



**NOTTINGHAMSHIRE AND CITY OF NOTTINGHAM
FIRE AND RESCUE AUTHORITY**

MINUTES

of meeting of the Authority held on **25 FEBRUARY 2011** at Fire and Rescue Service Headquarters, Bestwood Lodge, Nottingham from 10.30 am to 1.30 pm.

Membership

Councillor D Pulk	(Chair)
Councillor M Wood	(Vice-Chair)
Councillor S Carroll	
Councillor B Cooper	
Councillor B Cross	
Councillor V Dobson	
Councillor S Fielding	
Councillor A Foster	
Councillor K Girling	
Councillor P Griggs	
Councillor B Grocock	(minutes 52-61 inclusive)
Councillor J Hemsall	
Councillor H James	
Councillor T Pettengell	
Councillor K Rigby	
Councillor T Spencer	
Councillor G Wheeler	
Councillor J Zadrozny	

Members absent are marked ^

52 APOLOGIES FOR ABSENCE

No apologies for absence were received.

The Chair welcomed Councillor Girling to his first meeting of the Fire and Rescue Authority.

RESOLVED

- (1) that it be noted that Councillor Girling had been appointed to the Fire and Rescue Authority in place of Councillor Bobo.**
- (2) that the thanks of the Chair and the Fire and Rescue Authority be recorded for the contribution and work of Councillor Bobo during his time on the Fire Authority and that a letter be sent to Councillor Bobo to that effect.**

53 DECLARATIONS OF INTERESTS

No declarations of interests were made.

54 MINUTES

RESOLVED that the minutes of the last meeting held on 17 December 2010, copies of which had been circulated, be confirmed and signed by the Chair.

55 CHAIR'S ANNOUNCEMENTS

The Chair reported on the following matters:

- (a) Councillor Griggs had decided not to stand in the forthcoming City Council elections and would cease to be a member of the Fire and Rescue Authority from 5 May. The Chair thanked Councillor Griggs for her hard work and effort on behalf of the Authority over the previous 14 years;
- (b) Councillors Fielding and Dobson presented petitions to the meeting relating to the proposed closure of various fire stations. The Chair acknowledged that the petitions showed the strength of public feeling and advised the meeting that the petitions would be presented to the relevant Committee of the Authority to respond to.

56 COMMITTEE OUTCOMES FOR NOTING

Consideration was given to reports of the Chairs of the following committees, copies of which, including minutes of those meetings, had been circulated:

- (a) Policy and Strategy Committee 4 February 2011
- (b) Performance Monitoring Committee 7 January 2011
- (c) Finance and Resources Committee 14 January 2011
- (d) Community Safety Committee 21 January 2011
- (e) Human Resources Committee 28 January 2011

RESOLVED that the reports and the business undertaken by the various Committees be noted.

57 STRATEGIC EQUALITIES BOARD OUTCOMES

Consideration was given to the report of the Chief Fire Officer, copies of which had been circulated, updating the Authority on items currently being discussed by the Board and progress made to date.

RESOLVED that the business and actions of the Strategic Equalities Board meeting held on 8 December 2010 be noted.

58 FIRE COVER REVIEW

Consideration was given to a report of the Chief Fire Officer, copies of which had been circulated, providing a précis of the executive summary of the Fire Cover Review and outlining the key approach, findings and conclusions. The Chief Fire Officer advised the meeting of the key points, drawing attention to the areas identified as having under provision of fire cover and over provision of fire cover. Whilst the areas of over provision were a matter of budgetary provision and value for money, the areas of under provision were a concern and measures should be taken to improve the service in these areas. The Chief Fire Officer advised the meeting that the implementation of any changes to the fire cover arrangements would have to follow detailed scrutiny of the findings, extensive consultation with a range of stakeholders and an agreed and robust implementation plan. The first stage would be the setting up of a member led working group to look in depth at the implications arising from the Review. It was intended that the working group present its conclusions to a future meeting of the Fire and Rescue Authority. If actions were agreed, an extensive consultation period would be undertaken on any proposal before implementation and the Chief Fire Officer would be tasked with implementing any outcomes from any consultation and establishing an effective implementation plan.

