

ROYAL BERKSHIRE FIRE AUTHORITY

MEETING: ROYAL BERKSHIRE FIRE AUTHORITY
DATE AND TIME: TUESDAY 3 FEBRUARY 1998, 6.30 PM
VENUE: COUNCIL CHAMBER, SHIRE HALL, SHINFIELD
PARK, READING

COMMITTEE SECRETARY: COLIN PRESTON
DIRECT DIAL: (0118) 923 3102

NOTICE OF MEETING

You are requested to attend the above meeting at the time and date indicated, when it is proposed to deal with the business set out in the attached Agenda.

R F PENFOLD

Joint Acting Clerk to the Authority

TO: MEMBERS OF THE ROYAL BERKSHIRE FIRE AUTHORITY
J C G Brooks (Chairman), B J S Patman (Vice-Chairman), D Ball,
P A Barnett, Mrs C Bateson, J J Connolly, R J Day, T P Dredge,
P J Edwards, J M B Egan, C J Goodall, B W Gardner, A Gregory,
A B V P Hickey, D W Liddiard, T Mills, J Morris, Mrs K Newbound,
W J E Onions, H Parker, Dr L Silverman, A W Spratling,
T N Stephens, D Thomas, R G Vernon-Jackson

BRIEFING MEETINGS

The Party Rooms in Shire Hall will be available for pre-meetings from 5.45 pm.

PART 1 ITEMS

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3	Chairman's Communications (if any)	-
4	Questions from Members under Standing Order 10 (if any)	-
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AGENDA ITEM : 1

MINUTES

MINUTES OF A MEETING OF THE ROYAL BERKSHIRE FIRE AUTHORITY HELD AT THE SHIRE HALL, SHINFIELD PARK, READING, ON 9 DECEMBER 1997, COMMENCING AT 6.30 AM, ADJOURNED AT 7.20 PM, RECONVENED ON 18 DECEMBER 1997 AT 6.30 PM AND CONCLUDED AT 7.30 PM

Present: J C G Brooks (Chairman), D Ball, P A Barnett*, Mrs C Bateson, J J Connolly, R J Day, T P Dredge, P J Edwards†, J M B Egan, B W Gardner, A Gregory, A B V P Hickley, D W Liddiard, T Mills, J Morris†, Mrs K Newbound*, W J E Onions, H Parker†, B J S Patman, Dr L Silverman†, A W Spratling, T N Stephens, D Thomas, R G Vernon-Jackson

* 9 December only

† 18 December only

2.01/97 MINUTES: 25 NOVEMBER 1997

The Minutes of the meeting of the Authority held on 25 November 1997 were taken as read and signed by the Chairman as a correct record.

2.02/97 PETITIONS AND QUESTIONS FROM THE PUBLIC

The Authority noted that no petitions or questions from the public had been received under Standing Orders 8 and 9.

2.03/97 CHAIRMAN'S COMMUNICATIONS

The Authority noted that a letter had been received from P Clarke of the Fire Brigades Union indicating that the activities of the Authority would be followed closely in view of the interest of its members, particularly in the context of decisions that would need to be taken in relation to the budget for 1998/99.

2.04/97 FIRE AND RESCUE SERVICE MANAGEMENT STRUCTURE; 1998/1999 BUDGET STRATEGY; AND ROYAL BERKSHIRE FIRE AUTHORITY - ESTABLISHMENT

The Authority received reports (Agenda Items 4, 5 and 9 - not reproduced) being recommendations of the Fire and Rescue Service Management Structure Working Party, recommendations of the Budget Working Party and by the Chief Fire Officer on the Brigade establishment.

The question of the level of the Budget 1998/99 was of direct significance to proposals contained in the other identified items and reports. The following is a summary of points noted from consideration of the reports, particularly the report on the Budget 1998/99, the level of which had direct implications to proposals contained in the other two reports:

- a concern at the level of the proposed Budget of £19.761 million for 1998/99 despite the intense work of the Budget Working Party to deliver an acceptable budget at the lowest possible level. Reference was made to the adverse impact on other services provided by District and Borough Councils resulting from expenditure well above the SSA;
- b the need for the Authority to fulfil a number of legal requirements by the end of December 1997, including the setting of its budget and submission of the establishment scheme to the Home Office. Members expressed a number of concerns about the Authority not fulfilling its obligations;
- c the view that further consideration should be given to the proposed level of the budget by the Budget Working Party with a view to re-consideration of the proposed management structure in order to put forward expenditure proposals at SSA, taking account of a view that any savings should be achieved from non-operational budgets and from central services.

A motion was moved and seconded to adjourn further consideration of Items 4, 5 and 9 to allow the Budget Working Party time to meet and for the Chief Fire Officer to consider and report further along the lines proposed.

RESOLVED:

- 1 That consideration of the following items be deferred, to enable the Chief Fire Officer to consider and submit proposals as requested to the Budget Working Party at 5.00 pm on 18 December 1997.
 - Fire and Rescue Service Management Structure
 - 1998/99 Budget Strategy
 - Royal Berkshire Fire Authority - Establishment
- 2 That, upon completion of the remaining business, the meeting of the Authority stand adjourned to 6.30 pm on 18 December 1997.

2.05/97 QUESTIONS FROM MEMBERS

The Authority noted that no questions from Members had been received under Standing Order 10.

2.06/97 NOTICES OF MOTION

The Authority noted that no Motions had been received under Standing Order 12.

2.07/97 APPOINTMENTS OF TREASURER AND CLERK

The Authority received a report (Agenda Item 8 - not reproduced) advising of the decisions of the Appointments Panel in respect of the Treasurer and Clerk.

The Chairman welcomed, on behalf of the Authority, Mr D H Illingworth (formerly Treasurer of Wokingham District Council) who had been appointed as Treasurer to the Combined Fire Service Fund from 1 December 1997 for the period until 31 March 2000.

The Authority also noted that D K H Over and R F Penfold had been appointed as Joint Acting Clerks of the Fire Authority until 31 March 1998 or until a substantive appointment, whichever was the sooner.

NOTED.

2.08/97 COMPREHENSIVE SPENDING REVIEW: WORKING TOGETHER: OPTIONS FOR COLLABORATION

The Authority received a report (Agenda Item 10 - not reproduced) containing information on the Home Office's Comprehensive Spending Review of the Fire Service.

Members were advised that it was understood that responses to the consultation document were required by the end of January 1998. It was suggested that the outcome of work by officers, as part of the review, be submitted to the Authority.

RESOLVED: That a report be submitted to the Authority to enable Member perspectives to be reflected in the response to the consultation document.

2.09/97 MINUTES OF SUB BODIES

The Authority received a report (Agenda Item 11 - not reproduced) advising of meetings of sub bodies since its last meeting, viz:

Appointments Panel : 1 December 1997
 Budget Working Party : 1 December 1997
 Fire and Rescue Service Management Structure Working Party : 1
 December 1997

NOTED.

2.10/97 EXCLUSION OF THE PUBLIC

RESOLVED: That, under Section 100A(4) of the Local Government act 1972 (as amended), the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in the paragraphs of Part 1 of Schedule 12A of the said Act indicated:

Agenda Item	Paragraph
13 Part II Minutes: 25 November 1997	9

The following is a summary of the item considered in Part II of the Authority's agenda.

2.11/97 MINUTES: PART II: 25 NOVEMBER 1997

The Part II Minutes of the meeting of the Authority held on 25 November 1997 were taken as read and signed by the Chairman as a correct record.

The Authority adjourned at 7.20 pm, to be reconvened at 6.30 pm on 18 December 1997

2.12/97 1998/99 BUDGET STRATEGY

The Authority received a copy of a report "Proposed Brigade Structure and Budget Strategy", by the Chief Fire Officer and Treasurer which report had been the subject of consideration by the Budget Working Party. The Budget Working Party had recommended to the Authority:

- 1 That the authority approved a budget for 1998/99 of £18.9 million.
- 2 That, so as to achieve the overall budget, the Chief Fire Officer be asked to take the necessary management steps required to re-locate special appliances (this would achieve £250k savings in a full year and was referred to in Annex B of the circulated report).
- 3 That the Government be lobbied with a view to increasing financial provision available to the Authority in order to meet ongoing increased costs arising from the pensions scheme deficit.

Arising from consideration of the recommendations of the Budget Working Party, the following points were noted:

- a The option to lease vehicles had been included in Annex 'A' to the circulated report. The Authority was advised that the budget requirement for revenue contributions of £370,000 to first year lease costs of £54,000. It was pointed out that this was a short term saving and that the cost of

buying appliances would increase each year by the region of £54,000 rising to £648,000 in Year 12.

- b Future pressures which included rising pension costs estimated to add up to a maximum of £1,000,000 per year over the next 10 years and the need for catch up repairs and maintenance to premises.
- c On the basis that participating authority contributions were made available to the Authority on the 1st day of each month, interest on balances would amount to approximately £60k per annum.
- d Explanation that there was no legal power to make charges for emergency special services and that the figure of £400k, which had been included in Annex B to the tabled report, was a notional one. It was emphasised that there were likely to be untold difficulties in trying to collect charges. Indeed, mechanism would be needed for administering any such arrangement which would involve expenditure. The issue of such an arrangement was the subject of current national consideration. It was suggested that the issue was one which the Authority should consider further as there might be merit in considering some sort of charging system that would penalise careless driving and the recovery of monies for services provided.
- e In considering the Budget for 1998/99, there was the need to take account of the financial implications for the District/Borough Councils and the impact on other services they were required to provide. There was support for a budget of £18.9 million and the proposals as recommended by the Budget Working Party.
- f The desirability of subscribing to the Local Government Association in order to participate and contribute to consideration of important strategic issues in conjunction with other Authorities.
- g The acknowledged need to lobby the Government with a view to increasing financial provision available to the Authority in order to meet increased costs arising from the pensions scheme deficit.
- h The Budget would be sufficient to implement the Brigade Management Structure with effect from 1 April 1998, on the basis of the introduction of a number of posts being deferred to a future year or later in 1998.

RESOLVED:

- 1 That a budget for 1998/99 of £18.9 m be approved, and notified to constituent councils in accordance with the Berkshire Fire Services combination scheme.
- 2 That, so as to achieve the overall budget, the Chief Fire Officer be asked to take the necessary management steps required to re-locate special appliances.
- 3 That the Government be lobbied with a view to increasing financial provision available to the Authority in order to meet ongoing increased costs arising from the deficit on the Firefighters' Pension Scheme.

2.13/97 FIRE AND RESCUE SERVICES MANAGEMENT STRUCTURE

The Authority considered further the recommendations of the Fire and Rescue Service Management Structure Working Party.

The Authority, in approving its Budget 1998/99, had taken account of the proposals of the Chief Fire Officer to defer the introduction of some recommended posts to a future year or later in 1998. Members expressed confidence in the Chief Fire Officer in implementing the proposed management structure taking account of the approved Budget for 1998/99.

RESOLVED: That, subject to the Authority's approved budget of £18.9 million for 1998/99 not being exceeded, approval be given to the Brigade Management Structure, as recommended, with effect from 1 April 1998, on the basis of the introduction of a number of posts being deferred to a future year or later in 1998.

2.14/97 ROYAL BERKSHIRE FIRE AUTHORITY ESTABLISHMENT SCHEME

The Authority considered further the report of the Chief Fire Officer.

RESOLVED: That, subject to the need to take account of changes arising from the approved Budget for 1998/99 and adjustments to the management structure, the Establishment Scheme be submitted to the Secretary of State on the basis that the final scheme be subject of future report to the Authority.

AGENDA ITEM 6 : POLITICAL GROUPS

To: Royal Berkshire Fire Authority
Date: 3 February 1998
Officers Contributing: Joint Acting Clerk

A PURPOSE OF REPORT

To advise the Authority of the formation of political groups amongst its membership.

B PROPOSED ACTION

The Authority is invited to NOTE the report.

C FINANCIAL IMPLICATIONS OF PROPOSED ACTION

There are no financial implications.

D SUPPORTING INFORMATION

- 1 Notice, pursuant to Regulation 8 of the Local Government (Committees and Political Groups) Regulations 1990, has been received advising of the creation of a Conservative Group. Details are set out below.

Conservative Group

D Ball	J M B Egan	T Mills
Mrs C Bateson	A Gregory	B J S Patman
P J Edwards	D W Liddiard	T N Stephens

Leader: B J S Patman Deputy Leader: T Mills

- 2 If further notices are received, they will be reported at the meeting.

