

MEETING OF THE ROYAL BERKSHIRE FIRE AUTHORITY (PART I)

Held on Wednesday 8 October 2008

Dolman 1, Dolman Suite, Shaw House, Church Road, Shaw,
Newbury, West Berkshire, RG14 2DL



Those

present: Councillor Mrs Christine Bateson Councillor Phillip Bicknell
Councillor Andrew Bradley Councillor Jeff Brooks
Councillor Dr Paul Bryant Councillor Shafiq Chaudhry
Councillor Colin Dudley Councillor Adrian Edwards
Councillor Geoff Findlay OBE Councillor Paul Gittings (*part meeting*)
Councillor Jagjit Grewal Councillor John Lenton
Councillor Mrs Kathy Newbound Councillor Angus Ross
Councillor Sean Wright

In

attendance: Gene Ashe (Area Manager, Prevention and Protection)
Olaf Baars (Deputy Chief Fire Officer) (*part meeting*)
Iain Cox (Chief Fire Officer)
George Cross (Area Manager, Support Services)
Mr Albert Gregory (Independent Chairman, Standards Committee)
Lynda Kenyon (Committee Manager)
Andy Mancey (Area Manager, Response)
Mr John Quinton (Independent Member, Standards Committee)
Robert Rea (Group Manager, Response (*Item 03.09.08*))
Paul Southern (Assistant Chief Fire Officer)
Adam Stevens (Station Manager) (*Item 03.11.08*)
Caroline Redzikowska (Clerk and Monitoring Officer)
Nicole Targett (Corporate Communications Manager)
Andrew Vallance (Authority Treasurer)
David Wallace (Director of Human Resources)

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

03.01.08 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Chris Bowring, Councillor Mrs Prue Bray, Councillor Mrs Sue Evans, Councillor Chris Harris, Councillor Mrs Pauline Helliard-Symons, Councillor Peter Jones, Councillor Iain McCracken, Councillor Fred Pugh, Councillor Alan Ward and Councillor Miss Emma Webster.

03.02.08 DECLARATION OF INTERESTS

Councillor Angus Ross declared a personal interest as the Fire Authority's representative and Board Member on the South East Fire and Rescue Service Control Centre Ltd (SEFRCCCL), in respect to Agenda Item 18 (FiReControl and FireLink update report) and Agenda Item 21 (South East Fire and Rescue Service Control Centre Ltd (SEFRCCCL)). He stated that he would, therefore, not be taking part in any debate on, but would be presenting Agenda Item 21. No further declarations of interest were made.

Action

03.03.08 MINUTES OF THE MEETING HELD ON 25 JUNE 2008

The Part I Minutes of the last meeting held on Wednesday 25 June 2008 were received and **Approved** as a correct record for signing by the Chairman. The Chairman noted that the Action from the meeting had been discharged.

The Chief Fire Officer referred to the Members Family Day (27 September 2008) which had had to be cancelled due to insufficient Member attendance to make the event viable, and he offered alternative training options for Members, namely at a weekend, evening or by extending Fire Authority meetings. He also stated that he would be pleased to re-arrange the Members' Family Day, to include specific training for Members, in the Spring of 2009. **The Fire Authority supported** the latter option.

CFO

03.04.08 MINUTES OF STANDING COMMITTEES, WORKING PARTIES AND OTHER GROUPS

The Fire Authority was advised of the meetings of the Audit Committee, Community Safety Forum, Executive Committee, Fire Liaison Group, Integrated Risk Management Plan Working Party, Overview and Scrutiny Committee, Property and Property Resources Committee, and the Standards Committee that had taken place since reported to the last meeting of the Fire Authority on 25 June 2008.

The Fire Authority Noted the Minutes of the Standing Committees, Working Parties and other Groups.

03.05.08 PETITIONS AND QUESTIONS UNDER STANDING ORDERS 19 AND 25

The Fire Authority Noted that no Petitions or Questions had been received under Standing Orders 19 and 25.

