



EAST SUSSEX FIRE AUTHORITY

EXTRAORDINARY MEETING

THURSDAY 13 JANUARY 2005 AT 14.00 HOURS

MEMBERS

East Sussex County Council (12)

Councillors Dyason, Gadd, Mrs Healy, Mrs. Leigh, Livings, Lock, Murphy, Neighbour, Reid, Scott, Skilton and Stevens

Brighton and Hove Council (6)

Councillors Burgess, Fitch, Kemble, Morgan, Paskins and Theobald.

You are required to attend this meeting to be held at Fire and Rescue Service Headquarters, 20 Upperton Road, Eastbourne at 14.00 hours.

AGENDA

Please note there will be a presentation lasting no more than 30 minutes by Zurich Municipal on Corporate Risk Management at the beginning of the meeting.

855. To (a) confirm all participating Members have undertaken to observe the Authority's Code of Conduct, (b) check if any wish to amend their written declarations of interests under Part 3 of the Code and (c), in relation to matters on the agenda, seek declarations of any personal or personal & prejudicial interests under Part 2 of the Code.

856. Apologies for absence.

857. Notification of items which the Chairman considers to be urgent and proposes to take at the end of the agenda/ Chairman's business.

(Any Members wishing to raise urgent items are asked, wherever possible, to notify the Chairman before the start of the meeting. In so doing they must state the special circumstances which they consider justify the matter being considered urgently).

858. To consider public questions, if any.

859. Non-confidential minutes of the meeting held on 9 December 2004 (copy attached).

860. **Callover**

To ensure that the recommendations of any Panel are before the Authority when it considers written reports, the reports on specific issues to the full Fire Authority will have a note of the views of the Panel added to them.

CALLOVER: The Chairman will call the item numbers of the remaining items on the open agenda. Each item which is called by any member shall be reserved for debate. The Chairman will then ask the Fire Authority to adopt without debate the recommendations and resolutions contained in the relevant reports for those items which have not been called.

861. FBU – The FBU will address the Fire Authority in relation to the Integrated Risk Management Plan 2005/06.

862. Urgency Panel meeting held on 10 January 2005 - non-confidential report of the Chairman on the outcome of the Integrated Risk Management Plan consultation process (report to follow).

863. IRMP – Progress Report – report of the Chief Fire Officer and Chief Executive (report to follow).

864. Preparations for Comprehensive Performance Assessment – oral report of Chief Fire Officer and Chief Executive.

865. Exclusion of the Press and Public.

To consider whether, in view of the business to be transacted or the nature of the proceedings, the press and public should be excluded from the remainder of the meeting on the grounds that, if the public and press were present, there would be disclosure to them of exempt information. **NOTE:** Any item appearing in the confidential part of the Agenda states in its heading the category under which the information disclosed in the report is confidential and therefore not available to the public. A list and description of the exempt categories are available for public inspection at East Sussex Fire & Rescue Service Headquarters, 20 Upperton Road, Eastbourne and at Brighton and Hove Town Halls.

866. Confidential minutes of the meeting held on 9 December 2004 (copy attached). (Exempt categories under paragraphs 1, 9 & 11 of the Local Government Act 1972)

867. Urgency Panel meeting held on 10 January 2005 - confidential report of the Chairman on the outcome of the IRMP consultation process (report to follow). (Exempt category under paragraph 11 of the Local Government Act 1972).

ABRAHAM GHEBRE-GHIORGHIS
Monitoring Officer
East Sussex Fire Authority
c/o Brighton & Hove City Council

EAST SUSSEX FIRE AUTHORITY

Minutes of the meeting of the East Sussex Fire Authority held at East Sussex Fire & Rescue Service Headquarters, 20 Upperton Road, Eastbourne at 10.30 hours on Thursday 9 December 2004.

Councillors Burgess, Dyason, Fitch, Gadd, Mrs. Healy, Kemble, Mrs Leigh, Livings, Lock, Morgan, Murphy (Chairman), Neighbour, Paskins, Reid, Scott, Skilton and Theobald.

Councillor Morgan was welcomed to the meeting of the Fire Authority, having been appointed as a full Member following the resignation of Councillor Hawkes.

