

AGENDA ITEM 2 MINUTES

MINUTES OF A MEETING OF THE ROYAL BERKSHIRE FIRE AUTHORITY'S EXECUTIVE COMMITTEE HELD AT BRIGADE HEADQUARTERS ON TUESDAY 2 MARCH 2004 COMMENCING AT 5.45PM AND CONCLUDED AT 6.40PM

**Present: T Mills (Chairman), J C G Brooks (Vice-Chairman)
 M Adams, Christine Borgars, B J S Patman, D Swindells**

3.01/04 MINUTES: 22 JANUARY/6 FEBRUARY 2004

The Minutes of the last meeting held on Thursday 22 January (previously circulated), and the Special Meeting held on Friday 6 February 2004 (tabled at the meeting), were taken as read and signed by the Chairman as a correct record subject to the following comments:

Minute 1.07/01 Wokingham Fire Station – Crewing

In response to a question from Councillor B J S Patman on whether a date has yet been fixed for the Working Party the Committee Administrator confirmed that its inaugural meeting is scheduled to take place on Monday 15 March 2004 at the Wokingham District Council Offices commencing at 7.30pm.

3.02/04 APPOINTMENT OF FIRE AUTHORITY MEMBERS TO REGIONAL MANAGEMENT BOARD

The Committee was requested (Agenda item 3 – not reproduced) to determine the representative and substitute Members to represent the Royal Berkshire Fire Authority on the South East Regional Management Board for recommendation to the Fire Authority at its meeting on Wednesday 17 March 2004.

The Chief Fire Officer reported that at its meeting on Wednesday 10 March 2004, the South East Fire Services Forum is expected to ratify the creation of a South East Regional Management Board with effect from 1 April 2004. The Fire Authority will have one seat on this Board and whilst the Constitution specifies no exact post it must be an Elected Member. The Constitution also allows for substitutes, provided that they are notified in writing prior to any meeting.

RESOLVED: That the following appointments and procedure be endorsed and referred to the Fire Authority at its meeting on Wednesday 17 March 2004 with a recommendation that it be approved:

- 1. Councillor Terry Mills be appointed as the Fire Authority's representative on the South East Regional Management Board.**
- 2. Councillor J C G Brooks and Councillor Ms C Borgars be appointed as the**

Fire Authority's substitute representatives on the South East Regional Management Board.

- 3. In the event of Councillors Brooks or Borgars not being able to attend the Clerk and Monitoring Officer/Committee Administrator be authorised to approach the other Members of the Executive Committee and appoint a substitute to attend the South East Regional Management Board meeting and, in line with the Constitution, notify the Clerk to the RMB accordingly**

3.03/04 LIABILITY INSURANCE – RE-TENDERING

The Committee's approval was sought (Agenda item 4 – not reproduced) to a re-tendering of the Authority's liability insurance. If Members are minded to support the proposed course of action, an urgent decision is required, as the new Policies will be effective from 1 April 2004.

The Authority Treasurer advised Members that currently the Authority is insured for Employer's, Public and other liabilities with Risk Management Partners under a five year long term agreement (LTA) which had commenced in April 2001.

In 2002 and 2003, Risk Management Partners broke the LTA by increasing premia by 8% and 51% respectively and they now proposed to break the LTA again in 2004 with an increase of 19%. In addition, following a change in their backers, they are proposing significant changes to the terms and conditions of our Policies by imposing an excess of £10,000 on Employer's Liability claims and increasing the excess from £5,000 to £10,000 for Public Liability claims whilst other liabilities will have an excess of £20,000.

As these changes are likely to increase our costs by at least £40,000 per annum with the potential for costs to rise to £100,000 if there are a significant number of claims, the Authority's Insurance Brokers have advised us to re-tender this insurance, via the accelerated procedure under OJEC. Due to the very tight timescales, a notice has been placed in the OJEC this week but can be withdrawn if Members do not accept the proposed course of action.