03.06.08 CHAIRMAN'S COMMUNICATIONS

- a) The Chairman reported that he had attended a display and demonstration of the New Dimensions' capabilities at Hawley Lakes on 18 September 2008.
- b) The Chairman stated that he had also attended the recent Newbury Show, and he congratulated the Extrication Team for their extrication demonstration.
- c) The Chairman stated that, on occasion, meetings of the Fire Authority's Committees had not been able to proceed as they had not been quorate, and he stressed the importance of Members informing the Clerk and Monitoring Officer or Committee Manager if they are unable to attend and to advise if a substitute Member would be attending in their place.
- d) The Chairman reported that he had, together with the Chief Fire Officer, attended a meeting of the Regional Management Board on 8 October 2008, the salient issues considered being:
 - Firebuddy Ltd (*to deliver Fire and Rescue Service (FRS) procurement at a national level*) - work was progressing, and the Chairman stated that he now had a measure of confidence in the way forward.

- Equality and Diversity - a positive report was provided by Doug Feery (Improvement and Development Agency (I&DeA)) who advised that work was being conducted across the South East region to realise Level 3 (*Equality Standard for Local Government*).
 - Business Case for FiReControl – the Regional Management Board had written to the Communities and Local Government (CLG) outlining its reservations regarding FiReControl’s management and progress.
- e) The Chairman reported that he would be attending the meeting of the Local Government Association Fire Services Forum on 10 October 2008.

03.07.08 QUESTIONS FROM MEMBERS UNDER STANDING ORDER 30

The Fire Authority Noted that no Questions had been received from the Fire Authority Members under Standing Order 30.

03.08.08 NOTICES OF MOTION UNDER STANDING ORDER 44

The Fire Authority Noted that no Notices of Motion had been received under Standing Order 44.

Councillor Paul Gittings joined the meeting during the next item.

03.09.08 RESCUE FROM TRENCH COLLAPSE

Andy Mancey (Area Manager, Response) introduced Bob Rea (Group Manager, Response) who gave a presentation entitled ‘Trench Rescue Incident - 6 August 2008’ (*copy available from the Committee Manager*) in which he outlined the overview and aim of the rescue, the actions taken to successfully resolve the incident and the areas identified for further consideration.

In response to Members’ points of clarity, Bob Rea confirmed that, had Hampshire Urban Search and Rescue (USAR) Team not been available to attend the incident, other options were available to the Royal Berkshire Fire and Rescue Service. He also stated that the Health and Safety Executive (HSE) would be undertaking an investigation and that safe trench working guidance was available on the HSE’s website.

The Fire Authority commended the work of all those involved in the incident which had realised a successful outcome. The Chairman conveyed his thanks to Bob Rea for an informative presentation.

03.10.08 PRINCIPLES FOR HOME FIRE RISK ASSESSMENTS

Gene Ashe (Area Manager, Prevention and Protection) gave a presentation entitled ‘Safer Berkshire’ (*copy available from the Committee Manager*) in which he advised of the community and partnership work being conducted to reduce risk, and of the Community Safety Strategy’s aims and principles. He stated that there had been a 10% reduction year on year in the number of accidental dwelling fires within the last 10 year period, and that the prevention and protection work conducted, ie home fire risk checks, was continuing to realise further reductions. Gene Ashe reported that

approximately 500 home fire risk checks were carried out annually, and that high risk areas were particularly being targeted. In response to Councillor Colin Dudley's question, the Deputy Chief Fire Officer hoped that the number of home fire risk checks, particularly in the high risk areas, would increase in the future, however he stressed the importance of quality, as opposed to quantity, of the checks. Councillor Colin Dudley felt that the Fire Authority must continue to support this initiative.

In response to Members' questions, Gene Ashe confirmed that:

- Risk assessment inspections were carried out within large retail organisations, and that appropriate action was taken if required.
- Prevention and protection work was conducted with a number of agencies, for example, Young Children, Safe Drive Stay Alive initiative, Youth and local teams, Primary Care Trusts, Local Councils and voluntary organisations.