The Chair noted that section 14.2 of the Fire Cover Review required amendment so that the final sentence of the paragraph read 'This is due for production by late January 2011 in draft form and full approval be subject to Full Fire and Rescue Authority acceptance on 25 February 2011'

A representative of the Fire Brigade Union asked the following questions of the Chair regarding this item,

1. 'Although there seemed to be a vast amount of anomalies within the Fire Cover Review, one such anomaly which was so blatantly wrong was item 1.26. 1.26 stated that the Fire Cover Review had identified an area as requiring an enhanced provision supplementary to that already in place.

London Road was currently covered by 4 whole-time pumps from Central and West Bridgford. All four of these pumps attended London Road in approximately two minutes. Would the Chief Fire Officer agree that this was exceptional cover for the area concerned?

Could the Chief Fire Officer also confirm that he had now received the correct draft plans for West Bridgford, Rushcliffe, as it was believed the Fire Cover Review regarding Rushcliffe had used incorrect information.'

The Chair responded to the questions as follows -

'For clarification, questions tabled at the meeting were for the Chair to respond on behalf of the Fire Authority. If the Fire Brigade Union wish to ask direct questions of the Chief Fire Officer, then it was his understanding that the correct forums did exist to allow this to happen.

He also sought to clarify as to whether the Fire Brigade Union had sought to raise with the Chief Fire Officer the vast amount of anomalies during the period of informal consultation which it was believed had been taking place.

In direct response to the question:

The Fire Rover Review was a risk assessment that had been prepared for the Fire and Rescue Authority by the Chief Fire Officer. The risk assessment had identified the best location for a fire station within the City area. This location was the London Road area. This finding was based upon the inputs to the risk assessment, which, along with over 5 years of data, included indices of deprivation which it was known had an impact on the Service.

The Fire Cover Review did not seek to undermine, nor criticise, existing arrangements, only to advise the Fire Authority on where the best place to address the Service's delivery existed.

This element should also be taken into context with the decision made by the Fire Authority in 2004 which was to relocate from the existing Central Fire Station in Shakespeare Street. The review had sought to advise on the best location which the original decision did not do at that time.

It was his opinion, and, he believed that of the Fire Authority, that the current service delivered was adequate and that the findings of the Review sought only to improve on the current arrangements.

In addition, it was important that the Fire Cover Review was viewed in its totality and that individual elements were not singled out for consideration. London Road, City, was part of an overall approach of fire cover for the Greater Nottingham area and would be implemented by other elements of the Review.

With regard to the matter relating to the draft plans for Rushcliffe, he was aware that a comprehensive range of information had been used to help inform the process. This process has been independently validated and the data approach had been verified by Nottingham Trent University.

The Chief Fire Officer had informed him that he had received recent information relating to proposed cuts in the West Bridgford area which had been passed to the team.

In relation to Rushcliffe itself, the Fire Cover Review acknowledged cuts and potential cuts within the area and highlighted that it was an area where the Fire Authority should maintain a watching brief within its capital programme should such proposals come to fruition.'

2. 'Can the Chief Fire Officer and Chair confirm that any proposals from the member-led Working Group would go out for public consultation. It stated in the recommendation 'possible public consultation.'

The Chair responded as follows;

Firstly, he would like to reassure all concerned that, before any decisions were made with regard to the provision of fire appliances and fire stations, a full consultation process would be undertaken by this Authority.

The reference in the recommendation was simply to reflect that no firm decisions had yet been made and therefore, until such time, no decision on consultation could be made.

In respect of the second part of the question, this was a member-led working party. Therefore, it was the Fire Authority that would decide who sat on this group. Any officers present would be there to advise and support the process.

Whilst the role the Fire Brigade Union played in representing their members was recognised, these were potentially fire trade unions affected by the Fire Cover Review and to invite all to be part of this process would be too bureaucratic.

The Fire Brigade Union, as with all trade unions here in Nottinghamshire, could be assured they would be fully consulted on any proposals that may arise from the working party.'

