

DONCASTER METROPOLITAN BOROUGH COUNCIL

COMMUNITIES AND ENVIRONMENT OVERVIEW AND SCRUTINY PANEL

MONDAY, 19TH AUGUST, 2019

A MEETING of the COMMUNITIES AND ENVIRONMENT OVERVIEW AND SCRUTINY PANEL was held in the COUNCIL CHAMBER - CIVIC OFFICE on MONDAY, 19TH AUGUST, 2019, at 10.30 am.

PRESENT:

Chair - Councillor Mark Houlbrook

Councillors Nigel Cannings, David Hughes, Tosh McDonald, Ian Pearson and Kevin Rodgers.

ALSO IN ATTENDANCE:

Councillors John Healy

Councillors Charlie Hogarth

Councillors John Gilliver

Councillors Jane Kidd

Councillor Cynthia Ransome

Councillor Austen White

Alex Johnson, Deputy Chief Fire Officer

Stuart Booth, Director of Support Services, South Yorkshire Fire and Rescue Service

APOLOGIES:

An apology for absence was received from the Vice-Chair, Councillor Jane Cox.

1 Declarations of Interest, if any

There were no declarations of interest made at the meeting.

2 Public Statements

Mr N. Carbutt, a Doncaster resident, made the following statement:-

"I am pleased for the opportunity to speak on behalf of our members and indeed and importantly the residents of Sheffield and the other 3 Unitary Authorities.

We have gathered and submitted 10,421 signatures against these proposals in a very short space of time. The people of Doncaster are angry that our service that they hold very dear, is being cut to the bone and through it the petitions size should indicate that strength of feeling.

I want to make it absolutely clear from the outset who our members hold responsible for these proposed cuts and that it is Central Government who have overseen this austerity agenda and inflicted it on our vital public services and communities.

Since 2010 and beyond, our service has seen dramatic reductions in Government grant and our services spending power has been reduced. The latest proposals to remove up to 84 Firefighter posts which will mean the loss of one Firefighter off every Fire Engine across the 4 shifts that we have. To put that cut into context, we have only 80 Firefighters on duty at any one time on any given day.

The draft proposals are frankly devastating. If those savings are not enough on their own, draft proposals to consider removing night time fire cover from the second night time fire engines at Sheffield and Doncaster will be considered. 84 Firefighters equates to nearly a sixth of the service; we have currently 594 Firefighters.

The Services Risk Management Plan sets out these cuts against a backdrop of £3.8m of potential funding shortfall. We in South Yorkshire suffer from a lack of funding because of density for our size of geographic area and a lack of coastline, and we are disproportionately affected.

I am a Firefighter at Thorne, miles away from here east of Doncaster, which is a relatively low activity Station in terms of incidents, but our next nearest Fire Station is 11 minutes away at Goole, and our next nearest South Yorkshire Fire Station is at Doncaster some 14 minutes from help.

In our area we have prisons and an Immigration Centre, a COMAH site which is a major gas pipeline and network, an International Airport, 3 motorways and main line rail. Imagine turning up to an incident with just four people on a Fire Engine to any of those situations?

So Councillors, we do have a funding shortfall and we do have risks to cover. The reserves we hold, general and earmarked, sit at nearly £25m on an operating budget of £50m. Those reserves are not unhealthy and are actually becoming a barrier for a fairer funding formula for South Yorkshire at that high level.

We ask this Council and ask its representatives on the Fire Authority, to review that reserve strategy. Give us the breathing space to lobby Central Government longer and harder, and stop these cuts. Consider borrowing over the long term if necessary. Review our predicted expenditure and make efficiencies on those spends whilst protecting front line services to those that matter most; our communities.”

In response, the Chair, Councillor Mark Houlbrook thanked Mr. Carbutt for his statement.

Mr D. Wright, a Doncaster resident, made the following statement:-

“I don't need to tell this Panel about paragraph 14. I think it is important to say where it is health implications for Scrutiny, essentially as the service continues to undertake prevention activities, not only to prevent the occurrence of fire and accident, but also to work with wider partners such as the NHS and Local Authorities, to keep communities safe. I think this is a key point today about what you should be doing. I realise you cannot do what Cabinet can do, so I want your views today so that Cabinet can look at this in great detail, and to say let's do something about this because it is getting worse and worse. I not only want to keep my grandchildren and great grandchildren safe, but also the people of Doncaster safe. It is becoming more and more, a thriving community and that is a plus for Doncaster. But, we have less staff to deal with fires. You have only got to look at the current climate; the weather, it's getting hotter and hotter with more and more fires, etc.

