



**MINUTES OF THE MEETING OF THE CHESHIRE FIRE AUTHORITY held on
Wednesday, 24 July 2019 at Lecture Theatre - Sadler Road, Winsford, Cheshire at
10.30 am**

PRESENT: Councillors Bob Rudd (Chair), Rachel Bailey, Michael Beanland, Mike Biggin, David Brown, Razia Daniels, Martyn Delaney, David Edwardes, Dorothy Flude, Phil Harris, Gina Lewis, Nick Mannion, Karen Mundry, Stef Nelson, James Nicholas, Terry O'Neill, Stuart Parker, Rob Polhill, Morgan Tarr, Peter Wheeler, Norman Wright and Steve Wright

1 PROCEDURAL MATTERS

A Recording of Meeting

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

B Apologies for Absence

Apologies for absence were received from Councillor Jonathan Parry and the Police and Crime Commissioner, David Keane.

C Chair's Announcements

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

D Declaration of Members' Interests

There were no declarations of Members' interests.

E Questions from Members of the Public

A question had been submitted by Mr M Jones and he read the question out at the meeting. The Chair of the Fire Authority read out a response. Mr Jones asked a supplementary question at the meeting. The Chair confirmed that a written response would be sent in due course.

The question and response are annexed to the minutes. The supplementary question and response are annexed to the minutes.

F Minutes of Fire Authority

RESOLVED:

That the minutes of the Fire Authority meeting held on 19th June 2019 be approved as a correct record.

G Minutes of Performance and Overview Committee

RESOLVED:

That the minutes of the Performance and Overview Committee held on 10th July 2019 be noted.

H Minutes of Governance and Constitution Committee

The Director of Governance and Commissioning asked Members to note the extension of dispensations to the Members who joined the Fire Authority in June 2019. He also informed Members that Councillor Norman Wright had since requested that the dispensations be extended to him so that he could benefit from them.

Members were also asked to approve the changes made to the Members' Code of Conduct and the new Gifts and Hospitality Guidance that had been recommended by the Governance and Constitution Committee. Members noted and approved the changes made to both documents.

RESOLVED: That

- [1] the minutes of the Governance and Constitution Committee held on 3rd July 2019 be noted;**
- [2] the dispensations granted to Fire Authority Members on 5th October 2016 be extended to benefit Councillor Norman Wright, thereby allowing him to take part in debates and votes on the setting of the Council Tax precept and the approval of the Members' Allowance Scheme (and any changes and/or additions to it); and**
- [3] the changes made to the Member's Code of Conduct and the new Gifts and Hospitality Guidance be approved.**

I Notes of the Member Training and Development Group

The Chair of the Member Training and Development Group thanked all officers involved in the organisation of the induction sessions for new Members.

RESOLVED:

That the notes of the Member Training and Development Group held on 2nd July 2019 be noted.

J Notice of Motion - Dispute Over Firefighter Pay and Role

Members considered a motion submitted by Councillor Bob Rudd. The motion was seconded by Councillor Stef Nelson and was as follows:

“The Fire Authority urges the Government to bring the dispute about pay and the role of firefighters to a swift conclusion. The dispute has lasted too long and has tested the patience of all involved. The current situation makes it difficult for Fire Authorities to budget effectively and it is having an impact upon industrial relations.”

The Chair had provided notes for Members to give context. Members were advised that there had been ongoing negotiations about pay between the National Joint Council and the Fire Brigade’s Union since 2017. Members were also informed that, at the Fire Brigade’s Union annual conference in April 2019, the Fire Brigade’s Union warned that the ongoing pay dispute could lead to industrial action.

When reviewing the pay rates from 2010 – 2018, Members agreed that there had only been a small uplift. All Members noted the recent government announcement that would see all civil servants receive a 2-3% uplift which had excluded firefighters.

Members discussed the motion and made several comments. A Member raised a query over the discussions held between the National Joint Council and the Fire Brigade’s Union and whether the expanding role of a firefighter was also included in their negotiations. The Chair assured Members the firefighter role was discussed throughout negotiations and the expansion of the firefighter role was the main point of discussion.

A Member queried whether the Authority had contacted local Members of Parliament for their support with the motion. The Chair confirmed that they had been contacted concerning funding reductions and the Council Tax precept cap.

It was agreed that the Chair would write to the Prime Minister and the Minister of State for Policing and the Fire Service to inform them of the Authority’s concerns.

