



CLEVELAND FIRE AUTHORITY

MINUTES OF ORDINARY MEETING HELD ON FRIDAY, 25 SEPTEMBER 2009

PRESENT:	CHAIRMAN: Councillor Porley – Middlesbrough Council
	HARTLEPOOL BOROUGH COUNCIL: Councillor Flintoff
	MIDDLESBROUGH COUNCIL:- Councillors Clark, McTigue, Rogers
	REDCAR AND CLEVELAND BOROUGH COUNCIL:- Councillors Briggs, Cooney, Dunning, Forster, Ovens
	STOCKTON ON TEES BOROUGH COUNCIL:- Councillors Cherrett, O'Donnell, Salt, Stoker, Woodhead
	PROPER OFFICERS:- Legal Adviser, Treasurer
	FIRE BRIGADE OFFICERS:- Chief Fire Officer, Director of Corporate Services, Director of Community Protection, Director of Technical Services and Head of Planning and Democratic Services
	AUDIT COMMISSION: Gavin Barker –Senior Audit Manager
APOLOGIES FOR ABSENCE:	Councillors Brash, Lilley, Payne (Hartlepool) Councillors Brunton, Thompson (Middlesbrough) Councillor Fitzpatrick (Redcar & Cleveland) Councillors Beall, Patterson (Stockton on Tees)

The Chairman wished to place on record the Authority's thanks to Councillor Andrew Larkin and welcomed Councillor Ross Patterson's appointment to Cleveland Fire Authority

- 65. DECLARATIONS OF MEMBERS INTEREST**
It was noted that no declarations of interest were submitted to the meeting, although Councillor Dunning declared an interest at Minute 70.2.1.
- 66. MINUTES**
RESOLVED - that the Minutes of the Cleveland Fire Authority Meeting held on the 31 July 2009 be confirmed.
- 67. MINUTES OF COMMITTEES**
RESOLVED - that the Minutes of the Executive Committee held on 11 September 2009, Policy Committee held on 11 September 2009 and the Tender Committee held on 28 August 2009 be confirmed.
- 68. TO RECEIVE COMMUNICATIONS RECEIVED BY THE CHAIRMAN**
The Chairman informed Members that no communication had been received since the last meeting

69. REPORTS OF THE CHIEF FIRE OFFICER

69.1 CFA Annual Report 2008/2009

The Chief Fire Office sought Members' views regarding the draft Cleveland Fire Authority Annual Report 2008/2009.

RESOLVED – that the Annual Report for 2008/2009 be approved.

69.2 Operational Assessment Peer Review Outcomes

The Director of Community Protection outlined the key outcomes of the IDeA Operational Assessment Peer Review, which forms part of the Performance Framework. The report highlighted three areas of notable practice; Home Fire Safety Assessments, the Fire Engineering Academy and the Fire Support Network. He confirmed that the Strategic Management Team will consider each of the key recommendations within the report and any remedial actions identified will be fed into the Brigade's improvement plans and monitored under the Authority's performance management arrangements.

RESOLVED:

- (i) that the outcome from the Operational Assessment Peer Review as outlined in the IDeA's report be noted.**
- (ii) That the Strategic Management Team will consider each of the key recommendations within the report and any remedial actions identified will be fed into the Brigade's improvement plans and monitored under the Authority's performance management arrangements.**

69.3 Efficiency Strategy 2009/10 – 2013/14

The Director of Corporate Services outlined the six key elements which are aligned to the Brigade's Efficiency Strategy. She reported that these elements are interlinked and include both the processes required to implement and deliver efficiencies and the activities that need to be undertaken to determine where the efficiencies could be made. It was reported that the strategy will be delivered via a five year Action Plan that identifies the specific actions, initiatives and projects and that the action plan will be monitored as part of the Brigade's improvement planning arrangements.

RESOLVED:

- (i) that the current forecasted efficiencies at Appendix 1 of the report be noted.**
- (ii) that the Brigade's Efficiency Strategy 2009/10-2013/14 (Appendix 2) be approved.**

69.4 Draft response to the consultation exercise on In-Service Management for the Fire and Resilience Programme (Fire Circular 40/2009)

The Chief Fire Officer advised Members that CLG are consulting on these proposals, specifically which body should manage the functions of the Fire and Resilience Programme and whether the same body should be responsible for both the service contracts and the national assurance role. He outlined the 4 options to Members and Members agreed that the proposed response as outlined at Appendix 1 be approved.