In relation to the petition, I think possibly the Cabinet could consider putting a statement on the Council's website, saying that we think this should happen. Then, ask the Doncaster public; consult the public and seek their views. We have 308,000 people in Doncaster that can join forces and say to South Yorkshire and the Government, that this is not good enough. Why should we have £25m in the reserves? Why has it accumulated so much? Why is it there? It has just added up and added up, when lives are being threatened.

I have 2 more points. On the 5 to 4 issue; it is so simple for a 10 year old child to know. If you have got 5 Firefighters on a Fire Engine, it is far better and safer for the community and for the Firefighters to have 5 rather than 4.

Secondly, you may recall last September, this Panel said and I quote, 'It is pleased that the 5G issue has been recognised and will be considered in the future'; that has not been done yet. It is not on the Work Plan. Perhaps that could be looked at in the future. But, the important issue is the Firefighters. Let's support them here today by observing what has gone wrong and to pass this message on to Cabinet and Full Council."

In response, the Chair thanked Mr. Wright his statement and stated that the issue relating to the installation of 5G across the Borough was included on the Panel's work plan.

3 South Yorkshire Fire and Rescue Service - Draft Integrated Risk Management Plan

The Panel received an overview of the South Yorkshire Fire and Rescue's (SYFR) Integrated Risk Management Plan (IRMP) from the Deputy Chief Fire Officer, Alex Johnson, and the Director of Support Services, South Yorkshire Fire and Rescue Service, Stuart Booth.

As detailed within the Medium Term Financial Plan, it was reported that as the SYFR had lost a court case in respect of Close Proximity Crewing, which would have saved over £1.4m a year, and along with the pensions deficit which Public Sectors across the Country had to fund which could cost up to £3m per year, opportunities to make savings had to be explored.

The DCFO stated that SYFR had continued to lobby Central Government, the Home Office Inspectorate, Her Majesty's Inspectorate, Fire Minister and the Shadow Fire Minister, to obtain further funding and that SYFR had to produce an IRMP which outlined the steps which would need to be taken within the resources at the SYFR's disposal, to improve public safety, reduce fires and save lives.

Reviews into support services had already been undertaken, all contracts had been re-examined and pay budgets were currently being assessed. However, SYFR Fire Stations were spread 'quite thinly' within the County of South Yorkshire and that it did not want to increase incident attendance times. Consideration had been given to amalgamate Fire Stations and relocate Stations to more central locations, but attendance times to incidents at outer locations within its geographical area would increase. It was not a priority to reduce the number of Fire Engines, but to maintain the speed of the emergency response. Therefore, the IRMP proposed to retain the same number of Fire Engines in the existing locations, but reduce the number of Firefighters riding a Fire Engine from 5 to 4, which the SYFR was undertaking 32% of the time currently. The DCFO stressed that whilst the number of Firefighters currently employed at some of the Fire Stations would reduce, this would be achieved by natural wastage.

The DoSS stated that the Service had a potential cumulative budget shortfall of £5.2m until 2022, which was largely due to the anticipated ongoing funding reductions. The Fire Service was an 'unprotected' Department which meant that it would not receive any 'special status' as the National Health Service, the Police and some Local Government Departments.

It was reported that SYFR was also facing a number of cost pressures, principally the Judicial Review into Close Proximity Crewing, which had cost £1.4m a year and also the Public Services pensions deficit which would cost £3m a year. At this stage, the Government had already indicated its intention to fund the pension deficit for one year, for 2019/20. Beyond that, it had given SYFR no assurances that it would fund it in future years.

Members were informed that options for saving £5.2m by 2020/22 were limited, especially after 10 years of austerity which had seen the Central Government grant reduced by 34% since 2010. As the majority of the budget was spent on salaries or fixed spending, the Service has had to look at its most significant function, emergency response, to achieve the savings required. This accounted for over 60% of its budget. It was considered that riding with 4 Firefighters would achieve the savings required, which had been used on all Fire Engines in

17 other Fire and Rescue Services across the country, without any adverse impact on residents and Firefighter safety.

