North Yorkshire Fire and Rescue Authority

Minutes of the Annual Meeting of the Authority held on Wednesday 9 December 2015 at 11.00 am at North Yorkshire Fire Training Centre, Oaklands Way, Easingwold.

Present:-

County Councillors Val Arnold, Andrew Backhouse, Philip Barrett, Bernard Bateman MBE, David Blades, Eric Broadbent, Margaret-Ann de Courcey-Bayley, John Fort BEM, Michael Heseltine, Chris Metcalfe, Chris Pearson and John Savage.

City Councillors Andy D’Agorne, Danny Myers, Tony Richardson and Andrew Waller.

Copies of all documents considered are in the Minute Book

163. Election of Chairman

Resolved –

That County Councillor John Fort BEM be elected Chairman to serve until the Annual Meeting of the Authority to be held in 2016.

County Councillor John Fort BEM in the Chair

In taking the Chair, County Councillor John Fort BEM expressed sympathy for the communities of Cumbria who had experienced severe flooding during the previous week. The Chairman undertook to write, on behalf of Authority Members, to thank staff of North Yorkshire Fire and Rescue Service who had assisted in water rescues in Cumbria.

164. Election of Vice-Chairman

Resolved –

That City Councillor Tony Richardson be elected Vice-Chairman to serve until the Annual Meeting of the Authority to be held in 2016.

165. Minutes

Resolved -

That the Minutes of the ordinary meeting held on 23 September 2015 and the special meeting held on 21 October 2015 be taken as read and be confirmed and signed by the Chairman as correct records.

166. Questions or Statements from Members of the Public

The Chairman advised that 4 notices, to ask a question or make a statement at this meeting, had been received by the relevant deadline. All related to the Fire Cover Review.

(a) Robin Scott (resident) addressed the meeting to urge the Authority to make no changes to North Yorkshire Fire and Rescue Authority. He suggested that full-sized fire engines, staffed by fully trained full-time firefighters, were the
best way to ensure residents’ safety. (A copy of Robin Scott’s speech has been placed in the Minute Book and published on NYFRS’s website alongside other papers for this meeting.)

(b) The Chairman advised that Adam Lee (resident) had given notice to ask a question. However, Adam Lee was not present at this meeting. The Chairman advised that he would read out, to the meeting, Adam Lee’s question. The question was “On 13 August 2015, North Yorkshire Fire and Rescue Service modified the public consultation document “Supporting document 2b, Malton Fire Station Fact Sheet”. This was part way through the public consultation process. What bearing does this have on the validity of the process and the subsequent decisions made by the Combined Fire Authority regarding this fire station?”

(c) Steve Pepper (Vice-President of Harrogate Chamber of Trade and Commerce) addressed the meeting to urge the Authority to reject the proposals relating to Harrogate because the proposals would put Harrogate at an unacceptable risk of fire. He highlighted that greater numbers of people visited, slept and ate at Harrogate than in other local towns such as Skipton, Northallerton or Thirsk. (A copy of Steve Pepper’s speech has been placed in the Minute Book and published on NYFRS’s website alongside other papers for this meeting.)

(d) Steve Howley (Brigade Secretary, North Yorkshire Fire Brigades Union (FBU)) addressed the meeting to express the FBU’s concerns regarding the proposals and urge the Authority to reject the proposals. He emphasised, in particular, the FBU’s view that, regardless of the size of a vehicle, if it was crewed by only 2 firefighters, it was almost useless as an effective rescue capability. He also argued that wholetime staff were more cost-effective than retained firefighters when taking into account the costs of RDS turnover and overtime to maintain RDS pump availability. (A copy of Steve Howley’s speech has been placed in the Minute Book and published on NYFRS’s website alongside other papers for this meeting.)

