



**EAST SUSSEX FIRE AUTHORITY**

**FRIDAY 19 JULY 2002 AT 13.00 Hours**

**MEMBERS**

**East Sussex County Council (12)**

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

**Brighton & Hove City Council (6)**

Councillors Bennett, Carden, Durr, Hawkes, Morley and G. Theobald.

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**You are requested to attend this Extraordinary Meeting to be held at Fire Brigade Headquarters, 20 Upperton Road, Eastbourne at 13.00 hours**

**PLEASE BRING WITH YOU YOUR BUDGET PANEL PAPERS OF 4 JULY 2002 PREVIOUSLY CIRCULATED**

**AGENDA**

- 539. 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."
- 540. Apologies for absence.
- 541. Notification of items which the Chairman considers to be urgent and proposes to take at the end of the agenda.

(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).

- 542. Notice of Motion from Councillor Gadd. (copy attached).
- 543. To consider public questions, if any.
- 544. Minutes of the meeting held on 6 June 2002 (copy attached).
- 545. Medium Term Plan update - July 2002- report of Chief Fire Officer and Chief Executive (copy attached)
- 546. 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 Fire Brigade Headquarters, 20 Upperton Road, Eastbourne and at Brighton and Hove Town Halls.

- 547. Budget Panel Meeting on 4 July 2002 - report of Chairman (copy attached)
- 548. Firefighters' Pay Claim 2002 – Confidential Report of Chief Fire Officer and Chief Executive (copy attached)

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

## Agenda Item No 542

### **Motion for the Fire Authority**

It is proposed that this Fire Authority now enters into meaningful discussions with the appropriate members and officers of East Sussex County Council and Brighton & Hove City Council with regard to the budget proposals for the East Sussex Fire Brigade for the Financial Year 2003/04.

*Brian Fall.*



## Agenda Item No 544

### EAST SUSSEX FIRE AUTHORITY

**Minutes of the meeting of the East Sussex Fire Authority held at Fire Brigade Headquarters, 20 Upperton Road, Eastbourne at 10.30am on Thursday 6 June 2002.**

**Councillors Bennett, Carden, Dyason, Gadd, Hawkes, Mrs Healy, Mrs Leigh, Livings, Lock, Morley, Murphy (Chairman), Reid, Scott, Skilton, Stevens and G Theobald.**

#### 513. DECLATIONS OF INTEREST

513.1 (a) It was noted that all participating members had undertaken to observe the Authority's Code of Conduct.

(b) It was noted that no member wished to amend their written declarations of interests under Part 3 of the Code.

(c) In relation to matters on the agenda, Councillor Livings declared a personal and prejudicial interest in item 536 on the agenda under Part 2 of the Code.

#### 514. ELECTION OF CHAIRMAN AND PREFERRED TITLE

514.1 **RESOLVED** - That Councillor Murphy be elected Chairman for the ensuing 12 months and that the preferred title be Chairman.

#### 515. ELECTION OF VICE-CHAIRMAN AND PREFERRED TITLE

515.1 **RESOLVED** - That Councillor Carden be elected Vice-Chairman for the ensuing 12 months and that the preferred title be Vice-Chair.

515.2 The Chairman wished to place on record his thanks to the former Vice Chair and former Chair, Councillor Morley, for the sterling work that he had carried out during his terms of office for the Authority.

#### 516. APOLOGIES FOR ABSENCE

516.1 Apologies for absence were received from Councillors Durr and Neighbour.

#### 517. URGENT ITEMS

517.1 There were none.

517.2 The Chairman asked members of the Authority to stand in silence for one minute to respect the recent deaths of Princess Margaret and The Queen Mother.

517.3 The Chairman welcomed Councillor Mrs Leigh to her first meeting of the Authority and also welcomed Mr Richard Hemsley, Deputy Director of Resources at East Sussex County Council to his first meeting.

