

Overview and Scrutiny Management Board

Wednesday 23 February 2011

PRESENT:

Councillor James, in the Chair.

Councillor Ball, Vice-Chair.

Councillors Browne, K Foster (substitute for Councillor Nicholson), McDonald, Ricketts, Stevens, Thompson and Wildy.

Co-opted Representatives: Jake Paget.

Apologies for absence: Councillor Nicholson and Doug Fletcher, Co-opted Representative.

Also in attendance: Lee Howell, Chief Fire Officer, Mark Healey, Chairman of Fire Authority, Steve West, Area Commander (Western Command), Councillors Martin Leaves, Drear, Bowyer, Michael Leaves, Evans, Coker and Williams, Mark Turner, Waste Projects and Commercial Developments Manager, Alwyn Thomas, Senior Specialist Procurement Lawyer, Giles Perritt, Lead Officer, and Katey Johns, Democratic Support Officer.

The meeting started at 1 pm and finished at 5.05 pm.

Note: At a future meeting, the committee will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.

99. DECLARATIONS OF INTEREST

The following declaration of interest was made in accordance with the Code of Conduct –

Name	Minute No. and Subject	Reason	Interest
Councillor Wildy	101 Devon & Somerset Fire & Rescue Authority – Draft Corporate Plan 2011/12 to 2013/14	Local Development Improvement Agency Fire Peer	Personal

100. CHAIR'S URGENT BUSINESS

There were no items of Chair's urgent business.

101. **DEVON & SOMERSET FIRE & RESCUE AUTHORITY - DRAFT CORPORATE PLAN 2011/12 TO 2013/14**

The Board received for consideration Devon and Somerset Fire and Rescue Authority's (DSFRA) Draft Corporate Plan 2011/12 to 2013/14. In attendance to present the Draft Corporate Plan were the Chief Fire Officer, Chairman of the Fire Authority and Area Commander (Western Command). Members of the Board were informed that –

- (i) nationally the Fire and Rescue Service faced a Government Grant reduction of 25 per cent over the next four years;
- (ii) this reduction was back-loaded to a six per cent reduction in year one with the remaining 19 per cent being split between years two, three and four;
- (iii) the DSFRA was planning on meeting a budget shortfall of between £8 million and £10 million by 2014 and would be achieving this through –
 - targeted fire prevention advice
 - reduced full fire safety checks on business and commercial buildings
 - recovering costs from repeated false alarm call-outs
 - exploring new procurement initiatives and purchasing fit-for-purpose vehicles
- (iv) in addition to the proposals outlined above, consideration was also being given to the introduction of a revised staffing and cover arrangements known as 'Day Crewed Plus' which would reduce costs with no reduction in the emergency cover provided due to staff working different hours.

The Board also heard representations in support of the Draft Corporate Plan from Councillors Martin Leaves and Drear, who were the Council's appointed representatives to the Devon and Somerset Fire and Rescue Authority as an outside body.

In response to questions raised, Members heard further that –

- (v) between 8-10 vehicles a year were renewed under the current fleet replacement programme at a cost of £200k per fully fitted appliance. Savings of between £14k-16k per vehicle could be achieved through bulk purchasing and smaller vehicles where appropriate and options for further savings by joint purchasing with other fire authorities were being investigated through the national procurement strategy;
- (vi) Plymouth was very well served by five fire stations compared to other areas of Devon and Somerset and had seven front-line pump appliances;

- (vii) community engagement featured high on the DSFRA's agenda and a number of successful initiatives were quoted, including –
- Annual Open Days at all five of the City's Fire Stations
 - 'Learn to Live' event at Plymouth Pavilions aimed at those learning to drive/new drivers
 - Phoenix Programme for young people
 - Visits to the City's Primary Schools to raise awareness of Fire and Road Safety
- (viii) the DSFRA was committed to partnership working and, in addition to being represented on Plymouth's Local Strategic Partnership, officers worked closely with the Police on road safety matters and with council officers in terms of integrated planning;
- (ix) each death, whether as a result of fire or road traffic accident, cost £1.7m. Investment in prevention therefore made sense both in terms of saving lives as well as financially;
- (x) whilst the Fire Service would wish to see the installation of sprinkler systems in all new buildings made compulsory, the current Government had stated that further regulation in this area was not necessary;
- (xi) the cost of the purpose-built regional call centre in Taunton had been met by central government who would now be looking to recoup that cost by either selling or leasing the building to someone else;
- (xii) the 'Day Crewed Plus' model would allow the service to operate with far fewer firefighters but to pay them considerably more and a number of fire fighters in Plymouth had already expressed an interest. However, the arrangement would be voluntary and only introduced at stations where crews had opted in;
- (xiii) there were currently four training sites across the region and, given the impending cuts, it was timely to undertake a review of each of these facilities.

The Board welcomed the opportunity to comment on the Draft Corporate Plan and thanked the representatives for their attendance.

Recommended that –

- (1) reference to Local Area Agreements should be removed from the Draft Corporate Plan as these had been abolished;
- (2) Councils should give consideration to appointments to the Fire Authority as an outside body being for a period of four years;

- (3) consideration be given by the DSFRA to including Independent Members on the Fire Authority's Board;
- (4) further information in relation to targets, whether performance indicators were being met and how the service was performing compared to other fire authorities be made available to the Board.

(Councillor Wildy declared a personal interest in respect of the above item).

102. **CALL-INS**

Approval of South West Devon Waste Partnership – Final Business Case for the Procurement of Waste Treatment Services

The Overview and Scrutiny Management Board considered the call-in of the Cabinet decision: Approval of South West Devon Waste Partnership – Final Business Case for the Procurement of Waste Treatment Services.

Prior to consideration of the Call-In, Councillor Evans raised concerns over Councillor Ball's ability to act impartially, having spoken in favour of the incinerator proposal, and requested legal advice on the matter. Members were informed that legal advice had already been sought in this regard and were reminded that scrutiny should be focused on the approval process not on the decision itself.

Members of the Board heard –

- (a) representations from Councillors Evans, Coker and Williams who had called the decision in on the grounds that the decision taker failed to take into account relevant factors, namely that –
 - the Cabinet did not examine the business case in Part II which would allow consideration of the financial information, in a confidential forum. Instead, the Cabinet took the decision on the basis of redacted reports from the South West Devon Waste Partnership, which has meant that the financial business case was not tested and proven by the Cabinet prior to them taking the decision,
 - the Cabinet failed to consider alternative options for the procurement of waste treatment services. The Cabinet papers contained the viability of the incineration option against the option of doing nothing but landfill and therefore failed to consider alternative options such as anaerobic digestion or a mixture of incineration, increased alternative recycling initiatives and anaerobic digestion; and
- (b) from Councillors Michael Leaves and Bowyer, Mark Turner and Alwyn Thomas who responded that –
 - Cabinet had been satisfied that the total cost of the project was within the affordability criteria set out in the outline business case

- it was thought to be more open and transparent to publish and consider a redacted version of the report rather than consider the whole report confidentially under Part II
- MVV Umwelt had requested that the report be published in this way in order to protect its highly commercially sensitive nature and, whilst the approach was unusual for Plymouth, was confirmed as being legal
- alternative waste treatment options had been considered as part of the Municipal Waste Management Strategy
- proposals to procure an energy from waste plant to serve South West Devon had been jointly and publicly scrutinised by Plymouth, Torbay and Devon

Agreed that the original decision be implemented.

103. **EXEMPT BUSINESS**

There were no items of exempt business.