

MEETING OF THE ROYAL BERKSHIRE FIRE AUTHORITY'S EXECUTIVE COMMITTEE - PART I



Held on Monday 18 May 2009

Strategic Command Centre, Royal Berkshire Fire and Rescue Service Headquarters, 103 Dee Road, Tilehurst, Reading, Berkshire, RG30 4FS

Those present: Councillor Mrs Christine Bateson (Member, Fire Authority)
Councillor Jeff Brooks (Member, Fire Authority)
Councillor Dr Paul Bryant (Chairman, Fire Authority) (*Chairman*)
Councillor Colin Dudley (Vice-Chairman, Fire Authority)
Councillor Angus Ross (Member, Fire Authority)

In attendance: Gene Ashe (Area Manager, Prevention and Protection) (*part meeting*)
Olaf Baars (Deputy Chief Fire Officer)
Mark Baker (Babcock Infrastructure Services) (*Item 04.08.09*)
Iain Cox (Chief Fire Officer)
Becci Jefferies (Human Resources Manager)
Lynda Kenyon (Committee Manager)
Caroline Redzikowska (Clerk and Monitoring Officer)
Paul Southern (Assistant Chief Fire Officer)
Nicole Targett (Corporate Communications Manager)
Andrew Vallance (Authority Treasurer)

Observers: Royal Berkshire Fire and Rescue Service Officers
Fire Brigades Union and Unison representatives

04.01.09 INVITATION TO REPRESENTATIVE BODIES

At the invitation of the Chairman, Mark Stollery (Fire Brigades Union) confirmed that he wished to address the Executive Committee at Agenda Item 8 (Wokingham Fire Station).

04.02.09 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Fred Pugh (Member, Fire Authority).

The Clerk and Monitoring Officer advised that an invitation had been extended to Councillor Peter Jones (Deputy Leader, Labour Group) to attend as Councillor Jagjit Grewal (former Leader, Labour Group) was now no longer a Member of the Fire Authority following Slough Borough Council's recent annual appointments to its Outside Bodies, however Councillor Peter Jones had been unable to attend. At the request of the Chairman, and on his behalf, the Chief Fire Officer agreed to prepare a letter to convey his thanks to Councillor Jagjit Grewal and his congratulations on his recent appointment as Deputy Mayor, Slough Borough Council.

Apologies were also received from the Director of Human Resources, David Wallace.

Action

CFO

04.03.09 DECLARATION OF INTERESTS

Councillor Angus Ross declared a personal interest as the Fire Authority's representative and Board Member on the South East Fire and Rescue Service Control Centre Ltd (SEFRCCCL), in respect to Agenda Item 16 (South East Fire and Rescue Service Control Centre Ltd). No further Declarations of Interest were made.

04.04.09 MINUTES OF THE MEETING HELD ON 23 MARCH 2009

The Minutes of the meeting held on 23 March were received and **Agreed** as a correct record for signing by the Chairman, subject to following minor amendment:

- Amend Action column on page 5 under item 03.06.09b) (Chairman's Communications) to now read "18.05.09".

The following updates were provided:

- i) 03.03.09 ii) (Minutes of the meeting held on 26 January 2009 - 2009/10 Budget (01.06.09)) - the Authority Treasurer made available, at the meeting (*copy available from the Committee Manager*), the maintenance spend for the last three years for premises, as previously requested.
- ii) 03.08.09 iii) (Minister's response to proposed Equality and Diversity recruitment targets) - the Chief Fire Officer reported that, as the Fire Minister had not attended the recent Fire Services Forum, the question regarding the equality and diversity targets had not been put.
- iii) 03.09.10 (Judicial Review - Royal Borough of Windsor and Maidenhead v Royal Berkshire Fire Authority) - in response to Councillor Angus Ross, the Clerk and Monitoring Officer (CMO) agreed to clarify, and seek permission if appropriate, as to whether the publication of the Court Judgement could be published on the Royal Berkshire Fire and Rescue Service's website. **CMO**
- iv) 03.10.09 (2008/09 Budget Monitoring) - a copy of the Senior Accountant's costings, as requested at the last meeting, relating to funding of additional firefighters at Wokingham Fire Station to realise no changes to the shift patterns at Windsor Fire Station was made available, having been previously circulated to the Committee Members. In response to Councillor Colin Dudley, the Authority Treasurer (AT) agreed to provide a more prescriptive response. **AT**

The Chairman noted that the remaining Actions from the last meeting had been discharged.