517.4 The Chairman reported that Mr John Howes, the former Treasurer to the Authority had been taken ill. Members of the Authority wished Mr Howes a speedy and complete recovery.

517.5 The Chairman also reported that the Authority had been awarded a Charter Mark for the second year running and wished to place on record his thanks to the officers of the Authority for their hard work in achieving this Award.

518. **PUBLIC QUESTIONS**

518.1 There were none.

519. **MINUTES**

519.1 **RESOLVED** – That the minutes of the meeting held on 7 February 2002 be approved and signed by the Chairman.

520. **POLITICAL REPRESENTATION ON COMMITTEES AND OTHER BODIES AND NOMINATIONS FOR MEMBERSHIP TO THE PANELS OF THE FIRE AUTHORITY**

520.1 The Fire Authority considered a report of the Interim Monitoring Officer in relation to the securing of proportional representation on Committees and other bodies in accordance with the Local Government (Committees and Political Groups) Regulations 1990 and to agree the resultant membership to the Panels of the Fire Authority. (see minute book).

520.2 Councillor Theobald suggested that for consistency the membership of the main Panels should all be the same and that therefore the membership of the Appointments Panel should be increased to six.

520.3 The Authority was informed that HM Inspectors would be carrying out an inspection would like to meet the Budget Panel on 4 July 2002. Further details would be sent to the Budget Panel in due course.

520.4 **RESOLVED** –

(1)

(i) That the membership of the Appointments Panel, Budget Panel and the Audit and Performance Review Panel be six, three for the Standards Panel (plus two independent members) and four for the remaining Panels; and

(ii) That the Panels appoint the Chairs and Vice Chairs in accordance with Standing Order 57. 14.

(2) That all political groups are represented on the Standards Panel and each group is allocated one seat on that Panel.

(3) That the Leader of each Political Party notify the Clerk of the Panels' membership.

521. **INDEPENDENT MEMBER OF THE STANDARDS PANEL**

521.1 The Fire Authority considered a report of the Interim Monitoring Officer recommending the re-appointment of Mrs J Redman and related issues (see minute book).

521.2 **RESOLVED** –

(1) That Mrs Jennifer Redman be appointed as an Independent Person to serve on the Fire Authority's Standards Panel, such appointment to remain in force until the next Annual General Meeting of the Fire Authority in June 2003.

- (2) That the Chief Fire Officer be given delegated authority (expiring on 27 August 2003) to make appointments of Independent Persons to the Standards Panel.

**522. AUDIT AND PERFORMANCE REVIEW PANEL MEETING HELD ON 17 APRIL 2002**

522.1 The Fire Authority considered a report of the Chairman of the Audit & Performance Review Panel relating to matters considered by the Audit & Performance Review Panel at its meeting on 17 April 2002 (see minute book).

522.2 The Chief Fire Officer reported that following a government reshuffle the responsibility for local government had passed to the Office of the Deputy Prime Minister. This office had confirmed that the proposed Best Value review of Training had been postponed from 2002/3 to 2004/5.

522.3 **RESOLVED** - That the report together with the recommendations contained therein relating to the Best Value Review of Training and the External Audit Plan 2001/02 be approved and noted.

**523. STANDARDS PANEL MEETING HELD ON 17 APRIL 2002**

523.1 The Fire Authority considered a report of the Chair relating to matters considered by the Standards Panel at its meeting on 17 April 2002 (see minute book).

523.2 The Acting Monitoring Officer tabled a note on the recent conference sponsored by the Standards Board (see minute book).

523.3 **RESOLVED** –

(1) That the report be noted and the recommendations contained therein be approved.

(2) That the note on the above conference be noted.

**524. APPOINTMENTS OF MONITORING OFFICER**

524.1 The Fire Authority considered a report of the Interim Monitoring Officer in relation to the permanent appointment of Monitoring Officer (see minute book).

524.2 **RESOLVED** - That Mr Abraham Ghebre-Ghiorghis be appointed as Monitoring Officer.