RESOLVED – that the Authority’s response as detailed at Appendix 1 be approved.

69.5 Chief Fire Officer’s Information Pack – September 2009

69.5.1 Fire and Rescue Service Circulars

69.5.2 National Joint Circulars

69.5.2 NE Regional Management Board Meeting – 24 July 2009

RESOLVED – that the report be noted.

70. REPORTS OF THE DIRECTOR OF CORPORATE SERVICES

70.1 LGA Fire Services Management Committee

The Director of Corporate Services informed Members that Councillor Forster had been invited to join the LGA Fire Services Management Committee.

RESOLVED – that Councillor Forster’s membership of the LGA Fire Services Management Committee be agreed.

70.2 Corporate Governance Information Pack

70.2.1 North East Charter on Member Development

70.2.2 Standards Committee

70.2.3 Fire Improvement Group – Merseyside Fire & Rescue Service 10th Anniversary Dinner

Councillor Dunning declared a non pecuniary interest in the North East Regional Employers Organisation reported at 70.2.1.

RESOLVED – that the report be noted.

71. REPORT OF THE LEGAL ADVISER

71.1 Business Report – CFA Appointments 2009/10

The Legal Adviser informed Members of Councillor Larkin’s resignation and Councillor Ross Patterson’s appointment to the Authority. Members agreed that Councillor Patterson be appointed to the Policy and Executive Committees.

RESOLVED – that Councillor Ross Patterson be appointed to the Policy and Executive Committees.

72. REPORT OF THE TREASURER

72.1 Final 2008/2009 Statement of Accounts and Audit Commission Annual Governance Report

The Treasurer advised Members of the delays in finalising the Accounts due to the late issue of a revised Pension report by the pension scheme actuary, which had resulted in a large number of adjustments. These changes whilst material in accounting terms had no net impact on the Authority's cash position or the level of reserves previously reported. Amended pages 5,6,31,32,37,38,39,40,45 and 46 were tabled at the meeting.

Mr Barker confirmed that the Audit had been difficult but commended the Officers involved in producing the Accounts both at Cleveland Fire Authority and Hartlepool Borough Council. He reported that Cleveland Fire Authority had made proper arrangements to secure economy, efficiency and effectiveness in its use of resources for the year ended 31 March 2009. Mr Barker reported that the Annual Governance Report was a very positive one and he would be issuing an audit report which included an unqualified opinion on the Financial Statements and advised Members of the Value for Money conclusion and Use of Resources scores.

Councillor Dunning queried the methodology regarding the calculation to ascertain the Governing the Business scores. Mr Barker explained that the KLOE's were weighted and as a Level 2 was achieved for KLOE 2.2 Data Quality, the score was rounded down.

The Chief Fire Officer added that the report was very positive and referred to the quote that the Authority 'has used the Rising to the Challenge tool to demonstrate that compared to other services it is 'delivering more for less' through a risk based approach to delivering efficiencies and to highlight areas for further improvement.'

After considering the matters raised in the report, taking note of the adjustments to the financial statements (outlined at Appendix 2), the Value for Money Conclusion and Use of Resources scores, Members approved the letter of representation.

RESOLVED:

- (i) that the report be noted**
- (ii) that any actions recommended in the Annual Governance Report be implemented by the Chief Fire Officer and Treasurer**
- (iii) that the Final 2008/2009 Statement of Accounts, which incorporates the changes agreed with the Auditor be approved**

72.2 Treasury Management Annual Report

The Treasurer reported that as part of the annual budget and policy framework process Members had approved the overall Treasury Management Strategy and associated Prudential Indicators for 2008/2009 on 25 January 2008. He explained that this has been an exceptional year for Treasury Management due to the downturn in the economy, coupled with increased counterparty credit risk which had presented the authority with challenges not normally encountered.

72.2 Treasury Management Annual Report (cont)

The Treasurer stated that the Authority is currently reviewing its arrangements in light of documents produced by the Audit Commission, CIPFA and the Parliamentary Select Committee following the fallout from the credit crunch and the collapse of the Icelandic Banks.

