

# **MERSEYSIDE FIRE AND RESCUE AUTHORITY**

**26 JUNE 2014**

## **MINUTES**

**Present:** Cllr Dave Hanratty (Chair) Councillors Linda Maloney, Robbie Ayres, Peter Brennan, Roy Gladden, Ted Grannell, John Kelly, Barbara Murray, Lesley Rennie, Denise Roberts, James Roberts, Jean Stapleton and Sharon Sullivan

**Also Present:**

**Apologies of absence were received from:** Cllr Les Byrom (Vice-Chair), Cllr Jimmy Mahon, Cllr Tony Newman, Cllr Steve Niblock and Cllr Tony Robertson

### **CHAIRS ANNOUNCEMENT**

#### **Ex Members**

The Chair offered thanks and best wishes for the future on behalf of the Authority, to the three Members who have left the Authority as a result of the Local Elections - Vi Bebb, Andrew Blackburn and Pat Moloney, who were invited to the meeting to say farewell to colleagues.

Pat Moloney was in attendance and the Chair presented him with a small gift and letter of appreciation for his services, knowledge, constructive challenge and support on Merseyside Fire and Rescue Authority.

Pat Moloney accepted the gift and expressed his gratitude and pleasure of working with political colleagues and officers during his time on the Authority and his desire to return to the Authority in the future.

Andrew Blackburn had offered his apologies, as he was unable to attend, and had requested that Councillor Tony Robertson pass his gift on to him.

Vi Bebb was not in attendance.

#### **New Members**

The Chair welcomed the three New Members appointed to Merseyside Fire and Rescue Authority, Councillors Peter Brennan and James Roberts, from Liverpool City Council and Councillor Tony Robertson from Sefton Borough Council.

### **1. Preliminary Matters**

The Authority considered the identification of any declarations of interest, matters of urgency or items that would require the exclusion of the press and public due to the disclosure of exempt information.

**Resolved that:**

- a) no declarations of interest were made by individual Members in relation to any item of business on the Agenda.
- b) no additional items of business were determined by the Chair to be considered as matters of urgency; and
- c) item 20 Settlement of an Employer's Liability Claim Report CFO/074/14 is exempt by virtue of paragraphs 1,2 and 3 of Part 1 Schedule 12A of the Local Government Act 1972. Therefore this item of business required the exclusion of the press and public during consideration thereof due to the possibility of the disclosure of exempt information.

**2. Minutes of the Previous Meeting**

The Minutes of the previous meeting of the Authority, held on 6<sup>th</sup> May 2014, were approved as a correct record and signed accordingly by the Chair.

**3. Election Of Chairman**

Nominations for the position of Chair of the Authority were requested.

**Nominee**

Councillor Dave Hanratty - moved by Councillor Linda Maloney,  
seconded by Councillor Ted Grannell

**Vote:**

<b><u>For</u></b>	<b><u>Against</u></b>	<b><u>Abstain</u></b>
Unanimous	Nil	Nil

**Resolved that:**

Councillor Dave Hanratty be appointed as Chair of the Authority, and preside over the remainder of the meeting.

**4. Election Of Vice-Chairman**

Nominations for Vice Chair position/s of the Authority were requested.

Nominees

Councillor Linda Maloney - moved by Councillor Dave Hanratty,  
seconded by Councillor Sharon Sullivan

Councillor Les Byrom - moved by Councillor Dave Hanratty,  
seconded by Councillor Sharon Sullivan

Vote:

For  
Unanimous

Against  
Nil

Abstain  
Nil

**Resolved that:**

Both Councillor Linda Maloney and Councillor Les Byrom be re-appointed as Vice Chairs of the Authority.

**5. Membership of the Authority 2014/15**

(CFO/065/14)

Members considered report CFO/065/14 of the Clerk to the Authority regarding the changes to the Membership of the Authority for 2014/15 noting the replacement of Andrew Blackburn (Sefton, Lib Dem), Vi Bebb (Liverpool, Labour) and Pat Moloney (Liverpool, Lib Dem) with Tony Robertson (Sefton Lib Dem), Peter Brennan (Liverpool Labour) and James Roberts (Liverpool, Labour).