**525. PROPOSED AMENDMENTS TO STANDING ORDERS, FINANCIAL REGULATIONS AND DELEGATED POWERS**

525.1 The Fire Authority considered a report of the Chief Fire Officer concerning minor amendments to Standing Orders, Financial Regulations and Delegated Powers (see minute book).

525.2 **RESOLVED** - That the appropriate minor amendments to Standing Orders, Financial Regulations and Delegated Powers to enable them to be gender neutral in line with current practices as set out in the report be approved.

**526. SERVICE DELEGATIONS**

526.1 The Fire Authority considered a report of the Chief Fire Officer relating to Service Delegations below the level of Chief Fire Officer (see minute book).

526.2 **RESOLVED** - That the Service Delegations set out in the report be approved, to come into effect when the Brigade's internal structural re-alignment has taken place.

527. **FIRE AUTHORITY ACCOUNTS**

527.1 The Fire Authority considered a report of the Treasurer informing Members of the 2001/02 expected outturn position (see minute book).

527.2 **RESOLVED** - That the provisional outturn of capital and revenue expenditure in 2001/02 be noted.

528. **TREASURY MANAGEMENT**

528.1 The Fire Authority considered a report of the Treasurer presenting a treasury management stewardship report for the year 2001/02 and an amended treasury management policy statement for 2002/2003 (see minute book).

528.2 **RESOLVED** –

(1) That the treasury management performance for 2001/02 be noted;

(2) That the amended treasury management policy statement for 2002/03 be approved.

529 **MAINScheme RADIO REPLACEMENT**

529.1 The Fire Authority considered a report of the Chief Fire Officer advising of progress made regarding the Mainscheme Radio Replacement project and the impact of recent Government intervention (see minute book).

529.2 The Chief Fire Officer reported that he agreed that national procurement was the best way forward but it would be necessary for the Authority to lobby for support that revenue expenditure would be adequately resourced.

529.3 The Chief Fire Officer also reported that the proposed delay in the project to 2007 was in fact a mixed blessing in the light of the fact that the Authority's interim solution of securing obsolete equipment discarded by other Brigades may not last beyond 2005, the original date. The Authority would now need to deal with an enhanced interim solution that may have budgetary implications.

529.4 **RESOLVED** - To note the major changes in policy at Government level and the funding implications of the delay in the implementation of the replacement system.

530. **CHEMICAL PROTECTION ARRANGEMENTS**

530.1 The Fire Authority considered a report of the Chief Fire Officer in relation to the recently introduced Chemical Protection Arrangements and recommending adoption of the proposed scale of charges for recovery of costs following Chemical Incidents (see minute book).

530.2 **RESOLVED** - That the proposed scale of charges set out in the report be approved and reviewed annually as part of the Revenue Budget processes.

531. **FIRE FIGHTERS' PENSION SCHEME**

531.1 The Fire Authority considered a report of the Chief Fire Officer advising of a case relating to the Firefighters' Pension Scheme and, in particular, the relevant responsibilities of Fire Authorities (see minute book).

531.2 **RESOLVED** - That the report be noted.

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

532.1 The Fire Authority considered a report of the Chief Fire Officer updating on a number of business issues that are impacting upon the fire service generally and also those relating to the Authority specifically (see minute book).

532.2 In relation to paragraph 5.1 of the report the Chief fire Officer reported that a post implementation review would be held and Phase 2 of the refurbishment would commence shortly. It was anticipated that planning permission would be granted in December in relation to the disabled access and parking at the front of the building and that work would commence in February 2003.

532.3 **RESOLVED** - That the report be noted.

533. **FIRE AUTHORITY QUARTERLY REPORT (JANUARY TO MARCH 2002)**

533.1 The Fire Authority considered a report of the Chief Fire Officer in relation to the quarterly results for the period January to March 2002 (see minute book).

