

LANCASHIRE COMBINED FIRE AUTHORITY

Monday, 20 June 2016 at 10.00 am in Washington Hall, Service Training Centre, Euxton

MINUTES

PRESENT:

County Councillor Francesco De Molfetta (Chairman)

County Councillors

T Aldridge	E Oades
A Barnes	M Parkinson
P Britcliffe	N Penney
K Brown	M Perks
C Crompton	J Shedwick
M Green	R Shewan
D O'Toole	V Taylor

Blackburn with Darwen Borough Council

M Khan
Z Khan
D Smith

Blackpool Council

F Jackson
A Matthews
T Williams

1/16 APPOINTMENT OF CHAIRMAN

RESOLVED: - That County Councillor De Molfetta be appointed Chairman of the Combined Fire Authority (CFA) for 2016/17.

2/16 APPOINTMENT OF VICE-CHAIRMAN

The Chairman invited nominations for the appointment of Vice-Chairman and County Councillor Parkinson was nominated for 2016/17. No further nominations were received.

RESOLVED: - That County Councillor Parkinson be appointed Vice-Chairman of the CFA for 2016/17.

3/16 COMPOSITION OF THE COMBINED FIRE AUTHORITY AND WELCOME TO NEW MEMBERS

The Chairman welcomed new CFA Members County Councillors Ron Shewan and Vivien Taylor from Lancashire County Council. He thanked the remaining continuing Members for their work on the Authority over the previous year and looked forward to another successful year working together for Lancashire residents.

RESOLVED: - That the Composition approved by the 3 Constituent Authorities for 2016/17 for the Combined Fire Authority be noted and endorsed, and the two new Members appointed by Lancashire County Council to serve on the CFA for 2016/17 (County Councillors: Ron Shewan and Vivien Taylor) be welcomed.

4/16 APOLOGIES FOR ABSENCE

Apologies were received from County Councillors: T Burns, S Holgate, D Stansfield and J Sumner.

5/16 DISCLOSURE OF PECUNIARY AND NON-PECUNIARY INTERESTS

None.

6/16 APPOINTMENT OF CHAIRMEN & VICE-CHAIRMEN OF COMMITTEES

The Chairman, County Councillor De Molfetta presented the proposed Chairmen and Vice-Chairmen for the Authority's Committees. He also confirmed that the Chairman and Vice-Chairman of the Strategy Group were the Chairman and Vice-Chairman of the Authority.

RESOLVED: -

(1) That in accordance with Standing Order 5.1(b) of the Authority, the following members be appointed as Chairmen and Vice-Chairmen of Committees of the CFA for 2015/16.

- | | |
|-------------------|--|
| (i) Appeals | - County Councillor N Penney (Chairman) (LAB)
- County Councillor K Brown (Vice-Chairman) (CON) |
| (ii) Audit | - County Councillor C Crompton (Chairman) (LAB)
- County Councillor J Shedwick (Vice-Chairman) (CON) |
| (iii) Performance | - County Councillor S Holgate (Chairman) (LAB)
- Councillor M Khan (Vice-Chairman) (LAB) |
| (iv) Planning | - County Councillor M Parkinson (Chairman) (LAB)
- Councillor F Jackson (Vice-Chairman) (LAB) |
| (v) Resources | - County Councillor F De Molfetta (Chairman) (LAB)
- County Councillor T Aldridge (Vice-Chairman) (LAB) |

(2) That Councillor D Smith be appointed as Chairman and County Councillor M Green be appointed as Vice-Chairman of the Member Training and Development Working Group for 2016/17.

(3) That County Councillor D O'Toole be appointed as Chairman of the Injury Pensions Sub-Committee for 2016/17.