04.05.09 CHAIRMAN'S COMMUNICATIONS

- a) The Chairman reported that he had, together with the Chief Fire Officer, attended the recent firefighters memorial dedication at the National Memorial Arboretum in Staffordshire.

- b) The Chairman reported that he had recently attended a Sprinkler Seminar in Reigate.
- c) The Chairman stated that he had attended the last meeting of the Regional Management Board, and confirmed that he had circulated a briefing to Members.

04.06.09 REVIEW OF THE STRUCTURE OF THE FIRE AUTHORITY

The Executive Committee considered the presented revised Terms of Reference for the proposed future structure of the Fire Authority Committees, and the presented Member Champions' Protocol.

The Clerk and Monitoring Officer advised of some amendments to the presented report, as follows:

- i) The date of the Annual meeting of the Fire Authority as referred to in Recommendation 2(a) should read "24 June 2009".
- ii) Under 3.5, the "Membership to between 6 and 8" for both the Property and Property Resources Committee (renamed Strategic Asset Management) and the Audit Committee/Overview and Scrutiny Committees (amalgamated with revised Terms of Reference in Audit and Performance Review) should have been included.
- iii) In response to the Local Protocol on Member Champions, the Clerk and Monitoring Officer suggested that first sentence within 2.3 be now amended to read "Once appointed, Member Champions be appointed on an annual basis".

The Executive Committee considered the proposed structure, the salient points being:

a) Audit and Performance Review Committee:

- i) Councillor Jeff Brooks felt that the proposed structure, and associated organogram, should be hierarchical.
- ii) Councillor Jeff Brooks had concerns regarding the proposed Audit and Performance Review Committee's powers and authority, as contained within the draft Terms of Reference, particularly relating to policy development.
- iii) In response to Members' concerns regarding the devolvement and delegation of Committee powers, the Clerk and Monitoring Officer clarified that the delegated responsibilities and exercising of powers to, and by, Committees was determined within the presented CO5 (Management Committee / Terms of Reference).
- iv) Councillor Mrs Christine Bateson felt that CO18 (Membership), as presented, should be more definitive in respect to whether Members of the 'Management Committee' (currently known as the Executive Committee) should be excluded, if practicable.

- v) Councillor Angus Ross felt that it might not be appropriate for the Audit and Performance Review Committee to approve the Statement of Accounts (as at CO34 presented).
- vi) Councillor Jeff Brooks had concerns regarding the route that the proposed Audit and Performance Review Committee should report its findings and recommendations, as referred to within CO50 presented.
- vii) Councillor Colin Dudley felt that the powers of authority within the presented Audit and Performance Review Committee's Terms of Reference were appropriate to enable the Committee to fulfil its audit and scrutiny responsibilities, and that its powers should be separate from those of the Management Committee (currently known as the Executive Committee).
- viii) Councillor Jeff Brooks suggested that a Working Group be established to refine the Audit and Performance Review Committee's Terms of Reference. Councillor Colin Dudley and Councillor Mrs Christine Bateson did not support this, and the Executive Committee accepted that there would be insufficient time before the annual meeting of the Fire Authority to realise this.
- ix) Councillor Ross suggested that the membership of both the current Overview and Scrutiny Committee and the Audit Committee be sustained for the proposed Audit and Performance Review Committee, however it was **Agreed** that this was not practical.

b) Member Champions

- i) Councillor Angus Ross suggested that each Champion should present six-monthly reports to the Fire Authority and/or the 'Management Committee' (currently known as the Executive Committee). The **Committee Supported** this, and the Clerk and Monitoring Officer agreed to amend Section 8.2 to reflect this.

CMO

c) Strategic Asset Management Committee

- i) Councillor Angus Ross felt that the Strategic Asset Management Committee's Terms of Reference should include, within its remit, the ability to review the Strategic Asset Register.