The DoSS also pointed out that a Support Service Review had been undertaken which reduced the top tier of management from 15 to 8, which resulted in SYFR being one of the leanest Metropolitan Fire and Rescue Service's in the country.

SYFRs reserves of £22.8m were reducing and would continue to reduce. It was anticipated that contractual commitments would reduce reserves to £7m to £8m by 2022, as it had been agreed that there was a need to invest in a new Fire Station and refurbish old Fire Stations. It was understood that if money was not utilised from reserves, the condition of Fire Stations and Fire Engines would deteriorate and Firefighters would not have the operational equipment that they needed to undertake the job safely. The alternative would be to borrow the money required which would cost £750k to a £1m a year from the revenue budget, over the next 25 years. Therefore, by utilising reserves, there would be no long lasting legacy costs.

Members were made aware that HMIC visited the SYFR Service on 15th July, 2019 and identified that if the savings plan with regard to riding 4 Firefighters was not accepted in principle, then it would make an adverse comment with regard to the Service Inspection Report, which was due for publication later this year.

To conclude, the DoSS stressed that by extending the use of riding 4 Firefighters would only commence should there be a financial need to do so, and would only be implemented incrementally in line with the retirements from the Service. Any need to extend the use of 4 Firefighters would be entirely driven by Central Government seeking to prolong austerity, through further cuts in grant funding and any failure to provide ongoing support for the pension deficit. If Central Government maintained grant funding at current levels, and it continued to provide grant support for the pension deficit, then the Service did not anticipate to ride 4 Firefighters any more than it currently did.

The Chair thanked the DCFO and the DoSS for their introduction, and requested all present in the Council Chamber that questions from Elected Members on the IRMP and discussion specifically focus on the following five areas:-

- **Outline/Explanation of the draft Integrated Risk Management Plan – How South Yorkshire Fire and Rescue (SYFR) intended to provide the service to local people within resources available and reduced budget.**
- **Consultation robustness – Who and how had the SYFRA engaged with and any feedback.**
- **Running a crew of four persons per appliance - Possible evidence from other Fire and Rescue Services:-**
 - **Impact of leave and sickness**
 - **Crew Safety**
 - **Confidence of how the duties of the fifth crew member be allocated and safely undertaken by a four man crew**
- **Impact on communities within Doncaster, particularly bearing in mind local infrastructures e.g. road network, COMAH Site, prisons and airport.**
- **Budget – Re-examination of expenditure and use of reserves.**

In reference to the management and changes in risk factors which the SYFR assessed, and an enquiry whether riding 4 Firefighters was an acceptable risk due to issues such as

population levels and major infrastructure in Doncaster and elsewhere in South Yorkshire, the DCFO stated that due to risks such as the motorway infrastructure and the Prisons in the area, appliances needed to attend an incident as quickly as possible. Therefore, the important issue was to save money to ensure that the appliances could respond in the same timeframe as they currently did.

In response to whether there had been any change in the number or nature of incidents which gave any assurances that a Fire Engine with 4 Firefighters would be able to deal with an incident effectively, the DCFO reported that there had been a slight increase in incidents due to grass fires, but fire deaths were the main concern and therefore, prevention work was being undertaken. The key factor was the response time and that riding 4 Firefighters was a nationally recognised practice. There was no evidence to suggest that problems had arisen or there was any increased risk.

With regard to the point raised that the designation of 'Rescue' within SYFR's title was inappropriate, in a Member's opinion, as the Service was unable to undertake mass rescues, the DCFO pointed out that as any major incident would stretch any Fire and Rescue Service, agreements with neighbouring Fire Authorities had been established. It was anticipated that the number of Fire Stations and appliances would not be reduced.

With regard to the number of appliances available for major incidents, the DCFO stated that any major incident would stretch any Fire Service, but SYFR would despatch what resources were required to deal with an incident. SYFR planned for major incidents and had circulated the IRMP to the Local Emergency Planning Department, but no response had been provided. SYFR worked closely with the Local Emergency Planning Department on how to respond to incidents.

Councillor Pearson wished it be noted that no response had been received from the Local Emergency Planning Department following the circulation of the draft IRMP.