(4) That the Authority confirms appointment of the following four Member Champions for 2015/16:-

County Councillor K Brown - Environment
County Councillor T Aldridge - Equality and Diversity
County Councillor M Perks - Older People
Councillor F Jackson – Road Safety

7/16 RE-APPOINTMENT OF REPRESENTATIVES TO SERVE ON THE NORTH WEST FIRE FORUM & THE NORTH WEST FIRE CONTROL COMPANY

RESOLVED:-

(1) That 2 members of the Labour Group and 1 member of the Conservative Group (i.e. County Councillors F De Molfetta, M Parkinson and D O'Toole, as Chairman, Vice-Chairman and main Opposition Spokesperson) be appointed to serve as representatives on the North West Fire Forum for 2016/17.

(2) That County Councillors F De Molfetta and M Parkinson (as Chairman and Vice-Chairman of the Authority) be appointed as North West Fire Control Directors for 2016/17.

8/16 MINUTES OF PREVIOUS MEETING

County Councillor Penny advised that although she joined the Combined Fire Authority when it was formed in 1998, from 1989 onwards she had been a member of its Lancashire County Council predecessor Committee (known as the Fire Service and Public Protection Committee which also included trading standards).

RESOLVED: - That the Minutes of the CFA held on the 25th April 2016 be confirmed and signed by the Chairman.

9/16 PROGRAMME OF MEETINGS FOR 2016/17 AND 2017/18

Members considered that in the original Combination Scheme Order which made the Authority in 1998, section 21 (2) provided that "the Authority shall, before 31st December in any year, submit to each constituent authority an estimate of its net expenses for the next financial year, and shall subsequently, before 15th February, give notice to each constituent authority of the amount of the contribution to be paid by that authority under this paragraph in the next financial year". It was noted that at that time the Authority was a levying authority and the constituent authorities needed to include the CFA's levy in their own budget to determine the level of their precept. The deadline of the 15th of February thereby gave sufficient time for this. This subsequently changed when the Authority became a precepting Authority in 2004.

Given that the local government finance settlement is being announced later in February, it was proposed that the Clerk write on behalf of the Authority to seek permission to vary the deadline as set out in the Combination Scheme Order as appropriate and that while waiting for a decision two draft dates be put in the diary; one for before the 15th and one after. This would assist accurate figures be provided to Members and avoid duplication of calculations.

RESOLVED: -

(1) That the Authority authorise the Clerk to seek permission to vary the deadline set out in the Combination Scheme Order as appropriate;

(2) That the proposed programme of meetings for the Combined Fire Authority for 2016/17 and 2017/18 be noted and the Authority agree the programme of meetings below: -

2016/17

19 September 2016

19 December 2016 (1st Budget Meeting)

13 February 2017 or 20 February 2017 (2nd Budget Meeting) – to be confirmed

2017/18

24 April 2017

19 June 2017 (Annual Meeting of the CFA)

18 September 2017

18 December 2017 (1st Budget Meeting)

12 February 2018 or 19 February 2018 (2nd Budget Meeting) – to be confirmed

10/16 PROCEEDINGS OF NORTH WEST FIRE FORUM MEETING HELD ON 27 APRIL 2016

RESOLVED: - That the proceedings of the North West Fire Forum held on 27 April 2016 be noted and endorsed.

11/16 PROCEEDINGS OF MEMBER TRAINING & DEVELOPMENT WORKING GROUP HELD ON 27 APRIL 2016

The Chairman of the Member Training and Development Working Group, Councillor Smith presented the proceedings of the Member Training & Development Working Group meeting held on 27 April 2016.

RESOLVED: - That the proceedings of the Member Training & Development Working Group held on 27 April 2016 be noted and endorsed.

12/16 MEMBERS' ALLOWANCE SCHEME - PROPOSED AMENDMENT

Part 4 of the Local Authorities (Members' Allowances) (England) Regulations 2003 required county and district councils to establish independent remuneration panels to make recommendations regarding Member responsibilities and the amount of basic, special responsibility, travel and subsistence and co-optees allowances payable to Members under the Scheme and any amendments or adjustments to it.