The Chief Fire Officer/Chief Executive advised that a number of points raised during the above statements and questions were covered in the report concerning the Fire Cover Review which was the next item of business on the Agenda. He would therefore respond to those points during consideration of the report. The Chief Fire Officer/Chief Executive advised that he would respond now to points not covered in the report. He provided the following information:-

- In response to Robin Scott’s suggestion that the review was about reducing the pensions cost, the Chief Fire Officer/Chief Executive advised that it had been made clear throughout the review that this was about providing a risk based best value review. Whilst the decision would have financial implications, pension costs were not central to the review.

- In response to Robin Scott’s suggestion that the consultation process had been flawed, the Chief Fire Officer/Chief Executive advised that there had been ample opportunity to raise issues about process and that no such issues had been raised during the consultation with the exception of data about Malton being raised by staff. Authority Members had received four main papers about the Fire Cover Review (1 in December 2014; 2 in June 2015; and 1 in December 2015) over which time they had seen a significant level of detail. Further detail had been presented at Members’ Forum meetings during the previous two years which, although not part of the decision making process, had given Members opportunity to consider further the processes undertaken by the project teams.
In response to Steve Pepper’s concerns about the risks associated with sleeping accommodation, food businesses and the nightlife in Harrogate, the Chief Fire officer/Chief Executive advised that the issue of risk in these types of premises was primarily addressed through the Protection Strategy. This was currently out for consultation and no changes in resources were proposed. In respect of control measures around risk generally, these relied on the prevention and protection activities of the occupier and the Service just as much as, if not more so, the intervention provision.

In response to Steve Pepper’s concerns regarding the road layout and infrastructure of Harrogate, the Chief Fire Officer/Chief Executive advised that this had been considered at an earlier stage in the project and was why an on-call (ie day-crewing) element of response was not proposed at Harrogate. Experience of the incidents, including the two raised by Steve Pepper, did not suggest that the traffic caused any delay to the overall response to large incidents.

In response to Steve Pepper’s concerns regarding the major fires at the Majestic Hotel and Prezzo Pizza, and the perception that the outcome would have been more serious if there had been an initial attendance of one fire appliance and a TRV (or a "Rapid Response Unit"), the Chief Fire Officer/Chief Executive advised that he had been the Gold Commander at the Majestic Hotel fire, and the Incident Commander on scene at the Prezzo Pizza fire, and he could say with some confidence that a TRV being part of the initial response, as opposed to a standard pumping appliance, would have made no material difference to the overall operation. That aside, major incidents were considered in one of the previous papers to the Fire Authority. In these situations, there was a rising tide profile of resources attending the incident, often taking several hours, rather than minutes, to reach the peak.

In response to Steve Pepper’s comparison of Harrogate with Skipton, Northallerton and Thirsk, the Chief Fire Officer/Chief Executive advised that, from a risk analysis perspective, all stations were considered in respect of risk relative to other station areas in North Yorkshire and the City of York, and relative as well to the resources at that station and nearby. From that perspective, Scarborough was a better comparator for Harrogate and the proposals would result in a comparable provision of resources, which was greater in Harrogate than that in Skipton, Northallerton (either now or under the proposals) or Thirsk.

In response to Steve Howley’s suggestion that the Authority needed to assess the financial impact which merger with another Authority would deliver, the Chief Fire Officer/Chief Executive advised that the Fire Cover Review was about a risk based best value provision, not about savings. As such, the two issues were separate.

In respect of Steve Howley’s reference to “massive frontline reductions”, the Chief Fire Officer/Chief Executive advised that he wished to make it clear that what was being proposed here was to replace up to 6 of the 46 frontline standard appliances with a smaller compact fire appliance and that no stations were being proposed for closure and no reduction in the overall number of appliances was being proposed.
167. Fire Cover Review - Phase 2 Consultation Outcomes

Considered -

(a) The report of the Chief Fire Officer and Chief Executive which presented the outcome of the Fire Cover Review phase 2 consultation and sought approval of final proposals which took account of the consultation response and subsequent analysis.

(b) All verbatim comments from the survey and correspondence received, including a petition from Masham containing 131 signatures headed “We, the undersigned, disagree with the proposed adverse changes to the overall Fire Services for North Yorkshire as set out in the “North Yorkshire Fire Cover Review” issued in July 2015”. (A copy of the verbatim comments and correspondence, excluding personal data, has been published on NYFRS’s website alongside other papers for this meeting.)