RESOLVED: That

- [1] the Fire Authority urges the Government to bring the dispute about pay and the role of firefighters to a swift conclusion. The dispute has lasted too long and has tested the patience of all involved. The current situation makes it difficult for Fire Authorities to budget effectively and it is having an impact upon industrial relations; and**
- [2] the Chair should write to the Prime Minister and the Minister of State for Policing and the Fire Service to inform them of the Authority’s concerns.**

2 FINAL ACCOUNTS 2018-19

The Head of Finance presented the 2018-19 final accounts 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 External Audit Findings Report. It was noted that full copies of the accounts had been provided in group rooms prior to the Authority meeting and had been made available on the Service’s website.

The Head of Finance gave Members an overview of the final accounts and the reserves and capital position. She explained the delay in circulating the report was due to an ongoing court ruling that would affect the funding of the firefighter pension scheme.

She also explained that the Final Accounts format had changed from previous years. Changes included the inclusion of the Annual Governance Statement within the accounts and the treatment of information about North West Fire Control.

A Member queried whether the Revenue Support Grant currently received by the Authority from central government was being phased out. The Head of Finance confirmed that the Authority was still in receipt of the Grant, provisionally until 2020. She explained that the baseline assessment came from business rates and Revenue Support Grant. If they did not reach the minimal level set by the Government, the Service would be eligible for a top up grant subject to the spending review.

RESOLVED: That

- [1] the Annual Governance Statement for 2018-19 be approved;**
- [2] the Statement of Accounts for 2018-19 be approved;**
- [3] the movement on reserves, as shown in the accounts, be noted; and**
- [4] the Letter of Representation, as detailed in Appendix 1 to the report, be approved for signature by the Chair on behalf of the Authority.**

3 EXTERNAL AUDIT FINDINGS REPORT 2018-19

This matter was considered before Item 2.

John Farrar, from Grant Thornton (the External Auditor) introduced the report and provided an overview of its content and purpose. The report highlighted the key matters arising from the audit of the Authority's financial statements for the year ended 31 March 2019. He explained that the External Auditor was required to report the audit findings in accordance with the requirements of International Standards on Auditing (UK and Ireland).

The External Auditor confirmed that he expected to issue an unqualified audit opinion. He also stated that he believed that the Authority had proper arrangements for securing economy, efficiency and effectiveness in the use of resources (the value for money opinion).

The External Auditor informed Members that an additional fee of £1500 had been proposed due to additional unplanned audit work, including the McCloud issue and other changes to the draft financial statements.

Members thanked Grant Thornton for the report.

RESOLVED: That

[1] the content of the Audit Findings Report 2018-19 be noted.

4 STATEMENT OF ASSURANCE 2018-19

The Director of Governance and Commissioning introduced the report which presented Members with the Statement of Assurance for approval, as required in the Fire and Rescue National Framework (2018).

He explained that the draft Statement had been reviewed by Governance and Constitution Committee prior to submission to the Authority. The draft Statement included sections on the National Framework and the HMICFRS Action Plan, which had not been included in previous years.

RESOLVED: That

[1] the Statement of Assurance 2018-19 be approved.

5 REPLACEMENT OF CHESTER FIRE STATION

The Chair opened this item. He stated:

“I do not believe that I have an interest to disclose under the Members’ Code of Conduct. However, I should state, as I did at the last meeting of the Fire Authority, that I signed the petition referred to on Page 17 of the Agenda pack and in this report.

When I signed the petition I believed that there should be a second fire engine in Chester. As things stand I continue to have that view. However, I appreciate that I need to consider this issue more fully in the broader context of the wide-ranging review that is being undertaken.”

Councillor Marytn Delaney indicated that he had also signed the petition and was in a similar position to the Chair.

Councillor Razia Daniels confirmed that she had also signed the petition.

The Director of Governance and Commissioning introduced the report which provided a progress update regarding the replacement of Chester Fire Station and sought authority for officers to deal with the withdrawal of the planning appeal.

The Director reminded Members that planning permission was obtained on 4th June 2019 at the second attempt and that a planning appeal relating to the first planning application was pending. The planning permission contained various conditions, some of which needed to be dealt with before work could commence on site. One condition was considered to be sufficiently important to require discharge prior to any decision on the appeal.

The Director explained that advisors recommended officers to withdraw the planning

appeal and proceed with the approved planning permissions as further delays to the build would lead to an increase in costs due to construction inflation.

The Director also referred to the petitions and the fact that they would need to be considered alongside other representatives when the outcomes of the wide-ranging review were considered.