The Executive Committee:

a) Recommended that the Fire Authority:

- i) Adopt the proposed revised Committee Structure with effect from the Annual meeting to be held on 24 June 2009.
- ii) That the Committee's Terms of Reference be agreed, as presented, subject to the following amendments:
 - Deletion of CO34 (*as presented, Audit and Performance Review*);

- Last sentence within CO50 (*as presented, Audit and Performance Review*) be amended to now read “Where they do so, the Audit and Performance Review Committee shall report their findings and any recommendations back to the Fire Authority, the Management Committee or the initiating Committee via the Management Committee”;
- CO16B (*as presented, Strategic Asset Management Committee*) to now read “Consider the Strategic Asset Management Plan for recommendation to the Management Committee and Fire Authority as appropriate”;

with the caveat that the proposed Committees further consider their respective Terms of Reference and report back to the Management Committee with any suggested amendments for consideration and ratification, for subsequent presentation to the Fire Authority for approval.

iii) Adopt the Protocol for Member Champions, subject to:

- Section 2.3 being amended to now read “Once appointed, Member Champions be appointed on an annual basis”.
- Section 8.2 (first sentence) being amended to now read “Each Member Champion will, with the assistance of the relevant Officer, prepare 6-monthly reports for submission to the Management Committee and/or Fire Authority setting out the actions taken during the course of the year and how these have contributed to the Fire Authority’s priorities.”

b) **Authorised** the Clerk and Monitoring Officer to make any necessary consequential amendments to the Fire Authority’s Constitution.

The Chairman moved that the meeting be adjourned for a short period and this was Agreed. The meeting was adjourned at 1937 and was resumed at 1952 hours.

04.07.09 CORPORATE PLAN 2009/10 - DRAFT

The Executive Committee was presented with the draft version of the Corporate Plan 2009/10, and this was supported by a visual presentation of a more complete draft Plan, incorporating the relevant graphics and images.

Councillor Colin Dudley felt that the presented layout was clearer and more user friendly.

The Corporate Communications Manager confirmed that, where appropriate, website links would be included.

The Executive Committee:

i) **Recommended** that the Fire Authority approve the draft Corporate Plan 2009/10, and that Officers be allowed to make any necessary

amendments, as appropriate, in consultation with the Chairman, prior to presentation to the Fire Authority.

04.08.09 WOKINGHAM FIRE STATION

The Executive Committee was advised of the recommendations of the Property and Property Resources Committee regarding the building works proposed for Wokingham Fire Station to accommodate 24-hour crewing,

The Assistant Chief Fire Officer provided an overview of the Property and Property Resources Committee's considerations in respect to the building works to be undertaken at Wokingham Fire Station, as identified in the 5-Year Integrated Risk Management Plan (IRMP). He advised that the Committee had recommended that Option 4 (new Fire Station, Easthampstead Road, for 45 members of staff) be progressed.

The Assistant Chief Fire Officer introduced Mark Baker (Babcock Infrastructure Services) who, in response to Councillor Angus Ross' question as to whether any pre-application meeting had taken place, confirmed that a meeting with the Senior Planning Officer had taken place and that the pre-application process to inform the planning application was now taking place. Mark Baker reported that Wokingham Borough Council's Planners were, in principle, supportive of the Wokingham Fire Station site being developed with egress from the site via Easthampstead Road.

The Chief Fire Officer, in response to Councillor Angus Ross, confirmed that the occupants of the residential properties on the site had been kept informed and advised of the potential timeframes of the re-development of the site.

At the invitation of the Chairman, Mark Stollery (Fire Brigades Union) sought clarity for a definitive start date of the building works, as notice had been given of 1 November 2009 to the current occupiers of the site's residential properties.

To enable the Committee to be advised of the Property and Property Resources Committee's considerations in more detail and the Building Options Appraisal, as presented to the last meeting of the Property and Property Resources Committee's Part II meeting, the **Executive Committee Resolved** that under Section 100(A)(4) of the Local Government Act 1972 (as amended), the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information, as defined in the paragraphs of Part I of Schedule 12A of the said Act indicated, and is exempt information if, and so long as, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information:

- Building Options Appraisal - Wokingham Fire Station (Paragraphs 1, 2 and 3).

The following is a summary of the items considered in the Part II Agenda.

At the request of the Chairman, Mark Baker was invited to remain in the Part II meeting, for this item only, to respond to any questions put to him.

Councillor Colin Dudley, as Chairman of the Property and Property Resources Committee, advised of the Committee's considerations in making its informed recommendation to the Executive Committee, and the Assistant Chief Fire Officer advised of the tenancy arrangements regarding the residential properties located on the site.

The Committee then resumed the meeting in Part I.

