



**MINUTES OF THE MEETING OF THE FIRE AUTHORITY held on Tuesday, 14 February 2017 at Lecture Theatre - Fire Service Headquarters, Winsford, Cheshire at 10.30 am**

**PRESENT:** Councillors D Bailey, P Booher, H Deynem, A Dirir, D Flude, P Harris, E Johnson, D Mahon, D Marren, L Morgan, K Mundry, S Nelson, S Parker, R Polhill, B Rudd, T Sherlock, M Simon, M Tarr, J Weatherill and S Wright

**1 PROCEDURAL MATTERS**

**A Recording of Meeting**

Members were reminded that the meeting would be audio-recorded.

**B Apologies for Absence**

Apologies were received from Councillors J Mercer, G Merry and J Saunders.

**C Chair's Announcements**

The Chair asked Members to note the content of Chair's Announcements which included details of the Authority's achievements and events Members had attended since the last Fire Authority meeting in December 2016.

**D Declaration of Members' Interests**

The Head of Legal and Democratic Services reminded Members that dispensations had been granted to all Members in relation to the setting of the Council Tax precept and the approval of the Members' Allowances Scheme. He also explained that Members intending to rely upon the dispensation would still need to declare their interests in the relevant items at this point of the meeting.

Members indicated that they intended to rely upon the dispensation(s) because of the Disclosable Pecuniary Interest(s) that they had in relation to the following items:

Item 2 – Draft Budget, Council Tax Precept and Medium Term Financial Plan 2017-18

All Members present (with the exception of Councillors Bailey and Tarr).

Item 7 – Members' Allowances Scheme

All Members present.

**E Minutes of Fire Authority**

**RESOLVED: That**

**The minutes of the meeting of the Fire Authority held on 7<sup>th</sup> December 2016 be**

confirmed as a correct record.

**F Minutes of Brigade Managers' Pay and Performance**

**RESOLVED: That**

The minutes of the Brigade Managers' Pay and Performance Committee held on 10<sup>th</sup> January 2017 be received, for information.

**G Minutes of Policy Committee**

The meeting of the Policy Committee scheduled for 25<sup>th</sup> January 2017 was cancelled.

**H Minutes of Governance and Constitution Committee**

**RESOLVED: That**

The minutes of the Governance and Constitution Committee held on 8<sup>th</sup> February 2017 be received, for information.

**I Minutes of Staffing Committee**

**RESOLVED: That**

The minutes of the Staffing Committee held on 7<sup>th</sup> December 2016 be received, for information.

**J Notes of the Member Training and Development Group**

**RESOLVED: That**

The notes of the Member Training and Development Group meeting held on 13<sup>th</sup> December 2016 be received, for information.

**MATTERS ARISING:**

The Chair of the Member Training and Development Group wished to thank Members who had attended their personal development reviews.

**2 DRAFT BUDGET, COUNCIL TAX PRECEPT AND MEDIUM TERM FINANCIAL PLAN 2017-18**

Cheshire Fire Authority was required to approve its budget and set the Council Tax precept for the financial year commencing 1<sup>st</sup> April 2017. In determining a budget that it considered reasonable, the Authority was required to have regard to all relevant factors, including the likely impact of policy options on the achievement of the Authority's objectives and uncertainties associated with the economic scenario.

The Head of Finance presented the report which sought Members' approval for the

Authority's budget for 2017-18, the Council Tax precept level for 2017-18 and its Medium Term Financial Plan (MTFP) for 2017-18 to 2020-21. This was the final budget report of two; the first was considered by the Fire Authority on 7<sup>th</sup> December 2016. Members had also met to develop the Authority's financial plans at Members Planning Days throughout the year.

The report asked Members to consider two budget proposals, based on:

- a) Increasing the Council Tax precept by 1.99% (£73.29 for a Band D property);  
or
- b) Maintaining the Council Tax precept at its 2016-17 level (£71.86 for a Band D property).

The two budget proposals were detailed in Table 4 of the report. Appendices 1 and 2 of the report presented the MTFP modelled on the effect of existing assumptions and showed how the Authority would produce a balanced budget in 2017-18 based on the two budget proposals.