Gene Ashe agreed to liaise with Councillor Shafiq Chaudhry outside of the meeting regarding the work being conducted within the high risk areas.

GA

The Chairman conveyed his thanks to Gene Ashe for his presentation.

03.11.08 ACHIEVEMENTS OF THE ROYAL BERKSHIRE FIRE AND RESCUE SERVICE'S EXTRICATION TEAM

The Deputy Chief Fire Officer introduced Adam Stevens (Station Manager and Extrication Team Member) who gave a presentation entitled 'Royal Berkshire Fire and Rescue Service Rescue Team - UK and World Rescue Organisation' (*copy available from the Committee Manager*) in which he referred to the changes to the Team in 2008, the recent difficulties faced, and to the achievements and successes of the Extrication Team (now re-named Rescue Team) since 2006, and in particular to the recent success in Stirling, Scotland where the Team was placed first overall in the UK and World Rescue Organisation (UKRO) National Challenge. He introduced three of the Team Members in attendance, namely Phil Aiken, Seth Juby and Matt Fairlie, and acknowledged the level of performance of the new Team members. He also conveyed his thanks to the Fire Authority for its continued financial support to the Team.

In response to Members' questions, Adam Stevens confirmed that the knowledge and expertise gained by the Team members was cascaded to the fire crews, and that Andy Mancey (Area Manager, Response) had offered an opportunity for the Team to deliver specific training of new equipment to be rolled out across the organisation. The Deputy Chief Fire Officer advised that the Rescue Team's use of innovative equipment often informs the adoption of kit for operational use.

Councillor Paul Gittings felt that the successes of the Team should be made public through appropriate media channels.

The Fire Authority conveyed their congratulations to the Rescue Team in their achievements, and the Chairman thanked Adam Stevens for his presentation.

The Deputy Chief Fire Officer retired from the meeting during the next item.

03.12.08 INTEGRATED RISK MANAGEMENT 5-YEAR PLAN - CONSULTATION REPORT FOR 2008/09 ACTION PLAN

Prior to consideration of this item, Councillor Jeff Brooks and Councillor Mrs Kathy Newbound sought guidance from the Clerk and Monitoring Officer regarding the position of The Royal Borough of Windsor and Maidenhead Members following advice and instruction provided by The Royal Borough of Windsor and Maidenhead's legal advisers to its Members to not take part in any debate or consideration of the Integrated Risk Management Plan relating to matters concerning Windsor, in light of the Judicial Review. The Vice-Chairman accepted the Chairman's invitation to adjourn to the meeting to allow the Clerk and Monitoring Officer to provide advice to The Royal Borough of Windsor and Maidenhead Members, and the meeting was adjourned at 2010hours.

The meeting was re-convened at 2035 hours. The Vice-Chairman made the following statement on behalf of The Royal Borough of Windsor and Maidenhead Members:

- *"We (Fire Authority Members from The Royal Borough of Windsor and Maidenhead) would like it to be noted that in light of the advice from our Monitoring Officer tonight and the advice from our legal advisers in The Royal Borough of Windsor and Maidenhead and, for the avoidance of doubt, we have decided not to take part in the items relating to the Integrated Risk Management Plan."*

The Royal Borough of Windsor and Maidenhead Members retired from the meeting, as did Mr Albert Gregory (Independent Chairman, Standards Committee) and Mr John Quinton (Independent Member, Standards Committee).

The Fire Authority was advised of the results of the Consultation process for the 2008/09 Action Plan that forms one year of the 5-Year IRMP for 2007/08 - 2011/12, following the presentation of the Consultation report to the Integrated Risk Management Plan (IRMP) Working Party of 14 July 2008, the main areas of interest, and the comments and views received from stakeholders with a consultation response as appropriate.

