



MINUTES OF THE MEETING OF THE CHESHIRE FIRE AUTHORITY held on Wednesday 14 September, 2011 at Fire Service Headquarters, Winsford at 9.30 a.m.

PRESENT: Councillors M Biggin, D Brickhill, P Campbell, B Crowe, D Flude, J Joyce, J Kerr-Brown, J Leather, B Livesley, G Merry, H Mundry, K Musgrave, S Nelson, R K Polhill, L Redhead, B Rudd, T Sherlock, M Simon, A Tate, C Thorley, D Topping and J Weatherill.

ALSO IN ATTENDANCE: Alan Rawlings, Audit Commission Representative

PROCEDURAL

The Chair addressed the Authority on a number of procedural matters which needed to be covered before turning to the formal agenda.

He explained that, in consultation with the other Group Spokespersons and due to the exceptional circumstances (with the funeral of Councillor Oliver due to be held at 12.30pm), it had been agreed that the start time of the Fire Authority meeting should be brought forward to 9.30am. This was widely publicised and all Members who were attending had arrived for the earlier start time. However as the start time was a matter for the Fire Authority to decide, Members were asked if they were content to commence the meeting and indicated that they were.

The Chair also informed Members that, as the agenda was substantial and there was limited time, he proposed to exercise his discretion and change the order of the agenda to ensure that the important items were dealt with. The proposal was to deal with Agenda items 2, 3, 4 and 5 followed by Agenda items 7 and 8 and, if time allowed, to work through the remaining items on the Agenda in order i.e. 6, 9, 10, 11 and 12. Members were asked if they were content with the Chair exercising his discretion or if they wished to make any representations regarding the proposed changes to the order of the agenda. No representations were made and Members were content with the Chair's proposal.

The Chair also explained the rules regarding the quorum of the meeting and the intended finish time for the meeting (to allow enough time to travel to Councillor Oliver's funeral). He explained that if the meeting needed to be adjourned before the conclusion of all of the business on the agenda Officers would liaise with Group Spokespersons concerning a date to reconvene or potentially move the items on to the agenda to the December Fire Authority meeting.

MINUTES SILENCE

The Chair said a few words and asked the Authority to stand for a minutes silence in memory of Councillor Derek Bateman and Councillor Colin Oliver, who had both recently passed away. Both Councillors had been long-standing Members of the Fire Authority.

PART 1 – MATTERS CONSIDERED IN PUBLIC

1 PROCEDURAL MATTERS

A APOLOGIES FOR ABSENCE

Apologies were received from Councillor E Johnson.

B CHAIR'S ANNOUNCEMENTS

Fire Authority 2011/12

It was noted that Councillor Dorothy Flude had been appointed to replace Councillor Rod Fletcher as a Cheshire East representative on the Fire Authority.

Achievements

All Members joined the Chair and the Member Champion for Equality & Diversity in congratulating the Service on achieving the 'Excellent' level under the Fire and Rescue Service Equality Framework

Forthcoming Events

Members were asked to note the date and venue for the next Members Awayday which would take place on 21 October at North West Fire Control.

C DECLARATION OF MEMBERS' INTERESTS

There were no declarations of Members interests.

D MINUTES OF THE FIRE AUTHORITY

RESOLVED:

That the Minutes of the meeting of the Cheshire Fire Authority held on 8 June 2011 be confirmed as a correct record.

E MINUTES OF THE POLICY COMMITTEE

RESOLVED:

That the Minutes of the meeting of the Policy Committee held on 15 June 2011 be received, for information.

F MINUTES OF THE POLICY COMMITTEE

RESOLVED:

That the Minutes of the meeting of the Policy Committee held on 7 September 2011 be received, for information.

G MINUTES OF THE STANDARDS COMMITTEE

RESOLVED:

That the Minutes of the meeting of the Standards Committee held on 29 June 2011 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 29 June 2011 be received, for information.

I MINUTES OF THE PERFORMANCE AND OVERVIEW COMMITTEE

RESOLVED:

That the Minutes of the meeting of the Performance and Overview Committee held on 6 July 2011 be received, for information.

J NOTES OF THE MEMBER TRAINING AND DEVELOPMENT GROUP

RESOLVED:

That the notes of the meeting of the Member Training and Development Group held on 7 July 2011 be received, for information.

K MEMBERSHIP OF THE FIRE AUTHORITY, COMMITTEES AND SUB-COMMITTEES

The Head of Legal and Democratic Services introduced the report which had been produced as a result of a change in the Membership of the Fire Authority and alterations to the political proportions following notification by Cheshire East. He explained that this had prompted a review of seat allocations and the Group Spokespersons had met to agree proposals which involved some changes to seat allocations, as well as a proposal relating to a Member Champion role.