The Chief Fire Officer/Chief Executive and the Temporary Deputy Chief Fire Officer/Director of Community Safety introduced the report and referred to the comments of Management on the issues raised during the consultation, as set out in section 6.0 of the report. They responded to the outstanding points raised during the item of business “Public Questions and Statements”, including the following:-

- In response to Adam Lee’s question, the officers advised that ‘super output areas’ (SOAs) were allocated to the nearest fire station in order to set a station area, but some more rural areas would get responses from more than one station and had to be allocated on a best fit basis. One such area, near Malton, had originally been allocated to Huntington as part of the recent changes in the fire cover in York. Early during the consultation, staff at Malton had raised this as an issue and consequently this SOA had been reallocated to Malton Fire Station to better reflect the fact that the response for most of the area would usually come from Malton Fire Station. The consultation had been updated on 13 August 2015. The officers emphasised that there was no material change in risk.

- In response to Steve Howley’s point about the quality of data provided in the consultation, the officers advised that the 5 fire deaths referred to were in the current calendar year, whereas fire deaths were reported in financial years, which was why 5 fire deaths did not appear in the reported figures. They emphasised that 5 fire deaths, whilst regrettable, was within the normal range for these incidents and that the number of fire deaths was on a downward trend. With reference to the 2001 figure of 10,623, to which the FBU referred, the officers advised that this related to the number of incidents attended (i.e. not to the number of calls). The 2014 figure of 11,957, to which the FBU referred, were the number of emergency calls received, arising from which the Service had attended 6,874 incidents. As such there had been a 35% reduction in operational activity levels between the two dates referred to by the FBU. The officers also referred to nationally available data and confirmed that there had been a 55% reduction in primary fires and a 29% reduction in specific service activity.

- The officers disputed Steve Howley’s suggestion that wholetime staff were the most cost effective. The officers also disputed the RFU’s point about moving to entirely retained firefighters. They pointed out that the review had concluded that a balance of wholetime and retained firefighters would continue to provide best value.
In respect of Steve Howley’s comments relating to response times, the officers advised that any public service, and in particular emergency services, could not be provided without considering the likelihood or frequency of the requirement for that service. Unless the Authority considered likelihood and frequency of incidents, the logical conclusion would be a need to provide a shift fire station in every town or village. To do so would not be consistent with the risk based, best value approach taken in this review.

In response to Steve Howley’s concerns about what two firefighters could do on arriving at an incident, the officers advised that there were a lot of activities which could be undertaken eg a risk assessment, accessing water supplies and firefighting from outside. They further clarified that there were many types of incident that two staff could attend on their own and that it was proposed that, in appropriate circumstances, including the two examples mentioned by Steve Howley, a standard appliance would attend in addition to the TRV.

In response to Steve Howley’s questions about the midi appliance, the officers advised that the midi had been trialled and had proved to be unsuitable for a number of reasons. One of the learning points was that it had been placed with RDS staff, whereas it was recognised in this review that the introduction of a new type of vehicle was more appropriate for wholetime staff as they were on station for longer periods of time thus allowing more time to undertake sufficient training and familiarization with the vehicle and its equipment. With regard to comments about the misting system, the officers advised that better equipment was now available for this type of vehicle than in previous years.

In response to Steve Howley’s suggestion that the recent strikes were all for short periods and called at times of the day when activity was low, the officers disputed that statement, as some of the periods had been for up to four days and some during busy evenings such as Christmas Eve and New Year’s Eve.

The Chief Fire Officer/Chief Executive and the Temporary Deputy Chief Fire Officer/Director of Community Safety referred to the conclusions, recommendations and the “next steps” set out in the report. The conclusions were as follows:-

The consultation process had been useful in identifying the issues of concern to staff, public and partners. However, nothing had come to light that changed the initial conclusion reported to the Authority in December 2014 that there was an overall over-provision of resource compared to risk, or the subsequent conclusion presented to the Authority in June 2015, that the six stations where changes were proposed were over-resourced compared to risk.