In response to Councillor Colin Dudley, Andy Mancey confirmed that he had met, at length, with the Retained Duty System (RDS) personnel from Station 16 (Bracknell) in response to their concerns over Station 16 RDS losing calls, the impact on morale, RDS fire cover availability and inconsistency in standby moves. Andy Mancey agreed to provide Councillor Colin Dudley with the salient points of the meeting.

AM

Councillor Geoff Findlay conveyed his thanks to the Royal Berkshire Fire and Rescue Service Officers for conducting such a thorough consultation.

Councillor Angus Ross supported the actions taken to realise the improvements at Wokingham Fire Station, and he moved that the Recommendation presented be resolved, and this was seconded by Councillor Geoff Findlay.

The Fire Authority:

- **Noted** the Consultation report and the response to the Consultation.

- **Endorsed** the amendment to the IRMP 2008/09 Action Plan, to account for a Fire Authority decision taken on 13 February 2008 on staffing numbers at Wokingham.

03.13.08 INTEGRATED RISK MANAGEMENT 2009/10 ACTION PLAN

The Fire Authority was advised by the Assistant Chief Fire Officer of the progress towards the publication of the Integrated Risk Management Plan (IRMP) 2009/10 Action Plan.

In response to Councillor Adrian Edwards, Nicole Targett (Corporate Communications Manager) advised of the translation within the Chairman's Foreword, and Councillor Grewal confirmed that the five languages within the Foreword were Hindi, Gujarati, Polish, Punjabi, and Urdu.

In addressing Councillor Geoff Findlay, the Chief Fire Officer stated that the entire suite of IRMP publications in terms of presentation would be re-visited next year.

Councillor Geoff Findlay moved that the Recommendations presented be resolved, and this was seconded by Councillor Paul Gittings.

The Fire Authority Endorsed the Short Form IRMP 2009/10 Action Plan and **Recommended** its publication for consultation.

The Royal Borough of Windsor and Maidenhead Members, Mr Albert Gregory and Mr John Quinton returned to the meeting at 2053 hours.

03.14.08 STANDARDS COMMITTEE - REVISED TERMS OF REFERENCE

The Fire Authority considered the recommendations of the Standard's Committee arising from its meeting on 15 September 2008 and the revisions to the Committee's Terms of Reference following the enactment of new legislation, including the Local Government and Public Involvement in Health Act 2007 (LGPIH), and in particular the sections of the Act which amend the Local Government Act 2000 in relation to the ethical framework and the local filtering of complaints, the Standards Committee (England) Regulations 2008 and the new Guidance from the Standards Board for England (SBE) on the role and make up of Standards Committees.

In response to Councillor Angus Ross, the Clerk and Monitoring Officer confirmed that six meetings of the Standards Committee would be scheduled for 2009 which would help alleviate the need to call an urgent meeting of the Standards Committee. She also confirmed that these scheduled meetings might not take place should there be a lack of business, but that further meetings would be convened, if required.

The Clerk and Monitoring Officer agreed to consider Councillor Adrian Edwards' suggestion that the granting of dispensations could be dealt with by correspondence rather than by calling a meeting.

CMO

The Clerk and Monitoring Officer, in recognising that Members did receive training from their respective Unitaries, stated that there was a requirement to provide training in response to any new guidance, but that any training would be tailored to meet the needs of the Members. She also stated that she had, to date, not yet been able to establish what training each Member had received from their respective Unitary Authority.

