:

- the period around midnight is a more demanding time for several categories of incident and yet the proposal is to downgrade night-time cover;
- the risk assessment is inconsistent with established best practice and is fundamentally flawed in that the judgements are based on a small time window, do not include any review of provisional 2009 data and do not incorporate any appropriate trend analysis covering all of the fire stations in Cheshire;
- there is no clear indication that the proposal for Birchwood Community Fire Station represents the correct sustainable option providing the optimum overall balance of risk for future years.

Can you therefore clarify the extent to which the risk assessment underpinning IRMP7 has been independently reviewed and endorsed?

Response from Chief Fire Officer

The Authority's risk assessment methodology and associated profiling process was evaluated and reviewed in 2009 by Greenstreet Berman, a specialist risk assessment company who have extensive knowledge of the fire and rescue services approach to Integrated Risk Management Planning. The methodology was also considered and endorsed by the Fire Protection Association (FPA).

In addition, Cheshire Fire and Rescue Service Emergency Cover (FSEC) Model, provided to all fire and rescue services by CLG, undergoes regular health checks and audits. Cheshire's last health check was completed in 2009.

The Audit Commission also assess how fire and rescue authorities undertake risk assessment and planning under the Use of Resources and Managing Performance elements of the Comprehensive Area Assessment process.

Question 2

The public consultation on the IRMP7 proposal for Birchwood Community Fire Station was very limited in scope, poorly advertised and often difficult for members of the public to attend. The area served by Birchwood covers a number of commercial premises, schools, hotels and prisons.

To what extent have these organisations been involved in the consultation process? For example, has the management of HM Prison Risley - with an operational capacity of 1085 inmates - been actively involved in the consultation? How would these proposals affect their emergency procedures for the safe and secure evacuation of inmates in the event of a serious fire?

This same question is equally applicable to the four large occupancy hotels in the area covered by Birchwood Community Fire Station. How will the proposed development of a distillery in Risley affect the balance of risk, given the major fire at Greenalls in Warrington in 2005

Response from Head of Corporate Communications

Details of the public consultation carried out in the Birchwood area are set out in the main consultation report. In addition, around 300 key stakeholders were consulted directly about proposals in IRMP7 including partners and representative bodies.

Premises such as Risley Prison are required to have in place their own risk assessments and procedures for dealing with fires and the Service meets at least annually with prison staff to ensure these are adequate. The proposals for Birchwood would not change the Service's ability to meet its response standard for the premises.

The emergency procedures for the safe evacuation of people from the area's hotels in the event of a serious fire also remain unaffected by our proposals. These procedures are enforced under national legislation, for which the Fire Authority is the enforcing body.

If future risk levels change within Birchwood or any other part of the Service's area then these would be addressed through the annual risk planning processes. If necessary the Service would then adapt the resources it has available in that area and there are examples of where this has happened recently.

Question 3

The model proposed by IRMP7 for Birchwood Community Fire Station has not been proven to work at any of the stations in Cheshire that have so far adopted the system.

For example, it is known that Stockton Heath currently only has 4 part-time firefighters, rather than the required complement of 15 - 20. In addition, the lack of firefighters turning in for incidents at Wilmslow has resulted in that crew being removed from duty service on a number of occasions. More widely in the UK, this model does not have a proven track record in similar urban/semi-urban locations.

Given this established poor performance, how are Cheshire Fire & Rescue Service justified in proposing this model for the future operation of Birchwood Community Fire Station?

Response from Chief Fire Officer

The retained cover model operates across 16 of the 24 fire stations in Cheshire; 10 stand alone retained stations (where retained cover is provided 24 hours a day), 5 day crewed stations (where retained cover is provided during the evening and night time periods) and Wilmslow (where retained cover is provided for a specified 12 hour evening and night time period). The retained duty system is a proven and well established system that operates on a number of stations across the UK.

Stockton Heath station currently has 5 retained firefighters. However, retained firefighters at Stockton Heath only provide cover and crewing for the second fire appliance. The first appliance is crewed by wholetime staff, during the day and by the same personnel on retained cover in the evenings. A recent recruitment process has identified additional firefighters who will now be trained and added to the station establishment.

Wilmslow operates in exactly the same way except for the fact that the cover in the evening/night period is provided by a combination of personnel on wholetime/retained duties and personnel on purely retained duties.

At no time since Wilmslow "went live" on the 1 February has the crew been removed from service due to the lack of firefighters.

The Authority is confident, therefore, that the retained model proposed for Birchwood during the 12 hour evening/night period will be both effective and achievable.

