

**AGENDA ITEM 2                      MINUTES**

**MINUTES OF THE INAUGURAL MEETING OF THE ROYAL BERKSHIRE  
FIRE AUTHORITY'S EXECUTIVE COMMITTEE HELD AT BRIGADE  
HEADQUARTERS ON THURSDAY 22 JANUARY 2004 COMMENCING AT  
5.30PM AND CONCLUDED AT 7.53PM**

**Present:        M Adams, J C G Brooks, T Mills, B J S Patman, D Swindells**

**Apologies:    Christine Borgars**

**1.01/04        ELECTION OF CHAIRMAN 2004**

**RESOLVED:    That Councillor T Mills be elected Chairman of the Fire  
Authority's Executive Committee for the remainder of the ensuing year.**

**1.02/04        ELECTION OF VICE-CHAIRMAN 2004**

**RESOLVED:    That Councillor J C G Brooks be elected Vice-Chairman of the  
Fire Authority's Executive Committee for the remainder of the ensuing year.**

**1.03/04        PART I MINUTES OF FORMER FIRE AUTHORITY  
COMMITTEES, PANELS AND WORKING PARTIES –  
SIGNING OFF**

The Committee's approval was sought (Agenda item 4 – not reproduced) to the Chairman signing off the following Part I Minutes of former Fire Authority Committees, Panels and Working Parties:

Personnel Committee:	Thursday 20 February 2003
Community Safety Panel:	Monday 12 May 2003
Performance Review and Audit Panel:	Tuesday 13 May 2003
Urgency Committee:	Tuesday 26 August 2003

Members were reminded that following the Fire Authority's decision at its meeting on Wednesday 17 December 2003 to adopt the new Executive Committee system it would be necessary for the Part I Minutes of the former Authority's Committee's, Panels and Working Parties to be signed off and sent to the Berkshire Record Office.

**RESOLVED:    That the Chairman be authorised to sign off the Part I Minutes  
from the last meetings of the former Fire Authority Committee's, Panels and  
Working Parties as set out above.**

#### **1.04/04           TIMES   AND   VENUES   FOR   FUTURE   EXECUTIVE COMMITTEE MEETINGS**

The Committee was requested (Agenda item 5 – not reproduced) to consider and agree on the times and venues for future Executive Committee Meetings in 2004.

**RESOLVED: That future Executive Committee meetings in 2004 be held on the following dates at Brigade Headquarters, commencing at 6.30pm:**

**Tuesday 2 March, Tuesday 1 June, Wednesday 14 July,  
Wednesday 22 September, Wednesday 24 November**

#### **1.05/04           EXECUTIVE COMMITTEE – FORMAT OF REPORTS**

The Committee's approval was sought (Agenda item 6 – not reproduced) to a proposal that the Executive Committee report format be changed to reflect a more focused approach to dealing with different issues. Its purpose will be to provide a framework within which the Executive Committee can take decisions, receive information from, and indicate direction to, Officers.

An example of the suggested new format was set out in paragraph 3 of the report (not reproduced) which whilst providing a more flexible approach will allow Members to focus on the important issues, whilst still dealing with the urgent ones.

**RESOLVED: That the suggested new report format, as set out in the report, be approved and adopted.**

#### **1.06/04           BUDGET 2004/2005**

The Executive Committee was requested (Agenda item 7 – not reproduced) to give further consideration to the Budget requirements for 2004/2005 and make its recommendations to the Fire Authority at its meeting on Wednesday 11 February 2004.

In speaking to the report the Authority Treasurer drew Members attention to the following Appendices:

- Appendix 1: FSS and Grant Figures for 2004/2005
- Appendix 2: Budget Prospects 2004/2005:
  - Option A – Regional Allowance introduced from April 2004
  - Option B - Regional Allowance introduced from October 2004
  - Option C - Regional Allowance introduced from April 2005
  - Option D – No Regional Allowance
- Appendix 3: Revenue Growth Bids (Options A to D to coincide with Appendix 2 above)
- Appendix 4: Revenue Savings
- Appendix 5: Capital Bids

Consideration was therefore given to the Appendices and the following is a summary of the comments made:

**Appendix 1: FSS and Grant Figures for 2004/2005**

The Authority Treasurer advised that the Council Tax base figure would be amended for the Fire Authority meeting in February when the final figures are received from all six Unitary Authorities. Three have already been received with a further three to come and this may have a small effect on the total figure of £311,725 shown in the Appendix.