828. DECLARATIONS OF INTEREST

- 828.1 a. It was noted that all participating Members had undertaken to observe the Authority's Code of Conduct, including Councillor Morgan;
- b. It was noted that no Member wished to amend their written declarations of interests under Part 3 of the Code; and
- c. In relation to item no. 854, Councillor Neighbour declared a personal but non-prejudicial interest in the Lewes Fire Station matter as he was a member of the Planning Committee of Lewes District Council, and he did not take part in the discussion thereof.
In relation to item no.843, Councillors Fitch, Lock and Neighbour declared a personal but non-prejudicial interest as Members of the Sussex Sea Fisheries Board, which was not called over for discussion.
It was noted that no other Member wished to make any declarations of any personal or prejudicial interests under Part 2 of the Code.

829. APOLOGIES FOR ABSENCE

- 829.1 Apologies for absence were received from Councillor Stevens.

830. URGENT ITEMS

- 830.1 The Chief Fire Officer and Chief Executive reported that he would advise Members about a proposal for a new fire station at Lewes. (See minute no. 854.1).

831. TO CONSIDER PUBLIC QUESTIONS, IF ANY

- 831.1 There were none.

832. MINUTES

- 832.1 **RESOLVED** – That the non-confidential Minutes of the meeting held on 16 September 2004 be approved and signed by the Chairman.

833. CALLOVER

- 833.1 Members reserved the following items for debate:
- 834 Regional Management Board Issues
 - 835 Regional Control Rooms
 - 837 Draft 2003/04 Management Letter

- 838 Progress Update on Comprehensive Performance Assessment
 - 839 Fire Authority Service Planning Processes for 2005/06 and beyond
 - 840 Chargeable Services
 - 841 Review of Pension Arrangements for Firefighters
 - 842 ODPM Consultation Fire and Rescue Service Regulations
 - 846 Waiver of Standing Orders – Station End Mobilising Equipment
 - 850 Exclusion of Press and Public
 - 851 Confidential Minutes of 16 September 2004
 - 852 Budget Panel Report of 23 November 2004:
Consideration of Potential Savings required as part of the 2005/06 Service Planning Proposals
 - 853 Waiver of Standing Orders – Maresfield Training Centre
 - 854 Update on Strategic Fire Authority Matters and CPA Briefing
- 833.2 **RESOLVED** – That all other reports be resolved in accordance with the recommendations as detailed below.
834. **REGIONAL MANAGEMENT BOARD ISSUES**
- 834.1 The Fire Authority considered a report of the Chairman that updated Members on Regional Management Board issues considered since the last meeting. (Copy in minute book).
- 834.2 Councillor Theobald expressed his concern that Members had not seen the complete business case supporting the proposed Regional Control Centre (RCC) and the additional cost implications proposed for 2005/06 (see next item) which, together with the other work associated with Regional Management Arrangements would cost an additional £161,000 per annum on the 2005/06 committed budget.
- 834.3 **RESOLVED** –
- 1) That more detailed information on the proposed service investments relating to Regional Management Arrangements be submitted to the Budget Panel at its meeting on 13 January 2005 for further consideration prior to the February precept setting meeting of the Authority.
 - 2) That the report be noted.
835. **REGIONAL CONTROL CENTRES (RCC)**
- 835.1 The Fire Authority considered a report of the Chief Fire Officer and Chief Executive which advised Members of the consultation paper on FiReControl Finance and Governance. (Copy in minute book). Comments on the proposals had been invited by 4 February 2005 and Members advised the Chief Fire Officer and Chief Executive, Treasurer and Monitoring Officer of the areas they would wish to be considered in any response.
- 835.2 The Monitoring Officer was concerned that the consultation document raised a number of issues and required answers to questions regarding neighbouring authorities' views, as well as professional advice. An additional paper was circulated at the meeting that set out the issues on governance raised by the Monitoring Officer (copy in minute book).
- 835.3 Members echoed the Treasurer's concerns about the duty of care owed to local council taxpayers who were likely to have an additional burden placed upon them in paying for the RCC and the vagueness of the actual cost implications and financial governance arrangements. The Chief Fire Officer and Chief Executive advised Members that a bid had been submitted under the New Burdens Principle which would, if approved, assist with the Authority's funding of the RCC project.