In response to Mark Stollery's earlier point of clarity, the Assistant Chief Fire Officer advised that the occupants of the affected residential houses had been informed that various options were being considered at this time that may include the need for them to vacate the houses in due course, but that no definitive date had been agreed, however 1 November 2009 was likely to be in close proximity to the date when vacation of the properties would be needed to enable the project to progress with certainty. The **Executive Committee Supported** the Assistant chief Fire Officer's proposal that a further letter be sent to the occupants outlining the proposals.

ACFO

The Executive Committee:

- i) **Accepted** the recommendations of the Property and Property Resources Committee.
- ii) **Authorised** Officers to proceed to the next stage of development.

Mark Baker (Babcock Infrastructure Services) retired from the meeting.

04.09.09 SINGLE TENDER ACTION - REMSDAQ UPGRADE

The Executive Committee's approval was sought to award a contract under single tender action to REMSDAQ for consultancy work and software upgrade.

The Executive Committee Agreed:

- That Contract Standing Order (CSO) 21 be waived, and that CSO24 be applied as only one company was considered suitable, the contract could only be undertaken by one contractor and that there were demonstrable benefits.
- That REMSDAQ be awarded the contract.

04.10.09 NEWBURY SHOW ATTENDANCE

Gene Ashe (Area Manager, Prevention and Protection) (AM (P&P)) advised of the financial arrangements and revised attendance at the 2009 Newbury Show.

The Chairman declared a Personal Interest as a Steward of the Newbury Show.

The Executive Committee:

- **Agreed** the Royal Berkshire Fire and Rescue Service's attendance at the Newbury Show 2009.

- **Approved** the revised expenditure of £1,000 + vat for attendance at the Newbury Show.
- **Directed Officers** to conduct a review of the Royal Berkshire Fire and Rescue Service's attendance at the Newbury Show in forthcoming years. **AM (P&P)**
- **Agreed** that a subsequent outcome report following the 2009 Show be received. **AM (P&P)**
- **Directed Officers** to consider attendance and participation at other similar public events across Berkshire. **AM (P&P)**

04.11.09 REVIEW OF RISK MANAGEMENT

The Executive Committee was provided with an annual update on risk management issues. The Authority Treasurer assured Members that the Firelink and FiReControl risks were regularly reviewed.

The **Executive Committee Noted** the Review of Risk Management.

04.12.09 INVESTORS IN PEOPLE ASSESSMENT REPORT

The Executive Committee was advised of the outcome of an assessment against the Investors in People (IIP) standard carried out in March 2009, and the plans for responding to it.

The **Executive Committee:**

- **Noted** the outcome of the assessment against the IIP Standard in March 2009 and the plans for responding to that assessment.
- **Conveyed its congratulations** for an overall positive report in relation to the strengths and areas of good practice.
- **Directed Officers** to re-assess, within 6 months, those areas that needed to be addressed to meet the Standard. **DHR**

04.13.09 HUMAN RESOURCES MONITORING REPORT - RETIREMENTS, ACCIDENTS, SICKNESS, EQUALITY AND DIVERSITY AND RETENTION

The Executive Committee was advised of statistics for staff retention, medical retirements, workplace accidents, sickness absences, and Equality and Diversity for the period October 2008 to March 2009 at the Royal Berkshire Fire and Rescue Service.

In response to Councillor Mrs Christine Bateson, the Human Resources Manager agreed to include within future Human Resources' Monitoring reports, where possible, national benchmarking statistics to enable the comparative data to be considered.

Councillor Mrs Christine Bateson felt that the presented report was well written and informative.

The Chief Fire Officer agreed to write to all personnel to convey the Committee's acknowledgement of the positive and improved reporting, and the Chairman felt that these improvements should be included within a media release.

CFO

Corp
Comms Mgr

CFO

The Chief Fire Officer agreed to convey to the forthcoming meeting of the Community, Engagement and Equality Group, Councillor Jeff Brooks' concerns relating to the lack of progress being made in respect to BME (Black and Minority Ethnic) recruitment.

The **Executive Committee Noted** the Human Resources Monitoring Report.

04.14.09 FIRE APPLIANCE PROCUREMENT

The Executive Committee was advised of the comparative cost of Fire Appliances between the National FireBuy Framework and The Fire Service Appliance Consortium (FSAC).