E BACKGROUND PAPERS

- 1 Local Government (Committees and Political Groups) Regulations 1990
- 2 Notice received from Conservative Group on 23 December 1997

Contact Officer: Roger Penfold, Joint Acting Clerk (0118) 923 3103

AGENDA ITEM 7 : MEMBERS' ALLOWANCES

To: Royal Berkshire Fire Authority
Date: 3 February 1998
Officers Contributing: Joint Acting Clerk

A PURPOSE OF REPORT

To advise Member of the position regarding the payment of their allowances, to propose local arrangements for those payments, to determine approved duties for the payment of travelling and subsistence expenses and to agree the rates for reimbursement of those expenses.

B PROPOSED ACTION

The Authority is invited to RESOLVE:

- 1 That, subject to the concurrence of the constituent councils, allowances payable to Members in connection with the activities of the Authority be administered as set out in paragraph D7 below.
- 2 That Appendix 1 be adopted (amended as appropriate) as the list of events for which travelling and subsistence expenses may be reimbursed.
- 3 That travelling and subsistence expenses be reimbursed in accordance with EITHER
 - a the rates adopted from time to time by the constituent council for the Member concerned, OR
 - b rates adopted from time to time by the Authority, such rates initially being [insert figures].

C FINANCIAL IMPLICATIONS OF PROPOSED ACTION

Provision has been included in the Authority's budget for 1998/99, to meet the travelling and subsistence expenses of Members.

D SUPPORTING INFORMATION**Legal Position**

- 1 Although statutory corporate bodies, combined fire authorities (CFAs) are not local authorities within the meaning of the Local Government Acts. This presents a somewhat difficult and anomalous position for Members of CFAs: indeed, the allowances' position for Members of CFAs differs from that of Members of County Council fire authorities and the Fire and Civil Defence Authorities in former metropolitan counties.
- 2 CFAs are defined as "relevant authorities" for the purposes of Section 18 of the Local Government and Housing Act 1989. However, the Regulations made under Section 18 do not include CFAs, probably because none existed at that time.

- 3 The consequence is that CFAs have power to pay travelling and subsistence expenses but not basic allowances, special responsibility allowances or attendance allowances.
- 4 There is also an anomaly in respect of conference expenses. Such expenses are paid under Section 175 of the Local Government Act 1972 and CFAs have, as a result, no legal power to pay for Members to attend conferences. This means that a CFA might wish Members (for instance, its Chairman) to attend a conference, but is dependent upon the "home" constituent council of each Member to authorise the payment.

Removal of the Anomalies

- 5 At its meeting on 17 September 1997, the Berkshire Authorities' Fire Joint Committee was advised of the above position. The Committee was also advised that the Local Government Association had raised this matter with the Minister of State for Local Government. The Minister had advised the Association that, although she was aware of the anomaly, she had no plans to promote legislation which would allow CFAs to pay remuneration allowances. The Committee decided to request the Minister to reconsider introducing legislation to enable the payment of allowances to Members of combined fire authorities.
- 6 In November 1997, the Committee heard that the Department of the Environment, Transport and the Regions had responded that there are no plans at present to review the legislation on allowances, with a view to making changes in the current regime. Further, the issue in respect of CFAs was unlikely to be considered in isolation from any general review. However, the Department recognised that the case for combined fire authorities had been made, and would certainly be borne in mind should the opportunity arise in the future to consider Members' allowances and the scope of the current legislation.

Local Administration of Allowances

- 7 Faced with this complicated scenario, officers have sought a tidy solution. It is felt that Members would be reluctant to submit 2 claims - one to their constituent councils, for attendance allowance (if an approved duty), and another to the Authority, for travelling and subsistence expenses - in respect of the same event. Accordingly, it is proposed that Members submit their claims to their constituent councils, the constituent councils pay the claims as appropriate and seek reimbursement periodically, from the Authority, of the sums paid on travel and subsistence. To facilitate this the Clerk would supply lists of attendees at meetings etc to the constituent councils on a regular basis.
- 8 It is understood that the relevant officers of the constituent councils support such arrangements.

Approved Duties

- 9 As the Fire Authority may reimburse Members' travel and subsistence expenses, it should itself determine what are approved duties, **for those purposes only**. Accordingly, the Authority is requested to address this issue: a list of possible events for this designation is shown in **Appendix 1**.

- 10 It is a matter for the constituent councils to decide what, if any, are approved duties, in connection with the activities of the Authority, for the purposes of attendance allowances.

Rates of Allowances

- 11 As to the rates of payment, obviously any attendance allowance would be at the ruling rate for the Council concerned. There is a school of thought that the Authority should approve its own rates for travel and subsistence, for political reasons. On the other hand, it would be administratively more convenient if the individual constituent councils' ruling rates applied to the Members concerned. However, to assist the Authority, the current ruling rates are set out in **Appendix 2**.

E BACKGROUND PAPERS

- 1 Local Government Act 1972
2 Local Government & Housing Act 1989
3 Local Authorities (Members' Allowances) Regulations 1991, as amended
4 Agenda & Minutes: Berkshire Authorities' Fire Joint Committee - 17
September 1997, 4 November 1997
5 Schemes of Members' Allowances of Berkshire Authorities

Contact Officer: Roger Penfold, Joint Acting Clerk (0118) 923 3103

APPENDIX 1

LIST OF EVENTS FOR WHICH TRAVELLING AND SUBSISTENCE EXPENSES
MAY BE REIMBURSED**A Committee Process**

- 1 Attendance at meetings of the Authority.
- 2 Attendance at meetings of the Authority's Committees, Sub-Committees, Sections, Panels and Working Parties provided that the Member either:
 - i has been appointed to that body
 - ii is the authorised substitute for a Member of that body
 - iii attends to speak to a Motion in his/her name.
- 3 Attendance at briefing meetings convened by the Clerk to consider the agenda for meetings of the Authority or standing committees.
- 4 Attendance at a site visit where this has been approved by the Authority, a Committee, Sub-Committee, Section, Panel or Working Party or at the written invitation of a Chief Officer, extended to Members of all Groups.

B Representational

- 1 Attendance at a meeting of an outside body to which the Member is appointed.
- 2 Attendance at a meeting to which representatives of more than one political party have been invited by a Chief Officer to represent or safeguard the Authority's interests or receive comments, eg
 - i meetings with Ministers, MPs, MEPs or Government Departments*
 - ii meetings with the public or staff on matters of major policy or service changes.*
- 3 Duties undertaken by the Chairman and Vice Chairman of the Authority acting in an official capacity (*eg: official openings, meetings with staff representatives, civic functions, speaking at conferences/seminars*).
- 4 Attendance at meetings organised by a Chief Officer with external bodies or persons to further the aims of the Authority.

C Service Related

- 1 Attendance by invitation of a Chief Officer at a seminar organised to discuss service issues.

TRAVEL AND SUBSISTENCE FOR LOCAL AUTHORITY MEMBERS
Maximum rates allowed under Part VIII of the Local Government Act 1972, and the
Appendix to DoE Joint Circular 1/86, as amended

Travel		Subsistence	
Private car -		Breakfast	£4.48*
500cc - 999cc	31.7p per mile	(more than 4 hours	
1000cc - 1199cc	35.2p per mile	away from normal	
Exceeding 1199cc	43.5p per mile	place of residence	
		before 11am)	
Motor cycle -		Lunch	£6.17*
Not exceeding 150cc	7.6p per mile	(more than 4 hours	
150cc - 499cc	11p per mile	away from normal	
Exceeding 500cc	14.9p per mile	place of residence,	
		including the	
Public transport - bus	Actual fares	lunchtime between	
	incurred	12 noon and 2pm)	
Public transport - rail	Second class fares	Tea	£2.43*
	unless authority	(more than 4 hours	
	determines First	away from normal	
Taxi	Actual fares	place of residence,	
	incurred, but only	including the period	
	paid if no other	3pm to 6pm)	
	public transport is	Evening meal	£7.64*
	reasonably	(more than 4 hours	
	available; otherwise	away from normal	
	the appropriate	place of residence	
	public transport	ending after 7pm)	
	fares are reimbursed		
Absence overnight	£72.71		
Absence overnight in	£89.92		
London			
			<i>*Rates reduced by</i>
			<i>an appropriate</i>
			<i>amount in respect</i>
			<i>of any such meal</i>
			<i>provided free of</i>
			<i>charge by the</i>
			<i>authority</i>

APPENDIX 2

TRAVEL AND SUBSISTENCE - Current rates paid by County and District Councils in Berkshire

Council	Travel	Subsistence
Berkshire County Council	Maximum rates Plus - Bicycle - 30 p per mile Rail - First class	Maximum rates
Bracknell Forest Borough Council	Maximum rates Rail - generally Second class	Maximum rates
Newbury District Council <i>(Currently under review)</i>	Private car - 500cc - 999cc 27p per mile 1000cc - 1199cc 29.9p per mile Exceeding 1199cc 37p per mile Motor cycle 12.3p per mile Bicycle 30.7p per mile Otherwise maximum rates	Maximum rates
Reading Borough Council	Private car - 31.7p per mile Bicycle - 25p per mile Otherwise maximum rates	Maximum rates
Slough Borough Council	Maximum rates Except Rail - Second class	Subsistence not paid - meals provided for Town Hall meetings
Windsor & Maidenhead Royal Borough Council	Maximum rates Except Rail - Second class	Maximum rates
Wokingham District Council	Maximum rates Except Rail - Second class Absence overnight in London - £69.80 Absence overnight for specified conferences - £79.60	Breakfast - £4.31 Lunch - £5.93 Tea - £2.34 Dinner - £7.35

AGENDA ITEM 8 : DATE OF ANNUAL MEETING, 1998

To: Royal Berkshire Fire Authority
Date: 3 February 1998
Officers Contributing: Joint Acting Clerk

A PURPOSE OF REPORT

To propose a date for the Annual Meeting of the Authority in 1998.

B PROPOSED ACTION

The Authority is invited to RESOLVE that its Annual Meeting be held on [insert date] June 1998.

C FINANCIAL IMPLICATIONS OF PROPOSED ACTION

There are no financial implications.

D SUPPORTING INFORMATION

- 1 At its first meeting, on 25 November 1997, the Authority considered recommendations of the Berkshire Authorities' Fire Joint Committee on the frequency of, and dates in 1997/98, for meetings of the Authority. The Authority agreed that it should meet at least 4 times in any "municipal" year, and settled dates for its meetings until 31 March 1998. It also requested that a report be made to a future meeting with a suggested date for its Annual meeting in June 1998.
- 2 Officers have made enquiries of the constituent councils as to potential "clashes" of meetings in the week commencing Monday 8 June 1998, which is the preferred week for the Annual Meeting of the Authority. Only Slough Borough Council has identified meetings of relevant committees etc in the week in question - its Development Committee will meet on Monday 8 June. The Authority is, therefore, requested to select another date in that week for its Annual Meeting.
- 3 A proposed calendar of meetings in the "municipal" year 1998/99 will be submitted to the Annual Meeting of the Authority, in accordance with Standing Order 1(a).

E BACKGROUND PAPERS

- 1 Agenda & Minutes - Berkshire Authorities' Fire Joint Committee: 17 September, 9 October, 4 November 1997
- 2 Agenda & Minutes - Royal Berkshire Fire Authority: 25 November 1997

Contact Officer: Roger Penfold, Joint Acting Clerk (0118) 923 3103

AGENDA ITEM 9 : THE LOCAL GOVERNMENT ASSOCIATION

To: Royal Berkshire Fire Authority
Date: 3 February 1998
Officers Contributing: Joint Acting Clerk

A PURPOSE OF REPORT

To seek confirmation that the Authority will take membership of the Local Government Association and to consider appointing delegates to the Association's first annual fire conference.

B PROPOSED ACTION

The Authority is invited to RESOLVE

- 1 To take membership of the Local Government Association in the financial year 1998/99.
- 2 That [insert names] be appointed as delegates to Local Government Association's Fire Conference at Birmingham on 10 and 11 March 1998.

C FINANCIAL IMPLICATIONS OF PROPOSED ACTION

The budget for the financial year 1998/99 contains provision for the annual subscription to the Association, which will be £9,248.