In reply to a question whether the Fire Brigade Union (FBU) had been formally consulted on the proposed reduction of 84 staff, the DCFO stated that until the IRMP was approved by the South Yorkshire Fire and Rescue Authority (SYFRA), SYFR was not in a position to negotiate. The FBU and other representative bodies had however, been invited to become involved in Working Groups and had been part of the process.

In response to why consultation was being undertaken even though the reduction in staffing had not been negotiated, the DCFO stated that the Workforce Planning Board would discuss the issue of work planning of which Trade Unions were a member. It was stressed that no Firefighter would be forced on to a different shift pattern and that negotiations with the FBU would not commence until a decision had been made regarding the draft IRMP.

It was stated that there would be a reduction of 34 staff which would impact on the terms and conditions on Firefighters, and in response to further clarity being sought if this had been negotiated and would leave be affected, the DCFO did not believe that this would affect the terms and conditions of a Firefighter. Leave entitlement would not be affected.

Members sought clarification of the consultation process undertaken by the SYFR with regard to the use of videos, the number of foreign language leaflets utilised, had Braille copies been provided and how many disabled national groups and bodies had been consulted to ensure that this information was being circulated appropriately in accordance with the Equalities Act. In response, the DCFO was unable to provide specific details with regard to the consultation process, but confirmed that it was a 12 week process which was extensively covered in the media. It was estimated that that this process reached over 1 million people which resulted in 775 responses with 71% in favour of riding 4 Firefighters. Focus Groups had been established which were made up from a diverse group of people which were unanimously in

favour of riding 4 Firefighters. Braille copies of consultation documentation had been made available upon request.

In response to further concerns relating to consultation undertaken for people who were blind in respect of the Equality Duty requirements, the DCFO assured Members that she would confirm what consultation documentation and formats had been provided and that SYFR had maximised the level of public engagement whilst working within the current financial constraints. It was also explained that SYFR had contacted all Council Leaders on 8th May regarding the IRMP, in addition to Local Authority Emergency Planning Teams and Communication Teams. As a result, questions were later raised at the Full Council meeting on 25th July, 2019 by external individuals relating to the IRMP.

In reference to the receipt of 775 consultation responses and Members expressing disappointed at the options proposed within the consultation documentation, the DCFO pointed out that 775 responses was more than the SYFR had received compared to a previous consultation exercise in relation to the proposed closure of a Fire Station.

With regard to questions put to and responses received from the public, the DCFO reported that the responses received related to increasing the precept, undertaking a referendum, lobbying Central Government, looking at the number managerial posts, deleting support service roles, seeking different types of funding and crowd funding.

Members made reference to the Health and Safety implications of riding 4 Firefighter and also referred to a Motion which was agreed at a Full Council meeting last year, requesting SYFR to reconsider the position of the Doncaster Aerial Ladder Platform and reinstate a full-time dedicated crew which had not been implemented. In response, the DCFO stated again that currently, appliances rode with 4 Firefighters 34% of the time, which was a national model. There were 17 other Rescue Services across the country that rode 4 Firefighters as normal practice. A further 10 Fire Services that intended to ride 5, regularly rode 4.

Members expressed concern in respect of the potential impact on sickness with regard to a reduction in the staff complement, and their ability to take allocated leave. Concern was also expressed how the duties of the fifth crew member would be allocated. In response, the DCFO assured Members that Firefighters would always be able take their leave as other personnel could be relocated to Fire Stations when required. In addition, the number of Firefighters on appliances could be increased which was a practice which had been used for some time. SYFR did have a higher level of sickness in South Yorkshire compared to the national average, which was an issue that was being addressed. With regard to the allocation of duties on an appliance, this was undertaken in accordance the agreed national operational guidance and in consultation with the FBU.

In response to the enquiry why riding 4 Firefighters had increased over recent years, the DCFO pointed out that increased levels of sickness had been a factor.

In response to the statement made that there were 17 Fire Authorities which rode with 4 Firefighters, and the issues of how long had this practice been in operation and whether there had been any safety issues, the DCFO could not confirm when this practice had initially commenced. She made reference to a visit by SYFRA members to the Fire Authority in Tyne and Wear, which had confirmed that there had been no safety incidents and that there had been no safety issues in South Yorkshire.