Members were also asked to consider two options concerning how to pay its employer pension contribution over the next three years (2017-18 to 2019-20). One option was to set a rate which increased by half of one percent over each of the next three years, from 21.3% to 22.3%. The second option was to set a core rate of 18.3% and pay the LGPS a lump sum of £574k in April 2017. The second option would save the Authority £36k over the three year period and the budget and reserve movements assume that this option would be followed.

The Head of Finance confirmed that, at the time of writing the report, the settlement had not had final parliamentary approval. Whilst it was not anticipated that the settlement would change, it was important for Members to understand how any changes might be accommodated. It was essential that the precept was approved on 14<sup>th</sup> February so that the necessary notifications could be provided to the collection authorities. This would not alter as a result of any changes in the settlement. However, it would lead to a change in the budget and have a knock on effect on the MTFP. This would be accommodated by:

- A reduction or increase in Settlement Funding Assessment (SFA) or Section 31 Grant in 2017-18
- An equal and opposite change in the movement of IRMP/Capital reserve in 2017-18

The Head of Finance informed Members that this would be reported to Members as appropriate and that an announcement from the Government was expected week commencing 20<sup>th</sup> February 2017. He also advised Members that this would not affect the Council Tax precept.

Members discussed the information provided in respect of the budget proposals for 2017-18 and there were a number of comments/queries.

A Member asked the Head of Finance to clarify the position with regard to the costs in the budget for apprentices. The Head of Finance explained that the levy payable

to the Government, which was equivalent to 0.5% of the Authority's salary budget was included in the base budget. The costs to the Authority of running the Authority's own apprenticeship scheme was to be funded from reserves and not included in the base budget.

Councillor Nelson, Member Champion for Finance, thanked the Head of Finance for his comprehensive report and supported the proposal to increase the Council Tax precept by 1.99% and the approval of recommendations [2] to [7].

The Chair concluded that Members had expressed their views and Members were asked to vote on the two proposals. The proposal to increase the Council Tax precept by 1.99% was carried with 13 Members voting in support of the increase. 7 Members abstained. Members also voted on the option in respect of employer pension contributions. The proposal to set a core rate of 18.3% and pay the LGPS a lump sum of £574k in April 2017 was carried with 14 Members voting in support and 6 abstaining.

**RESOLVED: That**

- [1] proposal 1, to increase the Council Tax precept by 1.99%, be approved, leading to the precepts on billing authorities' collection funds set out in Table 5 and the MTFP set out in Appendix 1;**
- [2] the revenue growth proposals for 2017-18 as set out in Appendix 3 be approved;**
- [3] the savings proposals for 2017-18 as set out in Appendix 4 be approved;**
- [4] the 2017-18 Capital Programme as set out in Appendix 5 be approved, and the items shown as part of the Capital Programme for 2018-19 (also set out in Appendix 5) be approved;**
- [5] the Reserves Strategy as set out in paragraphs 28-50 be approved (including a payment of £574k to LGPS as detailed in paragraph 48);**
- [6] the statement on robustness of estimates and adequacy of reserves (paragraphs 76-77) be noted; and**
- [7] the Financial Health Targets (paragraph 75) be adopted for 2017-18.**

**3 TREASURY MANAGEMENT STRATEGY AND PRACTICES 2017-18**

The report of the Head of Finance sought Members approval for the Fire Authority's Treasury Management Strategy and Practices for the year 2017-18. This was a requirement of guidance issued by the Department for Communities and Local Government in April 2010 and the 2009 CIPFA Treasury Management Code. It also assisted the Authority in demonstrating its compliance with requirements contained in the Local Government Act 2003.

The Treasury Management Strategy comprised of three main elements: Borrowing

Strategy; Annual Investment Strategy; and Minimum Revenue Provision Strategy. It was proposed that the Authority continued to set the Minimum Revenue Provision at 6.7% of the opening Capital Financing Requirement, as it was considered to be a prudent and sustainable approach. The Authority's approach to treasury risk management and its treasury management practices, which had been published on the Authority's website with the agenda, were also detailed in the report.