- 835.4 Councillor Theobald wished it to be recorded that he was concerned that Members had not seen the complete business case supporting the proposed RCC.
- 835.5 **RESOLVED** – That the Urgency Panel meet at the end of January 2005 to consider the Chief Fire Officer and Chief Executive’s proposed response to the ODPM on Finance and Governance issues to meet the response deadline of 4 February 2005.
836. **NOTE OF THE STANDARDS, BUDGET AND AUDIT & PERFORMANCE REVIEW PANEL MEETINGS HELD SINCE THE LAST MEETING OF THE FIRE AUTHORITY**
- 836.1 The Fire Authority considered a non-confidential report of the Clerk relating to matters considered by the Panels at their meetings on 23 and 25 November 2004. (Copy in minute book).
- 836.2 **RESOLVED** - That the report be noted.
837. **DRAFT 2003/04 MANAGEMENT LETTER**
- 837.1 The Fire Authority considered a report of the Chairman of the Audit and Performance Review Panel that presented the Draft 2003/04 Management Letter prepared by the Audit Commission for approval. The Audit and Performance Review Panel had been satisfied with the outcome of the external audit review. (Copy in minute book).
- 837.2 It was noted that this was Mr Bobby Grant’s last meeting of the Fire Authority and he was thanked for the excellent service he had provided over the years as the External Audit Manager for the Authority.
- 837.3 **RESOLVED** – That the draft 2003/04 Management Letter be approved.
838. **PROGRESS UPDATE ON PREPARATIONS FOR COMPREHENSIVE PERFORMANCE ASSESSMENT**
- 838.1 The Fire Authority considered a report of the Chairman and Councillor Mrs. Healy that advised Members of the progress made in undertaking the Comprehensive Performance Assessment (CPA) process for the Fire and Rescue Service. (Copy in minute book).
- 838.2 A revised programme for the Audit Commission’s visit was distributed at the meeting and Members were reminded of the importance of being prepared to answer any questions from the assessors. Members expressed their concern about the short lead-in time to CPA and also of the considerable workload falling upon senior officers.
- 838.3 Liz Foster was thanked for the tremendous work which she was undertaking virtually single-handed on CPA.
- 838.4 **RESOLVED** – That the report be noted.
839. **FIRE AUTHORITY SERVICE PLANNING PROCESSES FOR 2005/06 AND BEYOND**
- 839.1 The Fire Authority considered a joint report of the Chief Fire Officer & Chief Executive and the Treasurer that presented the draft 2005/06 Fire Authority Service Planning issues for consideration. (Copy in minute book). (See also Confidential Minutes for this item).

839.2 It was noted that on 2 December 2004, the Deputy Prime Minister had announced the 2005/06 Local Government Finance Settlement following the Chancellor's Statement. The total Formula Grant for all local authorities had increased by 5.6% nationally and the total Formula Grant for the Fire Authority had also increased by 5.6%. (However, this includes the deferred repayment of transitional grant). The Fire Authority noted that this increase included the deferment of the repayment of transitional grant until 2006/07, which although helpful, was only a temporary reprieve. An updated report including the detailed implications of the Finance Settlement was circulated to Members and a copy placed in the Minute Book.

839.3 The Fire Authority noted the Government statements that capping will apply to any large Council Tax increase and that all indications from Government point towards a figure of 5% as being their higher expectation. The Chief Fire Officer & Chief Executive was now making budget preparations to proceed on the basis that is necessary to ensure Council Tax levels do not exceed 5% upon the 2004/05 level. 2004/05 Council Tax was £63.80 for a Band D property. Assuming any increase in the council tax base in 2005/06 is offset by the need for the Fire Authority to meet its share of deficits arising from collection accounts in 2004/05, the 2005/06 Council Tax would need to be restricted to approximately £67.00.

839.4 The Fire Authority noted Table 11a in the report which provided a summary of the implications upon Council Tax following the RSG announcement of the different budget options, as set out below:

Table 11a Council Tax implications of different budget options	2005/06 Budget increase on 2004/05 figure of £32.752m	2005/06 Budget	Less RSG	To be raised from Council Tax	2005/06 Council Tax (based on nil base increase in 2005/06, Band D)	2005/06 Council Tax increase on 2004/05 figures of £63.80	Savings required to keep to a 4.94% tax increase
	%	£m	£m	£m	£	%	£m
Committed Base	6.9	34.732	15.036	19.696	67.90	6.4	0.276
Committed Base + all service investments of £1.072m	9.3	35.804	15.036	20.768	71.59	12.2	1.348
Committed Base + high priority service investments of £0.663m	8.1	35.395	15.036	20.359	70.18	10.0	0.939
Target Committed Base to achieve 4.94% council tax increase	5.2	34.456	15.036	19.420	66.95	4.94	-

839.5 The Fire Authority noted that savings of £939,000 per annum would be required to meet the committed budget and the proposed service investment proposals, yet remain within the target committed base of £34.456m to limit any Council Tax increase to 4.94% (£66.95 for a Band D property)

839.6 It was noted that the draft budget would now be issued for public consultation.

839.7 Members were reminded that they were not being asked to make final decisions at this meeting as the finalisation of the council tax base would not be known until January 2005 and the outcome of the IRMP consultation exercise was required to be considered by an extraordinary meeting of the Fire Authority on 13 January 2005 before the final service planning proposals could be submitted to the Fire Authority at its February meeting for final approval.