As the final tender figures will not be available until 25 March 2004, the Committee were given the choice of either meeting to approval the winning bid or delegating this to the Authority Treasurer, after consultation with the Clerk and Chief Fire Officer. Whilst supporting the latter course of action Members were of the opinion that the consultation should include the Executive Committee Members.

RESOLVED: That:

- 1. The Authority Treasurer be authorised to secure the best possible terms for liability insurance by re-tendering via OJEC.**
- 2. Subject to the Authority Treasurer circulating a report on the outcome of the tendering exercise to Executive Committee Members, based on the Brokers advice, and to no adverse comments being received the Treasurer, after**

consultation with the Clerk and Chief Fire Officer be delegated to accept the successful tender.

3.04/04 DRAFT BEST VALUE PERFORMANCE PLAN SUMMARY 2004/2005

The Committee's approval was sought (Agenda item 5 – not reproduced) to the Draft Best Value Performance Plan (BVPP) Summary 2004/2005, a copy of which was tabled at the meeting (not reproduced).

In reminding Members that the Authority is required to publish an annual BVPP Summary under Part I of the Local Government Act 1999 the Chief Fire Officer confirmed that the Summary would be published a few days before the deadline date of 31 March 2004.

The Committee therefore considered the Draft BVPP Summary and the following is a bullet point summary of the comments made:

- ◆ Under "Our Funding" delete "on" in second line and insert "from".
- ◆ Under "Performance Links to Community Safety" amend third bullet point to read "Do you know that smoking and the use of candles/matches in the home still contribute significantly to fires in the home."
- ◆ Under "How have we performed?", Members suggested that a hyper-link to the Brigades Web-Site be inserted to enable the public to access the full list of Best Value Performance Indicators.

Members were also asked to approve a proposal that the Chief Fire Officer be authorised to make limited editorial changes and update the Best Value Performance Indicators prior to publication

RESOLVED: That the Draft Best Value Performance Plan Summary 2004/2005 (as amended) be approved subject to the Chief Fire Officer being authorised to make limited editorial changes and update the Best Value Performance Indicators prior to publication.

3.05/04 LOCAL GOVERNMENT ASSOCIATION (LGA) – MANCHESTER

The Committee received a verbal report from the Chief Fire Officer on the salient points raised at the LGA Fire Conference, held on 24/25 February 2004 in Manchester, which he and Clerk had attended. The following is therefore a summary of the comments made during the Ministers speech:

- ◆ The Local Government Intervention Protocol will only be adopted as the last resort.
- ◆ Fire Authority's and Unitary Councils etc should set their Council Tax increases at "reasonable levels" or run the risk of being capped.

- ◆ £900,000 had been earmarked by the Government for next year's Audit verification exercise.
- ◆ The Government attach a great importance to the settlement of the pay review and the negotiations on the Grey Book etc.
- ◆ The best way to achieve Regional Management Boards is through partnership. The delivery of RMB's lies with local Fire Authorities and whilst progress appears to have been satisfactory there is a need for the details to be examined.
- ◆ The Government will be protecting the pension rights of existing fire-fighters and has no intention of taking them away.
- ◆ The regional arrangements are in place to achieve the recognised objectives and there is no intention by the Government to use its powers unless voluntary arrangements do not work.
- ◆ There is a clear indication of the need to pursue smoke alarm fitments via home fire risk assessments.

The Chief Fire Officer advised that whilst details of the debates, presentations and the text of speeches made will be published on the Web-Site he would arrange for a copy to be circulated to Members when received. The text of the Ministers speech is not yet available but will be circulated when published. In response to a request from the Chairman the Chief Fire Officer agreed to E-Mail a copy of the debates etc together with the link to the Ministers speech to all Fire Authority Members.

In response to a question on whether the compensation for flooding will be going to Fire or Unitary Authorities the Chief Fire Officer confirmed that he would seek a definite response from the appropriate Government Department and advise Members accordingly. In addition the ODPM, with effect from 1 April 2004, would be providing Fire Authorities with the sum of £84,000, payable over two years, which must be used by Community Safety to reduce fire deaths including the installation of smoke detectors and those being as a result of RTAs.