A Member thanked the Head of Finance and his team for their work and for providing Appendix 2 to the report which contained information on the economic background to provide context to the report.

**RESOLVED: That**

**[1] the Authority's Treasury Management Strategy for the year 2017-2018 be approved; and**

**[2] the Authority's approach to Treasury Risk Management and its Treasury Management Practices be approved.**

**4 INTEGRATED RISK MANAGEMENT PLAN 2017-18 (IRMP 14)**

Before discussion of the report commenced, Councillor Flude moved an amendment to the proposed approach to crewing in Crewe and Ellesmere Port which was set out in paragraph 30 of the report. The amendment was seconded by Councillor Sherlock and was as follows:

'No change to the current arrangements in Crewe and Ellesmere Port in 2017-18 pending a review, the outcome of which is to be considered by Members'

This would replace the wording in paragraph 30, also contained in the draft IRMP.

Councillor Flude also asked that, if approved, the spirit of the amendment be adhered to by all Members.

In light of the proposed amendment to the IRMP a Member requested that an amendment be made to recommendation [3] to ensure that 'the Chair of the Fire Authority was consulted on any changes to the draft IRMP prior to publication'.

The Head of Communications then presented the report which sought Members' approval to publish the Authority's annual action plan for 2017-18 (IRMP 14), following the conclusion of a formal 12 week consultation programme.

She provided Members with an overview of the consultation programme and a summary of the key issues highlighted in the full consultation report. There were 632 responses received from the public consultation. This provided a margin of error of plus or minus 4 at a 95% level of confidence.

The quantitative survey comprised 22 questions relating to the various proposals set out within the draft IRMP 14 and also more general questions in respect of public satisfaction. The headline results included:

- **Overall satisfaction with the Service** – 99% of the public valued Cheshire Fire and Rescue Service as a local service provider and 92% were satisfied with the overall performance of Cheshire Fire and Rescue Service.
- **IRMP overall** – 79% of the public and 49% of staff agreed overall with the proposals as set out in the draft IRMP 14.
- **Council Tax increase** – 66% of the public would have supported the proposed increase in the precept of 1.99%.
- **Hydraulic platform review** – 19% of the public and 30% of staff agreed with the proposed move from three to two hydraulic platforms across the Service; 36% of the public and 42% of staff disagreed and opposed the proposal.
- **Additional engine at Crewe and Ellesmere Port fire stations** – 75% of the public and 45 % of staff agreed; 4% of the public and 31% of staff disagreed. The public were supportive of additional resources but some raised concerns over a perceived lack of fire cover in the evening and at weekends. It was also noted that this question caused some confusion as the second fire engine at both stations had not yet made the transition to on-call as planned. Therefore, some staff questioned whether this was indeed 'an additional' resource. Staff also expressed concerns over on-call availability and a potential reduced resilience or a reduction in service in Cheshire East. The proposal also generated debate in Crewe about the planned change of the second fire engine to on-call.
- **Expansion of the cardiac response pilot** – 89% of the public and 82% of staff agreed with rolling out the cardiac response pilot.

As a result of feedback received during the consultation process changes were proposed for IRMP 14. These were highlighted in the report and included:

- **Review of staffing arrangements Wilmslow** – in light of feedback received during the consultation period, the Authority would undertake a further review of the suitability and sustainability of the current duty system at Wilmslow Fire Station.
- **Review of Staffing Arrangements Penketh** – The draft IRMP 14 proposed the introduction of the nucleus duty system in Penketh, similar to that which operated at Wilmslow, Birchwood and Macclesfield. However, in light of the feedback received the Authority proposed to reconsider this proposal in 2018-19. Any future proposal would be subject to a further period of consultation.
- **Hydraulic Platform Review:** The draft IRMP 14 proposed a reduction from 3 to 2 hydraulic platforms (or aerial appliances). In light of feedback a hydraulic platform would be maintained at Macclesfield until the Service assesses the impact of the move of the hydraulic platform from Stockton Heath to Lymm. It was considered appropriate to review this proposal again in 2018-19. Any

future proposal would be subject to a further period of consultation.