Members referred to the local infrastructure in Doncaster and the issue of freight trains travelling through the Borough at night when there was less staff on duty resulting in increased response times, and the issue of the full time turntable ladder not having a dedicated crew. With regard to freight trains travelling through the Borough at night, the DoSS reported that solutions had been put forward and implemented, to address Members concerns.

With regard to areas of Conisbrough and Mexborough being on the border of Rotherham, a Member enquired about strategic planning of cross-boundary operations and how appliances responded to incidents bearing in mind the areas industrialisation. In response, the DCFO explained that whilst analysis had not been undertaken specifically relating to Conisbrough, analysis had been completed in relation to cross-border support, but the IRMP did not alter the SYFR's current response. All risks had been assessed in relation to location of residents, local industry and travel times, which confirmed the view that the appliances were located in the optimum locations.

Further clarification was sought whether the budget reserves could be utilised to mitigate some of the proposed budget cuts. In response, it was reported that the decisions with regard to the utilisation of the budget reserves were taken in 2015/16. The Government offered the SYFRA a 4 year multi-funded settlement in return for having an efficiency plan. Within that efficiency plan, it had to set out how reserves would be utilised. The budget reserves were currently £22.8m as at the end of the financial year. Reserves would reduce over the next 18 to 24 months to approximately £7m to 8m. A new Fire Station would be built in Barnsley costing £4m. The refurbishment of 4 Fire Stations over the next 9 to 12 months would cost £3m. Safer, Stronger Communities' reserves of £3m would also be used which had been set aside to protect vulnerable residents. New appliances were also being procured as the existing a fleet needed to be replaced.

The DoSS outlined a recent scenario where the SYFR received a judgement mid-year, relating to Close Proximity Crewing, which cost £1.4m. By 26th September, a further £3m cost pressure occurred which was also unforeseen which equated to £4.4m, which emphasised the requirement for budget planning to ensure that the Service was sustainable and affordable for the future. The only alternative would be to borrow the funding because the SYFR did not have assets to dispose of unlike Doncaster Council. In addition, Central Government did not allow SYFR access to capital grants, except for specific schemes. Therefore, if SYFR borrowed £15m, it would cost £750k to £1m a year for the next 25 years, which was not deemed to be the sensible option. Members, Officers, the Auditors and HMRC, had accepted that the efficiency plan was the appropriate way to proceed to reduce the reserves.

In response to an enquiry why the reserves budget was £22.8m and would the proposed building works be funded from reserves, the DoSS stated that this surplus would be invested to obtain new fire fighting equipment, new Fire Engines, and improvements to Fire Stations and it was anticipated that by 2019/20, SYFR's income would equal its expenditure.

With regard to whether SYFR's capital programme was funded from the annual budget and not from reserves, the DoSS confirmed that SYFR was exactly the same as Doncaster Council. It could use revenue funding to finance the capital budget, but it did not have surplus funds to do so. Prior to 2019/20, a surplus did exist which was budgeted for and that when the budget was approved, the surplus would be invested in the capital investment reserve to refurbish Fire Stations, and purchase new appliances and operational equipment.

The DoSS outlined that the level of budget reserves had increased during austerity. Subsequently, the Service had used 'natural wastage' to make the required budget cuts and took advantage of the retirement profile. By approving the capital strategy, it would ensure that the budget reserves would be utilised for front line services to improve facilities, obtain new appliances and operational equipment, and build a new Fire Station.

Other Areas Highlighted

In reference to SYFR having a number of specialist appliances such as heavy rescue appliances and whether these appliances would ride with 4 Firefighters, the DCFO reported that this issue would be subject to further consideration and determination at a Working Group which had been established.

With regard to clarification being sought in respect of how 4 Firefighters could remove the 135 Ladder off an appliance or undertake a water rescue, the DCFO reported that 4 Fire Fighters currently 'pitch' the 135 ladder, which was how it was always undertaken, and that SYFR adhere to the nationally recognised procedure with regard to water rescues.

Members enquired whether the crew of another appliance would have to be reassigned to the high-rise turntable when it was required to attend an incident. With regard to the relocation of a Fire Station, Firefighters had stated to an Elected Member that the new building was sub-standard compared to the old Fire Station they vacated, and that additional land had to be procured to enable the turntable to manoeuvre on the site. Further clarification was also sought whether the SYFR could access Government funding when it was proposed to relocate a Fire Station. In response, the DoSS wished to clarify that the issues raised were not connected with the IRMP, but could confirm that consideration was being given to improve the facilities at Fire Stations to ensure they were 'fit for purpose'. He also confirmed that SYFR and South Yorkshire Police had accessed the Central Government 'Challenge Fund' in respect of the relocation of Maltby Fire Station.