533.2 In relation to paragraph 2.3 concerning false alarms members questioned how long it took to compile the figures. The Chief Fire Officer reported that the information took a long time to compile and was done so at the request of the Authority. Members questioned whether the amount of information was necessary in the light of what action might be taken to remedy the number of false alarms. It was agreed that the existing format be retained for one more quarter and then the Authority could then decide whether it would be appropriate to continue receiving this level of detail.

533.3 In relation to paragraph 5.3.3 it was noted that it had been agreed to donate the Brigade's old land rover to the Ashdown Forest Rangers after delivery had been taken of the new land rover.

533.4 In relation to paragraph 5.4 the Authority congratulated the staff on the new uniforms.

533.5 **RESOLVED** - That the report be noted.

534. **FIRE AUTHORITY MEETINGS**

534.1 The Fire Authority considered a report of the Clerk relating to dates of future meetings.

534.2 **RESOLVED** - That dates for future meetings be as follows and all commencing at 10.30am:

19 September 2002

5 December 2002

6 February 2003

5 June 2003

All at the Brigade Headquarters, Eastbourne.

535. **EXCLUSION OF PRESS AND PUBLIC**

535.1 **RESOLVED** - That items 536 to 538 be exempt under Paragraphs 9 and 11 of Part 1 of the Local Government Act 1972 as amended in that they relate to matters that include information on proposed negotiations for a contract for the acquisition and disposal of property and labour relations matters arising between the Authority and its employees.

**PART 2**

536. **REPLACEMENT OF BROAD OAK FIRE STATION (EXEMPT CATEGORY 9)**

536.1 The Fire Authority considered a confidential report of Chief Fire Officer informing of the situation regarding Broad Oak Fire Station (see minute book). He also updated members on negotiations conducted with Mansells, which were satisfactory, and the need to replace the current fire station at Broad Oak

536.2 **RESOLVED** –

- (1) That the latest proposals for the replacement of Broad Oak Fire Station on the terms set out in the report be approved;
- (2) That the decision of the Urgency Panel on 9 April 2001 to authorise officers to negotiate an amended tender and, if successful, award a contract to Mansells due to the time delay otherwise involved, be confirmed.
- (3) That Standing Orders on Contracts and Tenders (47.3 and 48 to 53) be waived to enable (2) above to be implemented.

NOTE: Councillor Livings left the meeting whilst the above item was under consideration.

537. **AMENDMENT TO THE TITLE OF CHIEF FIRE OFFICER (EXEMPT CATEGORY 11)**

537.1 The Fire Authority considered a confidential report of the Chief Fire Officer considering whether to amend the title of the Chief Fire Officer, to that of Chief Fire Officer and Chief Executive (see minute book).

537.2 **RESOLVED** - That the amendment of the title of the Chief Fire Officer to that of Chief Fire Officer and Chief Executive, to more appropriately reflect the position and responsibilities of that post be approved.

538. **FIREFIGHTERS' PAY CLAIM 2002**

538.1 The Fire Authority considered a confidential report of the Chief Fire Officer in relation to the recent pay claim submitted by the Fire Brigades Union on behalf of their membership, for 2002, and advising on recent communications received from the National Employers.

538.2 The Chief Fire Officer informed the Authority of the implications of the claim submitted by the Union. The Authority agreed that there were a number of issues that would need to be considered and that more information would be available later. In the circumstances the Authority agreed that it would be necessary for the Budget Panel to consider the matter at a special meeting and for the issue to be discussed at a special meeting of the Authority.

538.3 **RESOLVED** - That the report be noted and that the Budget Panel meet on 4 July and the Authority meet on 19 July 2002 to consider the latest position.

The meeting concluded at 1.15pm.