D SUPPORTING INFORMATION

Membership of the Association

- 1 At its meeting in October 1997, the Berkshire Authorities' Fire Joint Committee considered consultation by the Local Government Association on the level of subscriptions to be paid by combined fire authorities in 1998/99. In addition to responding to the consultation, the Committee decided that the question of membership of the Association be considered and taken into account at the meeting when the Budget for 1998/99 was considered.
- 2 Members may recall that, at the meeting of the Authority held on 9 and 18 December 1997, it was agreed to include provision in the budget for 1998/99 for the subscription to the Association. Accordingly, the Authority is requested formally to resolve to become a member of the Association.

Annual Fire Conference

- 3 The Association is promoting the first ever Local Government Fire Conference at the International Convention Centre, Birmingham on 10 and 11 March 1998. The draft programme for the conference is set out in the Appendix hereto.
- 4 The Association observes that the Fire Service is going through a period of dramatic change. In addition to the implications of the Audit Commission report "In the Line of Fire", the Government has announced its intention

to conduct a comprehensive review of spending in the Fire Service, to ensure that it continues to provide the best possible service for the local communities it serves. The Association will be playing an active part in the review process and is keen to ensure that all authorities participate in the debate about the most appropriate way forward. Thus, it has selected theme "Setting the Agenda: The future for the Fire Service" for the conference.

- 5 The Authority is invited to consider nominating delegates to attend the conference. In this connection, Members will have observed from Agenda Item 7 that the Authority has no power to pay for Members to attend conferences: it will be for the "home" constituent council of each delegate to authorise the payment. However, it is possible that, as the conference will be held before 31 March 1998, the County Council will meet the costs of any delegates who are also Members of that Council.

E BACKGROUND PAPERS

- 1 Agenda & Minutes - Berkshire Authorities' Fire Joint Committee: 9 October 1997
- 2 Letters dated 13 November 1997 and 12 January 1998 from Local Government Association

Contact Officer: Roger Penfold, Joint Acting Clerk (0118) 923 3103

“Setting The Agenda: The Future Of The Fire Service” LGA Annual Fire Conference 1998

10 -11 March 1998
International Convention Centre, Birmingham

Draft Programme

Tuesday 10 March

- | | |
|--------|---|
| 1.30pm | Opening of the Conference
Cllr Tony Ritchie, Chair of LGA Fire Committee |
| 1.45pm | Plenary Session 1
Government Policy on the Fire Service
Speaker: Home Secretary (or Minister of State)
Invited.

Questions |
| 2.30pm | Plenary Session 2
Local Government, The Fire Service and the Role of the LGA
Speaker: Brian Briscoe, Chief Executive, LGA
Questions |
| 3.15pm | Tea |
| 3.45pm | Workshops

A series of 7 Workshops will provide delegates with an opportunity to debate current and practical issues in the Fire Service.

<ul style="list-style-type: none"> • Combined Fire Authorities • Recruiting the Retained • Problems with Pensions • Financing the Fire Service • Equal Opportunities • Europe & Fire Issues • Health and Safety. |
| 5.15pm | Close of Workshops |
| 7.30pm | Reception |
| 8.00pm | Conference Dinner |

Wednesday 11 March 1998

Chair: Cllr Geoffrey Theobald OBE (East Sussex) Deputy Chair, LGA Fire Committee

- 9.30am **Plenary Session 3**
 Fire: Which Way Forward?
 Speaker: Sue Street, Director of Fire And Emergency Planning
 Home Office
 Questions
- 10.15am **Plenary Session 4**
 The Comprehensive Spending Review
 Speakers: The Welsh Experience of Reorganisation
 The LGA Position Statement
- 11.00am Coffee
- 11.30am **Question Time**
 Panel to include representatives from:
 • Three main political parties
 • FBU
 • Audit Commission
 • CACFOA/APFO
- 12.45pm Lunch

Chair: Cllr Liz Brett, (Hampshire CFA), Deputy Chair LGA Fire Committee.

- 2.00pm **Plenary Session 5**
 Best Value in the Fire Service
 Speakers: To be confirmed.
 Questions
- 3.00pm **Plenary Session 6**
 Her Majesty's Inspectorate of the Fire Service - A New Beginning?
 Speaker: Graham Meldrum (invited)
 Questions
- 3.45pm Chair's Closing Remarks
- 4.00pm Close of Conference
 Tea & Depart.

AGENDA ITEM 10 : FIRE SAFETY LEGISLATION FOR THE FUTURE : A CONSULTATION DOCUMENT

To: Royal Berkshire Fire Authority
Date: 3 February 1998
Officers Contributing: Chief Fire Officer

A PURPOSE OF REPORT

To advise the Authority of the Government's public consultation on outline proposals for new fire safety legislation.

B PROPOSED ACTION

The Authority is invited to RESOLVE that the Chief Fire Officer respond on behalf of the Authority to the Home Office invitation to comment by 28 February 1998.

C FINANCIAL IMPLICATIONS OF PROPOSED ACTION

None at this time.

D SUPPORTING INFORMATION

- 1 Members will be aware that ensuring effective arrangements for fire safety is part of the Government's responsibility for the protection and security of its citizens and it is their known aim to reduce the numbers of deaths and injuries from fire. Preventing the occurrence of fire is an important element in the wider programme designed to create safer communities.
- 2 There is a desire to build on recent work aimed at bringing fire safety legislation up-to-date, particularly to respond to the arguments made by the Audit Commission in its report "In the Line of Fire" that prevention is better than cure. This will include considering the recommendations of the Community Fire Safety Task Force in their recently published report "Safe as Houses".
- 3 Existing fire safety legislation has developed in a responsive piecemeal fashion and is scattered among over 60 documents. It is often inconsistent and can be difficult to understand. The Government is, therefore, seeking an opportunity for radical overhaul of existing fire safety law. It proposes that the rationalisation should be a new, modern approach based on risk assessment to ensure that fire safety provision is in proportion to the danger faced. This approach would reflect that of the Health and Safety at Work etc Act 1974 and EC Health and Safety legislation. It should allow enforcing authorities to target their resources to those premises that present the highest risk.
- 4 The proposals also form part of the Home Office Comprehensive Spending Review, an outline report on which was included in the agenda of the last meeting of the Authority. The Consultation Document is intended to be the first step towards a legislative regime which will serve to meet the fire safety challenges of the future. It deals mainly with broad concepts and, in light of the responses to this consultation it is decided to seek to proceed

with new legislation, there will be further consultation on detailed and costed proposals.

- 5 The document proposes a new general duty of fire safety care on employers and the occupiers and owners of almost all premises (except single private dwellings) to provide and maintain adequate fire precautions. Superimposed on the general duty would be a system of Fire Authority validation of the fire safety measures in high risk premises. Validation would be based on risk assessment by the employer, owner or occupier who would remain responsible for the general duty. A fire authority may charge for certain validations and have powers to consider and exempt premises that do not, in their view, constitute a high risk.
- 6 The consultation will consider a new statutory duty on fire authorities to educate the community in fire safety. This is already becoming a major part of the work of the fire service despite the fact that there is no specific statutory obligation to do so. Community fire safety is identified both nationally and locally as a key way forward and substantially more emphasis would be given by the imposing of a legal duty.
- 7 Whilst the work of the present legislative controls has, over time, been recognised, there are now perceived to be a number of shortfalls in its operation and overall effectiveness and it is for this reason that its overhaul and replacement is being now considered.
- 8 The Fire Precautions (Workplace) Regulations 1997 have already been introduced and deal with outstanding European fire precaution issues. Key to these Regulations has been the reduction of further additional burdens on employers and the effective introduction of a new concept to the application of fire precautions.
- 9 The 1997 Regulations are seen as a valuable step forward towards risk assessment arrangements based on a new general duty on persons responsible for premises. This enables a dynamic approach to fire safety in order to meet changing developments and requirements rather than the certification approach which is seen to discourage managements from taking responsibility with the fire authority prescribing what needs to be done and the occupier complying with these exact requirements.
- 10 It is envisaged that the Fire Authority will enforce any general fire safety legislation whilst fire safety measures into buildings at construction stage or when undergoing alterations will continue to be covered by the Building Regulations enforced by Building Control departments.
- 11 The content of the consultation document are currently being studied by the Chief Fire Officer and his specialist staff with a view to the formulation of a response which can then be reported to the Authority at a future meeting.

E BACKGROUND PAPERS

Consultation Document - Fire Safety Legislation for the Future

Contact Officer: John Head, Fire and Rescue Service (Tel: 0118 932 2228).

SUMMARY OF CONTENTS
FIRE SAFETY LEGISLATION FOR THE FUTURE
A CONSULTATION DOCUMENT

CENTRAL ELEMENTS OF THE PROPOSED NEW REGIME

- New general duty on responsible persons.
- Risk assessment approach.
- Future of certification.
- Conditions to be attached to validation.
- Criteria for identifying high risk premises.
- Designation of high risk premises.
- Voluntary validation.
- Charges for validation.
- Definition of persons responsible for premises.
- Status of guidance.

THE ROLE OF FIRE AUTHORITIES

- Enforcement of General Fire Precautions legislation.
- New duty to promote fire safety.
- Application to the Crown.

CONSOLIDATION AND RATIONALISATION

- Holroyd distinction.
- Extension of coverage of Building Regulations.
- Statutory Bar.
- Health and Safety at Work etc. Act 1974.
- Consolidation and repeal.
- Fire Precautions (Workplace) Regulations 1997.
- Licensing and registration.

EXECUTIVE SUMMARY

This paper invites views on proposals for new fire safety legislation.

We propose a new general duty of fire safety care on employers and the occupiers and owners of almost all premises (except single private dwellings) to provide and maintain adequate fire precautions.

Superimposed on the general duty would be a system of fire authority validation of the fire safety measures in high risk premises. Validation would be based on risk assessment by the employer, owner or occupier. It would be granted only when the fire authority was fully satisfied that the fire safety measures were appropriate to the risk in the premises.

To take account of the fact that most deaths and injuries from fire happen in people's homes, we are attracted to a new statutory duty on fire authorities to educate the community in fire safety.

We take the firm view that general fire precautions legislation should be enforced by fire authorities.

The new legislation should simplify the existing law, repealing and consolidating existing legislation where appropriate. It would have to take full account of European Community obligations and of the need to keep the risk to fire-fighters to a minimum.

Detailed scheme of possible new legislation

1. fire safety legislation should apply, broadly speaking, to all premises except single private dwellings (paras 58-59)

2. responsibility for compliance with fire safety legislation should lie with a "responsible person", who might be the employer in the case of a workplace, or the owner or occupier of premises in other circumstances (60-63)

3. we welcome views on who should be defined as the persons responsible for premises

4. responsible persons should be subject to a general duty to provide and maintain adequate fire precautions, with the emphasis on the protection of people (19-21)

5. the general duty would require adequate fire safety provision to be made for anyone who might be on premises; employees, contractors and public alike, and including fire-fighters who might have to enter premises when they are on fire

6. there might be limited exemptions for certain premises from the new general duty but only where there are strong grounds for different treatment (27, 59)

7. otherwise the aim would be to provide as comprehensive a definition of premises as is consistent with the need to avoid inappropriate application to such places as streets or fields

8. the general duty should be goal-based, not prescriptive (15)

9. it would require the responsible person to carry out a risk assessment and in the light of the assessment to take any necessary steps to ensure that fire safety standards were adequate (29)

10. the risk assessment and consequent fire safety measures in high risk premises should be subject to fire authority validation (30-57)

11. we welcome views on whether fire authorities should be able to attach conditions (such as numbers of persons who may use the premises) to the validation (40-41)

12. the premises to be subject to validation would be designated (as under the Fire Precautions Act 1971) using criteria that would best ensure that the validation regime was targeted as accurately as possible (42-44)

13. we welcome views on the criteria for deciding which premises should be subject to validation

14. persons responsible for premises that were not subject to validation would have to maintain standards of safety to the same level as validated premises and would be liable to periodic fire authority inspection as an audit of compliance

15. we welcome views on whether voluntary validation should be an option for premises that are not designated high risk or are exempted by the fire authority (51-52)

16. after making significant changes to high risk premises, the responsible person would be required to review the risk assessment, make any necessary changes to the fire safety arrangements, and inform the fire authority who would decide whether a further inspection was necessary (36-37)