- **Crewe and Ellesmere Port:** In 2013 the Fire Authority approved the first Emergency Response Programme which set out a series of proposals to be implemented over a number of years. This included proposals to change the duty system on the second fire engines at Crewe and Ellesmere Port from wholetime to on-call. The draft IRMP 14 for 2017-18 included plans to introduce an additional resource during the day, at both stations, to support the transition to the on-call crewing arrangements of the second fire engines. The Fire Authority would still work towards implementing these on-call crewing arrangements but would continue to monitor the levels of operational activity, on-call availability and progress around the recruitment of on-call firefighters, with a commitment to review the proposal if it is not deemed to be achievable and sustainable (although this had been subject to consultation in late 2012/early 2013).

The final draft of IRMP 14 had been distributed with the agenda. The latest Medium Term Financial Plan in the document assumed that the Authority had agreed to increase its Council Tax precept by 1.99% and the performance information was based on data as at 31<sup>st</sup> December 2016 projected to the end of the year. It was noted that all the performance and financial information would be updated with the latest available information just prior to publication in March and would be validated by the Chief Fire Officer and Chief Executive.

Members discussed the information provided in respect of the final draft of IRMP 14 and a number of comments/queries were made prior to moving to vote on the amendments proposed.

A Member asked for assurance that, if the amendment was approved, officers would ensure there would be a full review and the current IRMP plan to work towards implementing on-call crewing arrangements at Crewe and Ellesmere Port would be suspended and that these stations would continue to be staffed 24/7 (wholetime) until the outcomes of the review were considered.

The Chief Fire Officer and Chief Executive explained what he considered to be the potential issues and risks associated with the proposed amendment.

The Chief Fire Officer and Chief Executive suggested that the review of the plan to implement on-call crewing arrangements for the second pumps at Crewe and Ellesmere Port should be discussed as part of the IRMP 15 and 2018-19 budget planning process which was scheduled to commence at the planning days in July, with reports back to the Authority in September and December to inform the approval of IRMP 15 (2018-19) in February 2018. He went on to suggest that it would be prudent for officers to also consider the alternative options for the savings (£1.3m) required if the current plan was not to be implemented.

The Chief Fire Officer and Chief Executive went on to explain that there would be an impact on the 2017-18 budget, but that reserves could be used to manage this. In addition, if the second pumps at Crewe and Ellesmere Port continued to be wholetime there would be a loss of circa £1.3m (currently accounted for in the

MTFP) and it would be prudent, therefore, for officers to work on alternative options to deliver these savings. It was also assumed that there would be no requirement to introduce the additional resources at Crewe and Ellesmere Port until the review was completed.

The Chief Fire Officer and Chief Executive also highlighted potential impacts on the current on-call firefighter cohorts at Crewe and Ellesmere Port. In particular determining whether to suspend the recruitment programme and deciding how to deal with the existing cohorts of on-call firefighters. He also highlighted the potential compulsory redundancy risk if Members decided to maintain the wholetime status of the second pumps at Crewe and Ellesmere Port.

A Member asked if a review of the move of the second pump at Chester to Powey Lane could also be considered. The Chief Fire Officer and Chief Executive explained that the second pump had already moved to Powey Lane, as agreed as part of IRMP 10 and Powey Lane was now operational. Therefore Members requested that the impact of the removal of the second pump from Chester to Powey Lane and any subsequent reduction in cover be monitored and reviewed. The Chief Fire Officer and Chief Executive responded that officers would review the arrangement throughout the year and report back to Performance and Overview Committee. A Member asked that this includes the details of the impact upon response times.

A Member commented that she was pleased with the proposal for the expansion of the Cardiac Response Pilot and the support shown for this proposal by both public and staff. A Member queried whether the IRMP should reflect that the Cardiac Response pilot would be subject to national union agreements going forward. The Chief Fire Officer and Chief Executive explained to Members that there were national discussions on-going at present as firefighter role maps did not include co responder or cardiac response 'roles'. He added that there was a possibility that the FBU could withdraw from the pilot schemes and this would impact upon the Authority's ability to continue/extend the cardiac response activity.