To ensure the Authority complied with the regulations to have regard to the recommendations made by the independent remuneration panels of its home authorities, s19 (2), the last report considered by Members in September 2014 set out the details of home authorities Scheme indices.

At its meeting in February 2016, Lancashire County Council (LCC) approved the recommendation of its Independent Remuneration Panel (the Panel) to adopt the Consumer Price Index (CPI) (published in November of the preceding year) in relation to allowances payable for overnight accommodation, day subsistence and travel abroad. This was a change from the Retail Price Index (RPI). The November 2015 CPI figure was 0.1% and the RPI figure was 1.1%. The Panel recommended the change as it was conscious that the government had replaced the RPI with the CPI as the common measure for inflation effects. LCC also agreed that a full and detailed review would be undertaken by their Panel after the next county council elections in 2017.

Members considered a comparison of the effect of the application of each index on the 2015/16 Authority's Scheme figures.

RESOLVED: - That the Members' Allowance Scheme be amended to reflect the Consumer Price Index (published in the November of the preceding year) for the calculation of overnight accommodation and day subsistence allowances for its 2016/17 Scheme, backdated to be with effect from 1 April 2016.

13/16 FORMAL POLICY ON DEALING WITH HABITUAL AND VEXATIOUS COMPLAINTS

The Clerk to the Authority presented a draft Policy on Dealing with Habitual and Vexatious Complaints. Officers ensured compliance with public sector duties including Freedom of Information requests and Data Protection Act requirements however, on occasions these obligations and the public complaints procedures had been used to pursue issues in a manner incompatible with the aims and purpose of the legislation. Although the occasions were rare, the strain on the organisation had been significant at times. The proposed policy aimed to formalise the approach adopted by Officers when addressing these issues.

The proposed policy identified situations where a complainant, either individually or as part of a group, or a group of complainants might be considered to be habitual or vexatious. It set out the definitions of habitual or vexatious complainants and the process that the Authority would follow.

The policy would be reviewed annually by the Clerk to ensure that it remained appropriate, proportionate and effective to the needs of Members, Officers and staff.

RESOLVED: - That the Authority note and endorse the report.

14/16 SAFETY, HEALTH AND ENVIRONMENT ANNUAL REVIEW 2015/16

The Authority considered the Safety, Health and Environment Annual Review Report for Lancashire Fire & Rescue Service covering the period 1st April 2015 to 31st March 2016.

As the body with ultimate responsibility for staff health, safety and environmental compliance it was important that all CFA Members were aware of performance in this respect. The report therefore provided a summary of key actions, overall progress and outturn performance in respect of accidents and near misses and carbon emissions, together with a look forward.

The report summarised the arrangements in place to deliver the Service's Health and Safety Policy and provided a summary of health, safety and environment performance data. It included the reporting on occupational safety, health and environmental issues that had arisen during the period 1 April 2015 – 31 March 2016.

The Director of People and Development was pleased to report that the Service had again seen a very positive year in terms of overall safety, health and environment performance. The number of accidents to LFRS staff was the second lowest on record with 60 events being reported of which only 23 resulted in lost time accidents.

The Health and Safety Executive was notified under RIDDOR regarding 13 events, 12 for over 7 day absences following accidents and 1 for a dangerous occurrence for a breathing apparatus failure. Manual handling related activities accounted for the largest number of accidents within the Service which would be focussed on through refresher training for operational personnel during 2016/17. LFRS continued to deliver projects to reduce its carbon emissions. The health and safety and environment management systems would continue to be developed and this was supported by external reviews that advocated robust policies, systems and a positive culture were in place within the Service.

RESOLVED: - That the Authority note and endorse the report and associated safety, health and environment performance outcomes.

15/16 FIRE PROTECTION REPORTS

A report detailing prosecutions in respect of fire safety management failures and arson related incidents within the period 1 April 2016 to 31 May 2016 was provided.