The report provided details of the changes to Fire Authority Membership and the revised political proportions together with the proposed changes to seat allocations agreed by Group Spokespersons. The proposed changes were as follows:

Policy Committee

Councillor Rod Fletcher removed

Councillor David Brickhill to be appointed

Councillor Jacquie Weatherill to be replaced by Councillor John Leather

Performance and Overview Committee

Councillor John Leather to be replaced by Councillor Jacquie Weatherill

Standards

Councillor David Brickhill to be replaced by Councillor Bill Livesley

Members Training and Development Group

Councillor Rod Fletcher removed

Councillor Dorothy Flude to be appointed

Member Champion for Older People

Councillor Flude to be appointed.

The above changes have been incorporated into an appendix, a version of which is attached to these minutes.

RESOLVED: That:

- [1] the change of membership of the Fire Authority following notification by Cheshire East Council be noted;**
- [2] the revised political proportions on the Fire Authority be noted;**
- [3] the approach to the allocation of seats as detailed in the report be approved;**
- [4] the appointments as set out in Appendix 1 of the report be agreed; and**
- [5] the appointment of Councillor Dorothy Flude as Member Champion for Older People be agreed.**

2 ANNUAL GOVERNANCE REPORT – AUDIT 2010/11

The Director of Finance and Corporate Planning (Treasurer) introduced the report and informed Members that a copy of the Letter of Representation which the Chair was required to sign at the end of the meeting had been provided for Members in Group Rooms.

An Audit Commission representative was in attendance at the meeting to present the report to Fire Authority Members. The Auditor provided an overview of the content of the report and explained that Members were required to take note of the adjustments to the financial statements set out in the report and approve the letter of representation.

The findings of the report showed that the Authority had maintained the high quality of its financial statements and had coped well with the challenge of implementing International Financial Reporting Standards. The Audit Commission's report concluded that Cheshire Fire Authority had made proper arrangements to secure economy, efficiency and effectiveness in its use of resources for the year ending 31 March 2011.

Fire Authority Members thanked Officers who had been involved in the production of the financial and Annual Governance Statements for their hard work in ensuring the positive outcomes to the report. The Audit Commission Representatives also expressed their thanks to the Finance team for the constructive way in which the audit work had been approached.

RESOLVED: That

[1] the content of the 2010-11 Annual Governance Report be noted; and

[2] the letter of representation be approved.

3 2010 -11 FINAL ACCOUNTS

The Director of Finance and Corporate Planning presented the final accounts 2010-11 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 Audit Commission Governance report.

The final audited accounts showed an underspend on revenue of £1,186k against a budget of £43.415m. The Authority had adopted a financial health target that required the final outturn position to be within 1% of the mid-year review forecast. The final year end position of a £1,186k underspend was only 1.3% (of the budget) different to the forecast position of the mid-year review (£615k). The Director of Finance and Corporate Planning explained that although the final figure was just outside the target it was the financial scenario facing the Authority that had encouraged Officers to realise some of the 2011-12 efficiencies earlier than envisaged.

At its meeting in June 2011 the Authority had approved the transfer of £326k of the underspend into a ringfenced ICT reserve. Members were provided with details of the options for the remainder of the underspend (£860k) and Officers recommended that the £860k be used to establish a capital pump priming reserve to fund future capital investment such as new builds and new appliances.

The Director of Finance and Corporate Planning informed Members that the Authority's balance sheet showed a significant liability of £316m as the International Accounting Standard IAS9 required every local authority to estimate all its future pension liabilities. This did not represent an immediate call on resources, rather it was a liability for which the Authority was partially liable over the lifetime of its pensioners and staff.

He also asked Members to note the issue over the inclusion of New Dimensions Assets on the 2010-11 Balance Sheet. At the time of closing the accounts negotiations with Communities and Local Government (CLG) regarding the transfer of these assets had not been concluded and as a result the assets were not included on the Balance Sheet. The Auditors had asked that a statement be included in the letter of representation to confirm that ownership of the assets had not yet transferred to the Authority,

The reserves position was also highlighted and Members were informed that there was a £7.3m balance in the General Reserve.

