

Annex to minutes of Cheshire Fire Authority 6th December 2017

1F Questions from Members of the Public

In accordance with procedural rules no 4.47 to 4.54 questions had been submitted by members of the public from within the area covered by the Authority. The following questions were asked and responded to at the meeting.

Michael Jones:

Could the Chairman please confirm that the accountability in law, regarding any failures to adhere to the Fire and Rescue Services Act, rests fully with the Members of the Fire Authority and that it is they and not the Chief Fire Officer, who would face prosecution, should any criminal charges result, consequent of their decision making, should Cheshire suffer a serious incident.

Furthermore, as the Chief Officer is appointed by the Fire Authority as it's Professional Adviser (a point that is regularly made) does the Authority not have a Vicarious Liability resulting from the acts or omissions of any appointee?

Response:

The Fire Authority is responsible for securing compliance with the obligations in the Fire and Rescue Services Act 2004. The duties and powers contained in the Act are supplemented by the Fire and rescue national framework for England, which contains a requirement to hold the Chief Fire Officer and Chief Executive to account for the delivery of the fire and rescue services.

It is difficult to provide a meaningful response in relation to the other legal points raised and I don't propose to speculate about such matters.

In accordance with the Constitution the questioner asked a supplementary question summarised as follows:

As the Fire Authority, almost in it's entirety is in attendance today; could I ask through the chair if each and every individual member is not only fully conversant with but also equally comfortable with their legal responsibilities, under the Fire Service Act 2004; with regards the provision of Fire Services to the whole of Cheshire, Halton and Warrington. For the avoidance of doubt, perhaps the Chairman could request a show of hands from members in this regard?

The Chair stated that he did not propose to ask Members to provide a response at the meeting. He confirmed that a written response would be provided in due course.

Andy Spencer:

The below question relates to the proposal to down grade Ellesmere Port Fire Station to 1 Appliance, Whole Time Crew, and 1 On Call Crew.

On how many occasions, in the last 12 Months, have each of the nearest On Call Stations to Ellesmere Port Fire Station failed to provide cover or be available. As a percentage of available time but also the number of occasions please for each Station. (Malpas, Frodsham, and Tarporley)

Currently Chester and Ellesmere Port whole time Appliances cover the deficiencies at the above Stations demonstrating that the On Call Model is not a viable proposition for Ellesmere Ports second appliance as this pump regularly supports the above detailed on call pump deficiencies. The attempts to recruit on call personnel for Ellesmere Ports proposed On Call Pump have proven unsuccessful, to date, as in other areas of the County.

The On Call Model is simply not fit for purpose and is not a viable option at Ellesmere Port given the associated risk register.

Response:

I set out below some statistics which I hope answer your question about the percentage of time and occasions that the on-call appliances at Frodsham, Malpas and Tarporley were not available. The statistics cover the 12 month period ending on 31st October 2017.

For the purpose of compiling these statistics an appliance is deemed to be available whenever there are at least three firefighters capable of being mobilised to an incident. For the majority of the time that an appliance is available there will be at least four firefighters capable of being mobilised to an incident. Whenever three firefighters are available the appliance cannot be mobilised to the full range of incidents.

Table 1: Percentage of time the appliance was not available.

Time period	Station	% Time Not Available
<i>Nov 2016 – October 2017</i>	<i>Frodsham</i>	<i>24.19%</i>
<i>Nov 2016 – October 2017</i>	<i>Malpas</i>	<i>19.14%</i>
<i>Nov 2016 – October 2017</i>	<i>Tarporley</i>	<i>30.86%</i>

Table 2: Number of occasions that the individual appliances were not available.

Time period	Station	Count of occasions	Total period
Nov 2016 – October 2017	Frodsham	331	2,119 hours
Nov 2016 – October 2017	Malpas	411	1,676 hours
Nov 2016 – October 2017	Tarporley	565	2,703 hours

These figures are, in themselves, not particularly meaningful as the occasions are not of equal duration. In order to provide further context a column has been added which shows the total length of time that the appliances have not been available. These figures can be worked back to the figures in Table 1.