17. we welcome views on whether fire authorities should be subject to a statutory timetable when considering applications for validation of high risk premises (38-39)

18. Both simple non-technical and detailed technical guidance should be available, offering model solutions but with responsible persons free to adopt alternative solutions provided the fire safety goals are met (64-66)

19. we welcome views on whether or not such guidance should be underpinned by statute

20. enforcement of the new legislation should be the responsibility of fire authorities (67)

21. fire safety measures that are incorporated into buildings at the construction stage and that are covered by building regulations should continue to be the concern of the building control authorities, subject to proper arrangements for consultation with fire authorities (83)

22. we invite views on the possible extension of building regulations to cover other in-built fire precautions e.g. fire detection and warning systems and built-in fire-fighting installations

23. there should be no statutory bar in future fire safety legislation because this is incompatible with a dynamic general duty of fire safety care (85-87)

- 24. we welcome views on the feasibility of a completion certification being issued jointly by the building control authority and the fire authority to mark the point at which the building becomes subject solely to fire safety legislation (81)**
25. the Health and Safety at Work etc. Act 1974 should no longer apply to general fire safety (88)
26. fire safety connected with hazardous processes or work activity (process fire safety) should remain under the Health and Safety at Work etc. Act 1974, enforced by the Health and Safety Executive
27. new legislation should wherever practicable repeal or consolidate the fire safety provisions in non-fire-specific legislation (90-107)
28. the new legislation should implement fully the EC Framework and Workplace Directives, either through primary legislation or by regulations made under it (91)
29. the Fire Certificates (Special Premises) Regulations 1976 are being reviewed by the Health and Safety Executive (106)
30. fire authorities should be under a broad duty, as now, to ensure satisfactory arrangements for inspections (68)
- 31. we invite views on whether there should be a reserve power to designate centrally by regulations the frequency of inspections in particular circumstances**
32. there should be appropriate rights of appeal against fire authority decisions (113-118)
33. enforcement procedures should be transparent and properly explained to the people affected (119)
- 34. we welcome views on the extent to which breaches of the legislation should be met by criminal sanctions as opposed to remedies in the civil courts (110-112)**
- 35. we welcome views on whether fire authorities should be given discretion to charge for fire safety advice in limited circumstances (120-122)**

AGENDA ITEM 11 : ROYAL BERKSHIRE FIRE AND RESCUE SERVICE: BRIGADE BADGE & LOGO

To: Royal Berkshire Fire Authority
Date: 3 February 1998
Officers Contributing: Chief Fire Officer

A PURPOSE OF REPORT

To seek approval for the Royal Berkshire Fire and Rescue Service to continue to use the Brigade's present badge and logo.

B PROPOSED ACTION

The Authority is invited to **RESOLVE** that the Royal Berkshire Fire and Rescue Service continue to use the present badge and logo, as set out in the Appendix.

C FINANCIAL IMPLICATIONS OF PROPOSED ACTION

There are no financial implications in retaining the existing badge and logo. However, if the Authority were minded to change the logo, it would cost approximately £20,000 to replace existing cap badges, uniform buttons and to 're-badge' fire appliances, signs etc. In addition, if the Authority wished to have a coat of arms, it would cost approximately £10,000 for the York Herald to design and register the crest.

D SUPPORTING INFORMATION

- 1 The Brigade currently incorporates the Berkshire County Council logo (viz, the crown and 2 lions) into its uniform cap badges and buttons (see the **Appendix**), in addition to having the badge on fire appliances, notepaper etc. To continue to use the logo in the Brigade's badge requires both the permission of the County Council and a resolution by the Authority. The relevant Committee of the County Council will consider the matter at a meeting on 3 February 1998.
- 2 The Authority could determine to have its own coat of arms, but it would need to be approved by, and designed in conjunction with, the York Herald of the College of Arms. The cost of this process would be £10,000. In addition, it could also necessitate incorporating the arms into the Brigade's badge which is used as described in paragraph D1.
- 3 If Members were minded to have a coat of arms for the Authority, they would need to determine what the arms should incorporate.

E BACKGROUND PAPERS

None

Contact Officer: D Noonan, Fire and Rescue Service, tel: (0118) 932 2250

Appendix



AGENDA ITEM 12 : STANDING ORDERS RELATING TO CONTRACTS

To: Royal Berkshire Fire Authority
Date: 3 February 1998
Officers Contributing: Joint Acting Clerk, Treasurer

A PURPOSE OF REPORT

To propose the adoption of Standing Orders relating to Contracts.

B PROPOSED ACTION

The Authority is invited to **RESOLVE** that the Standing Orders relating to Contracts, set out in the Appendix hereto, be adopted.

C FINANCIAL IMPLICATIONS OF PROPOSED ACTION

There are no financial implications.

D SUPPORTING INFORMATION

- 1 At its first meeting, on 25 November 1997, the Authority was advised that, although some exploratory work had been undertaken to devise a set of Standing Orders as to Contracts, officers suggested that adoption of these be delayed until the Authority had appointed its Treasurer, and he/she had had an opportunity to contribute to them.
- 2 In the circumstances, the Authority accepted the recommendation of the Berkshire Authorities' Fire Joint Committee that, as an interim measure, and because the Authority would almost certainly need to enter into some contracts early in its life, the Standing Orders as to Contract of Berkshire County Council be adopted.
- 3 Following the appointment of the Treasurer, officers have now completed their work, and they propose the Standing Orders relating to Contracts set out in the **Appendix** hereto.

E BACKGROUND PAPERS

- 1 Agenda & Minutes - Berkshire Authorities' Fire Joint Committee: 4 November 1997
- 2 Agenda & Minutes - Royal Berkshire Fire Authority: 25 November 1997

Contact Officers: David Over, Joint Acting Clerk (0118) 923 3130
Donald Illingworth, Treasurer (0118) 932 2286

APPENDIX

STANDING ORDERS RELATING TO CONTRACTS

- 1 Every contract made by the Authority, a committee, a sub-committee or an officer of the Authority, shall comply with these regulations, and no exception shall be made otherwise than by direction of the Authority. Express note of any such exception and on the grounds on which the exception shall have been justified shall be made in the minutes of the Authority.
- 2 Where any matter involves professional or technical considerations not within the sphere of competence of the officer concerned, he/she shall consult with appropriately qualified persons.
- 3 Members of the Authority and officers are obliged to disclose any interests in a contract or contractor, in accordance with the procedure in the Authority's Standing Orders.
- 4 No financial liability shall be incurred or authorised unless it is provided for in the Authority's approved budget.
- 5 A proposed contract which does not exceed £3,000 may be entered into with such person as is considered competent for the purpose.
- 6 Where a proposed contract exceeds £3,000, but is not more than £10,000, three formal quotations must be sought wherever practicable. The seeking of quotations should be accompanied by a letter setting out requirements.
- 7 Where a proposed contract exceeds £10,000, a specification of requirements must be prepared and at least three tenders sought.
- 8 A proposed contract which exceeds £100,000 in value shall be subject to at least 10 days' public notice in one or more local newspapers and appropriate technical publications, inviting interested parties to express their interest.
- 9 Following receipt of expressions of interest, invitations to tender should be sent to at least three persons, or those showing interest if fewer than three.
- 10 The requirements set out in regulations 6 to 9 may be waived by the Authority or a committee or sub-committee acting on its behalf, upon report by the Chief Fire Officer and the Clerk setting out appropriate reasons thereof. Such circumstances might include:
 - a where only one company is considered suitable
 - b where the contract can only be undertaken by one contractor
 - c where market conditions distort competition
 - d where there is genuine urgency
 - e where the proposed contractor is already on site

- f where there are demonstrable benefits
- g where the expenditure is to be wholly reimbursed by a third party. *change*
- 11 Where a proposed contract exceeds limits set by the EC then wider advertisement of interest in accordance with the Public Procurement Regulations must be instigated. *but the limits the above list shall be covered as being h.*
- 12 Where competitive tenders are sought, every tender must be submitted in a plain, sealed envelope marked "Tender for ...", but must not include any name or mark by which the sender may be identified. Such envelopes will be recorded upon receipt but not opened. They must be kept securely until the due date.
- 13 Tenders received after a set deadline should be regarded as ineligible.
- 14 On the due date, all tenders for work exceeding £10,000 shall be opened and recorded by the Chief Fire Officer, or his/her nominated representative, in the presence of a witness.
- 15 A schedule shall be prepared at the time of the opening which shall indicate the name of the tender, the date and time of the opening and the signature of the officers present.
- 16 Where tenders have been received and opened in accordance with these regulations they may, subject to regulations 17 and 18, be accepted by the Chief Fire Officer or the Clerk on behalf of the Authority.
- 17 A tender for the execution of any building work which exceeds the estimate by more than the greater of 5% or £10,000 shall not be accepted without the approval of the Authority, or a committee or sub-committee acting on its behalf. *or the Treasurer*
- 18 Except in the case of tenders not exceeding £10,000 in value or amount, a tender other than the lowest tender shall not be accepted until the Authority, or a committee or sub-committee acting on its behalf, has considered a written report on the matter.
- 19 Every contract shall be in writing, and where it exceeds £50,000 in value, shall be the subject of a formal contract prepared or approved by the Clerk. A contract not exceeding £50,000 in value shall either be a formal contract or be subject to the Official Order procedure laid down in the Authority's Financial Regulations.
- 20 Contracts shall be signed on behalf of the Authority by the Chief Fire Officer, or other officer authorised in writing by the Chief Fire Officer, or by the Clerk if the contract is issued under the common seal of the Authority. *Treasurer*
- 21 Contracts made in an emergency shall be confirmed in writing within seven working days.
- 22 Every written contract shall specify:
- a the work, materials, matters or things to be supplied or done;

- b the price to be paid with a statement of discounts or other deductions;
 - c the time or times within which the contract is to be performed.
- 23 Where a specification issued by the relevant Standards Institution within the EC is current at the date of the tender and is applicable, every contract shall require that, as the case may be, all goods and materials used or supplied and all workmanship shall not be below that standard.
- 24 A Each written contract shall contain a clause to ensure that, if a contractor fails to perform all or part of the contract as specified, the Authority may, in addition to any other remedy, determine part or all of the contract and purchase alternative goods or supplies etc from another source.
- B Where the cost of obtaining goods or supplies etc from another source exceeds the cost which would have been payable to the contractor if the contract had been properly performed in whole or in part, the balance shall be recovered from the contractor.
- 25 The Chief Fire Officer shall consult with the Clerk and Treasurer on the need to include in each formal contract for the execution of works:
- a provision for payment of liquidated damages by the contractor in case any of the terms of the contract are not duly performed; and
 - b provision of sufficient security for the due performance of the contract.
- 26 In every written contract a clause shall be inserted to the effect that the Authority shall be entitled to cancel the contract and to recover from the contractor the amount of any loss resulting from such cancellation if the contractor has offered or given or agreed to give any person any kind of inducement or reward for doing or forbearing to do any action in relation to the obtaining or the execution of the contract or any other contract with the Authority or for showing favour or forbearing to show disfavour to any person in relation to the contract or any other contract with the Authority, or if the like acts shall have been done by any person employed by him/her or acting on his/her behalf (whether with or without the knowledge of the contractor), or if in relation to any contract with the Authority the contractor or any other person employed by him/her or acting on his/her behalf shall have committed any offence under the Prevention of Corruption Acts 1889 to 1916, or shall have given any fee or reward the receipt of which is an offence under sub-section (2) of section 117 of the Local Government Act 1972.

AGENDA ITEM : 13

**1998/99 CONTRIBUTIONS TO THE COMBINED
FIRE SERVICE FUND**

To: Royal Berkshire Fire Authority
Date: 3 February 1998
Officer Contributing: Treasurer

A PURPOSE OF REPORT

To fix the contributions to be made by each constituent authority to the Combined Fire Service Fund for 1998/99

B PROPOSED ACTION

The Authority is requested to RESOLVE the contribution to be made by each constituent authority and the instalment payments as set out in Appendix 'A'.

C FINANCIAL IMPLICATIONS OF THE PROPOSED ACTION

The Revenue Budget approved at the meeting of the Fire Authority held on 18 December 1997 totalled £18.9M. The proportion of the budget to be met by each constituent authority is calculated on the Council Tax Base for Revenue Support Grant. The 12 instalments will be payable on the first working day of each month which accords with the assumptions made in the approved Budget.