The Authority for 2014/15 will comprise of 18 Elected Members with the political make up being: 16 Labour, 1 Conservative and 1 Liberal Democrat Member, appointed from the 5 district Councils as follows:

Liverpool Councillors

Wirral Councillors

Knowsley Councillors

Barbara Murray  
(Labour)

Denise Roberts  
(Labour)

Ted Grannell  
(Labour)

Dave Hanratty  
(Labour)

Jean Stapleton  
(Labour)

Tony Newman  
(Labour)

James Roberts  
(Labour)

Lesley Rennie  
(Conservative)

Peter Brennan

Steve Niblock

(Labour)

(Labour)

Roy Gladden  
(Labour)

Sharon Sullivan  
(Labour)

Sefton Councillors

St Helens Councillors

Jimmy Mahon  
(Labour)

Linda Maloney  
(Labour)

John Joseph Kelly  
(Labour)

Robbie Ayres  
(Labour)

Les Byrom  
(Labour)

Tony Robertson  
(Liberal Democrat)

The Authority will also continue with the Appointment of Independent Person Anthony Boyle.

**Resolved that:**

The content of the report be noted.

**6. Structure of the Authority**

(CFO/064/14)

Members considered report CFO 064/14 of the Clerk to the Authority regarding the minimum legal structure of the Authority, the decisions making structure to be set for 2014/15, the appointment of Members to Committees, nomination of Chairs, determination of powers and duties of Committees and the appointment of Members to Lead Member Roles.

**Resolved that:**

- a) That the following Appointments, Committees and decision making structure of the Authority for 2014/15 be approved:

Chair of the Authority: Cllr Dave Hanratty  
Vice-Chair of Authority: Cllr Les Byrom  
Vice-Chair of Authority: Cllr Linda Maloney.

Labour: Group Leader: Cllr Dave Hanratty (Chair).

Liberal Democrat: Opposition Spokesperson: Cllr. Tony Robertson

Conservative: Opposition Spokesperson: Cllr. Lesley Rennie

<b>Committee</b>	<b>Members</b>
Community Safety & Protection Committee  8 Members (7 Labour, 1 Opposition)	<b>1 Linda Maloney(Chair)</b> 2 Robbie Ayres 3 John Joseph Kelly 4 Jimmy Mahon 5 Barbara Murray 6 Tony Newman 7 Steve Niblock 8 Tony Robertson
Consultation and Negotiation sub Committee  5 Members (4 Labour, 1 Opposition)	<b>1 Jimmy Mahon (Chair)</b> 2 Labour 3 Labour 4 Labour 5 Tony Robertson
Policy & Resources Committee  8 Members (7 Labour, 1 Opposition)	<b>1 Les Byrom (Chair)</b> 2 Peter Brennan 3 Roy Gladden 4 Ted Grannell 5 Denise Roberts 6 Jean Stapleton 7 Sharon Sullivan 8 Lesley Rennie

Committee	Members
<b>Audit Sub Committee</b> <b>Sub Committee to Policy &amp; Resources Committee</b> 5 Members (4 Labour, 1 Opposition)	<b>1 Roberts (Chair)</b> 2 Peter Brennan 3 John Joseph Kelly 4 James Roberts 5 Tony Robertson
<b>Performance &amp; Scrutiny Committee</b> 7 Members (6 Labour, 1 Opposition) Plus <b>1 Independent Person</b>	<b>1 Ted Grannell (Chair)</b> 2 Robbie Ayres (Ops. Response) 3 Barbara Murray (Strat. & Perform.) 4 Tony Newman (Prevent. & Protect.) 5 Jean Stapleton (Fin. Asset. & Effic.) 6 Sharon Sullivan (People & Org.) 7 Lesley Rennie (Ops. Preparedness)
<b>Appointments Committee</b> (3 Labour, 1 Conservative, 1 Lib Dem) Made up of the Chair, Vice Chairs, Opposition Spokespersons	<b>1 Dave Hanratty (Chair)</b> 2 Les Byrom 3 Linda Maloney 4 Lesley Rennie 5 Tony Robertson
<b>Appeals Committee</b> (3 Labour, 1 Conservative, 1 Lib Dem) Made up of the Chair, Vice Chairs, Opposition Spokespersons	<b>1 Dave Hanratty (Chair)</b> 2 Les Byrom 3 Linda Maloney 4 Lesley Rennie 5 Tony Robertson
<b>Member Development Group</b> (2 Labour, 1 Conservative, 1 Lib Dem)	<b>1 Jimmy Mahon (Chair)</b> 2 Steve Niblock 3 Lesley Rennie 4 Tony Robertson

Lead Members:

(Special Responsibility Roles, who have a seat on Performance & Scrutiny Committee).