The concerns that had been raised through the consultation were no doubt genuine, but were not necessarily evidence based. There had been local campaigns around the proposed changes claiming that public and staff would be put at risk and that incidents would escalate unless the existing resources were left unchanged. This did not stand up to the evidence from other parts of the Authority’s area where single, often RDS, crews operated safely and effectively until other resources arrived on scene. Nor, in relation to the TRV, did it bear comparison to the experience of this Service during the recent industrial action or the increasing experience of other fire and rescue services in the UK which used smaller vehicles.
The meetings with political leaders, as well as those attendees who came to the public events, showed that once the proposed changes had been fully explained, there was less concern and a much greater level of support. This was particularly the case once it was understood that the research had been thorough, the decision making and consultation process had been undertaken over two years, and that the implementation would be done over a number of years and based, as far as possible and in all likelihood, on the natural occurrences of staff leaving. It was likely that a process of learning and review throughout the implementation stage would reduce further the concerns of some, but not all, of the stakeholders.

From a purely professional perspective, officers proposed that TRVs were introduced at all 6 stations. This met the risk in those areas and was in line with developing thinking and practice across the UK. The implementation could be undertaken at a sensible pace, with a likely timeframe of 3 to 4 years to complete. The introduction of these vehicles could be staged, both in terms of the incidents they attended, and the staff mobilised with them. This should enable further work to be done with staff and representative bodies to allay any concerns about the working practices, the vehicle design and the equipment it carried. This measure would ensure that during the introduction, these vehicles provided a safe system of work for staff and an excellent, modern, fire and rescue response to the communities.

From a risk analysis perspective, Day Crewing one of the standard appliances at Scarborough also met the risk there. In terms of implementation, there were some potential issues as explained in section 7.3 of the report and, as such, was not the preferred option of officers. However, the proposal would address some of the concerns raised around the proposed changes in Scarborough (ie, the comments on pages 60 to 85 of the Consultation Responses pack). Although staff appeared to be more supportive of this than TRVs, it was not clear that sufficient staff would move to the required area. Therefore, it would be possible for the Authority to approve the introduction of Day Crewing for one of the two standard appliances under this proposal on the condition that sufficient staff signed up to Day Crewing within a reasonable timeframe, and if not then replace one wholetime crewed standard appliance with a TRV at Scarborough. Officers felt that a reasonable timeframe to sign up to Day Crewing would be by 31 March 2016.

From a risk analysis perspective, Mixed Crewing at the four Day Crewed stations met the risk, although the management of routine work and the requirement to recruit additional RDS staff would make this more difficult to implement. Therefore it was not the preferred option of officers. However, if the Authority decided to not approve the recommended options, it would provide an alternative to the TRV proposals at the Day Crewed stations that was in line with the risk in those areas.

The introduction of four District Watch Managers would improve the ability to recruit RDS staff. The use of the revised Operational Staffing Reserve (OSR), would provide the ability to improve availability of RDS appliances. Over time, if recruitment was successful, then the demand on the OSR might reduce. Equally the reductions in wholetime staffing under the Fire Cover Review proposals would reduce capacity on these stations to support RDS availability as they did now, increasing the demand.
on the OSR. Therefore an annual review of the OSR staff could be undertaken as part of the establishment reconciliation and budget setting process, until a final establishment was settled upon at the end of the implementation of the proposed changes.

Members discussed the proposals and commended the extensive consultation process and also the consultation pack, describing it as “honest and straightforward”. They also highlighted the frequent updates they had received from Management during the previous 2 years.