In accordance with the Constitution the questioner asked a supplementary question summarised as follows:

CFRS Standard Operational Procedures indicate an immediate 4 pump Attendance to Cloudburst incidents under CIMA and COMAH regs. How can the Authority guarantee such an immediate attendance given the significant reduction in Whole time Appliances.

The Community Risk Register identifies a significant number of Sites in the Ellesmere Port area 7 in total.

The Chair indicated that a written response would be provided in due course.

A list of questions had been submitted by Victoria Allman. She did not attend the meeting. The Chair confirmed that response would be sent to Ms Allman. The questions and responses appear below:

1. I note from your financial statement that the authority has approximately £18 million in short term investments. I would be grateful for a full explanation of:

a) Why the authority feels it should tie up £18million in short investments?

The Treasury Management Strategy was approved by the Authority at its February meeting and all investments are within the approved Strategy. This emphasises the security of any investment.

b) Why the Authority has invested in short term investments?

When funding is received it does not always match the dates spend is incurred. To maintain a steady cash flow and to earn interest on funds not immediately required, any surplus funds are invested to earn interest until needed which may only be later in the month to cover pay for example. On 31 March 17 the date of the Statement of Accounts, the Authority held £18m which was invested on this basis in short-term investments (i.e. up to one

year). This also allows for flexibility over interest rates and minimises exposure to risk.

c) What are the types of short term investments and with whom?

Santander UK PLC	2,506,130.14
Goldman Sachs	8,018,050.96
Bank of Scotland (Lloyds)	8,052,732.13
	<u>18,576,913.23</u>

d) What is the purpose of these short term investments?

To earn interest on funds until they are required and spread the risk of cash held over a number of counter-parties.

e) Why are you not using this £18million reserve to mitigate the effects of loss of grant from central government?

The £18m is not a reserve but cash held on 31 March 2017. This cash is used for the day to day running of Cheshire Fire and Rescue Service. The level of cash held on any day is dependent on when income is received and when payments, including pay and pensions, are made.

f) What financial advice did the authority seek before making these short term investments?

Warrington Borough Council acts as the Authority's advisor on Treasury Management. The suggested Treasury Management Strategy for 2017/18 is informed by Warrington Borough Council treasury officers' views on interest rates and other financial matters, supplemented with leading market forecasts provided by Warrington Borough Council's external treasury management advisor (Capita/Link).

2. I further note that the merging of the support staff has incurred an additional £1million increase compared to last year's cost of support services.

The merger of the Support Services has not cost an additional £1m. During 2016/17 only IT Services fully merged and savings were achieved. The remaining services will transfer during 2017/18. The Statement of Accounts is prepared under the International Financial Reporting Standards and includes both actual and notional costs as explained in answer to question 2b.

a) Is the additional £1 million a one off cost or an ongoing year on year cost?

Both

b) What is the breakdown of this extra £1million expenditure?

The main areas are:

<i>Facilities</i>	<i>+£200k</i>	<i>One-off expenditure including air conditioning for station end IT equipment £88k & Asbestos Removal from Stations £99k</i>
<i>People and Development</i>	<i>+£215k</i>	<i>Introduction of the apprentice scheme + £98k / staff costs +£87.5k higher than 2015/16 cost (less vacancies and development of WM programme) / training costs +£19k</i>
<i>IAS19</i>	<i>+£600k</i>	<i>This is a notionally calculated figure showing potential pension cost but it is not actual expenditure. It is included in the accounts as a statutory pension cost adjustment per the IAS 19 actuarial valuation.</i>

There are other minor over and underspends within support services.

c) Why has the merging of support staff produced an addition cost rather than a savings as one would expect?

The support services line within the accounts referred to only includes ICT where the service is provided by Cheshire Police from November 2016. There was a saving in this area for 2016/17.