D SUPPORTING INFORMATION

- 1 Appendix 'B' reproduces Part IV of the Berkshire Fire Services (Combination Scheme) Order 1997 on the operation of the Combined Fire Service Fund.
- 2 The Budget approved at the last meeting provided for interest on balances on contributions received on the first working day of each month.
- 3 An analysis of the likely cash flow resulting from the Fire Authority's activities indicates that the contributions set out are estimated to be at all times sufficient to enable the financial obligations of the authority to be met.
- 4 The two areas where the Brigade could be thrown off course are national pay rises and pension payments compared with provision made. Both are largely outside Fire Authority control.
- 5 Whilst the Fire Authority has the capacity to revise its estimate of expenditure at any time during the year and ask for revised contributions clearly this facility is designed only to cover exceptional circumstances where a significant item(s) of expenditure occurs during the financial year which could not have been foreseen at Budget time and which cannot be accommodated by virements.

- 6 The Financial Regulations to be submitted to the meeting of the Fire Authority on 16 March 1998 will cover Budget Monitoring and reporting.

F BACKGROUND PAPERS

- 1 Agenda and Minutes: Royal Berkshire Fire Authority, 9 and 18 December 1997
- 2 Department of the Environment Transport and the Regions letter dated 8 January 1998: Council Tax Base for Revenue Support Grant Purposes

Contact Officer: Donald Illingworth, Treasurer, tel: (0118) 932 2286

**ROYAL BERKSHIRE FIRE AUTHORITY
CONTRIBUTIONS TO THE COMBINED FIRE SERVICE FUND**

	Total	Bracknell Forest	Newbury	Reading	Slough	Windsor & Maidenhead	Wokingham
Council Tax Base for RSG	300831	40314	55347	47402	36950	61123	59695
Budget	£18,900,000	£2,532,766	£3,477,229	£2,978,077	£2,321,420	£3,840,112	£3,750,396
Instalments 1998							
1 April '98 (Wed)	£1,575,000	£211,062	£289,770	£248,174	£193,448	£320,013	£312,533

Then 11 instalments of:

1 May '98 (Fri)	£1,575,000	£211,064	£289,769	£248,173	£193,452	£320,009	£312,533
1 Jun '98 (Mon)							
1 Jul '98 (Wed)							
3 Aug '98 (Mon)							
1 Sep '98 (Tue)							
1 Oct '98 (Thu)							
2 Nov '98 (Mon)							
1 Dec '98 (Tue)							
4 Jan '99 (Mon)							
1 Feb '99 (Mon)							
1 Mar '99 (Mon)							

PART IV

COMBINED FIRE SERVICE FUND

21.—(1) Each constituent authority shall, in respect of each financial year, pay into the combined fire service fund, in accordance with the provisions of this paragraph, a contribution equal to its appropriate proportion of the net expenses of the Authority in respect of that year.

(2) The Authority shall, before 31st December in any year, submit to each constituent authority an estimate of its net expenses for the next financial year, and shall subsequently, before 15th February, give notice to each constituent authority of the amount of the contribution to be paid by that authority under this paragraph in the next financial year.

(3) Subject to sub-paragraphs (4) and (5), each constituent authority shall, at such intervals as are agreed between it and the Authority, make an interim payment into the combined fire service fund of such an amount as is so agreed on account of the said contribution.

(4) Subject to sub-paragraph (5), if a constituent authority and the Authority fail to agree, or subsequently disagree, as to the intervals at which payments should be made under sub-paragraph (3) or as to the amounts of such payments, each payment shall, until the end of the financial year or subsequent agreement between the two authorities, whichever is sooner—

- (a) be made on the first working day of each month, and
- (b) be of such an amount as would, if added to payments of an equal amount made on the first working day of each remaining month of the financial year, equal the outstanding balance of the contribution to be paid by the constituent authority under this paragraph.

(5) Notwithstanding the provisions of sub-paragraphs (3) and (4) any payments made under those sub-paragraphs shall be made at such times, and shall be of such amounts, as are at all times sufficient to enable the financial obligations of the Authority to be met.

(6) The Authority may, after consultation with each constituent authority, revise the estimate referred to in sub-paragraph (2) at any time before the end of the financial year to which that estimate relates and shall, as soon as is practicable, give notice in writing to each constituent authority of the revised amount of the contribution to be paid by that authority under this paragraph.

(7) Where a constituent authority receives notice under sub-paragraph (6) the interim payments payable thereafter under sub-paragraph (3) or (4) shall, subject to sub-paragraph (5), be so increased or reduced as to adjust to the difference.

(8) If the Authority makes arrangements with any constituent authority under paragraph 10 for the making of payments on behalf of the Authority by that constituent authority, the interim payments to be made by that constituent authority under this paragraph shall, subject to sub-paragraph (5), take into account payments made by that constituent authority on behalf of the Authority.

(9) For the purposes of this paragraph the net expenses of the Authority, in respect of any financial year, shall be the amount of its expenditure in respect of that year less all income which is credited to the combined fire service fund in respect of that year, other than contributions paid or payable under sub-paragraph (1), but may, for the purposes of preparing the estimate referred to in sub-paragraph (2) and if the Authority so resolve, include such amount or amounts as the Authority consider appropriate with a view to minimising any upward revision of an estimate under sub-paragraph (6).

(10) In this paragraph—

“appropriate proportion” means the proportion of the total amount of the constituent authorities’ council tax base which is represented by the council tax base of the constituent authority in question;

“council tax base” means the council tax base for the year calculated by the Secretary of State for the Environment for Revenue Support Grant purposes in accordance with the local government finance report for that year made under section 78A of the Local Government Finance Act 1988(a);

“financial year” means the period of twelve months beginning on 1st April; and

“working day” means a day other than a Saturday or a Sunday, Good Friday, Christmas Day or a day which is, or is to be observed as, a bank holiday, or a holiday under the Banking and Financial Dealings Act 1971(b) in England and Wales.

22. The Authority shall have the power to pay out of the combined fire service fund compensation to persons employed by Berkshire County Council who in consequence of this scheme, or anything done thereunder, suffer direct pecuniary loss by reason of the determination of their appointments or the diminution of their emoluments.

AGENDA ITEM 14 : 1998/99 BUDGET

To: Royal Berkshire Fire Authority
Date: 3 February 1998
Officers Contributing: Treasurer

A PURPOSE OF REPORT

To provide for Members details of the Budget for 1998/99, consequent on the approval of the overall Revenue Budget of £18.9m at the meeting of the Authority held on 18 December 1998.

B PROPOSED ACTION

The Authority is requested to NOTE the details of the Budget for 1998/99.

C FINANCIAL IMPLICATIONS OF PROPOSED ACTION

The detailed Budget will form the basis for Budget monitoring and reports to each meeting of the Authority. Whilst the Authority has the capacity to review its estimates of expenditure at any time during the year and ask for revised contributions, clearly this facility is designed only to cover exceptional circumstances where a significant item(s) of expenditure occurs during the financial year which could not have been foreseen at Budget time and which cannot be accommodated by virements.

D SUPPORTING INFORMATION

- 1 The Appendix sets out details of the Budget for 1998/99 using the Chartered Institute of Public Finance and Accountancy classification.
- 2 The opportunity has been taken to provide information on a Service Centre basis, together with an appropriate commentary.
- 3 As the policies and organisation of the Authority develop up to 31 March 1998 and in the early months of the full operation of the new Authority there will inevitably be the need to fine tune the details of the Budget. Changes will be accomplished by appropriate virements and will be the subject of report in each Budget Monitoring exercise.
- 4 Under the terms of the Berkshire Fire Services (Combination Scheme) Order 1997, stores with a value of approximately £340,000 and car loans totalling approximately £70,000 will be transferred to the Authority. The Berkshire Finance Officers are examining the Balance Sheet affects arising. Holding Accounts will be opened for these two aspects in the Fire Authority "books".

E BACKGROUND PAPERS

- 1 Agenda and Minutes: Royal Berkshire Fire Authority - 9/18 December 1997
- 2 Berkshire Fire Services (Combination Scheme) Order 1997.

Contact Officer: Donald Illingworth, Treasurer, tel: (0118) 932 2286
X Andrew Vallance, Brigade Management Accountant, tel:
(0118) 932 2251

BERKSHIRE FIRE AUTHORITY**1998/99 NET REVENUE BUDGET**

The net revenue budget can be summarised as follows:

	£
Employees	13,522,725
Premises Related Expenses	804,350
Supplies & Services	1,483,061
Transport Related Expenses	1,061,114
Contracted Services	114,100
Capital Financing Costs	55,595
Total Expenditure	17,040,945
Income	(386,560)
Net Expenditure	16,654,385
Pensions Deficit	2,245,615
Net Revenue Budget	18,900,000

BUDGET BY SERVICE CENTRE**STRATEGIC**

This service centre contains the costs of the Chief Fire Officer, his support staff and other strategic brigade-wide budgets.

	£
Employees	115,725
Premises Related Expenses	0
Supplies and Services	59,785
Transport Related Expenses	12,730
Total Expenditure	188,240
Income	(113,056)
Net Expenditure	75,184

SERVICE DELIVERY DIRECTORATE**SERVICE DELIVERY MANAGEMENT & ADMINISTRATION**

This budget contains the costs of the Service Delivery Director and his support staff. It also includes the 7 Community Fire Safety Officers.

	£
Employees	373,752
Premises Related Expenses	0
Supplies & Services	0
Transport Related Expenses	34,000
Total Expenditure	407,752

CONTROL

Brigade Control is located centrally within the Brigade area at Reading. Its function is to receive emergency calls and dispatch fire appliances and officers to a variety of incidents. The Control Room staff deal with in excess of 24,000 emergency calls a year which result in in excess of 15,000 incidents being attended by fire crews.

	£
Employees	630,948
Premises Related Expenses	30,103
Supplies & Services	7,780
Transport Related Expenses	4,577
Total Expenditure	673,408
Income	(4,408)
Net Expenditure	669,000

OPERATIONS

The operational front line service is delivered from 20 Fire Stations, located within both major and rural centres of population throughout the brigade area.

Firefighting crews respond to many types of emergency, ranging from dealing with a variety of fires to rescuing persons trapped in vehicles.

	£
Employees	9,065,171
Premises Related Expenses	456,333
Supplies & Services	270,792
Transport Related Expenses	71,179
Total Expenditure	9,863,475
Income	(13,424)
Net Expenditure	9,850,051

FIRE SAFETY

The delivery of Fire Safety is undertaken by a team of skilled officers, ensuring that Fire Safety Legislation is adhered to across a wide range of premises.

Fire Safety advice is also given to members of the community. Approximately 17,000 inspections are undertaken throughout the brigade each year.

	£
Employees	706,480
Premises Related Expenses	0
Supplies & Services	35,834
Transport Related Expenses	50,082
Total Expenditure	792,396
Income	(30,914)
Net Expenditure	761,482

COMMUNITY SAFETY

Community safety is delivered throughout the whole county area working in partnership with the community to promote/educate and encourage a greater awareness of the dangers from fire, and what can be done to make the environment a safer place to live.

	£
Employees	36,108
Premises Related Expenses	0
Supplies & Services	0
Transport Related Expenses	3,000
Total Expenditure	39,108

SUPPORT SERVICES DIRECTORATE**MANAGEMENT ADMINISTRATION**

This service centre contains the costs of the Support Services Director and his support staff.

	£
Employees	76,703
Premises Related Expenses	0
Supplies & Services	0
Transport Related Expenses	5,000
Total Expenditure	81,703

FIRE SAFETY PROJECTS

This small team is responsible for the provision of fire safety policy and planning to allow Fire Safety Inspecting Officers in the Service Delivery Directorate to undertake their statutory duties. The team will monitor performance of the inspection programme, producing statistical information for the Home Office and the Brigade's own use. The team will lead on major developments. In addition it will liaise and meet with Local Authority and national groups to ensure obligations, standards and best practice are met.

	£
Employees	140,957
Premises Related Expenses	0
Supplies & Services	2,000
Transport Related Expenses	20,000
Total Expenditure	162,957

ENGINEERING

This department ensures the Brigade's fleet of 89 vehicles and many items of operational equipment is serviced and maintained to a level expected of a front line emergency service. To that end the Brigade maintains its own workshops and team of skilled mechanics. The Engineering Officer provides the Brigade and its Managers with expert technical advice. This department liaises closely with other local Brigades as well as contributing nationally on appliance and equipment design and best practice.