RESOLVED

- (1) that the Fire Authority receive the Fire Cover Review from the Chief Fire Officer and agreed to the establishment of a member led working group to look in depth at the implications relating to the review;**
- (2) that the working group examine jointly with the Officers all options associated with the review prior to making a decision over possible public consultation and that the working group present its conclusions to a future meeting of the Fire Authority.**
- (3) that the working group consist of six members of the Fire Authority (two Labour, two Conservative, one Liberal Democrat and one Independent) to be notified to the Chief Fire Officer;**

59 PRUDENTIAL CODE FOR CAPITAL FINANCE 2011/12

Consideration was given to a joint report of the Treasurer and the Chief Fire Officer, copies of which had been circulated, informing members of the Fire Authority's obligations under the Chartered Institute of Public Finance and Accountancy (CIPFA) Prudential Code.

RESOLVED that the Prudential Limits for 2011/12 be approved as follows:

Estimate of Ratio of Financing Costs to Net Revenue Stream	6.4%
Estimate of the Incremental Impact of the New Capital Investment Decisions on the Council Tax (Band D)	£1.57
Estimate of Total Capital Expenditure to be Incurred	£2,804,000
Estimate of Capital Financing Requirement	£28,078,000
Operational Boundary	£30,762,000

Authorised Limit	£33,838,000
Upper limit for fixed rate interest exposures	100%
Upper limit for variable rate interest exposures	30%
Loan Maturity:	Limits:
Under 12 months	Upper 20% Lower 0%
12 months to 5 years	Upper 30% Lower 0%
5 years to 10 years	Upper 75% Lower 0%
Over 10 years	Upper 100% Lower 20%
Over 20 years	Upper 100% Lower 20%
Upper Limit for Principal Sums Invested for Periods Longer than 364 Days	£2,000,000

60 WORKING BALANCES

Consideration was given to a report of the Chief Fire Officer, copies of which had been circulated, informing Councillors of the working balances sufficient to meet the needs of the Fire and Rescue Authority during the 2011/12 financial year and beyond.

RESOLVED

- (1) that the results of the review of risks shown at Appendix A to the report be noted;**
- (2) that the proposed level of balances of £3.4 million be approved.**

61 PROPOSED CAPITAL AND REVENUE BUDGETS 2011/12 TO 2014/15 AND LEVELS OF COUNCIL TAX FOR 2011/2012

Consideration was given to the report of the Chief Fire Officer, copies of which had been circulated, seeking approval for the proposed final budgets for 2011/2012 to 2014/2015 and the levels of precept and council tax.

A further budget option was tabled at the meeting by Councillor Griggs as follows:

1. 'External changes'
 - 1.1 Since the original budget paper was produced there had been two significant changes to the financial framework within which the budget has been constructed:
 - (i) the allocation of £1.486 million Capital Grant;
 - (ii) the Ministers guidance on capping.
 - 1.2 The receipt of capital grant did not change thinking with regard to the capital programme but would affect the way in which it was financed. There would no longer be a requirement for £4 million to be used from balances as this could be supplemented by the Capital Grant.

1.3 The Local Government Minister Bob Neil had written to all local authorities setting out his capping criteria for 2011/2012. These were that ‘an authority’s budget requirement in 2011/2012 would be excessive if:

- (i) its 2011/2012 budget requirement was greater than 92.5% of its 2010/2011 budget requirement or alternative notional amount where applicable; and
- (ii) its Band D council tax in 2011/2012 was increased by more than 3.5% compared with 2010/2011.’

1.4 The original budget paper had been prepared on the premise that the capping limit would be 2.5% and so, further options emerged.

2. Changes to the original budget proposal

2.1 The original budget proposal for consideration by the Fire Authority for Revenues and Capital Budgets was as follows:

	2011/2012 £000's	2012/2013 £000's	2013/2014 £000's	2014/2015 £000's
Revenue	46,407	46,220	44,776	44,264
Capital	2,804	3,811	4,649	3,666

2.2 The revenue budget specifically had three key assumptions:

- (i) that all of the savings set out in the Fire Cover Review for year 1 could actually be achieved during the first year;
- (ii) that £4 million of balances would be used to support the Capital Programme;
- (iii) that a reserve of £750,000 would be set up in order to deal with the effects of the abandonment of the Regional Fire Control project.