**Appendix 2: Budget Prospects 2004/2005 (Options A, B, C and D)**

**Appendix 3: Revenue Growth Bids 2004/2005 (Options A, B, C and D)**

Members were advised that four options had been presented, depending on which Regional Pay Allowance bid is approved, which would produce a Band D Council Tax for 2004/2005 of between £47.30 and £48.04.

In response to a request for clarification the payment of the various Regional Allowances was supported by a visual presentation of Pie Charts as requested at the last meeting of the former Budget Working Party held on Monday 1 December 2003.

On the invitation of the Chairman, and with the approval of Members, the representatives of the Fire Brigades' Union were permitted to address the Committee on whether the regional allowance, if paid, would make a difference. The FBU were of the opinion that a payment of £2000 per annum is likely to make a more significant difference than one of £1000.

The Authority Treasurer reminded Members that the Transitional Funding of £400,000 will be clawed back in 2005/2006 as it will not be possible to identify any savings in Year 2 to justify its retention. It was therefore suggested and agreed that the Authority invests the transitional funding and collects the year's interest.

In response to a question on the possibility of transferring certain Revenue Growth items to the Capital Budget, the Authority Treasurer confirmed that, based on advice from the District Auditor, the majority of the items are too small to capitalise.

Having considered the remainder of the Budget and sought clarification on certain issues it was proposed, seconded and agreed that Option 2D be adopted, subject to the inclusion in the associated Revenue Growth Bids (Appendix 3D) of the sum of £250,000 under the category "Highly Desirable" for the purpose of Retention Measures.

If supported and approved by the Fire Authority this would set a 2004/2005 Budget of £29,428,694 with a Band D Council Tax of £47.97.

**Appendix 4: Revenue Savings**

Having considered this area in great detail the Directors had drawn up the list of potential savings and those savings that could be achieved, in the sum of £128,000

was detailed under the first section of the Appendix. The Authority had recently published its Integrated Risk Management Plan, which will review the Brigade's activities to improve efficiency and service to the public. Certain potential savings will therefore be subject to review and consultation under the IRMP before they could be achieved.

Having given further consideration to the potential savings Members agreed that the proposed saving of £45,000 in respect of Station Cooks be rejected and that the Chief Fire Officer be asked to try and identify the required saving from other Budgetary Headings.

### **Appendix 5: Capital Bids**

The Authority Treasurer advised that credit approvals have now been abolished and a new Prudential Capital Finance System will be introduced on 1 April 2004. Whilst the Authority is free to borrow as much as it believes prudent, unless a national limit is imposed, the Government will only provide Revenue Support Grant for financing £730,000 of Capital expenditure in 2004/2005. Any expenditure approved above this amount will have to be met from Council Tax.

In addition new regulations are likely to make leasing more expensive by reducing the period over which an operating lease can be taken out. In response to a question the Authority Treasurer confirmed that under new Government Regulations it would not be possible to finance SS2 (Special Appliances) from borrowing.

Members were also of the opinion that the Band D Council Tax increase should be kept under 20%.

In supporting the 2004/2005 Capital Budget Members made it clear that the submission of a similar Capital Budget in 2005/2006 would not be supported.

### **RESOLVED: That:**

- 1. Option 2D be adopted, subject to the inclusion in the associated Revenue Growth Bids (Appendix 3D) of the sum of £250,000 under the category "Highly Desirable" for the purpose of Retention Measures.**
- 2. The Transitional Funding of £400,000 be invested for a period of twelve months.**
- 3. The Revenue Savings set out in Appendix 4 be approved subject to the rejection of the proposed saving of £45,000 in respect of Station Cooks and that the Chief Fire Officer be asked to try and identify the required saving from other Budgetary Headings.**
- 4. The Capital Budget as set out in Appendix 5 be approved but that it be made clear that the submission of a similar Capital Budget in 2005/2006 would not be supported.**

**1.07/04 WOKINGHAM FIRE STATION – CREWING**

The Committee was advised (Agenda item 9 – not reproduced) of the issues regarding the crewing arrangements at Station 10, Wokingham and were requested to approve the establishment of a Member Working Party to consider the issue of Fire Cover and Crewing at Station 10. With the approval of the Chairman a Precis produced by the Fire Brigades' Union on the Wokingham Fire Cover was tabled at the meeting.