In addition, the DCFO confirmed that the high-rise appliance was staffed by a 'jump crew'.

Further clarification was sought with regard to how much of the pension scheme deficit related to previous job losses and had SYFR created the pensions deficit by reducing the number of staff and members of the Scheme. In response, the DoSS reported that the pension scheme was a national scheme which was different to the Local Government Pension Scheme. The condition of the pension fund was a result of many factors which had occurred since its inception, and it was extremely difficult to determine the reasons for the deficit. The deficit was identified in September 2018, when the Treasury Minister announced that the technical discount rate had been changed, which also impacted on Teachers, Civil Servants and the NHS. The outcome of which resulted in a £3m deficit which became apparent at the end of February 2019. It was a major factor what contributions went into and out of a pension fund; if the number of Firefighters or staff members reduced, then the inflow of funds would reduce.

Members acknowledged that numerous pension schemes had undergone changes brought about by the Treasury and the Pensions Regulator, but in losing contributing Members to a scheme and increasing the number who were drawing from that scheme, the scheme had to change and become more defensive. It could result in the scheme being less asset seeking with regard to the way it invested its money, as it was not just the contributions that contributed to the scheme, but how the assets were invested; the less people in the scheme, the more defensive it had to become which created increased the deficit. Members were therefore concerned that by reducing the number of contributing members, this would make the position worse.

It was understood that the Fire Authority had won an appeal in respect of the pension scheme, which it may have to refer back to 2015 due to age discrimination. Therefore, clarity was sought as to how this would impact on resources, given the fact that SYFR may have to pay those pensions out of a fund or the budget. The DoSS referred to a Court Case in which the Government had lost its appeal. The Government had sought the opportunity to appeal to the Supreme Court, but the Judiciary had indicated that they could no longer appeal to the Supreme Court. SYFR requested the Government's Actuary Department to re-assess its figures for the year end, and it was estimated that it could cost another £32m. Therefore, the current deficit on the pension scheme based upon the Government Actuaries valuation at the end of the last financial year, was approximately £750m, which was £32m higher.

It was outlined that £2m had been transferred from budget reserves into the Safer, Stronger Communities fund in 2017 for specific schemes. In referring to the requirement to achieve budget savings of £1.4m per year, Members questioned why this funding was not being re-directed for the purposes it was originally intended for. In response, the DoSS pointed out that

this issue had no connection with the IRMP. The Safer, Stronger reserve was approved by the Elected Members of the SYFRA. £3m was allocated into this fund to support vulnerable people to live safely in their communities. Funding for these schemes was allocated following a bidding process which was match funded. It had been ongoing for a number of years and was now contractually committed. Therefore, there was no money available which could be re-directed as the Elected Member suggested.

The DoSS pointed out that the annual deficit was approximately £2.5m a year and a choice had to be made whether to undertake any capital investment. The schemes in the capital programme were all considered to be a high priority such as new Fire Engines and new operational equipment. That decision could be delayed for a year, but it could not be avoided. Using reserves was not a sustainable strategy and the SYFR would be criticised by external Auditors and by HMRC, if it did not have a medium term financial plan.

In concluding the debate, the Chair thanked the Deputy Chief Fire Officer and the Director of Support Services, for attending the meeting and stated that the Local Authority appreciated the position SYFR found itself in due to austerity and how it impacted on the Service, and awaited the outcome of the consultation process.

RESOLVED that

- (1) the Panel did not support the proposals contained within the Draft Integrated Risk Management Plan;
- (2) it be noted that the Panel was concerned that all local infrastructure had the potential for intensive resource requirements should there be a high risk incident;
- (3) an explanation be provided why no response had been received from the Local Emergency Planning Department following the circulation of the draft Integrated Risk Management Plan; and
- (4) in accordance with the Motion agreed at Full Council on 25th July 2019, SYFR be requested to continue to re-examine the expenditure of its reserves to identify alternative proposals.

CHAIR: _____

DATE: _____