2.3 The revised proposal changed these assumptions as follows:

- (i) savings from the Fire Cover Review were now assumed to take place from 2012/2013 onwards to allow for time for members to consider the outcomes and to allow for full consultation to take place;
- (ii) as a Capital grant of £1.486 million had been received from Central Government it was proposed that only £2.514 million of balances was applied to Capital and that the balance be made up of grant;
- (iii) the sum set aside for the replacement of Fire Control be reduced to £500,000 and phased over 2011/2012 and 2012/2013 to more adequately reflect the anticipated pattern of spending.

2.4 Nothing in this proposal would prevent the savings from the Fire Cover Review being realised earlier if the process allowed. It was also likely that the Director of Finance and Resources in consultation with the Authority Treasurer may wish to make the contributions to capital financing from balances in 2010/2011 in order that the revenue savings became available earlier.

2.5 After the above adjustments the revised proposals for Revenue and Capital Budgets were as follows:

	2011/2012 £000's	2012/2013 £000's	2013/2014 £000's	2014/2015 £000's
Revenue	46,638	46,711	45,425	45,081
Capital	2,804	3,811	4,649	3,666

2.6 The effect of this change on the Authority's balances was as follows:

	2011/2012 £000's	2012/2013 £000's	2013/2014 £000's	2014/2015 £000's
Opening Balance	7,595	5,198	6,701	6,910
Contribution to Balances	0	0	0	0
Contribution from Balances	-2,514	0	0	0
Interim balance	5,081	5,198	6,701	6,910
Contribution to support budget	117	1,503	209	-438
Closing Balance	5,198	6,701	6,910	6,472

This showed that whilst balances rose to £6.472 million by 2014/2015, there was still an underlying budget problem of £438,000. All of this of course assumed that there were no radical changes to grant distribution beyond those already estimated.

3 Financing the Budget

3.1 Under this proposal the financing of the Authority would be:

	2010/2011	2011/2012 £000's	2012/2013 £000's	2013/2014 £000's	2014/2015 £000's
Budget requirement	48,132	46,638	46,711	45,425	45,081
Government Grant	25,010	22,634	21,864	19,704*	18,445*
Council Tax	23,122	24,004	24,847	25,721	26,626
Band D Council Tax	69.69	72.13	74.29	76.52	78.82
Increase	N/A	3.5%	3.00%	3.00%	3.00%

*estimated

3.2 In order to raise the amounts required from Council Tax the level would need to be increased from £69.09 per annum in 2012/2011 to £78.82 by 2014/2015.

- 3.3 Specifically in 2011/2012 it was recommended that Council Tax at Band D be set at £72.13, an increase of 3.5 % which is:

	£
Band A	48.09
Band B	56.10
Band C	64.12
Band D	72.13
Band E	88.16
Band F	104.19
Band G	120.22
Band H	144.26

- 3.4 The level of Council tax at Band D is then multiplied by the taxbase to calculate the precept to be set for each of the District Councils and the City Council as follows:

	Taxbase	Percentage	Precept
	£		£
Ashfield	35,350.80	10.62%	2,549,853.20
Bassetlaw	36,217.26	10.88%	2,612,350.96
Broxtowe	35,635.49	10.71%	2,570,387.89
Gedling	38,206.85	11.48%	2,755,860.09
Mansfield	31,618.90	9.50%	2,280,671.26
Newark and Sherwood	39,229.55	11.79%	2,829,627.44
Rushcliffe	41,157.00	12.37%	2,968,654.41
Nottingham City	75,380.00	22.65%	5,437,159.40
Total			24,004,564.66

4 Members allowances

- 4.1 There was no recommendation in the budget report for any increase in the level of Members Allowances. Nevertheless the Authority was required to confirm that the Members Allowances would continue to be paid in accordance with the existing published scheme.

5 Revised Recommendations

- 5.1 that members approve the capital budgets for each of the financial years 2011/2012 to 2014/2015 as set out in paragraph 2.5 above;
- 5.2 that members approve the revenue budgets for each of the financial years 2011/2012 to 2014/2015 as set out in paragraph 2.5 above;
- 5.3 that members approve the levels of council tax for 2011/2012 as set out in paragraph 3.3 above;
- 5.4 that members approve the precept figure of £24,004,564.66 which will be applied to the whole of the City and District Council areas as general expenses;

5.5 that members approve the payment of Allowances for 2011/2012 in accordance with the published scheme.'