Members then moved to vote on the recommendations and amendments. In accordance with section 4.44 of the Authority's constitution a request was made that the voting should be recorded to show how each Member present, and voting, cast their vote or whether he/she abstained. The voting was recorded as follows:

For: Councillors Bailey, Booher, Dirir, Flude, Harris, Johnson, Mahon, Marren, Morgan, Mundry, Nelson, Parker, Polhill, Rudd, Sherlock, Simon, Tarr, Weatherill and Wright.

Councillor Deynem abstained.

**RESOLVED: That**

**[1] the feedback received from the consultation on the Integrated Risk Management Plan 2017-18 (IRMP 14) be considered;**

**[2] the publication of IRMP 14 be approved subject to:**

- **The current wording on page 24 of the draft IRMP, in relation to**

**Crewe and Ellesmere Port, be removed and replaced with the following wording:**

- **Crewe and Ellesmere Port: No change to the current arrangements in Crewe and Ellesmere Port in 2017-18 pending a review, the outcome of which is to be considered by Members; and**

- [3] the Chief Fire Officer and Chief Executive be authorised to make any final changes to the draft IRMP 14 (including the addition of final performance and financial information) following consultation with the Chair of the Fire Authority.**

## **5 PAY POLICY STATEMENT 2017-18**

The Head of People and Development introduced the report which sought Members' approval to publish the Pay Policy Statement for 2017-18. She informed Members that the publishing of the Pay Policy Statement was an annual requirement which must take place by 31<sup>st</sup> March, immediately preceding the financial year to which it relates.

The Head of People and Development explained that, as the Pay Policy Statement had a number of prerequisites in relation to content and information, there had been minimal changes to the version that was approved last year.

She did, however, draw Members attention to the impact of the introduction of apprentices who, by virtue of the fact that they were in training, received lower rates of pay than other employees. As a result, this had altered on the ratios when comparisons were made between the highest and lowest paid employees. The Hutton Review conducted in 2012 that the pay multiple between the highest paid and lowest paid should not exceed 1:20. When this calculation was done using the apprenticeship rate of pay the Authority had a multiple of 1:19; when the apprentices were excluded from the calculation the Authority had a multiple of 1:9.6.

The Head of People and Development also drew Members' attention to two outstanding issues pertaining to pay that were expected to lead to changes to the position set out in the Pay Policy Statement. These were in relation to ongoing work in respect of White Book terms and conditions, which currently applied to senior support staff, and the proposed Public Sector Exit Regulations which were expected to come into force during 2017. As these two issues had not yet been resolved Members were asked to agree that the relevant officers be authorised to make any changes to the Statement that may be necessary in respect of these two issues.

**RESOLVED: That**

- [1] the Pay Policy Statement 2017-18 (attached as Appendix A) be approved; and**
- [2] the Head of People and Development and the Head of Legal and Democratic Services be authorised to make such changes to the Pay Policy Statement 2017-18 as are necessary to reflect the issues**

**mentioned in paragraph 10 of the report.**

## **6 EQUALITY, DIVERSITY AND INCLUSION STRATEGY 2017-2020**

The Head of Policy and Inclusion presented the report to Members, which set out the background to the Authority's approach to equality and diversity and sought approval for a new Equality, Diversity and Inclusion Strategy and Action Plan for 2017-2020.

He informed Members that, under the Fire Reform Programme that was recently announced by the Government, it was likely that the Framework would change and be subsumed into the statutory inspection regime that was to be introduced.

He informed Members that the new Strategy set out how the Authority would respond to a number of future challenges and proposed Government reforms, as well as the findings of the independent review into fire service culture and conditions of service undertaken by Adrian Thomas. It also incorporated details of how the Authority would respond to the findings of biennial staff satisfaction and other audits, such as the Stonewall Workplace Equality Index.

Members thanked the Head of Policy and Inclusion and his team for their work and the detailed nature of the report. A Member also queried the avenues open to Members to raise issues concerning equality, diversity and inclusion. The Head of Policy and Inclusion advised Members that his team, Members' buddies from the Service Management Team and the Equality and Diversity Member Champions would all be appropriate individuals to approach.