Some Members spoke against the proposals and cited various reasons, including the following:-

- Residents did not want emergency services to be cut.
- Response times might increase.
- There were long-standing issues about RDS availability.
- The proposals would increase risk to residents and firefighters.
- The Government had decided to protect expenditure on Police and firefighters needed the same recognition and support.
- All 3 representative bodies had serious concerns about the proposals.
- Flooding and extreme weather events were increasing and resources which responded to such incidents should not be cut.
- The introduction of fracking was likely to result in wells being sited in North Yorkshire and York. This represented a change in risk.
- Standard appliances were required to respond to incidents of flooding.
- If savings had to be made, they should be found from elsewhere eg from Council Tax precepts and/or business rates.

Some Members spoke in support of the proposals and cited various reasons, including the following:-

- Councillors were elected to represent residents and wanted to achieve an effective and efficient Fire and Rescue Service for Council Tax payers.
- It was correct that the Authority should monitor change over time, including changes in operational activity levels, and consider changes. It was understandable that a reaction would be received to any change to the status quo.
- Misinformation had been circulated in local areas, and fears exploited, about TRVs. Misinformation had also been circulated about whether regulations permitted only 2 firefighters to respond to an incident.
- TRVs were impressive and it was incorrect to describe them as “a van”.
- RDS staff delivered an excellent service across a significant part of North Yorkshire and it was insulting to describe them as “part-timers”.
- The information in the report before this meeting was evidence based and had been rigorously challenged by Authority Members during the previous 2 years.
- Flash floods affected small geographic areas. At least 2 appliances would respond to any such incident, including at least one standard appliance.
- Concerns had been raised about increased risk due to new housing developments. However, Management had looked at Local Development Plans and identified that none would increase the risk to such a level that changes to fire cover would be necessary. Over the longer term, changing risk would be identified through the on-going Integrated Risk Management Plan review process.
Resolved -

(a) That the report be noted.

(b) That the proposals in respect of Harrogate, Malton, Northallerton, Ripon, Scarborough and Tadcaster, as set out in section 10 of the report (and duplicated below), be agreed:-

- Harrogate: Replace one of the two wholetime crewed standard appliances with a TRV.
- Malton: Replace the wholetime crewed standard appliance with a TRV.
- Northallerton: Replace the wholetime crewed standard appliance with a TRV.
- Ripon: Replace the wholetime crewed standard appliance with a TRV.
- Scarborough: If sufficient staff at Scarborough sign up to Day Crewing, then introduce Day Crewing for one of the two standard appliances there. If not, replace one wholetime crewed standard appliance with a TRV at Scarborough.
- Tadcaster: Replace one wholetime crewed standard appliance with a TRV.

(c) That the proposals to introduce four District Watch Manager posts, as set out in section 10.3 of the report, be agreed.

(d) That the Fire Cover Review Members’ Forum be continued throughout the implementation phase.

The meeting adjourned for ten minutes.

168. Current Financial Position 2015/16

Considered -

The report of the Director of Finance and Technical Services advising of the position, as at 31 October 2015, regarding the 2015/16 budget.

It was highlighted that there was a provisional year end underspend of £155,300 (0.51%) on the 2015/16 Revenue Budget and a forecast underspend of £127,800 on the 2015/16 Capital Programme.

Resolved -

That the report be noted.

169. 2016/17 Provisional Revenue Estimates, Capital Programme and Precepts

Considered -

The report of the Director of Finance and Technical Services which invited the Authority to consider its provisional Revenue Estimates and Capital Programme for 2016/17 on the basis of information available as at 11 November 2015.
It was highlighted that the Authority’s decision on its level of Council Tax was not required to be taken until February 2016 and that a significant amount of information remained to be received before that date.

**Resolved -**

That the provisional Revenue Estimates and Capital Programme be taken forward to the February 2016 meeting of the Authority for approval.

170. **Outline Business Case for Merger with Another Fire Authority**

Considered -

The report of the Chief Fire Officer and Chief Executive providing an Outline Business Case for the merger between this Authority and one or more other fire authorities.