	£
Employees	47,380
Premises Related Expenses	0
Supplies & Services	143,663
Transport Related Expenses	782,185
Total Expenditure	973,228

RESEARCH/EQUIPMENT

The Officer in this department is responsible for identifying and quantifying the Brigade's needs for new and replacement equipment and uniform. Procurement will be driven by an ongoing assessment of the risks involved with introduction, training, use, maintenance and disposal of uniform and equipment. This department will ensure that sufficient information and training is delivered to all those authorised to use, test and maintain equipment and uniform. The department will, in particular, work closely with the Engineering Specifications Officer and the Purchasing Officer.

	£
Employees	36,108
Premises Related Expenses	0
Supplies & Services	0
Transport Related Expenses	3,000
Total Expenditure	<hr/> 39,108

TECHNICAL

The Senior Technical Officer will be responsible for steering strategic support decisions into a tactical implementation plan so these can be interpreted into a working policy with practical and effective operational working practices and procedures.

The Technical Resource Manager and his department will maintain a database of technical, historical and legal information for all members of the Brigade. The department will support the multi media needs of all other departments, but with a specific programme of training and health and safety matters in support of the Brigade's implementation of competence and capability. This section will prepare all plan drawing needs, particularly those required in the Brigade's statutory certification programme.

The Operations Support department will be responsible for providing the policy procedures and information for the Service Delivery Directorate to undertake its duties in a safe and efficient way at operational incidents. The department will ensure that operations are provided with a total framework model for command and control for all types of operational incident sufficient to embrace an understanding and working relationship with all responding services. The framework to include sufficient risk and procedural information for effective management at an incident.

	£
Employees	653,986
Premises Related Expenses	0
Supplies & Services	132,704
Transport Related Expenses	17,890
Total Expenditure	<hr/> 804,580

STORES

This department will ensure best value purchase for all items that the Brigade need and use. The Purchasing Officer will work closely with the Research and Equipment Officer and will need a practical working knowledge of health and safety including, in particular, risk assessment in relation to operational equipment and uniform. This department will maintain a safe and secure system of storage of the Brigade's purchased items, together with procedures for service and maintenance on particular items of kit and equipment. The department will have an efficient system of delivery to all fire stations.

	£
Employees	66,057
Premises Related Expenses	392
Supplies & Services	4,684
Transport Related Expenses	659
Total Expenditure	71,792

HUMAN RESOURCES DIRECTORATE**HUMAN RESOURCES MANAGEMENT & ADMINISTRATION**

This service centre contains the costs of the new Human Resources Director and his/her support staff.

	£
Employees	54,771
Premises Related Services	0
Supplies & Services	0
Transport Related Expenses	5,000
Total Expenditure	59,771

PERSONNEL

This section provides strategic advice to the Brigade Management Team on issues relating to personnel management and employment law and provides guidance and support to managers within the Brigade. The section is also responsible to provide support in respect of occupational health, staff welfare and equal opportunities. The Equal Opportunities Officer provides specific advice in relation to equality issues, monitors the effectiveness of the Brigade's Fair Treatment policies and facilitates training for all staff in equality issues via a network of Advisors recruited internally from the workforce. The Advisors undertake this role in addition to their primary responsibilities.

	£
Employees	132,700
Premises Related Expenses	0
Supplies & Services	64,125
Transport Related Expenses	2,000
Total Expenditure	198,825

TRAINING

The Training Section is responsible for the development and delivery of effective training to all members of the workforce to ensure competency and, in the case of operational firefighters and officers, to ensure compliance with health and safety requirements.

	£
Employees	458,685
Premises Related Services	154
Supplies & Services	6,114
Transport Related Expenses	7,000
Total Expenditure	471,953

TRAINING CENTRE

The Centre is responsible to organise and deliver specific training, predominantly to operational firefighters and officers, to the directions of the Brigade Training Officer. Predominantly, such training is of a type which is required to be organised and delivered within a central location requiring special facilities (for example, hot fire training). The Training Centre also delivers commercial fire safety and allied training on an income generation basis.

	£
Employees	254,201
Premises Related Expenses	7,247
Supplies & Services	36,820
Transport Related Expenses	12,000
Total Expenditure	310,268
Income	(162,708)
Net Expenditure	147,560

HEALTH & SAFETY

This section provides strategic advice to the Brigade Management Team on issues relating to the health and safety of staff and provides support and guidance to managers with the Brigade. The section monitors the effectiveness of Health and Safety policies.

	£
Employees	94,543
Premises Related Services	0
Supplies & Services	6,458
Transport Related Expenses	10,000
Total Expenditure	111,001

CENTRAL SERVICES DIRECTORATE**MANAGEMENT**

The Central Services Directorate provides central support services to both the Fire Authority and the management of the Brigade.

	£
Employees	66,625
Premises Related Expenses	0
Supplies & Services	0
Transport Related Expenses	1,000
	<hr/>
Total Expenditure	67,625

FINANCE

This Section includes the Brigade's team covering all aspects of financial management, including budget preparation and control, creditors and debtors management and insurance. It also includes the provision of financial services by CSL Managed Services and both internal and external audit.

	£
Employees	114,464
Premises Related Expenses	0
Supplies & Services	190,530
Transport Related Expenses	1,612
Contracted Services	75,300
Capital Financing Costs	55,595
	<hr/>
Total Expenditure	437,501
Income	(60,000)
	<hr/>
Net Expenditure	377,501

INFORMATION TECHNOLOGY

This budget covers both Information Systems and Communications. IT services includes the purchase, development and maintenance of the Brigade's IT equipment and systems.

	£
Employees	109,225
Premises Related Services	0
Supplies & Services	112,039
Transport Related Expenses	3,800
	<hr/>
Total Expenditure	225,064

COMMUNICATIONS

The Communications Section manages the mobilisation system, emergency and operational radio systems and the telephony service.

	£
Employees	83,746
Premises Related Expenses	0
Supplies & Services	357,183
Transport Related Expenses	5,300
Total Expenditure	446,229
Income	(2,050)
Net Expenditure	444,179

CONTRACTS & FACILITIES

Contracts and Facilities includes building maintenance and all premises related contracts, eg grounds maintenance and premises cleaning as well as managing corporate contracts and advising on contract procedures. Responsibility for the day to day management of Brigade Headquarters, eg Reception is also included.

	£
Employees	63,752
Premises Related Expenses	295,121
Supplies & Services	32,600
Transport Related Expenses	2,500
Contracted Services	23,500
Total Expenditure	417,473

ADMINISTRATION

This team covers the servicing of the Fire Authority and its members as well as the management of legal services. It also includes the Press & Public Relations function.

	£
Employees	38,800
Premises Related Expenses	15,000
Supplies & Services	19,950
Transport Related Expenses	600
Contracted Services	15,300
Total Expenditure	89,650

AUDIT

The function of this team is to undertake, at the direction of the Chief Fire Officer, in-depth examination and evaluation of the Brigade's policies, procedures and work practices to ensure compliance with Health & Safety requirements and value for money.

	£
Employees	101,839
Premises Related Expenses	0
Supplies & Services	0
Transport Related Expenses	6,000
Total Expenditure	<hr/> 107,839

AGENDA ITEM 15 : BRIGADE ESTABLISHMENT

To: Royal Berkshire Fire Authority
Date: 3 February 1998
Officers Contributing: Chief Fire Officer

A PURPOSE OF REPORT

To advise the Authority of the Brigade's Establishment Scheme after taking into account the changes arising out of the approved 1998/99 budget.

B PROPOSED ACTION

The Authority is invited to NOTE the report.

C FINANCIAL IMPLICATIONS OF PROPOSED ACTION

The cost of the establishment scheme is included within the 1998/99 budget.

D SUPPORTING INFORMATION

- 1 At its meeting of 19 December 1997, the Authority was advised that it was required to submit an Establishment Scheme to the Secretary of State in accordance with Section 7 of the Fire Services Act 1959. At that meeting the Authority was presented with a proposed Establishment Scheme which was agreed, subject to the need to take account of changes arising from the approved Budget 1998/99, and that the final scheme be reported back to the Authority.
- 2 The final Establishment Scheme is attached as Appendices A to C and incorporates the changes arising out of the 1998/99 Budget.

E BACKGROUND PAPERS

Agenda and Minutes: Royal Berkshire Fire Authority - 9/18 December 1997

Contact Officer: David Noonan, Fire and Rescue Service tel: (0118) 932 2286

ROYAL BERKSHIRE FIRE AUTHORITY

WHOLETIME UNIFORMED ESTABLISHMENT AND STRENGTH
(EXCLUDING CONTROL ROOM STAFF) WITHIN BRIGADE AT 1 APRIL 1998

	HQ + DIVISIONS + STATIONS	
	CURRENT	PROPOSED
CFO	1	1
ACO	3	2
SDO		1
DO I	3	3
DO II	6	5
DO III	2	1
ADO	13	12
STN O	28	26
SUB O	56	60
LF	61	58
Ff	260	252
TOTAL	435	421

-1
+1
-1
-1
-1
-2
+4
-3
-8

CONTROL ROOM ESTABLISHMENT AND STRENGTH AT 1 APRIL 1998

	WHOLETIME	
	CURRENT	PROPOSED
PFCO	1	
GFCO	1	1
FCO	1	1
SFCOp	5	6
LFCOp	8	8
FCOp	14	14
TOTAL	30	30

ROYAL BERKSHIRE FIRE AUTHORITY

RETAINED UNIFORMED ESTABLISHMENT
(INCLUDING WHOLETIME STAFF ON SEPARATE RETAINED CONTRACTS AT 1 APRIL 1998)

There is no change to present structure

	Retained establishment in 24 hour units of cover	Total retained strength (Sum of columns 4 to 8)	Total retained strength in units (1)	Numbers of retained firefighters (2)			Number of wholetime firefighters on separate retained contracts (4) (Strength)	Volunteers (Strength)	Members of private brigades (Strength)	Local fire units (Strength)	
				100% Cover (3)	75% Cover (3)	50% Cover (3)					
1		2	3	4	5	6	7	8	9	10	49
ADO											
STN O											
SUB O	13	13	11½	10		1	2				
LF	26	29	23¼	7	21		1				
Ff	117	123	93¾	14	101	2	6				
TOTAL	156	165	128½	31	122	3	9				

ROYAL BERKSHIRE FIRE AUTHORITY
 NUMBER OF APPLIANCES AT STATIONS AT 1 APRIL 1998

There are no changes in the number of appliances

Duty System	Pumps			Special Appliances (Excluding L4Ps)					
	Water Tender	Land Rover	Land Rover (L4Ps)	Primary Crewed			Alternative Crewed		
	Ladders Etc			Rigid Appliance	Prime Movers	Pods	Rigid Appliance	Prime Movers	Pods
Wholetime	11			2			5 includes boat	1	3
Retained	12	1						1	1
Day-Crewed									
Nucleus	1								
Volunteer									
Private Brigades									
Local Fire Units									
Total	24	1		2			8	2	4

NUMBER OF FIRE STATIONS BY DUTY SYSTEM AT 1 APRIL 1998

Wholetime	Retained	Day-Crewed	Nucleus	Volunteer	Private Brigades	Local Fire Units	Total
10	9		1				20

AGENDA ITEM 16 : THE FIRE PRECAUTIONS (WORKPLACE) REGULATIONS 1997

To: Royal Berkshire Fire Authority
Date: 3 February 1998
Officers Contributing: Chief Fire Officer

A PURPOSE OF REPORT

To advise the Authority of the introduction of the Fire Precautions (Workplace) Regulations 1997.

B PROPOSED ACTION

The Authority is invited to NOTE the report.

C FINANCIAL IMPLICATIONS OF PROPOSED ACTION

Whilst the effects of the new Regulations cannot be accurately assessed, it is important to note that the Home Office stance is that compliance is clearly with the employer and enforcement is for the Authority. They have declared that there should be few costs to Fire Brigades arising from the Regulations, but that some early expenditure will be incurred for administrative and training arrangements and, therefore, for England and Wales a total provision of £11.9m (over 3 years and reflected in individual SSAs) has been made to meet these costs.

The Brigade will be further affected as an employer having to undertake risk assessments on its property. This work has to be programmed to make an accurate assessment.