There were no completed prosecution cases reported although Members noted there were further cases ongoing. Fire protection and business support information provided included the award of a letter of appreciation to a Fire Safety Officer in Fleetwood, details on multi-agency inspections and an update on the appointment of Crew Manager Business Support Advisors to better support and advise businesses to comply with regulations and reduce risks from fire.

In addition, 3 arson convictions were reported during the period.

At the request of County Councillor O'Toole, Group Manager Tony Crook presented Members with an overview of the work undertaken in respect of rented accommodation which set out the various types of premises, the lead organisation responsible for inspection and enforcement action, the legislative framework, reasons for and types of inspection, actions undertaken to reduce risk and a summary of two prosecution examples.

In response to questions raised by Members, GM Crook confirmed that staff were highly trained and very capable of responding to statutory consultations on the suitability of fire precautions to be provided, firefighting access and water supplies to premises; and Members were reassured that work continued with partners to support vulnerable people with health and rehousing needs. County Councillor O'Toole thanked GM Crook for an excellent report and requested a copy of the presentation be provided to Members.

RESOLVED: - That the report be noted and endorsed.

16/16 COMMUNITY FIRE SAFETY REPORTS

This report included information for the 2 Unitary and 12 District Authorities relating to Community Fire Safety Initiatives and Fires and Incidents of particular interest.

As part of this report Area Manager Simon Fryer gave a presentation to Members on the different operational strategies taken for recent waste fires at Fleetwood and Walton Summit.

County Councillor Shewan advised that the toxicity of the fire in Fleetwood had been a major concern to members of the public in the area. Although he understood the site's proximity to the nature reserve, a site of specific scientific interest, the view expressed by the community he represented was that greater emphasis could have been placed on protecting the community, rather than the environment. It was also very concerning to members of the public that it took the length of time it did to put out the fire.

The Chief Fire Officer advised that the presentation was to provide Members with an insight into the dilemmas faced by the Service and confirmed that there was a statutory obligation for environmental protection. The Assistant Chief Fire Officer added that the strategy of a controlled burn and letting the fire burn itself out was not the norm but this had been felt to be appropriate given the need to consider the requirement to protect the environment. He reassured Members that work was done at the time with Public Health England who was monitoring air samples and levels of public health.

The Chairman asked that the Authority's appreciation be placed on record to all staff involved.

Members then considered the report and the following points were noted: -

For the Chorley area, CC Perks was pleased to see the two road safety events held at the school in Croston and that the wasted lives package had been offered to the students however, it was not detailed in the report that this work involved our partners.

For the Rossendale area, CC Barnes asked whether the rescue detailed under fires and incidents of operational interest had been fed back to the district council to raise awareness and support this type of incident not happening again. The Assistant Chief Fire Officer would respond to CC Barnes outside the meeting.

CC Barnes found the reports to be a fascinating demonstration of the issues the Service were involved with and queried whether this could be better publicised on the website.

RESOLVED: - That the report be noted and endorsed.

17/16 MEMBER COMPLAINTS (STANDING ITEM)

The Monitoring Officer confirmed that there had been no complaints since the last meeting.

RESOLVED: - That the current position be noted.

18/16 DATE OF NEXT MEETING

The next meeting of the Authority would be held on Monday 19th September 2016 at 1000 hours at the Training Centre, Euxton.

19/16 EXCLUSION OF PRESS AND PUBLIC

RESOLVED: - That the press and members of the public be excluded from the meeting during consideration of the following items of business on the grounds that there would be a likely disclosure of exempt information as defined in the appropriate paragraph of Part 1 of Schedule 12A to the Local Government Act 1972, indicated under the heading to the item.

20/16 URGENT BUSINESS - INJURY PENSIONS UPDATE
(Paragraph 1)

Members were provided with a update report in relation to the position with regard to the Injury Pensions situation.

RESOLVED: - That the current position be noted.

M NOLAN
Clerk to CFA

LFRS HQ
Fulwood