The crewing arrangements at Station 10 have been changed in the past eighteen months, as vacancies have arisen. The current position is that two of the original four posts are no longer attached to the Station. It was noted that the changes had originated before the onset of Integrated Risk Management Planning.

Whilst the Fire Brigades' Union has been involved in the process and have expressed reservations about the outcome, they have not at present lodged a formal dispute.

The situation was discussed at the Authority's Fire Liaison Group held on Friday 3 October 2003 when it was suggested that if disagreements continue between the FBU and Management then consideration be given to the establishment of a small Member Working Party to consider the issues and give direction to the Fire Authority. In response to a question it was confirmed that the Working Party would receive input from both the Fire Brigades Union and Management.

**RESOLVED: That**

- 1. A Wokingham Fire Station Member Working Party, comprising three Members, be established to consider the issues of Fire Cover and Crewing at Wokingham and present its findings and recommendations to a future Fire Authority Meeting for consideration and determination.**
- 2. Councillors Mrs P Bray and John P Green be appointed as the Liberal/Democrat and Conservative Members of the Working Party respectively and that the Leader of the Labour Group be requested to forward the Labour Group's nomination to the Committee Administrator.**

**1.08/04 ADDITIONAL PART I AGENDA ITEM**

The Chairman sought and received Members approval to the inclusion of the following additional item in the Part I Agenda:

Agenda item 10A: Single Tender Action – Expanded Use of Aquarius

**NOTED****1.09/04 SINGLE TENDER ACTION – COMMUNITY SAFETY EDUCATION INITIATIVE**

The Executive Committee's approval was sought (Agenda item 10 – not reproduced)

to the award of a contract under single tender action to develop an innovative, interactive Schools' education package with Kidde plc. An urgent decision is required to allow development work to be undertaken in accordance with the timetable agreed with the Brigade's partners.

The package is aimed at promoting well being amongst 11-14 year old students (Key Stage 3) and the completed package will conform to the National Curriculum along with the National Health School Standard.

The estimated cost of the work is between £25-30,000 and whilst 50% of the required funding will be met from within existing approved Authority Budgets, the balance will be match funded by Kidde plc, the Brigade's partners in this initiative. In order to take advantage of the existing Authority Budget, allocated for partnership working, it will be necessary to complete the Contract before 1 April 2004.

The partnership with Kidde plc is forging a sustainable forward thinking public/private partnership, addressing Kidde's corporate and social responsibility to the local community and providing a source of partnership income for the Authority.

**RESOLVED: That, on the grounds of urgency and in accordance with the Fire Authority's Standing Order 10(d), (e) and (f) the Contract be awarded to Kidde plc by single tender action.**

#### **1.10/04 SINGLE TENDER ACTION – EXPANDED USE OF AQUARIUS**

The Executive Committee's approval was sought (Agenda item 10A – not reproduced) to the award of a contract under single tender action to expand the use of SSI software. An urgent decision is required to allow development work to be undertaken within the budgetary period.

The Brigade has been using SSI software Fireplan and Aquarius for many year sand the developers, SSI, have recently announced a partnership with Cadcorp to migrate to the Mapmodeller software already in use for IRMP. The integration will simplify the IRMP data gathering process and would also be useful in capturing Community Safety data to assist in the targeting of specific campaigns. The estimated expenditure as summarised in the report can be met from within the approved Budgets for 2003/2004 and 2004/2005.

**RESOLVED: That, on the grounds of urgency and in accordance with the Authority's Standing Order 10 (e) and (f) the contract be awarded to SSI by single tender action.**

#### **1.11/04 GOVERNMENT PROPOSALS FOR REGIONAL FIRE AND RESCUE SERVICE CONTROL ROOMS**

The Executive Committee considered a report (Agenda item 11 – not reproduced), supported by a visual presentation which dealt specifically with the Governments

proposals which require Fire Authorities to take part in a project that will bring about the creation of Regional Fire and Rescue Service Control Rooms.