Lead Role	Lead Member
Finance, Assets & Efficiency	Cllr Jean Stapleton
Operational Preparedness	Cllr Lesley Rennie
Operational Response	Cllr Robbie Ayres
People & Organisation	Cllr Sharon Sullivan
Prevention & Protection	Cllr Tony Newman
Strategy & Performance	Cllr Barbara Murray

- b) Should Members be unable to attend a meeting they are appointed to, they are to arrange for an appropriate Alternate Member to attend on their behalf, to ensure correct political balance; and inform Democratic Services of such representatives prior to the start of the relevant meeting.

**7. The Authority's Constitution**

(CFO/069/14)

Members considered report CFO/069/14 of the Clerk to the Authority regarding the Draft revised Constitution.

**Resolved that:**

- a. The Constitution for 2014/15 be approved.
- b. The Monitoring Officer to the Authority be instructed to review the Constitution in light of any changes in legislation, and bring a further report to the Authority in these circumstances, and;
- c. For environmental and administration purposes, Members retain their copy of the Constitution, so that only any future approved amendments need be provided to Members for replacement.

**8. Authority Meeting Dates for 2014/15**

(CFO/066/14)

Members considered report CFO/066/14 of the Clerk to the Authority regarding proposed dates for Authority meetings and events for the municipal year 2014/15 (appendix 1 of the report) and draft dates for 2015/16 (appendix 2 of the report), in order for Officers to set deadlines, plan events and prepare reports.

**Resolved that:**

- a. The schedule of meeting dates for 2014/15 be approved; and
- b. The schedule of draft meetings dates for 2015/16 be approved as draft dates, to be ratified at the 2015 Annual General Meeting.

**9. Members Allowance Payments 2013/14**

(CFO/067/14)

Members considered report CFO/067/14 of the Clerk to the Authority regarding Members Allowance Payments for the financial year 2013/14.

**Resolved that:**

The information contained within the report and Appendix 1, be noted.

**10. Scheme of Members Allowances 2014/15**

(CFO/068/14)

Members considered report CFO/068/14 of the Clerk to the Authority, requesting the Authority to review the current Scheme of Members' Allowances, and make recommendations for any changes it wishes to make to the Scheme.

**Resolved that:**

The Authority, in order to achieve a 10% reduction in Members Allowance Budget over 4 years, as agreed by the Authority at the Annual meeting 2013, approve the revised Scheme of allowances as follows:

- a) The Annual Special Responsibility Allowance for Political Group Leader (excluding Chairperson) be reduced 50% from £8,070 to £4,035; and
- b) The Annual Special Responsibility Allowance for Opposition Spokesperson reduce 50% from £4,035 to £2,018.
- c) No other changes be identified to the Scheme, in line with the structure of the Authority (considered as a separate item at this meeting).
- d) Members note that inflationary increases to Merseyside Fire and Rescue Authority's Scheme of Members Allowances, are normally aligned to the previous year's Firefighters' pay, which increased 1% in July 2013, and is subject to a 1% pay offer for 2014/15; and agreed that:
  - i. the 1% increase in line with Firefighters pay award July 2013, be rejected and;



- ii. their intention to reject any pending pay increase in line with Firefighters pay award for 2014/15 (subject to National agreement) which would apply to 2015/16 allowances, be confirmed.
- e) Continuation of the combined roles of Co-opted Member (appointed to Performance and Scrutiny Committee as a non-voting Member), and Independent Person (to consider any complaints against Members, alleged to have breached the Members Code of Conduct), undertaken by Mr Anthony Boyle as 'Independent Person', be confirmed.
- f) Payment for undertaking these roles be paid at a daily attendance rate of £50 (as and when required), subject to submission and verification of invoices.

## 11. Questions on the Discharge of Functions

(CFO/070/14)

Members considered report CFO/070/14 of the Clerk to the Authority requesting nomination of a Member from each of the five constituent District Councils as the Members responsible for answering questions in their Council on the discharge of the functions of Merseyside Fire & Rescue Authority.