RESOLVED: That

- [1] the 2010-11 Final Accounts be approved for publication;**
- [2] the current balances of the Authority's reserves be noted; and**
- [3] the transfer of £326k of the 2010-11 underspend into the earmarked ICT reserve and £860k of the underspend into the pump priming reserve, as detailed in paragraphs 16 – 18 of the report, be approved.**

4 PUBLICATION OF THE ANNUAL REPORT 2010-11

The Head of Corporate Communications presented the report to Members which sought approval for the publication of the Service's Annual Report for 2009-10. The draft report incorporated statutory information on the annual Statement of Accounts, together with summary information about key areas of performance during the last financial year. The Annual Report also promoted the launch of a major campaign around cooking and cooker safety, as well as being used as part of a recruitment campaign for the on-call duty system and highlighted opportunities for residents and businesses to have their say on the future development of the Service.

Proofs of the newspaper style report had been distributed to Members with the agenda and each Member had received the edition for their particular unitary area. The Head of Corporate Communications explained that, if approved, the Annual Report would be published on the web-site by 23rd September and printed copies would be distributed in early October. A

Member commented that it would be useful to have copies of all four unitary area's reports and this request was noted.

Members discussed the content of the report and thanked the Officers involved for producing a document that was interesting and easy to read. A Member commented that he welcomed the campaign around cooker safety. He also commented that fuel poverty would be a big issue with the rising fuel costs and stated that the Service should get involved with a campaign which focused on this issue.

RESOLVED: That

the draft Annual Report 2010-11 be approved for publication.

5 ANNUAL ACTION PLAN – INTEGRATED RISK MANAGEMENT PLAN 2012-13 (IRMP9)

In December 2010 the Authority had approved a Four Year Strategy covering the period 2011-2015 and also agreed that detailed proposals for each year would be contained in a series of annual action plans (Integrated Risk Management Plans)

The Head of Corporate Communications presented the report which sought Members approval for the action plan for 2012-13. The report highlighted the key themes and issues that were set out in the draft Annual Action Plan (IRMP 9). Copies of the draft plan had been distributed with the agenda.

The report also outlined a programme of consultation and publication which would meet the statutory requirements. Details of the draft consultation timetable and the community-based approach were included as an annexe to the report. It was noted that the formal consultation period would run from 19 September to 19 December 2011. Members would receive a summary of the feedback received to date at the Fire Authority meeting on 14 December 2011 and the final report would be submitted to the Fire Authority at its meeting on 8 February 2012 along with the 2012-13 Budget for approval.

A Member commented that the Unitary Performance Groups should be involved in the consultation process at a local level and Members could bring issues that they picked up from the local area to that forum.

RESOLVED: That

the draft Annual Action Plan (IRMP 9) 2012-13 be approved for formal internal and external consultation.

6 CUMBRIA CONTROL

The Assistant Chief Fire Officer presented the report which informed Members of the details of the proposed collaboration between Cheshire Fire and Rescue Service and Cumbria Fire and Rescue Service (FRS). Approval of the proposal would ensure that Cumbria FRS could meet its statutory duty either through mobilising its own resources using Cheshire's system or as a result of Cheshire doing so on its behalf i.e. an outsourced service.

The report detailed the current project proposal which was based on the original scope for Cumbria FRS to mobilise its own resources using the Cheshire System. It was noted that if the scope of the project was expanded to outsource Cumbria's Control then some elements of the project would need to be altered and agreement was required around the costs associated with the service being provided by Cheshire FRS.

Members discussed the proposals and a query was raised regarding risks for Cheshire FRS. The Assistant Chief Fire Officer commented that the main risk would be the effect on Cheshire's performance but this risk was mitigated by the proposed changes to the contract with Fortek which would be adapted to ensure that there was no degradation of service after Cumbria joined the system.

RESOLVED: That

- [1] the principle, of the proposed collaboration with Cumbria Fire and Rescue Service, endorsing the approach taken by Officers to secure the most appropriate arrangements in the interests of Cheshire Fire and Rescue Service, be agreed; and**
- [2] the potential scope of the project, which could see Cheshire Fire and Rescue Service become responsible for taking calls and mobilising resources on behalf of Cumbria Fire and Rescue Service, be noted.**

7 NORTH WEST FIRE CONTROL

The Assistant Chief Fire Officer presented the report which provided details of a proposal by the five North West Fire and Rescue Services (NWFRSs) to deliver a local fire control solution in the North West. Significant funding has been secured from the Government towards the delivery of a North West Fire Control.

The report summarised the current position and provided details of the outline business case that had been developed. It also provided some details on the governance arrangements and highlighted the benefits and the risks to the Authority.

The Head of Legal and Democratic Services provided further information on the offer of funding from the Department of Communities and Local Government (CLG). Whilst acknowledging that the building at Lingley Mere would come with significant liabilities attached to it he stated that the NWFRSs were in a strong position to secure a suitable legal agreement to cover the ongoing funding. CLG would be left with building and had, in its offer of funding letter, indicated it would work with NWFRSs to 'develop detailed documentation that would provide you (the NWFRSs) with financial and legal protection for future lease liabilities'.