Signed

Chairman

Dated this

day of

2002



**EAST SUSSEX FIRE AUTHORITY**

Date: **19 July 2002**

Title: **Medium Term Plan update - July 2002**

By: **Chief Fire Officer and Chief Executive**

Purpose of Report: **To advise the Fire Authority of the outcome of a mid-year review of the approved five year plan 2003/04-2006/07 (base year 2002/03)**

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**RECOMMENDATION:** The Fire Authority is asked to note:

- i. the outcome of the mid year Review;
- ii. the potential impacts of the FBU pay award claim for 2002/03 currently being negotiated nationally;
- iii. that the service planning processes and early consultation processes for the 2003/04 budget round are commencing;

and consider what actions, if any it wishes to take.

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**MAIN ISSUES**

1. The Fire Authority approved its Five Year Plan 2003/04-2006/07 (base year 2002/03) at its February 2002 meeting which was published and circulated to Members and constituent authorities in March 2002 (the green covered Plan).
2. Since that time, there have been a number of known changes which have a recurring financial impact upon the Authority, the most significant of which are the changes in Employer's National Insurance contributions and further changes to pension costs.
3. There are still a number of "financial unknowns" in terms of potential national fire policy issues that have still to be determined, as highlighted in the approved plan. No clearer picture of these issues has emerged at this stage in the process.
4. The main issue for all Fire Authorities currently, is the situation with regard to the FBU pay claim for 2002.
5. The Tables and Appendices set out in the report provide an update of possible financial projections based upon a range of presumptions to give Members the earliest opportunity to debate the situation.
6. It is timely to consider existing revenue provision, and options for financial management over the coming months.

**Des Prichard**  
**CHIEF FIRE OFFICER AND CHIEF EXECUTIVE**  
7 July 2002

1. **BACKGROUND**

- 1.1 The Fire Authority approved its Five Year Plan 2003/04-2006/07 (base year 2002/03) at its February 2002 meeting which was published and circulated to Members and constituent authorities in March 2002 (the green covered Plan).
- 1.2 As part of the 2002/03 Service Planning deliberations, it was agreed to enhance the Member level consultation processes for the 2003/04 Service Planning round.
- 1.3 To assist these processes, a mid-year review of the Authority's approved Five Year Plan 2003/04 -2006/07 has been undertaken, to give a base position for the Fire Authority to consider its future policy options.
- 1.4 There are still a number of "financial uncertainties" in terms of national issues that have still to be determined, as highlighted in the approved plan. No clearer picture of these issues has emerged at this stage in the process. Consequently, it has not been possible to include any financial implications for these items. The Fire Authority is asked to note that the financial projections included in the rest of this report do not take such issues into account.

2. **BASE POSITION APPROVED FIVE YEAR PLAN**

- 2.1 Appendix 1 is an extract of the final page of the approved Five-Year Plan. It includes all the known financial effects of the 2002/03 Revenue Budget, pension projections, five-year capital programme, operational leasing programme and information systems strategy. It also includes inflation over the five-year period assuming inflation levels stay the same as those included for 2002/03.
- 2.2 The increases to the overall Revenue Budgets for the five year period are highlighted in Table 1 below:

<b>Table 1 Approved Five Year Plan</b>	2002/03	2003/04	2004/05	2005/06	2006/07
	£m	£m	£m	£m	£m
Approved Five Year Plan projection	26.865	27.890	29.720	31.089	32.230
Cash increase on base year 2002/03	-	1.025	2.855	4.224	5.365

3. **KNOWN CHANGES AS AT JULY 2002**

- 3.1 Appendix 2 includes all the known changes upon the approved five-year programme as at July 2002. It includes the costs of:
- Insurance premiums
  - Additional 1% Employers' National Insurance Contributions
  - Outcome of 2001/02 closedown implications
  - Impact of operational equipment replacement projections

- 3.2 The increases to the overall Revenue Budgets for the five year period are highlighted in Table 2 below:

<b>Table 2 Approved Five Year Plan + known changes</b>	2002/03	2003/04	2004/05	2005/06	2006/07
	£m	£m	£m	£m	£m
Approved Five Year Plan projection	26.865	27.890	29.720	31.089	32.230
Known Changes	0.062	0.160	0.116	0.122	0.187
Amended Projection.	26.927	28.050	29.836	31.211	32.417
Cash increase on base year 2002/03	0.062	1.025	2.971	4.346	5.552

#### 4. **PROJECTION OF FBU PAY AWARD AT 10%**

- 4.1 Appendix 3 includes the effects of all known changes as in Section 3 above and projects the financial implications of an FBU settlement at 10% as opposed to the existing provision of 4%.