D SUPPORTING INFORMATION

- 1 Members may be aware that the above Regulations were needed to implement the specific fire safety requirements of two European Directives (ie the Framework and Workplace Directives) concerning the introduction of minimum health and safety requirements in the workplace. The directives were adopted by the Council of Ministers in 1989.
- 2 Earlier proposals for Fire Safety requirements, issued in 1992 and 1994, were withdrawn because they were considered to be unduly costly for business. Estimated compliance costs for business are just short of £30 million, costs to Brigades are estimated at £11.9m over 3 years.
- 3 The new Regulations, which came into effect on 1 December 1997, devise a means of:
 - * Fully implementing Great Britain's EU obligations in a way which imposes least costs on business.
 - * Avoiding over implementation, but encouraging risk-appropriate fire safety measures as identified in the employers own initial and ongoing risk assessments. The employer will have a choice on how to comply with the Regulations and legislative overlap should be avoided.

- * Encouraging “light touch” enforcement of the Regulations which will give Fire Authorities and businesses the opportunity to discuss and remedy minor breaches and failures rather than resort to the Courts. Sanctions will be appropriate to the risks identified. The use of civil proceedings will be very much a last resort. Criminal sanctions exist for serious risks.
- 4 . . The Brigade’s Fire Safety department has identified four main areas of involvement and has, and is still, in the process of working up policy, model terms and guidance to meet:
- 4.1 **Building Regulations** - Consultation procedures with local authority.
- 4.2 **Advice** - Requests for advice and assistance from employers.
- 4.3 **Check Measures** - Inspections required to check employers are undertaking their statutory duties.
- 4.4 **Enforcement** - To be taken if enforcement action is necessary.
- 5 The Brigade will react to the Regulations on the basis that it is the duty of the employer themselves to meet the requirements of the legislation and set standards applicable to the circumstances. The Regulations have been designed on self compliance principles without the need for fire brigades to become heavily involved in carrying out surveys and setting out prescriptive detail for employers to implement. Therefore, item 4.3 above will not be proactively pursued by a programme of specific visits unless evidence proves there is a need for the Brigade to take some action. However, check measures will be undertaken when Fire Safety Officers visit premises for other purposes, eg licensing and registration. Reactive checks will be made as described in Paragraph 12. In the main the Brigade will restrict its involvement to giving the broadest of advice when approached and to take appropriate enforcement action, when necessary.
- 6 The approach by the Brigade is underpinned in the knowledge that the Home Office has published a guidance document for employers to use themselves and that funding has not been made available for vigorous campaigns of premise visits or inspections. The Brigade has still to pursue all of its existing fire safety work and there has been no other legislative change.
- 7 The Brigade’s Fire Safety department has issued a press/media release advising employers of the duty imposed upon them. This press release was worded such that self compliance was emphasised and hopefully will not therefore encourage employers to approach Brigades in the first instant.
- 8 Where, however, the Brigade is contacted enquirers will be directed to consult the Government’s advice card (“Red Card” available from the Brigade), the Home Office publication “Fire Precautions in the Workplace - Information for Employers about the Fire Precautions (Workplace) Regulations 1997”, further publications and fire professionals and consultants in that order.
- 9 . . A balance will need to be maintained between giving advice to satisfy the Government’s direction in the above mentioned guidance document, and other statutory demands, and not proffering assistance that would undermine the self compliance principles of the Regulations.

- 10 . The approach to enforcement of the Regulations will be aligned to best practice principles set out in the proposed **Concordat on Good Enforcement**, which the Cabinet Office, the Local Government Association and others intend to draw up shortly.
- 11 There is, in effect a "risk appropriate" regime for enforcement of the Regulations with criminal and civil sanctions attached to the contravention of the Regulations. Both routes include provisions of section 5 of the Deregulation and Contracting Out Act 1994 which allows for representations to be made concerning fairness, transparency and consistency of enforcement. Which route is chosen, how far and how fast to enforce the law will be considered against the degree of risk involved. Direction received advises Brigades to act in a timely manner once breaches of the Regulations have been established and for reasonableness to be exercised by enforcers.
- 12 Visits will be made to premises brought to the attention of the Brigade by way of complaint or concern being expressed. It is intended to introduce by 1 April 1998 a reactive response to premises coming within the scope of the Regulations in which a fire has occurred and death, injury or rescue has been recorded. All the above principles are being included in the Brigade's policy and practice documents.
- 13 A series of Fire Safety training seminars have been concluded for Inspecting Officers, Training Centre Staff and appropriate non-uniformed support staff to make them aware of the Regulations and their implications.
- 14 Fire stations and other Brigade premises other than those with a Fire Precautions Act Certificate will be caught up in the new Regulations. The model for employers is to be followed in that the responsibility for compliance would rest with the managers of the particular premises, ie Station Commanders, Stores Manager etc. It should be recognised that when risk assessments are undertaken some measures may attract expenditure to ensure compliance.

E BACKGROUND PAPERS

The Fire Precautions (Workplace) Regulations 1997.

Contact Officer: John Head, Fire and Rescue Service (Tel: 0118 932 2228).

AGENDA ITEM 17 : THE REPORT OF THE COMMUNITY FIRE SAFETY TASK FORCE - "SAFE AS HOUSES"

To: Royal Berkshire Fire Authority
Date: 3 February 1998
Officers Contributing: Chief Fire Officer

A PURPOSE OF REPORT

To advise the Authority of the report of the Community Fire Safety Task Force - "Safe as Houses".

B PROPOSED ACTION

The Authority is invited to NOTE the report.

C FINANCIAL IMPLICATIONS OF PROPOSED ACTION

None at this time.

D SUPPORTING INFORMATION

- 1 The Community Fire Safety Task Force was set up by the Home Secretary with the following terms of reference - "to propose a Community Fire Safety strategy and supporting action plans which will significantly reduce the numbers of fires and fire casualties in dwellings over the next five years". The proposals should distinguish clearly between the roles and activities of central Government, of Fire Brigades and of others.
- 2 The Task Force undertook to -
 - review the causes of dwelling fires and reasons for casualties.
 - identify the problems and areas of improvement.
 - propose a strategy to tackle the problems.
 - translate the strategy into a prioritised and timetabled action plan.
 - identify key performance indicators to evaluate the strategy.
- 3 The Task Force concentrated on accidental fires having decided that the different factors at play with arson meant it could not form part of this exercise. Arson prevention and hoax call reduction are community based, but the Task Force saw the preparation of a central strategy on these aspects as a natural follow-on to their work.
- 4 In the United Kingdom over 64,000 dwelling fires produce 550 fatalities and 13,000 injuries each year. Despite efforts the last two years have seen deaths increase by 14% and over a decade casualties by 50%. The cost of dwelling fires has risen to over £1 billion per year. The public feel detached from the dangers of fire and so do not always behave in a fire safe manner and changes are needed to protect both the home and the individual.
- 5 It was reported that the majority of domestic fires were preventable and were mostly as the result of a lack of care or inappropriate behaviour. It

was suggested that to prevent them only required fairly simple steps to be taken by householders and that there is evidence that attitudes can be changed by properly planned and resourced campaigns.

- 6 The Task Force found that some local strategies to combat home fires had been devised, but that there was no national strategy to reduce fatalities and injuries. The absence of an integrated or strategic approach had led to a number of barriers of progress :-

- Questionable leadership and direction.
- Resource issues.
- Duplication of effort.
- Lack of effective communication with those most at risk.

It was found that the fundamental problem that underpins each of the above is the position of Community Fire Safety at the periphery of fire service activity. There is no statutory duty and it has therefore only attracted marginal resources and is not seen as an integral function by most Brigades.

- 7 The principle aim of the report is to make community fire safety the primary focus of the fire service, putting fire and causality reduction at the centre of both fire service policy and activity.

- 8 The strategic vision is a society in which preventable fatalities and casualties in the home are eliminated. Although a long term vision the Task Force believe it is achievable. Targets need to be established based on key performance indicators over a five year period:

- reduce the number of accidental fire deaths by 40%.
- reduce serious non-fatal casualties by 5% year on year.
- achieve a measurable awareness, attitude and behaviour to fire safety by an annual improvement.

- 9 The refocusing of activity needs to be driven from the top. Home Office, fire authorities and chief officers should reaffirm community fire safety as a priority and plan, individually and collectively, how this can be brought about. Change in the way activity is resourced and the need to ensure the culture of the fire service reflects a change in priorities.

- 10 The Task Force recommend a strategy which will require organisational and operational change and will be based on the following framework :

- National Community Fire Safety Centre
 - establish best practice for all initiatives
 - institute a national planning process
 - develop programmes and materials
- Fire Service Inspectorate
 - Community Fire Safety function to be defined
 - greater prominence in the inspection process
- Brigades
 - unrivalled expertise in the knowledge of the community
 - compliment and augment national activity
 - dedicated Community Fire Safety Team
 - identify and target special local campaigns
 - use national materials

work with multi agency partners

- Community Fire Safety Advisory Board
 - partnerships
 - bring together the expertise of major stakeholders
 - overview of continuing strategic approach and objectives
 - advise and guide the new approach as it develops
- 10 The Task Force recognises the fire service cannot deliver the strategy alone and endorses a multi agency approach and the involvement and demands of Social Services, the Police, the Health Service and local authorities. To improve delivery and receipt of fire safety message, planning and evaluation are essential, particularly in an environment of budgetary constraint so that resources can be effectively deployed and continuous improvements achieved.
 - 11 The report's support for Community Fire Safety education ties in with the Audit Commission recommendation in its 1995 "In the Line of Fire" report and the 1994 interdepartmental review team on fire safety legislation and enforcement which both see brigades having a statutory duty to undertake such work and also recommends changes to the SSA funding formula to allow this.
 - 12 The Government is keen to investigate further the matter of a new statutory duty on fire authorities to educate the public in fire safety. It believes community fire safety is a key way forward and sees fire education expenditure as having influence on other areas such as reducing the number of incidents of fire which could show savings for brigades. This matter is set in the Government's Consultation Paper "Fire Safety Legislation For The Future" which is currently on release for response.
 - 13 The new structure of the Brigade which has been considered by the Authority recognises and acknowledges the ethos in the Task Force report that community fire safety is an important element in reducing fire deaths, injury and cost. The Brigade currently does some valuable work in the education field, its new structure model will allow for expansion, but to effectively go forward funding and resourcing will have to be addressed.

E BACKGROUND PAPERS

The Report of Community Fire Safety Task Force - Safe As Houses (previously distributed to all Members).

Contact Officer: John Head, Fire and Rescue Service (Tel: 0118 932 2228)

AGENDA ITEM : 18 MINUTES OF SUB-BODIES

To: **Royal Berkshire Fire Authority**
Date: **3 February 1998**
Officers Contributing: **Joint Acting Clerk**

A PURPOSE OF REPORT

To advise the Authority of meetings of sub-bodies since the last meeting.

B PROPOSED ACTION

The Authority is invited to NOTE the report.

C FINANCIAL IMPLICATIONS OF PROPOSED ACTION

There are no financial implications.

D SUPPORTING INFORMATION

1 The following sub-bodies have met since the last meeting of the Authority:

 Budget Working Party - 18 December 1997

2 Minutes of the meetings are available for inspection, on request, from the
 Joint Acting Clerk.

E BACKGROUND PAPERS

Agenda and Minutes of sub groups as indicated on the Schedule.

Contact officer: Roger Penfold, Joint Acting Clerk (0118) 923 3103

AGENDA ITEM :19**EXCLUSION OF THE PUBLIC**

To:
Date:
Officers Contributing:

Boyal Berkshire Fire Authority
3 February 1998
Joint Acting Clerk

The Authority is invited to **RESOLVE:** That, under Section 100A(4) of the Local Government Act 1972 (as amended), the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in the paragraphs of Part I of Schedule 12A of the said Act indicated:

Agenda Item	Paragraph
20 Insurance Arrangements	8

Note: 1 The Authority is committed to open government and, wherever possible, meetings are open to the press and public. However, on occasions, it is necessary for the consideration of some reports to be undertaken in private. This is called "Part II" of the meeting.

2 The item above on the agenda has, therefore, been put into Part II. Information on why this issue has been placed in Part II is available from Colin Preston on (0118) 923 3102. A Part I summary of the action taken will be available in the minutes of the meeting.