The meeting was then adjourned for 20 minutes to consider the amendment. The meeting reconvened and the Treasurer explained the financial implications of the proposed amendment to the meeting.

When put to the vote the amended proposals were not carried.

Councillors requested that their votes be recorded. Those voting in favour of the amendment: Councillors Pulk, Wood, Fielding, Carroll, Grocock, Griggs, James and Cross. Those voting against the amendment; Councillors Rigby, Dobson, Foster, Hemsall, Pettengell, Rigby, Spencer, Wheeler, Girling and Zadrozny.

A further budget option was tabled by Councillor Zadrozny as follows:

'Further Budget Option

Assumptions:

- Fire Cover Review related savings moved from 2011/2012 to 2012/2013, but all complete by Year 4;
- Council tax increase 0%/3%/3%/3%
- Contribution to Fire Control Reserve £250,000 Year 1/ £250,000 Year 2

File names:

Main Budget Spreadsheet for 0%-3% Council Tax and £820,000 Fire Cover Review Year 2, control £500,000. Balances 0%/3% Council Tax, £820,000 Fire Cover Review Year 2, control £500,000

	2011/2012 £000's	2012/2013 £000's	2013/2014 £000's	2014/2015 £000's
Council Tax	23,192	24,008	24,850	25,724
Government Grant	22,634	21,864	19,704	18,455
Freeze Grant	581	581	581	581
Total Budget	46,407	46,453	45,135	44,760

	2011/2012 £000's	2012/2013 £000's	2013/2014 £000's	2014/2015 £000's
Budget requirement	46,521	45,208	45,216	45,519
Allowable budget	46,407	46,453	45,135	44,760
Annual Shortfall/surplus (-)	114	-1,245	81	759

	2011/2012 £000's	2012/2013 £000's	2013/2014 £000's	2014/2015 £000's
Opening Balance	7,595	4,967	6,212	6,131
Contribution to Balances	0	0	0	0
Contribution from Balances	-2,514	0	0	0
Interim Balance	5,081	4,967	6,212	6,131
Contribution to support budget	-114	1,245	-81	-759
Closing Balance	4,967	6,212	6,131	5,372
Council Tax at Band D £	69.69	71.78	73.93	76.15

Conclusion-by the end of Year 4, budget shortfall carried forward to year 5 is £759,000, surplus balances stand at £1.972 million.'

The meeting was then adjourned for 20 minutes to consider the amendment. The meeting reconvened and the Treasurer explained the financial implications of the amendment to the meeting.

When put to the vote, the amended proposals were carried.

Councillors requested that their votes be recorded. Those voting in favour of the amendment; Councillors Rigby, Dobson, Foster, Hempsall, Pettengell, Rigby, Spencer, Wheeler, Girling and Zadrozny. Those voting against the amendment: Councillors Pulk, Wood, Fielding, Carroll, Grocock, Griggs, James and Cross.

The meeting was then adjourned for a further twenty minutes to allow the recommendations to be re-drafted to take into account the agreed amendment.

The revised recommendations were then voted on. The revised recommendations were agreed by a vote of 10:8.

RESOLVED

- (1) that the capital budgets for each of the financial years 2011/2012 to 2014/2015 as set out in the report be approved;**
- (2) that the revenue budgets for each of the financial years 2011/2012 to 2014/2015 as set out in the report, with the following amendments be approved:**

- (a) contribution to Fire Control Replacement Reserve to be £250,000 in 2011/2012 and a further £250,000 in 2012/2013;**
- (b) anticipated savings from the Fire Cover Review be put back until 2012/2013;**
- (c) the use of balances to finance Capital expenditure be reduced to £2.514 million to reflect the receipt of capital grant;**
- (3) that the revenue budgets for 2012/2013 to 2014/2015 as set out in the amendment be subject to review before budget proposals for those years were put forward;**
- (4) that the levels of Council Tax for 2011/2012 as set out in Paragraph 2.65 of the report be approved;**
- (5) that the precept figure of £23,192,542.78 which would be applied to the whole of the City and District Council areas as general expenses be approved;**
- (6) that it be noted that the precept for 2011/2012 would be collected from City and District Councils in accordance with their agreed tax bases, with payments in equal instalments on dates agreed between financial officers;**
- (7) that the payment of Members allowances for 2011/2012 in accordance with the published scheme be agreed.**