RESOLVED: That

- [1] the current position and response to the petitions be noted; and**
- [2] officers be authorised to withdraw the planning appeal once the pre-commencement planning conditions in relation to the planning permission are concluded.**

MEETING OF CHESHIRE FIRE AUTHORITY 24TH JULY 2019

QUESTION SUBMITTED BY MR. JONES

There has been much public comment around the current proposals to replace Chester Fire Station and the previous building of new fire stations at Powey Lane, Penketh, Alsager and Lymm at a combined cost around £20 million.

I am informed by a letter from the Fire Authority that a petition signed by 6400 people calling for the re-instatement of Chester's Second Fire Engine and objecting to the £5.5million re-building of Chester Fire Station is flawed. I am further informed that whilst some consideration will be given to the fire cover issues in Chester the new fire station project will not be re-considered.

However, in looking at the root cause analysis, it is by reducing the number of whole-time firefighters from 556 in 2009 to 397 in 2018 with the consequent savings that has allowed the transfer of funds from the operational response budget to fund the building of new fire stations.

There is a clear link between transferring under-spends from reducing the number of whole-time firefighters into a capital budget to build fire stations leading to Cheshire having a reduced number of whole-time fire engines.

I call upon the Chair to either facilitate a full Fire Authority debate to ascertain the collective response on this practice, or for him to give me a categoric re-assurance that he and the other Fire Authority Members are totally confident that their operational response model is fit for purpose and would hold up to the scrutiny of any public inquiry.

RESPONSE FROM CHAIR

Mr. Jones, you will appreciate that I cannot speak for other members of the Fire Authority.

The Fire Authority relies upon the professional advice of the Chief Fire Officer. The operational response model is based on that advice.

The Service was inspected by Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services last year and the report that was produced stated: 'The Service is effective at keeping people safe and secure.' It goes on to say: 'Its response to fires and emergencies locally is good...'

Members of the Fire Authority also scrutinise performance with the assistance of officers.

This endorsement by Her Majesty's Inspectorate, coupled with the scrutiny arrangements, provides me with confidence about the fitness of the operational response model.

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QUESTION SUPPLEMENTARY TO CHAIRMAN OF THE FA. JULY 24TH 2019

National guidance from DEFRA and the National Fire Chiefs Council, for Safety Boats, such as those in Cheshire Fire and Rescue Service, (including the one in Councillor Rudd's own ward) recommends a minimum crew of 6 inc 2 Helmsmen. However, in Cheshire you crew the boats with just 5 inc 1 Helmsmen. Furthermore, until very recently crews were wearing safety helmets which were not suitable for a high speed rescue boat – they were more suitable for a canoe -, and they were wearing life jackets which were more than 10 years old and outside their shelf life warranty.

This is a further demonstration that the operational response model in Cheshire is flawed. The Fire Authority has consistently been under spending from its revenue budget to transfer funds to its building projects. Front line services have been cut by around 40 million pounds to pay for new fire stations. This has been a political choice.

The current course of action is considered to be legally flawed, morally flawed, ethically flawed, environmentally flawed and financially flawed.

Will the newly formed Fire Authority in its next Integrated Risk Management Plan put front line resources, to protect local communities, as its first priority and stop its strategy of cutting front line services to pay for unnecessary new fire stations?

Or will the New Fire Authority, as in the past, just nod through the binary option proposed by the Chief Fire Officer when he completes his 'whole of Service review'?

Finally I would ask you to remember that the Integrated Risk Management Plan is issued in the name of the Fire Authority and it will be your collective responsibility to account, in any court of law, for any failure in servicing the local electorate via your plan.

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Our Ref: BR/GW

Your Ref:

Contact: Councillor Bob Rudd

Tel No: 01606 868810

Date: 27 July 2019

Email: Bob.rudd@cheshirewestandchester.gov.uk

Mr M A Jones



Dear Mr Jones

Thank you for submitting a question at the most recent meeting of Cheshire Fire Authority on Wednesday 24 July 2019. Please find below the response to your supplementary question.

Concerning the Integrated Risk Management Plan, the Fire Authority will consult on proposals/options developed through the course of the Whole Service Review. The Fire Authority will use its Community Risk Management model to inform the Review, assisting the Authority in determining how it wishes to see the services delivered that are provided by Cheshire Fire and Rescue Service. This includes operational response arrangements. I would encourage you to engage in the consultation process.

Yours sincerely

Councillor Bob Rudd
Chair of Cheshire Fire Authority

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