A Member commented that Cheshire Fire and Rescue Service already provided Cheshire with a service that had been recognised as the best service in the country and which already included the provision of a new control room in 2009. He stated that he had serious concerns over the relationship with CLG and that although the funding proposals were significant he felt that the Government would find other ways to recoup the funding provided by cutting other grants currently received. He also felt that this could be perceived as the first move towards a Regional or National Fire Service which would lead to a serious loss of local autonomy.

The Chair informed Members that it was felt that there was a different relationship with CLG with regard to this project and the NWFRSs were in the best position they had ever been in to move forward with this project.

A query was also raised by Members regarding the concerns expressed in a letter received by all Members from the Fire Brigades Union (FBU) and Officers were asked how these concerns were being addressed. Members also discussed how the project would be affected if one or more of the other four NWFRSs decided not to join the project.

The Chief Fire Officer highlighted the recommendation at paragraph 6 [1] of the report which stated that Members support for the project was subject to a number of caveats including one requiring support from the other four NWFRSs. If all four did not wish to proceed then the financial aspects of the project would have to be reconsidered and a further report brought back to Members. He also explained that, subject to approval from all NWFRSs, a consultation programme would be drawn up at the project board meeting on 10th October and the Unions would be heavily involved as the project progressed.

Members were asked to vote by a show of hands on the recommendations contained in the report and the following was recorded:

20 For

1 Against

Councillor Joyce abstained

Councillor Joyce queried whether it was appropriate for him to take part in the debate and vote given that he was a Director of the Local Authority Controlled

Company, NorthWest Fire Control Ltd. The Monitoring Officer advised that he considered that the interest was personal and not prejudicial at this stage but the situation could change. However Councillor Joyce decided not to take part in the debate and did not vote.

RESOLVED: That

- [1] support for the delivery of a North West Fire Control be confirmed, subject to the following:**
- i) the outcome of the IRMP9 consultation which refers to the proposal;**
 - ii) the development of a robust final Business Case, following a procurement exercise; and**
 - iii) the support of the other four North West Fire and Rescue Services.**
- [2] it was noted that a final decision about whether to proceed (when the final Business Case had been developed) is reserved to each of the respective North West Fire and Rescue Services; and**
- [3] Officers be authorised to take all steps necessary to proceed with the project up to the conclusion of the final Business Case.**

8 VEHICLE RESILIENCE – SEVERE WEATHER CONDITIONS

The Assistant Chief Fire Officer presented the report which provided Members with details of the arrangements the Service was developing in respect of four wheel drive capability in severe weather conditions and sought Members support for enhancing that capability in the future.

He explained that the arrangements would ensure that an operational response capability could be provided and maintained in the event of severe weather conditions and also demonstrated the Authority's on-going commitment to business continuity.

The report provided details of the financial position in respect of the proposals and the options in respect of financing. It was noted that the capital purchase of the Principal Officer four wheel drive vehicles had been undertaken as part of the planned replacement of those vehicles and had been funded from capital receipts. The options for the funding for the purchase of the Mobile Incident Commander (MIC) four wheel drive vehicles was outlined in report and Members were asked to recommend that the Director of Finance and Corporate Planning be authorised to determine the most appropriate method of financing these vehicles and report back to Members at the time of the mid-year review.

RESOLVED: That

- [1] the current arrangements in place be noted; and**
- [2] the purchase of four wheel drive vehicles for Mobile Incident Commanders be approved with the financing method to be determined by the Director of Finance and Corporate Planning.**

At 11:10am the Chair (bearing in mind the finish time of 11:15am) indicated that he intended to defer Agenda Item 9 – Proposal for Additional Vice Chairs, which would require more than five minutes discussion and to move on to Agenda Item 10 – 2011-12 Member Development Programme. Members were content with this proposal.

9 2011-12 MEMBER DEVELOPMENT PROGRAMME

The Monitoring Officer presented the 2011-12 Member Development Programme to Members for approval. The Programme had previously been presented to the Member Training and Development Group at its meeting on 7 July 2011 and recommended that the programme be submitted to the Fire Authority for approval.

RESOLVED: That

the 2011/12 Member Development be approved.

The meeting was concluded at 11:15am with Agenda item 9 – Proposal for Additional Vice-Chairs and Agenda item 11 – Exclusion of Press and Public and Agenda item 12 – Contingency Planning for Industrial Action outstanding and deferred to the next meeting.