Councillors requested that their votes be recorded. Those voting in favour of the revised recommendations; Councillors Rigby, Dobson, Foster, Hemsall, Pettengell, Rigby, Spencer, Wheeler, Girling and Zadrozny. Those voting against the revised recommendations: Councillors Pulk, Wood, Fielding, Carroll, Grocock, Griggs, James and Cross.

62 CONSULTATION RESPONSE ON THE FUTURE OF FIRE AND RESCUE CONTROL SERVICES IN ENGLAND

Consideration was given to a report of the Chief Fire Officer, copies of which had been circulated, highlighting the key issues within 'The Future of Fire and Rescue Control Services in England' consultation document attached to the report and providing a draft response to the questions asked.

A representative of the Fire Brigade Union asked the following question of the Chair regarding this item;

'The redundancies were compulsory redundancies of Fire Control staff who have had years of uncertainty. The decision was being taken before any decision had been made on the future of the Fire Control Room. What efforts had been made by the Chief Fire Officer and members of the Fire Authority to seek additional funding to maintain staff in post until a decision had been taken over the future of Control? Also, what response had been received?

If we lost our Fire Control staff now and needed to recruit, the cost of training staff would be expensive and outweigh the cost of redundancy.'

The Chair responded as follows -

'As the Fire Brigade Union will be aware, Fire Control staff are affected by potential redundancy as a result of the closure of the Regional Control Centre (RCC) project. The East Midlands region was well advanced in the process of delivering the RCC and, as a consequence, took on additional staff to ensure a smooth transition. Funding had been centrally supplied by Government to pay for these staff.

When the announcement was made to close the project, the funding was immediately reduced and had now been stopped. As a consequence Nottinghamshire Fire and Rescue Service (NFRS) simply could not afford to continue with staffing levels ten above the established figure that the Authority budgeted for.

In terms of any redundancy costs, these did not fall on NFRS but were being covered by the RCC project funding. A return had to be sent to CLG by 17 March 2011 so it was important that NFRS took steps to address only legacy issues arising from the project at the earliest opportunity.

As for the decision regarding the future of Control Services here in Nottinghamshire that would be a matter for the Fire Authority based on the advice of the Chief Fire Officer. It was unlikely that any decision would need to be made for the immediate future therefore returning Fire Control to its pre-RCC staffing levels was appropriate.

Fire Authority members were being asked to approve a response, formulated on behalf of the Fire Authority by the Chief Fire Officer to the consultation being undertaken by CLG. The outcomes of the consultation may influence decisions to be taken by the Fire Authority, however, this was a matter for future debate and one in which he was sure the Fire Brigade Union would seek to engage.'

RESOLVED

- (1) that the consultation responses to the questions raised within the Future of Fire and Rescue Control Services in England document be noted and approved;**
- (2) that the Chief Fire Officer be tasked with submitting these responses prior to the deadline date.**

63 REGIONAL MANAGEMENT BOARD

Consideration was given to the report of the Chief Fire Officer, copies of which had been circulated, on the formal dissolution of the Regional Management Board, the taking back of areas delegated to the Regional Management Board and the principle of collaboration with a Regional Fire Forum.

RESOLVED

- (1) that the dissolution of the Regional Management Board be agreed;**
- (2) that the taking back of the delegated responsibilities as identified in paragraph 1.3 of the report be agreed;**

- (3) that the Fire Authority engage with a Regional Fire Forum on the principles of collaboration and joint working.**

64 LOCAL GOVERNMENT ASSOCIATION ANNUAL FIRE CONFERENCE 2011

Consideration was given to the report of the Chief Fire Officer, copies of which had been circulated, giving details of the Local Government Association Fire and Rescue Conference 2011 to be held on 8 and 9 March 2011 in Newcastle.

RESOLVED that the Chief Fire Officer and the Chair of the Fire and Rescue Authority represent the Authority at the conference.