### Resolved that:

The following Members be appointed by the Authority as the Members responsible for answering questions within their Council on the discharge of the functions of Merseyside Fire & Rescue Authority:

<u>Councillor</u>	-	<u>Council</u>
Councillor Tony Newman	-	Knowsley
Councillor Dave Hanratty	-	Liverpool
Councillor Les Byrom	-	Sefton
Councillor Linda Maloney	-	St Helens
Councillor Denise Roberts	-	Wirral

## 12. Appointment to Outside Organisations

(CFO/071/14)

Members considered report CFO/071/14 of the Clerk to the Authority, advising of the outside organisations to which the Authority is currently affiliated, and requesting where appropriate, confirmation to continue affiliation and appointment of representatives to those Organisations.

**Resolved that:**

1. Continuation of affiliation with the following organisations; and the appointment of the following Members to those organisations, be approved:

<b><u>Organisation</u></b>	<b><u>Representative Member</u></b>
a. Local Government Association Fire Services Commission	Cllrs Dave Hanratty, Les Byrom & Linda Maloney - additional Member
b. North West Employers' Organisation	Cllr Roy Gladden
c. National Joint Council	Cllr Dave Hanratty – Spokesperson on Employers Side of NJC for Local Authority Fire Brigades
d. North West Fire and Rescue Forum	Cllrs Dave Hanratty, Les Byrom & Linda Maloney (Chair & Vice Chairs)
e. Fire Support Network and Toxteth FireFit Hub	Cllr Tony Newman (currently trustee – which is to be approved by the Company Board)
f. Association of Metropolitan Fire & Rescue Authorities	Cllrs Dave Hanratty & Linda Maloney
g. Local Authorities Confronting Disasters and Emergencies	Cllr Ted Grannell
h. Merseyside Brussels Office	Cllr Steve Niblock

2. The disbandment of the Local Government Association Urban Commission in October 2013, be noted.

**13. Approved Conferences and Outside Meetings**

(CFO/072/14)

Members considered report CFO/072/14 of the Clerk to the Authority, concerning the list of approved conferences and outside meetings and any revisions to the list that the Authority wish to make.

**Resolved that:**

- a) In accordance with the scheme of Members Allowances, the following conferences and meetings be approved as standing events at which the Authority should be represented, subject to the Clerk determining precise representation, following consultation with the Chair and Opposition Spokespersons and also having ascertained that sufficient budgetary provision is available:-

LGA Annual Meeting (General Assembly) and Conference;  
LGA Fire Services Commission (replaced Fire Forum);  
LGA Urban Commission Meetings;  
LGA Annual "Fire" Conference (normally preceded by Fire Services Management Committee)  
North West Employers Meetings;  
Meetings of North West Fire and Rescue Forum  
Meetings with the District Auditor;  
Budget consultation meeting with the Chamber of Commerce;  
Meetings with Merseyside Co-ordinating Committee;  
Meetings with Merseyside Brussels Office;  
Meetings of Metropolitan Chief Fire Officers;  
Chief Fire Officers Association (CFOA) Annual Conference  
Meetings with Ministers  
Meetings with MP's

- b) The Fire Services Management Committee (FSMC) to which Authority Members are appointed by the LGA's political groups through their own appointments process, be noted.
- c) In accordance with the terms of the scheme, it be noted that Members attending the above conferences and meetings are entitled to claim the appropriate attendance, travel and subsistence allowances.
- d) Members note that following consultation with the Chair and Opposition Spokespersons; and subject to budgetary resources being available, the Clerk to the Authority also has delegated power to determine the attendance of Members at other conferences and meetings of outside organisations.

**14. Meetings with National Politicians at Party Political Conferences**  
(CFO/073/14)

Members considered report CFO/073/14 of the Clerk to the Authority regarding possible attendance of Members at meetings held at the location of party

political conferences, in order to make Authority related representations in line with the Members Scheme of Allowances.

**Resolved that:**

- a) appropriate representatives of the political groups of the Authority, be approved to attend meetings with Ministers, Opposition Spokespersons and other relevant national politicians to be held at the location of their own party political conferences to discuss issues relating to the business of the Authority; and
- b) appropriate travel and subsistence expenses for such meetings be met but no payment of conference fees be made,
- c) Members who attend such events, report back to the Authority regarding issues raised and responses; and progress on information received.