The **Executive Committee:**

- **Noted** the presented report.
- **Agreed** that a minor amendment be made to the first sentence in the second paragraph of the prepared draft letter to the FireBuy sponsor, as presented, to now read "In view of this position, aligned to the fact that under the provisions of the Local Government Act 1999, the Fire Authority has a duty to provide value for money **to the taxpayer**; even more so in these financially challenging times, it is intended that the order for seven Pump Rescue Ladders be placed with the FSAC".

04.15.09 FIRELINK UPDATE

The Executive Committee was advised of the progress with the new Firelink radio scheme and potential increase in costs.

The **Executive Committee Noted** the presented update report, and asked that a demonstration of Firelink be provided to Members at a future date.

ACFO

04.16.09 SOUTH EAST FIRE AND RESCUE SERVICE CONTROL CENTRE LTD (SEFRCCCL)

Councillor Angus Ross, in his capacity as the Fire Authority's representative and Board Member on the South East Fire and Rescue Service Control Centre Ltd (SEFRCCCL), reported that the SEFRCCCL had met twice since last reported to the Committee, the earlier meeting being the Annual General Meeting. He advised that the Directors were actively working on a number of issues, including those pertaining to the building lease. At the subsequent meeting, also attended by Bryan Morgan (Area Manager, Support Services) from the Royal Berkshire Fire and Rescue Service and the newly appointed Service Support Manager, who would be commencing in post shortly, it had been agreed to advertise, nationally, for the position of a Senior Operations Manager, initially as

a secondment opportunity, for eighteen months. Councillor Angus Ross also reported that there were a number of issues to be addressed concerning the building defects liability which had now ended, that a Consultation Forum had been agreed, the details of which would be circulated shortly, and that the Part 2 Business Case for Regional Control Centres had now been published.

04.17.09 INSURANCE - CONSORTIUM AND FRAML

The Authority Treasurer advised that the London Mutual's Appeal Court judgements were still awaited, however they were expected very shortly. He reported that the FRAML's Board of Directors would be considering whether to continue with FRAML as it might need to relinquish itself as an Insurance Company.

04.18.09 MINUTES OF THE MEETING OF THE AUDIT COMMITTEE HELD ON 26 MARCH 2009

The **Executive Committee Noted** Minutes of the meeting of the Audit Committee held on 26 March 2009.

04.19.09 DATE OF NEXT MEETING

The Executive Committee Noted that the next meeting would take place on Monday 27 July 2009 at 6.30pm in the Strategic Command Centre, Headquarters, Royal Berkshire Fire and Rescue Service.

04.20.09 FORWARD PLAN

The Executive Committee Noted the Forward Plan.

The Clerk and Monitoring Officer advised that the Chairman had agreed to defer some of the Fire Authority's Annual Standing Reports, as detailed within the Forward Plan, to a subsequent meeting to both afford these items to be considered more fully at a subsequent meeting and due to the number of constitutional issues that would need to be taken at the Annual Meeting.

The Executive Committee considered the Clerk and Monitoring Officer's proposed changes to how Committees' recommendations might be presented to the Fire Authority, ie that the Fire Authority receive, consider and adopt the recommendations made by the Committees, a copy of the recommendations being listed rather than separate reports being presented for each recommendation. Councillor Colin Dudley supported the Clerk and Monitoring Officer's considered changes. Councillor Mrs Christine Bateson was concerned that hard copies of the reports which had informed the recommendations would not be available within the full Fire Authority Agenda. Councillor Jeff Brooks suggested that any Committee recommendations to the Fire Authority be supported by an Executive Summary.

04.21.09 EXCLUSION OF THE PUBLIC FROM THE MEETING

The Executive Committee Resolved that under Section 100(A)(4) of the Local Government Act 1972 (as amended), the public be excluded from the meeting

for the following items of business on the grounds that they involve the likely disclosure of exempt information, as defined in the paragraphs of Part I of Schedule 12A of the said Act indicated, and is exempt information if, and so long as, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information:

- Part II Minutes of the meeting held on 23 March 2009 (Paragraphs 1, 2, 3 and 4).
- Building Options Appraisal - Wokingham Fire Station (Paragraphs 1, 2 and 3).

04.22.09 PART II MINUTES OF THE MEETING HELD ON 23 MARCH 2009

The **Executive Committee Approved** the Part II Minutes of the meeting held on 23 March 2009 for signing by the Chairman.

04.23.09 BUILDING OPTIONS APPRAISAL - WOKINGHAM FIRE STATION

A summary of the items considered was provided at Item 04.08.09 (Wokingham Fire Station) above.