839.8 In relation to the budget pressures for 2005/06, Councillor Fitch moved, (seconded by Councillor Burgess), that further information be provided on why £0.075m was required for Regional Management Board and £0.086m for Regional Control Centre internal support. This motion was carried.

839.9 **RESOLVED** – That

- 1) it be noted that the Budget Panel had previously considered the potential service planning implications set out in an earlier version of this report at its meeting on 23 November 2004, but had made no policy recommendations at this stage;
- 2) it be noted that the full version of the draft Five Year Plan 2004/05 to 2008/09 (base year 2003/04) will be amended for any decisions taken by the Authority at its December meeting and issued for consultation prior to final approval at its meeting in February 2005;
- 3) the revised estimate of expenditure for 2004/05 (Section 2.2) be approved .
- 4) provision for appropriate increases in the firefighters' 2005/06 pay bill in accordance with the National Guidance, and an average increase of 3.5% for other pay awards in 2005/06 (section 2.3.4) be approved.
- 5) the fees and charges as set out in section 2.3.5 and in Appendix C be approved..
- 6) at this stage, the estimates of committed revenue expenditure for 2005/06 as set out in sections 2.3.6 and 2.3.7 be approved.
- 7) no policy direction be issued at this stage in relation to the budget pressures identified in paragraph 2.3.9 and that they be noted.
- 8) the amendments to the committed capital programme for 2005/06 and previous years and the new starts from 2005/06 onwards as set out in section 3 be approved.
- 9) the continued Revenue Budget consultations as set out in paragraph 2.3.3, the results of which will be summarised for the Budget Panel on 13 January 2005 and for final consideration by the Fire Authority at its meeting on 10 February 2005 be noted.
- 10) the Fire Authority's latest Council Tax information be noted.
- 11) the Budget Panel, at its meeting on 13 January 2005, be asked to approve the format of the Fire Authority's Council Tax information for finalisation at the Fire Authority meeting on 10 February 2005.
- 12) an extra-ordinary meeting of the Fire Authority has been arranged for 13 January 2005 to consider the outcome of the 2005/06 IRMP consultations which will be undertaken within the context of the known financial position for 2005/06 be noted.
- 13) the detailed recommendations for setting the precept will be included in the final Revenue Budget report to be presented to the Fire Authority at its 10 February 2005 meeting, using the final tax base figures yet to be published be noted.
- 14) that further information be provided on why £0.075m was required for Regional Management Board and £0.086m for Regional Control Centre internal support.

840. **CHARGEABLE SERVICES**

840.1 The Fire Authority considered a report of the Chief Fire Officer & Chief Executive that informed Members of the new power to charge for services that had been introduced in the Fire and Rescue Services Act 2004. (Copy in minute book).

840.2 **RESOLVED** – That the type and level of services currently charged for be continued and that Officers be asked to review the situation and report back to the Fire Authority at a later date.

841. **REVIEW OF PENSION ARRANGEMENTS FOR FIREFIGHTERS**

841.1 The Fire Authority considered a report of Chief Fire Officer & Chief Executive that advised Members of the consultation process in respect of the review of pensions arrangements for Firefighters. (Copy in minute book).

841.2 **RESOLVED** – That the report be noted, that the general direction of the response to the consultation process be supported and that the Chief Fire Officer & Chief Executive make a formal response on behalf of the Fire Authority in line with the direction advised.

842. **ODPM CONSULTATION F&RS REGULATIONS**

842.1 The Fire Authority considered an oral report of the Chief Fire Officer & Chief Executive which advised Members that the ODPM had issued a consultation document which sought to extend the statutory powers of Fire & Rescue Services to include environmental protection and other emergencies which could cause harm to one or more individuals. The Chief Fire Officer and Chief Executive was seeking clarification on the extent of these proposals and the possible consequences for the Service, and would be making a response on behalf of the Fire Authority.

842.2 **RESOLVED** – That the report be noted, and that the Chief Fire Officer & Chief Executive would respond to the Consultation Document on behalf of the Fire Authority.

843. **UK MARITIME RESPONSE GROUP (MIRG) / FIREFIGHTING & RESCUE AT SEA**

843.1 The Fire Authority considered a report of the Chief Fire Officer & Chief Executive that advised Members of the progress being made in providing a UK response to incidents at sea. (Copy in minute book).