**15. Feedback of Task & Finish Group - HR Policies**

(CFO/076/14)

Members considered report CFO/076/14 of the Deputy Chief Fire Officer regarding the Feedback of the Task and Finish Group, established to review HR Policies and Procedures and the recommendations of the Performance and Scrutiny Committee in relation to sickness absence and discipline; and requesting the Authority to determine approval of the adoption of the new Policies and Procedures, as resulted from the review.

Members of the Task and Finish Group were given opportunity to comment on their findings and Union representatives given opportunity to voice their opinion.

The Fire Brigade Union (FBU) Official acknowledged that comments and amendments had been submitted by the FBU in relation to the documents, the majority of which were accepted for inclusion. The FBU expressed concern that to agree the Policies before the Authority would have meant over turning a Local Agreement reached in 2005 with Joint Secretaries.

The Chair responded to the FBU Official and confirmed that what was locally agreed in 2005 was likely to have been appropriate at the time, however explained that it was important that the Authority consider what is appropriate now in the current climate, and do their best to ensure that the appropriate policies are in place now to support the reducing workforce.

**Resolved that:**

- a) The work undertaken by the Task and Finish Group be noted; and the ceasing of its function be approved.

b) The recommendation of the Task and Finish Group and the Performance & Scrutiny Committee, to endorse the introduction of the following Policies and Procedures, be approved:

- Conduct & Capability Policy
- Absence & Attendance Service Instruction
- Capability Service Instruction
- Conduct (Discipline) Service Instruction
- Firefighter Health & Fitness Service Instruction
- Medical Discharge Procedure
- Positive Mental Health and Wellbeing – Service Instruction

c) The recommendation of the Task and Finish Group and Performance & Scrutiny Committee, to revoke the local agreement of 2005 in respect of Disciplinary Management Levels and in doing so agree to the reversion back to those stipulations contained within the Grey Book for ALL staff, be approved.

d) The attendance of Members of the Task & Finish Group, at training sessions with Managers around the new procedures, be approved.

e) The submission of regular update reports to the Performance & Scrutiny Committee, regarding implementation of the policies and procedures, be approved.

**16. Reserve Strategy**

(CFO/077/14)

Members were provided with a Powerpoint presentation in support of report CFO/076/14 of the Deputy Chief Executive, regarding a potential reserves strategy for the Authority to adopt in light of the Authority debt profile and the need to finance the proposed programme of station mergers without increasing debt costs/burdens.

**Resolved that:**

a) The Authority's current debt profile, be noted.

- b) The proposal for a reserves strategy to be reported back to the Authority with the Final Accounts for 2013/14, be approved.
- c) The Chief Fire Officer be instructed to enter into dialogue with any firefighters who may wish to be considered for voluntary severance (VS) to see if there are agreements that can be reached that might suit the individual and the public purse.

**17. The Future Of National Operational Guidance For The Fire & Rescue Service**

(CFO/075/14)

Members considered report CFO/075/14 of the Chief Fire Officer, concerning contributions to ensure the continuation of the National Operational Guidance Programme (NOGP) on a match funded basis with the Department for Communities and Local Government (DCLG).

**Resolved that:**

A contribution of £25k per year, to ensure the continuation of the NOGP on a match funded basis with DCLG, be approved.

**18. Aggregation and collaboration in Procurement**

(CFO/049/14)

Members considered Report CFO/049/14 of the Clerk to the Authority, concerning an overview of the Department for Communities and Local Government (DCLG) report 'Fire and Rescue Procurement Aggregation and Collaboration'.

Discussion took place around the recommendations contained within the DCLG Report; and it was noted that the majority of recommendations included within it have already been implemented within the North West.

**Resolved that**

The content of the report be noted.

19. **Local Government Pension Scheme - Employers Discretionary Policies**  
(CFO/078/14)

Members considered Report CFO/078/14 of the Deputy Chief Executive, concerning information regarding the Local Government Pension Scheme.

**Resolved that:**

- a) The content of the report be noted.
- b) The proposed responses to the discretionary actions be approved.
- c) The submission of the responses to the Merseyside Pension Fund be endorsed.

20. **Settlement of an Employer's Liability Claim**  
(CFO/074/14)

***This Minute contains EXEMPT information by virtue of Paragraphs 1, 2 and 3 of Part 1 of Schedule 12A of the Local Government Act 1972.***

Close

Date of next meeting Thursday, 24 July 2014

Signed: \_\_\_\_\_

Date: \_\_\_\_\_