- 4.2 The increases to the overall Revenue Budgets for the five year period are highlighted in Table 3 below:

<b>Table 3 Approved Five Year Plan + known changes + 10% FBU pay award for 2002/03</b>	2002/03	2003/04	2004/05	2005/06	2006/07
	£m	£m	£m	£m	£m
Approved Five Year Plan	26.865	27.890	29.720	31.089	32.230
Known Changes + 10% PAY	0.385	1.020	1.039	1.089	1.201
Amended Projection including 10% pay	27.250	28.910	30.759	32.178	33.431
Cash increase on base year 2002/03	0.385	2.045	3.894	5.313	6.566

- 4.3 If the 2002/03 pay settlement is settled at 10%, this will result in additional costs of some £385,000 including other known changes, for 2002/03. (£1.020m in a full year).

#### 5. **OVERALL IMPLICATIONS**

- 5.1 The financial consequences shown above contain some known outcomes and projections at different pay level presumptions. (4% and 10%).
- 5.2 It has been recognised nationally that local authorities and Combined Fire Authorities will not be able to absorb the level of increases being projected without national funding support. The Fire Authority may wish to consider options for raising their concerns, both within the south-east region and at national level.
- 5.3 Whatever the settlement outcome, and even if such funding support is offered for future years, there remains concerns about any potential impact upon the current financial year and, therefore, the Fire Authority is advised to explore all options to ensure service delivery in East Sussex is not compromised.

- 5.4 If industrial action is proposed, then contingency planning arrangements will have to be made, and the Fire Authority is advised to consider all options to ensure it complies with its statutory responsibilities. The financial consequences of maintaining statutory responsibilities will need to be considered, legal advice will need to be sought, and it is recommended the Fire Authority seek central guidance on such matters.
- 5.5 Ignoring any costs arising from such industrial action, the Fire Authority may wish to give early consideration as to how it might resource any overspend it may occasion in 2002/03. The Fire Authority does not itself hold balances, such financial arrangements are within the statutory framework of the constituent authorities, leaving a limited range of options for the Fire Authority to consider. These are described as follows:
- Switching schemes currently presumed to be funded from revenue to capital for funding through any capital receipts not yet unallocated (one year option only).
  - Deferring already approved projects that are not yet committed for action in 2003/04. This could achieve up to £100,000, but the service infrastructure maintenance and efficiency improvements would then not be carried out.
  - Moratorium on all revenue expenditure for the remainder of 2002/03. This would undoubtedly result in business risk, as Brigade resources are already considerably stretched, and this would impact upon the Brigade's ability to respond to current service demands. Nevertheless, it is an option to consider.

## 6. **WAY FORWARD**

- 6.1 In the light of the likelihood of industrial action taking place in 2002/03 and a settlement in excess of 4%, it is essential that early discussions take place with all parties within the Fire Authority prior to Member discussions with their counterparts in the Constituent Authorities.
- 6.2 The risk is already sufficiently high to have warranted operational contingency plans being put in place and now it is appropriate to consider similar financial arrangements, particularly for 2002/03.
- 6.3 In terms of the financial impact upon future years, this can only be considered as a national funding issue. Without adequate national funding support, all Fire Authorities and their constituent authorities would be plunged into severe financial difficulties. Again, Members will need to consider what lobbying actions should be taken, to apprise local MPs and other national bodies of the complexity situation.