Questions from Lynne Greenhalgh

Question 1:

Savings from changes to fire cover in Birchwood are included in the 2010/11 budget which was agreed on 10 February. Two days later (at a very well attended public meeting in Birchwood) the Chair of the Fire Authority, Cllr David Topping, stood before residents and declared that Cheshire Fire Authority's case was not entirely convincing and this was NOT a "done deal". Does the Fire Authority expect us to believe that there has been any genuine public consultation on the proposed changes when savings made from the closure of Birchwood at night were announced (silently) three and a half weeks before the so-called "public" consultation exercise ended and five weeks before any changes are 'supposed' to be agreed at today's meeting?

Response from Treasurer

The planning of the Fire Authority's budget must be undertaken with the proposals outlined in the Integrated Risk management Plan (IRMP) in mind. Given the work required to prepare a Budget, it is right that the financial scenario should have been considered and agreed on the basis of our draft IRMP proposals in advance of the meeting.

However, at the Budget meeting it was recognised that the draft IRMP was still out for consultation and the Authority might need to revisit the proposed efficiencies, depending on the feedback received. It should be noted that the predicted efficiencies released from Birchwood in 2010 – 2011 come to 100K with the full 420k being released in 2011 - 2012. Figures for costs and efficiencies have been based on the Service's best understanding at the time of developing the budget, with approved reserves available to help the Service manage flexibly if there are subsequent variations.

Question 2:

Surveys carried out by CFRS have been confusing and the summary appendix to the consultation report serves only to highlight support for its proposals from Response, Chawrec and Businesses, but the only options given to them were:-

- 1) Making it a day crewed station.
- 2) Having staff on station in the day and using retained duty staff who are on call in the evening.
- 3) Having staff on station in the day and then moving in an appliance and crew from another wholetime station at night.

It makes no sense that the business community (in a time of economic instability) would choose part-time retained cover (with delays in attending to a threat to their livelihood) over full-time employees who still provide cover at night. Day crewed cover will always be the next best thing to wholetime cover. It is only when we see that choices (2) and (3) are outlined clearly to show *some* cover at night (while the term "day crewed" is not explained) that we realise that people may believe that "day crewed" actually means NO cover at night. Will the Fire Authority accept that stakeholders have been asked to make life and risk critical judgements without a clear definition of the choices they've been given?

Response from Head of Corporate Communications

Day crewed cover is a proven system of staffing fire stations which operates across Cheshire and in other parts of the UK.

The public consultation sessions were delivered by CFRS officers who have a clear understanding of the issues contained in the IRMP and stakeholders were given ample opportunity to engage with CFRS from early in the consultation. The IRMP also contains further detail and explanations of the terms used in the proposals. The consultation report is

predominantly aimed at our elected Members who understand the duty systems used within the Service.

Question 3

CFA has carried out a twelve week "public consultation" (and I use both the words "public" and "consultation" reluctantly). Does CFA believe it is reasonable to publish the summary report and recommendations at such a time that the public has only 24 hours in which to submit questions, in order to allow CFA 3 clear working days before the meeting to respond? In fact shouldn't CFA have enough confidence in it's actions to answer questions without needing 3 days to prepare it's response?

Response from Chief Fire Officer

The Constitution of the Authority outlines the procedure to be used by the public to submit questions. The content of the document draws on best practice in local government and legislation.

Question 4:

The summary document claims that the downgrading of fire cover at Birchwood is "in response to a detailed analysis of the balance between local risk levels and the resources required by the Service". Cheshire's "Kidzone" page and its Key Stage II programme vividly shows children the destruction and horror of a flashover happening just 3 minutes after a fire has started in the home. Is our Fire Service not condoning an unnecessary life threat to its own firefighters allowing fires to develop for FIVE minutes before part timers (who may not yet be competent) even leave the fire station?

Response from Chief Fire Officer

Large parts of Cheshire are already covered by staff operating on a retained basis and the Service and crews work hard to ensure that the safety of both the public and staff remains paramount.

All of our risk modeling and retained response standards are based on a **five minute** response time from alert to attendance at the fire station. In Wilmslow, where we have introduced a similar model, we can confirm that the average response time (from time of alert to booking mobile to an incident with a complete crew) since the retained night cover was introduced on 1 February is **3 minutes 55 seconds**.

The safety information on the Service's website highlights how fire develops and emphasises the critical importance of having working smoke alarms and an agreed escape plan. Without such essential safety measures people can be at risk, even if there is a wholtime community fire station close by.