It was highlighted that, if this Authority wished to proceed with the process of merging with another fire authority, there would be a number of significant issues to be taken into account, including the identification of a willing partner with whom to merge. If a willing partner could be identified, the Outline Business Case suggested that, on the basis of experience elsewhere, the merger of this Authority with a similar geographical neighbour could deliver efficiency savings which were likely to be required in four to five years’ time. Of the 7 fire authorities that shared boundaries with this Authority, and taking all things into account, Humberside appeared to offer the greatest potential for a merger with another fire authority.

**Resolved -**

That, on the basis of the Outline Business Case, officers be asked to approach colleagues in Humberside Fire and Rescue Service with a view to developing a Full Business Case for the merger of North Yorkshire Fire and Rescue Authority and Humberside Fire Authority.

171. **Proposed New Authority Vision and Revised Core Values**

Considered -

The report of the Chief Fire Officer and Chief Executive presenting a proposed new Authority Vision and a revised set of Corporate Values.

It was noted that, if approved at this meeting, the new Authority Vision and revised Corporate Values would be incorporated in the new draft Corporate Plan to be presented to the Authority’s meeting on 19 February 2016.

**Resolved -**

That the proposed new Vision and revised Corporate Values, as set out in the report and duplicated below, be approved for inclusion in the revised Corporate Plan 2016/17 - 2020/21:-

Corporate Values -

Professional
Be consistent in your behaviours, be accountable for your behaviours and your decisions, champion these values, use judgement and take responsibility and always act in the best interests of the Service and the community.

Respect
Treat everyone with dignity, promote equality and diversity, listen and engage with colleagues and the community, be a role model for positive behaviours.

Openness
Consult with others, take responsibility, listen and have an open mind.

Trust
Be honest with yourself, your colleagues and your community.

Excellence
Do the right things the right way, strive for excellence in all we do, work with all groups to reduce the risk to the community.

Competence
Take responsibility for your own performance, learn from others, recognise good work, give feedback when appropriate and respond positively when feedback is offered to you.

Teamwork
Work with others in a co-operative and inclusive way, provide varying solutions for different needs and expectations.

172. Establishment Reconciliation 2015/16 to 2016/17

Considered -

The report of the Temporary Deputy Chief Fire Officer/Director of Community Safety providing an update on the current establishment, together with a draft establishment for the financial year 2016/17 which had been used for budget preparation purposes.

It was highlighted that there was an overall reduction of 24.5 posts. The Fire Cover Review would result in a net reduction of 20.5 operational uniformed posts, although phased implementation, based on the natural occurrence of leavers during the following three to four years, should avoid compulsory redundancies. Implementation of the Control Collaboration with Cornwall would result in a net reduction of 4 Control staff and it was anticipated that compulsory redundancies would be avoided.

Resolved -

That the proposed establishment for 2016/17, as set out in the report, be approved.

173. Dates for Authority Meetings

Considered -

The report of the Secretary to the Authority which sought approval of the dates, times and venues for future meetings of the Authority.
The Chairman highlighted that the proposed meeting date of 21 September 2016 coincided with the Liberal Democrat Party Conference. However, Liberal Democrat Group Members of this Authority had agreed, if they attended the Conference, to appoint Substitutes to attend the Authority’s meeting.

Resolved -

That ordinary meetings of the Authority be held at 11.00 am at the Fire Training Centre at Easingwold on the following dates, subject to the Secretary to the Authority being authorised to vary the dates, times and venues of the precept-setting meetings, in consultation with Steering Group Members, and that Standing Order 1(2) be suspended to allow this to happen, if necessary:-

- Friday 19 February 2016 (precept-setting meeting)
- Wednesday 22 June 2016
- Wednesday 21 September 2016
- Wednesday 14 December 2016 (Annual Meeting)
- Friday 17 February 2017 (precept-setting meeting)

174. Committee Meetings

Resolved -

(a) That the Minutes of the meetings of the Appeals Committee held on 18 and 22 September 2015 be noted.

(b) That the Minutes of the meeting of the Audit and Performance Review Committee held on 23 September 2015 be noted.

175. Questions from Members of the Authority in accordance with Standing Order 5

No questions were raised.

The meeting concluded at 1.35pm.

RAG/JR