In noting the background to this initiative Members were advised that Fire Authority Chairmen have been invited to collaborate and make a single regional response to the ODPM by 31 January 2004 on the following questions:

- The findings of the report (The Future of Fire and Rescue Service Control Rooms in England and Wales – Update 2004)
- The Government's response
- The draft Location Criteria (Annex 'A' to the Nick Raynesford MP Letter)

In noting the extremely tight timetable imposed by the ODPM Members requested that in addition to a further reports being presented to the future Fire Authority meetings as requested, the presentation be given to the full Fire Authority at its meeting on Wednesday 11 February 2004.

**NOTED**

#### **1.12/04            EMPLOYMENT APPEAL TRIBUNAL UPDATE**

The Executive Committee was advised (Agenda item 12 – not reproduced) of the latest position regarding Employment Appeal Tribunal (EAT) Hearings involving the Fire Authority and the following is a brief summary of each case:

##### **FBU and Retained Fire-Fighters**

The Fire Authority agreed to act as one of two test cases in connection with a claim made by the FBU on behalf of Retained Fire-Fighters nationally to equality of treatment with Wholtime Fire-Fighters under the provisions of the Part-Time Workers (Prevention of Less Favourable Treatment), Regulations. Following the rejection of the FBU's claim by the Employment Tribunal in July 2002 they submitted an appeal to EAT. This was heard in June 2003 when EAT decided to reject the FBU's appeal.

The FBU have now been given leave to appeal against EAT's decision to the Court of Appeal and the case will therefore be heard on 30/31 March 2004.

##### **Ms Karen Redman**

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. They had fourteen days to appeal, which

expired on Monday and the Authority is not aware that such an Appeal has been received. If not, the case will be reconsidered by the Reading Employment Tribunal as directed by EAT.

Members were advised that further progress reports would be presented to future meetings.

**NOTED**

### **1.13/04            CONSTITUTION FOR NEW REGIONAL MANAGEMENT BOARDS**

The Committee's views were sought (Agenda item 8 – not reproduced) on the Draft Agreement to establish a Regional Management Board (RMB) for the South East and were also asked to decide on the most appropriate way of consulting all Fire Authority Members before the Authority at its meeting on Wednesday 17 March 2004 considers the matter.

A Draft Constitution for a RMB for the South East Region has been prepared by the Clerk and Solicitor for East Sussex Fire Authority and a copy was presented as Appendix A (not reproduced).

Members were advised that the Brigade is not content with some of the issues set out in the Draft Constitution as highlighted by the Chief Fire Officer who also confirmed that in addition many areas are still unclear and therefore require clarification.

The Clerks/Solicitors of the nine Fire Authorities in the South East Region are due to meet on Friday 6 February 2004 to discuss and agree the "legal" wording and content of the Draft Agreement. Members were requested to submit any comments they had on the Draft Constitution to the Clerk by 2 February 2004.

Once this meeting has taken place a revised Draft Constitution will be prepared and circulated to Executive Committee Members for comment before a report is presented to the Fire Authority in March 2004.

The establishment of a RMB will have financial implications with each Fire Authority being asked to equally fund the administrative and other expenses of the Board as set out in the Draft Constitution.

**NOTED**

*(Post Meeting Note: Following the receipt of additional information a revised Constitution was considered by the Executive Committee at its Special Meeting on Friday 6 February 2004 when it was agreed that a report should be presented to the Fire Authority at its meeting on Wednesday 11 February 2004 for consideration and determination).*

**1.14/04 DATE OF NEXT MEETING**

It was noted that the next meeting is scheduled to take place on Tuesday 2 March 2004 and as agreed earlier in the meeting would be held in the Strategic Command Centre commencing at 6.30pm.

**1.15/04 EXCLUSION OF THE PUBLIC**

**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:

	<b>Agenda item</b>	<b>Paragraph</b>
14	Part II Minutes of former Fire Authority's Personnel Committee and Budget Working Party	1,7 & 8

**1.16/04 PART II MINUTES OF FORMER FIRE AUTHORITY COMMITTEES, PANELS AND WORKING PARTIES – SIGNING OFF**

The Committee's approval was sought (Agenda item 4 – not reproduced) to the Chairman signing off the following Part II Minutes of former Fire Authority Committees, Panels and Working Parties:

Personnel Committee:	Thursday 20 February 2003
Budget Working Party:	Monday 1 December 2003

**RESOLVED:** That the Chairman be authorised to sign off the Part II Minutes from the last meetings of the former Fire Authority Committee's, Panels and Working Parties as set out above.