Questions from Lesley Marshall

Question 1:

The summary report skirts over the rejection of its proposals by CFA's own staff, and the almost unanimous rejection by the public it serves, but it is probable to assume that *any* support for Cheshire's proposals came about only because there was no option for people to make a choice to retain its current wholtime status something which enraged residents who were appalled by the survey's attempt to lead them into giving the answers that Cheshire FS needed (but they as stakeholders didn't want to give). Will the Policy Committee accept that a 2000 strong Facebook campaign and 10,000+ names on a petition reflects the true feelings of a community that wants to keep Birchwood Fire Station wholtime and upholds the overwhelming rejection of Cheshire's proposals by staff and stakeholders alike?

Response from Head of Corporate Communications

The Authority does recognise the strength of feeling voiced throughout the consultation process. As well as responding to the survey questions there have been options for people to voice individual comments – these are included in the consultation report. However, IRMP must reflect an appropriate balance between risk and activity levels and resources across the whole of Cheshire. Having closely considered the business case for Birchwood, over a number of years, the Service is convinced of the need for change.

Question 2:

Cheshire Fire Service states in the summary that it "will still be able to meet its previously agreed response standards under the new system". Can you confirm that there is no longer a national standard and Cheshire's own standards already have the lowest response times in the North West?

Response from Chief Fire Officer

The Authority can confirm that the old National Standards of Fire Cover, which were based on building risk, were replaced in 2004 by a new Integrated Risk Management Planning regime. These IRMPs impose a duty on all fire and rescue authorities to undertake a **local** assessment of **life** risk and to determine resource requirements and associated response times to mitigate these risks that are both appropriate and provide value for money.

The risks are reviewed on an annual basis and any proposals to change the way the service is provided are consulted upon as part of the IRMP process.

Cheshire has developed five categories of risk; very high, high, medium, low and very low and has assigned response times to each of these categories as follows:

Very High	0 – 5 minutes
High	6 – 10 minutes
Medium	11 – 15 minutes
Low	16 – 20 minutes
Very Low	above 21 minutes

Other Authorities, under their risk management planning process have developed different risk categories and response times e.g. GMC have a blanket response target for property fires of 7 minutes on 90% of occasions.

Written copies of the responses were also made available for questioners.

The Chief Fire Officer summarised the rationale for the proposals for Birchwood Community Fire Station and concluded that the proposal to introduce a retained duty system at night at Birchwood was a sound and appropriate proposal based on a comprehensive assessment of risk and activity levels of the station. He also reminded Members that any efficiencies gained from the proposal would be re-invested into new Breathing Apparatus sets and Fire Kit for all of the Service's Firefighters.

At the conclusion of the discussions and in accordance with Standing Order No 3.53 Members voted on the recommendations contained in the report with 6 Members voting for the recommendations and 1 Member abstaining from voting.

RESOLVED: That

- [1] the publication of the IRMP/Corporate Plan 2010-11 by 31 March 2010 be approved; and**
- [2] the need to continue to negotiate and consult with relevant Trade Unions on specific issues within the Plan using the Fire Authority's Trade Union protocol and the relevant industrial relations agreements be noted.**

3 CORPORATE EQUALITIES STRATEGY AND EQUALITIES ACTION PLAN

The Head of Corporate Communications presented a report to Members which outlined the Authority's approach to equality and diversity and sought Members approval for a new Corporate Equality Strategy and Action Plan.

This was the Authority's second Corporate Equalities Strategy, highlighting the strong commitment to equality and diversity and evidenced by the Authority's achievement of Levels 3 and 4 of the Equality Standard for Local Government. It covered areas such as roles and responsibilities, performance management, links to other strategies, the legal framework and detailed equality and diversity statements.

The Action Plan set out a timetable of proposals and initiatives which would allow the Authority to meet its expectations under the Strategy and to assist in its bid for Excellence under the new Equalities Framework.

Members commented that the Strategy and Action plan were very well presented and concise documents which made the Service's aims and objectives on Equality and Diversity clear to both internal and external stakeholders.

RESOLVED: That

The draft Corporate Equalities Strategy and Action Plan be approved.

4 INTERNAL AUDIT PLAN 2010-11

The Internal Auditor from RSM Tenon was in attendance to present the Internal Audit Plan for 2010-11 to Members for approval.

The Treasurer outlined the protocol for presenting the Annual Audit Plan to the Policy Committee and he also explained that progress against the plan would be monitored by the Performance and Overview Committee.

The Internal Auditor provided an overview of the plan and the proposed Internal Audit work programme for 2010-11. Members were asked to note that the plan had been developed in consultation with the Service's Leadership Team and with reference to the Risk Register and regulatory requirements for Internal Audit coverage.

RESOLVED: That

[1] the Internal Audit Plan for 2010-2011 be approved.

PART 2 – BUSINESS TO BE DISCUSSED IN PRIVATE

None