**RESOLVED: That**

**[1] the Equality, Diversity and Inclusion Strategy 2017-2020 be approved.**

## **7 MEMBERS' ALLOWANCES SCHEME**

The Head of Legal and Democratic Services introduced the report which provided Members with information about the review of the Members' Allowances Scheme (MAS) and presented the draft MAS for approval (recommended by the Governance and Constitution Committee).

The Governance and Constitution Committee had considered the MAS in July 2015, with the report culminating in Members deciding to delay a review until late 2016 (to take effect for municipal year 2017-18). Officers were instructed to pursue alternatives to the engagement of an Independent Remuneration Panel (IRP) but with the proviso that an 'independent element' must be retained in any review of the MAS. In October 2016 Governance and Constitution Committee considered a further report and agreed a process for the review of the MAS. Officers concluded the review of the MAS with the assistance of a member of Cheshire East's IRP (IRP member). The IRP member's recommendations and observations were presented to Governance and Constitution Committee on 8<sup>th</sup> February 2017. The MAS that was attached as Appendix 1 to the report reflected the decisions of the Governance and Constitution Committee which had accepted the IRP member's

recommendations.

**RESOLVED: That**

**[1] the Members' Allowances Scheme for 2017-18 onwards be approved.**

**8 REMOVAL OF POLICY COMMITTEE**

The Head of Legal and Democratic Services introduced the report which sought Members consideration of the removal of Policy Committee from the Authority's meeting structure and changes to the Authority's Constitution. He informed Members that the current list of policies that were the responsibility of Policy Committee would fall to the Fire Authority. He also advised Members of the proposal to allocate the responsibility to act as the Closure of Accounts Committee to Performance and Overview Committee (with Finance Member Champions also being invited to attend). Governance and Constitution Committee had considered this matter at its meeting on 8<sup>th</sup> February 2017 and had been content with it and the proposed changes to the Committee.

**RESOLVED: That**

**[1] the removal of Policy Committee from the Authority's meeting structure be agreed; and**

**[2] the changes to the Constitution required to give effect to recommendation [1] be agreed to take effect at the start of the next municipal year.**

**9 INVOLVEMENT OF THE POLICE AND CRIME COMMISSIONER FOR CHESHIRE IN CHESHIRE FIRE AUTHORITY**

The Head of Legal and Democratic Services introduced the report which asked Members to consider arrangements which would allow the Police and Crime Commissioner for Cheshire [Cheshire PCC] to be involved in the Fire Authority.

The Head of Legal and Democratic Services informed Members that the Chair had invited the Cheshire PCC to become a member of the Fire Authority. The Cheshire PCC wished to do so, but had stated that he did not require the right to vote, nor did he expect to receive an allowance.

The Head of Legal and Democratic Services informed Members that, currently, the Cheshire Fire Service's (Combination Scheme) Order 1997 [the Order] and the Policing and Crime Bill [the Bill] did not appear to provide a mechanism to allow the Cheshire PCC to become a member of Cheshire Fire Authority. He informed Members that it appeared that the order would need to be changed to allow the Cheshire PCC to become a member of the Fire Authority and that the Order, as a piece of secondary legislation, would need to be changed by the Government. Therefore, it was recommended that a formal approach be made to the Home Office to establish the mechanism to secure a change to the order and an indication of the

likely timescale.

The Head of Legal and Democratic Services advised that, in the meantime, the Authority could insert into the Constitution provisions which would grant the Cheshire PCC rights that would put him in a similar position to the one that he seeks. It was recommended within the report that the following rights could be afforded to the Cheshire PCC:

- (a) to be provided with papers for CFA meetings (including those to be considered in private session unless a conflict of interest exists); and
- (b) to be briefed appropriately before CFA meetings; and
- (c) to attend CFA meetings (and remain during items considered in private session); and
- (d) to speak at CFA meetings.

These were reflected in a proposed amendment to the Authority's constitution.

**RESOLVED: That**

- [1] the addition to the Constitution, as set out in Appendix 1 (which would convey rights upon the Police and Crime Commissioner for Cheshire), be agreed; and**
- [2] officers be authorised to make a formal approach to the Home Office to secure its assistance in changing the law to allow the Police and Crime Commissioner for Cheshire to become a member of Cheshire Fire Authority.**