**Not for Publication - Exempt Information
Section 100A(4) Local Government Act 1972**

AGENDA ITEM 20 : INSURANCE ARRANGEMENTS

To: Royal Berkshire Fire Authority
Date: 3 February 1998
Officers Contributing: Treasurer, Chief Fire Officer

A PURPOSE OF REPORT

To seek the Authority's approval to suspend Standard Orders relating to Contracts for the contract for insurance cover.

B PROPOSED ACTION

The Authority is invited to RESOLVE that Standing Orders relating to Contracts be suspended to allow the Authority's Insurance Broker to seek to negotiate improved premiums.

C FINANCIAL IMPLICATIONS OF PROPOSED ACTION

The 1998/99 Revenue Budget included an estimate of £225,000 for insurance premiums.

D SUPPORTING INFORMATION

- 1 The Authority's Insurance Broker, Sedgwicks, have sought tenders for the provision of insurance cover for the Authority in accordance with Standing Order relating to Contracts and European Union procurement policy. The Brokers have received tenders and advised the Treasurer of the provisional cost of annual premiums. The provisional cost is considerably in excess of the budgetary estimate.
- 2 The Brokers have suggested that if they were permitted to seek negotiated quotations for insurance policies it could result in reduced premiums. Members are, therefore, requested to suspend Standing Orders relating to Contracts for the provision of insurance cover, to enable the Treasurer to authorise the Brokers to seek negotiated quotes for premiums.
- 3 The Brokers are still evaluating the tenders and a further report will be brought to the Authority on 16 March 1998, with a view to accepting tenders, so to ensure that the Authority has adequate insurance cover in place on 1 April 1998.

I BACKGROUND PAPERS

Insurance Tender Documents

Contact Officer: Donald Illingworth, Treasurer, tel: 0118 932 2250 ~~86~~

Substituto pages 48-50

ROYAL BERKSHIRE FIRE AUTHORITY

WHOLETIME UNIFORMED ESTABLISHMENT AND STRENGTH
(EXCLUDING CONTROL ROOM STAFF) WITHIN BRIGADE AT 1 APRIL 1998

	HQ + DIVISIONS + STATIONS	
	CURRENT	PROPOSED
CFO	1	1
ACO	3	2
SDO		1
DO I	3	3
DO II	6	5
DO III	2	1
ADO	13	13
STN O	28	26
SUB O	56	60
LF	63	58
Ff	260	252
TOTAL	435	422

CONTROL ROOM ESTABLISHMENT AND STRENGTH AT 1 APRIL 1998

	WHOLETIME	
	CURRENT	PROPOSED
PFCO	1	
GFCO	1	1
FCO	1	1
SFCOp	5	6
LFCOp	8	8
FCOp	14	14
TOTAL	30	30

ROYAL BERKSHIRE FIRE AUTHORITY

RETAINED UNIFORMED ESTABLISHMENT
(INCLUDING WHOLETIME STAFF ON SEPARATE RETAINED CONTRACTS AT 1 APRIL 1998)

There is no change to present structure

	Retained establishment in 24 hour units of cover	Total retained strength (Sum of columns 4 to 8)	Total retained strength in units (1)	Numbers of retained firefighters (2)			Number of wholetime firefighters on separate retained contracts (4) (Strength)	Volunteers (Strength)	Members of private brigades (Strength)	Local fire units (Strength)
				100% Cover (3)	75% Cover (3)	50% Cover (3)				
1		2	3	4	5	6	7	8	9	10
ADO										
STN O										
SUB O	13	13	11½	10		1	2			
LF	26	29	23¼	7	21		1			
Ff	117	123	93¾	14	101	2	6			
TOTAL	156	165	128½	31	122	3	9			

**ROYAL BERKSHIRE FIRE AUTHORITY
NUMBER OF APPLIANCES AT STATIONS AT 1 APRIL 1998**

There are no changes in the number of appliances

Duty System	Pumps			Special Appliances (Excluding L4Ps)						
	Water Tender	Land Rover (L4Ps)		Primary Crewed			Alternative Crewed			
	Ladders Etc			Rigid Appliance	Prime Movers	Pods	Rigid Appliance	Prime Movers	Pods	
Wholetime	11			1			7 includes boat			
Retained	12	1					2			
Day-Crewed										
Nucleus	1									
Volunteer										
Private Brigades										
Local Fire Units										
Total	24	1		1			9			

NUMBER OF FIRE STATIONS BY DUTY SYSTEM AT 1 APRIL 1998

Wholetime	Retained	Day-Crewed	Nucleus	Volunteer	Private Brigades	Local Fire Units	Total
10	9		1				20

ROYAL BERKSHIRE FIRE AUTHORITY

Date Issued: 19th December 1997

COMMITTEE: ROYAL BERKSHIRE FIRE AUTHORITY
DATE: 18 DECEMBER 1997 (Adjourned meeting of the Authority)

COMMITTEE SECRETARY: COLIN PRESTON Ext No: 3102

DECISION AND ACTION SUMMARY

Agenda Item and Decision	Action Required	Contact
4 FIRE AND RESCUE SERVICE MANAGEMENT STRUCTURE Agreed that, subject to the Authority's approved Budget for £18.9 million for 1998/99 not being exceeded, approval be given to the Brigade Management Structure, with effect from 1 April 1998, on the basis of the introduction of a number of posts being deferred to a future year or later in 1998.	Implement proposed management structure taking account of the approved Budget for 1998/99.	David Harper Fire & Rescue 713 2225
5 1998/99 BUDGET STRATEGY Approved:		
1 A Budget for 1998/99 of £18.9 million.	Chief Fire Officer to take the necessary steps, in conjunction with other officers as appropriate, to implement the Budget for 1998/99 and decisions of the Authority.	David Harper Fire & Rescue 713 2225 D H Illingworth Treasurer
2 That so as to achieve the overall budget the Chief Fire Officer be asked to take the necessary management steps required to relocate special appliances.		
3 That the Government be lobbied with a view to increasing financial provision available to the Authority in order to meet ongoing increased costs arising from the Pensions Scheme Deficit.	Raise issue through national bodies and other appropriate channels to ensure it is addressed by the Government.	David Harper Fire & Rescue 713 2225 D Over / R Penfold Joint Acting Clerks to the Authority

Agenda Item and Decision	Action Required	Contact
4 That a report be submitted to a future meeting of the Authority on the issues and implications of making charges for emergency special services.	Prepare report for future meeting of the Authority.	David Harper Fire & Rescue 713 2225
5 The 1998/99 Capital Budget of the Authority.	Implement the capital programme taking account of the approved Budget 98/99.	David Harper Fire & Rescue 713 2225 D H Illingworth Treasurer
9 ROYAL BERKSHIRE FIRE AUTHORITY ESTABLISHMENT SCHEME		
Agreed, subject to the need to take account of changes arising from the approved Budget 1998/99, that the Establishment Scheme be submitted to the Secretary of State on the basis that the final scheme be subject of future report to the Authority.	Take steps to make adjustments to the scheme and submit to the Secretary of State.	David Harper Fire & Rescue 713 2225 R Penfold Joint Acting Clerk to the Authority

Roger

ROYAL BERKSHIRE FIRE AUTHORITY

Date Issued: 10 December 1997

COMMITTEE: ROYAL BERKSHIRE FIRE AUTHORITY
DATE: 9 DECEMBER 1997

COMMITTEE SECRETARY: COLIN PRESTON Ext No: 3102

DECISION AND ACTION SUMMARY

Agenda Item and Decision	Action Required	Contact
1 MINUTES: 25 NOVEMBER 1997		
Agreed and signed.	File to database.	Heidi Brooks Cty Sec 3179
	Forward signed Minutes to Legal Documents Registry	Colin Preston Cty Sec 3102
2 PETITIONS AND QUESTIONS FROM THE PUBLIC		
None.	-	-
3 CHAIRMAN'S COMMUNICATIONS		
Noted letter from P Clarke, Fire Brigade Union.	-	-
4 FIRE AND RESCUE SERVICE MANAGEMENT STRUCTURE		
5 1998/99 BUDGET STRATEGY		

**9 ROYAL BERKSHIRE FIRE
AUTHORITY -
ESTABLISHMENT SCHEME**

Agreed to adjourn debate on these items to be further considered:-

- | | | | |
|---|--|--|---------------------------|
| a | by the Budget Working Party at 5.00 pm on Thursday 18 December 1997, and | Book rooms and refreshments | Jo Grant
Cty Sec 3167 |
| b | by the Royal Berkshire Fire Authority at 6.30 pm on Thursday 18 December 1997. | Advise Members of meeting arrangements | C Preston
Cty Sec 3102 |

Chief Fire Officer asked by the Authority to reconsider the proposed management structure and budget for 1998/99 in order to put forward proposals to satisfy the Government's SSA requirements (and to meet the statutory requirement and obligations of the Authority). The considerations of the Chief Fire Officer to take account of the view that any savings should be achieved from non operational budgets and from central services. Proposals put forward should be those of a practical nature tailored to meet the requirements of national Government.

Chief Fire Officer to consider and submit proposals to the Budget Working Party and the Authority at its adjourned meeting on Thursday 18 December 1997.	David Harper Fire & Rescue 713 2225 D H Illingworth Treasurer
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6 QUESTIONS FROM MEMBERS

None.

7 NOTICES OF MOTION

None.

**8 APPOINTMENT OF
TREASURER AND CLERK**

- | | | | |
|---|--|--|---|
| a | Noted appointment of Mr Illingworth as Treasurer of the Authority. | - | - |
| b | Noted D Over and R Penfold as Joint Acting Clerks of the Fire Authority until 31 March 1997 or until a substantive appointment, whichever is the sooner. | Liaise further with District/Borough Councils to explore possible interest in the appointment. | David Harper
Fire & Rescue
713 2225 |

Agenda Item and Decision	Action Required	Contact
10 COMPREHENSIVE SPENDING REVIEW - WORKING TOGETHER - OPTIONS FOR COLLABORATION		
a Noted report.	-	-
b Report to be prepared for consideration at a further meeting of the Authority to enable Member comments/view to be taken into account.	Prepare report on the consultation document with office views for consideration by the Authority.	David Harper Fire & Rescue 713 2225
11 MINUTES OF SUB BODIES		
Noted.	-	-
12 EXCLUSION OF THE PUBLIC		
Agreed.	-	-
13 MINUTES: PART II: 25 NOVEMBER 1997		
Agreed.	File to database.	Heidi Brooks Cty Sec 3179
	Forward signed Minutes to Legal Documents Registry.	Colin Preston Cty Sec 3102

Roger

ROYAL BERKSHIRE FIRE AUTHORITY

Clerk's Office

P O Box 912 · Shire Hall · Shinfield Park · Reading · Berkshire · RG2 9XW

Telephone Reading (0118) 987 5444 · Facsimile Reading (0118) 987 3521 · DX 4058 Reading

Your reference

My reference ECP/HB

When calling ask for Mr E C Preston
Direct Line Reading (0118) 923 3102

10 December 1997

Dear Member

ADJOURNED MEETING OF THE ROYAL BERKSHIRE FIRE AUTHORITY

I write to confirm that it was agreed by the Authority at its meeting on 9 December 1997 to adjourn debate on items 4, 5 and 9 to a meeting of the Authority to be held at 6.30 pm in the Council Chamber, Shire Hall, Shinfield Park on Thursday 18 December 1997 viz.

Item 4 - Fire and Rescue Service Management Structure

Item 5 - 1998/99 Budget Strategy

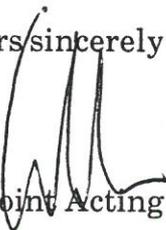
Item 9 - Royal Berkshire Fire Authority - Establishment Scheme

The meeting of the Authority will be preceded by a meeting of the Budget Working Party to be held at 5.00 pm in Committee Room 3.

The debate on the items was adjourned since the Chief Fire Officer was asked by the Authority to re-consider the proposed management structure and budget for 1998/99 in order to put forward proposals to satisfy the Government's SSA requirements. The considerations of the Chief Fire Officer will take account of the view that any savings should be achieved from non operational budgets and from central services. The proposals of the Chief Fire Officer will be submitted to the Budget Working Party thence to the meeting of the Authority on 18 December 1997.

Members are asked to bring with them to the meeting their agenda papers for the meeting held on 9 December 1997.

Yours sincerely



for Joint Acting Clerk to the Authority