843.2 **RESOLVED** – That the proposal to form a UK response to incidents at sea be supported and that East Sussex Fire & Rescue Service be a party to the agreement.

843.3 Councillors Fitch, Lock and Neighbour declared a personal but non-prejudicial interest in this item as Members of the Sussex Sea Fisheries Board, which was not called over for discussion.

844. **WORKFORCE DEVELOPMENT STRATEGY**

844.1 The Fire Authority considered a joint report of the Chief Fire Officer & Chief Executive and the Monitoring Officer that set out a revised Fire Authority Human Resource Strategy. (Copy in minute book).

844.2 **RESOLVED** – That the Workforce Development Strategy, as a revised Human Resource Strategy, be endorsed for inclusion in the Members Handbook.

845. **FREEDOM OF INFORMATION ACT AND INFORMATION MANAGEMENT ISSUES**

845.1 The Fire Authority considered a report of the Chief Fire Officer & Chief Executive that advised Members of the preparations required to support the requirements of the Freedom of Information Act compliance issues. (Copy in minute book).

845.2 **RESOLVED** – That:

- 1) the corporate actions currently being taken be noted;
- 2) that further actions will be required shortly to address the more urgent issues be noted;
- 3) that an effective system of electronic information management is highly desirable, but currently is considered unaffordable for 2005/06, but may become an essential development priority in 2006/07 depending upon emerging information access requests, be noted.

846. **WAIVER OF STANDING ORDERS – STATION END MOBILISING EQUIPMENT**

846.1 The Fire Authority considered a report of the Chief Fire Officer & Chief Executive that sought approval to waive standing orders to allow Multitone Electronics to supply replacement GD92 equipment to interface with the Service's AssetCo mobilising system. (Copy in minute book).

846.2 **RESOLVED** – That Standing Orders 47.3 and 48 to 52 be waived to allow Multitone Electronics to supply replacement GD92 equipment to interface with the Service's AssetCo mobilising system.

847. **PROGRESS UPDATE ON CURRENT FIRE AUTHORITY BUSINESS ISSUES**

847.1 The Fire Authority considered a report of the Chief Fire Officer & Chief Executive that updated Members on a number of business issues that were impacting upon the fire service generally and also those relating to the Authority specifically. (Copy in Minute Book).

847.2 **RESOLVED** – That the report be noted.

848. **FIRE AUTHORITY QUARTERLY REPORT (JULY TO SEPTEMBER 2004)**

848.1 The Fire Authority considered a report of the Chief Fire Officer & Chief Executive that advised Members of the quarterly results for the period. (Copy in Minute Book).

848.2 **RESOLVED** – That the report be noted.

849. **FIRE AUTHORITY AND PANEL MEETINGS**

849.1 The Fire Authority considered a report of the Clerk to the Fire Authority setting out dates for future meetings of the Authority and its Panels.

849.2 **RESOLVED** – That the following dates be approved:

- 1) Fire Authority meetings be held on the following dates, at 10.30 hours (unless otherwise stated) at East Sussex Fire & Rescue Service Headquarters, Eastbourne:

Thursday 13 January 2005 (to commence at 14.00 hours);
Thursday 10 February 2005;
Thursday 9 June 2005;
Thursday 15 September 2005; and
Thursday 8 December 2005.

- 2) Audit and Performance Review, Budget and Standards Panel Meetings be held on the following dates:

13 January 2005;
17 May 2005;
25 July 2005 (Audit & Performance Review only);
25 August 2005 (Budget and Standards Panels only); and
23 November 2005

Commencement times for these Panels to be notified in advance of the meetings, were generally likely to be: APR 10.00 hours; Budget 10.45 hours; Urgency 12.00 (if required) and Standards 14.00 hours.

850. **EXCLUSION OF PRESS AND PUBLIC.**

- 850.1 **RESOLVED** – That the following items be exempt under the following paragraphs of Part 1 of Schedule 12A of the Local Government Act 1972 as amended:- item 851 under Paragraphs 1, 9 & 11; item 852 and 854 under paragraph 11; item 853 under paragraph 9 & in that they relate to matters that include information relating to a particular employee of the Authority, proposed negotiations for contracts for the supply of goods and services acquisition, and labour relations matters arising between the Authority and its employees.

Part 2 Confidential Minutes can be found in the pink papers included as Agenda Item 866.

The meeting concluded at 13.16 hours.

Signed

Chairman

Dated this

Day of

2005.

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