The Treasurer commented that in accordance with the approved Treasury Management Strategy, the Authority has taken a proactive approach to managing cash investments and debt and that the Authority has reduced its level of long term borrowing by repaying £1.5m PWLB debt. He reported that as from February 2009, the Authority has been pooling its investment funds with Hartlepool Borough Council which had enabled the Authority to spread its investment over a wider range of counterparties and therefore reduce the risk of a significant financial loss.

The Treasurer confirmed that the Authority has complied with all the relevant statutory and regulatory requirements and that there are no specific issues to bring to Members' attention.

RESOLVED – that the report be noted.

73. VERBAL BRIEFING ON THE NE FIRE CONTROL COMPANY BOARD

Councillor Forster informed Members that the AGM of the NE FireControl Company Board had been scheduled to take place that morning but had been inquorate and another date was now being arranged for 5 October 2009.

RESOLVED – that the report be noted.

74. REPORT OF THE CHAIR OF AUDIT & GOVERNANCE COMMITTEE Information Pack

- 74.1 Performance Report 2009/2010 – 1st Quarter
- 74.2 1st Quarter (April-June) National Indicator Fire Related Target Report 2009/2010
- 74.3 4th Quarter User Satisfaction Report 2008/2009
- 74.4 Progress against Revenue & Capital Budgets 2009/2010
- 74.5 Proposed Value for Money Indicators – Corporate Services
- 74.6 Proposed Corporate Performance Indicator Suite
- 74.7 Strategic Management Team: Constitution & Terms of Reference
- 74.8 Reports of the Audit Commission: Good Governance Arrangements/Equality & Diversity
- 74.9 Annual Efficiency Statement – Backward Look 2008/09 and Forward Look 2009/2010

The Chair of the Audit & Governance Committee informed Members that sickness levels had been scrutinised at the meeting and following a review by the SMT, a report would be presented to a future Audit & Governance Meeting.

**74. REPORT OF THE CHAIR OF AUDIT & GOVERNANCE COMMITTEE
Information Pack (cont)**

Councillor Dunning expressed a concern at sickness levels. The Chief Fire Officer stated that this issue has already been highlighted by SMT and the Leadership Forum and is a high priority for the Brigade.

RESOLVED – that the report be noted.

75. LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) (VARIATION ORDER) 2006

RESOLVED - “That under Section 100(A) (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business, on the grounds that it involves the likely disclosure of exempt information as defined in the paragraphs below of Part 1 Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006”.

Minute No 77- paragraphs 1 and 4

Minute No 78 - paragraphs 1, 3 and 4

Minute No 79.1- paragraph 3

Minute No 80.1- paragraph 3

Minute No 81.1- paragraph 5

Paragraph 1– namely information relating to any individual

Paragraph 3 – namely information relating to the financial or business affairs of any particular person (including the authority holding that information)

Paragraph 4 – namely information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the Authority or a Minister of the Crown and employees of, or office holders under, the Authority”

Paragraph 5 – namely information in respect of which a claim to legal professional privilege could be maintained in legal proceedings

76. CONFIDENTIAL MINUTES

RESOLVED – that the Confidential Minutes of the Cleveland Fire Authority meeting held on 31 July 2009 be confirmed.

77. CONFIDENTIAL MINUTES

RESOLVED – that the Confidential Minutes of the Executive Committee held on 11 September 2009, the Policy Committee held on 11 September 2009 and the Tender Committee held on 28 August 2009 be confirmed.

78. REPORT OF THE CHIEF FIRE OFFICER

78.1 Uniform Clothing and Personal Protective Equipment Review

The Director of Technical Services provided Members with an update on the review.

79. REPORT OF THE CHIEF FIRE OFFICER AND TREASURER

79.1 PFI Outline Business Case

The Chief Fire Officer updated Members on the PFI Outline Business Case.

80. REPORT OF THE LEGAL ADVISER

80.1 Outcome of Mediation/Civil Proceedings – Fatal Fire at St David’s Nursing Home

The Legal Adviser updated Members on the outcome of the mediation hearing.

**COUNCILLOR PETER PORLEY
CHAIRMAN**