NOTED

3.06/04 COUNCIL TAX – ALTERNATIVE NOTIONAL AMOUNT

The Committee was informed (Agenda item 7 – not reproduced) that having issued a notional Council Tax figure of £40.04 to this Authority for the 2003/2004 financial year, the ODPM, after sustained lobbying from Combined Fire Authorities, has now increased the notional figure to £42.58, to reflect the need to set up a general reserve. A list of comparisons with other Fire Authorities was tabled at the meeting (not reproduced) which showed the Band D percentage increases 2004/2005 over the Indicative 2003/2004 Council Tax and the Band D Absolute Council Tax 2004/2005.

Unfortunately the increase was notified to Fire Authorities after the majority of them had set their Budgets so instead of a Council Tax increase of 9.8% over the old figure, the revised increase for this Authority is now 3.26%. This means that the Authority has now passed beneath the 5% benchmark for capping. The Treasurer confirmed that details of the increased notional figure would be included in the Budget report being presented to the Fire Authority meeting on 17 March 2004.

NOTED**3.07/04 STAFF SICKNESS TRENDS**

The Committee received a report (Agenda item 8 – not reproduced), that had been produced in response to the Fire Authority's request, at its meeting on Wednesday 17 December 2003, for more up to date information on staff sickness levels.

The report was supported by a presentation on the information available on the PbViews System from the Brigade's Web-Site, which enables the information to be looked at in separate categories of personnel such as Control, Wholetime/Retained Fire-Fighters and Non-Uniformed.

In thanking the Director of Human Resources for the information provided, Members were of the opinion that this source of information now met the needs of the Fire Authority.

NOTED**3.08/04 REDMAN V ROYAL BERKSHIRE FIRE AUTHORITY – UPDATE**

The Committee was advised (Agenda item 9 – not reproduced) of the outcome of Ms Redman's appeal to the Employment Appeals Tribunal against the Employment Tribunal's rejection of her claim for indirect discrimination.

The Director of Human Resources reported that Ms Redman's appeal to EAT against the Employment Tribunals rejection of indirect discrimination was completed on 5 January 2004. EAT decided to allow her appeal and remitted the case to the original Employment Tribunal for them to reconsider their decision with a specific direction relating to the leading case of Allonby v Accrington and Rossendale College.

At the EAT Ms Redman's legal representatives indicated their intention to seek EOC funding for an appeal to the Court of Appeal against EAT's decision to resubmit her case to the same Employment Tribunal.

The time limit for submission of an appeal against the EATS decision has expired and no notification of appeal has been received. The case will therefore be reconsidered by the Reading Employment Tribunal as directed by EAT and this is likely to be over two days in the Autumn. The Director of Human Resources confirmed that Members would be kept updated.

NOTED**3.09/04 CREWING LEVELS MONITORING**

The Committee was advised (Agenda item 10 – not reproduced) of the current crewing levels for Wholetime Appliances which included the Crewing Records for

October, November and December which had been circulated with the Agenda (not reproduced)

During the last quarter the Brigade has achieved a 81% success rate in providing five and four fire-fighters on the first and second pumping appliance respectively. In order to fully crew all wholetime crewed pumping and special appliances at recommended levels, the minimum number of wholetime staff required on each shift is sixty. During the last quarter out of a possible 184 shifts, the crewing level fell below sixty on thirty-five occasions (19%) requiring one or more special appliances to be switch crewed.

The Fire Service Inspectorate recommended standard (confidence level) for the crewing of pumping appliances is that five riders are achieved on 75% of all occasions. The Brigade achieved the recommended standard on 99.5% of occasions, with occasions being defined as calls attended rather than shifts.

The Chairman asked the Chief Fire Officer to pass on the Committee's congratulations to all concerned.

NOTED

3.10/04 DATE OF NEXT MEETING

It was noted that the next meeting is scheduled to take place on Tuesday 1 June 2004 in the Strategic Command Centre, Brigade Headquarters, commencing at 6.30pm.

Signed:.....
Councillor Terry Mills
Chairman

Date: Tuesday 1 June 2004