The Fire Authority Accepted the recommendations of the Standards Committee, as detailed below, and:

- **Approved** the Standards Committee's revised Terms of Reference as set out in Appendix 1 of the presented report.
- **Approved** that the size of the Standards Committee be increased by two to a total of nine Members (a minimum of 25% Independent Members).
- **Determined** the allocation of the additional Councillor seat on the Committee for the period from October 2008 until the annual meeting of the Fire Authority in June 2009, and **appointed** Councillor Colin Dudley as the fourth Elected Member of the Standards Committee until the annual meeting of the Fire Authority in June 2009.
- **Approved** that the Terms of Office for Independent Members of the Standards Committee be extended to four years.
- **Approved** that there shall be three Sub-Committees of the Standards Committee, to be known respectively as the Assessment Panel, the Assessment Review Panel, and the Standards Hearing Panel.
- **Approved** that the Terms of Reference of the Sub-Committees be as follows:

Sub-Committee	Terms of Reference
Assessment Panel	To carry out the initial assessment of misconduct allegations, in accordance with S57A of the Local Government Act 2000 and any relevant Regulations, including any subsequent reference back to the Panel by the Monitoring Officer.
Review Panel	To review a decision by an Assessment Panel to take no action in respect of a misconduct allegation, in accordance with S57B of the Local Government Act 2000 and any relevant Regulations.
Standards Hearing Panel	To determine any matters referred to it in accordance with the provisions of the Local Authorities (Code of Conduct) (Local Determination) Regulations 2003 as subsequently amended.

- **Approved** that a meeting of any of the above Sub-Committees should comprise three Members, and that no Member who has sat on an Assessment Panel may also sit on a Review Panel which considers an appeal against the decision of the Assessment.
- **Approved** that each of the Sub-Committees should be chaired by an Independent Member of the Standards Committee.
- **Approved** that at least one Member of each of the Sub-Committees should be drawn from the Fire Authority Members of the Standards Committee and be selected on an alphabetical rota basis.

- **Approved** that any person appointed to serve on any of the Sub-Committees should attend appropriate training before doing so.
- **Authorised** the Monitoring Officer to make any consequential amendments to the Constitution.

03.15.08 2008/09 BUDGET MONITORING

The Authority Treasurer reported that, at the end of September 2008, the revenue underspend was £359k, and that this underspend was, in the main, as a result of the additional savings in insurance premiums, and the issues pertaining to the Retained Service, for example not yet being able to recruit to the Retained Recruitment and Retention Co-ordinator post. The Authority Treasurer also reported that the Executive Committee had, at its last meeting, set up a Budget Sub Committee to consider next year's budget. Councillor Colin Dudley asked how the savings would be utilised, and Councillor Jeff Brooks stated that the Budget Sub Committee would be considering this as part of the budget allocation.

The Authority Treasurer stated that the Capital Programme expenditure was currently reporting a £700k spend against £1.5m annual expenditure at year end.

The Fire Authority Noted the revenue and capital expenditure against budgets up to the end of September 2008.

03.16.08 STANDARDS COMMITTEE - ANNUAL REPORT (2007/08)

The Chairman welcomed Mr Albert Gregory (Independent Chairman, Standards Committee) to the meeting and invited him to present the Standard Committee's Annual report for 2007/08. Mr Albert Gregory took the Fire Authority through the salient points in the presented report.

Councillor Angus Ross was concerned that the Special Responsibility Allowance payable to Executive Committee Members had been suspended. The Clerk and Monitoring Officer conveyed her apologies if any Executive Committee Members had felt aggrieved by this, but advised that, as the Fire Authority does not operate a Cabinet system, it does not have any power of statute to pay a Special Responsibility Allowance to Members of its Executive Committee. The Chief Fire Officer confirmed that the action taken was to avoid the Authority acting beyond its powers.

The Fire Authority:

- **Noted** the contents of the report, and:
 - That the Standards Committee had asked Officers to conduct a full review of the Scheme at the earliest opportunity with a view to (a) amending the current Scheme and considering whether any amendments could be backdated, and (b) drawing up a new Scheme for the Standards Committee and the Fire Authority to consider, to be effective from 1 April 2009. **CMO**
 - That, in reviewing the Scheme, the Standards Committee had asked that Officers look at the Schemes of the constituent Authorities and of other Fire and Rescue Authorities. **CMO**

- That Officers had been asked to look at Members' attendance or non attendance in previous years, upon which the Committee regrettably had had cause to comment. **CMO**
- **Agreed** that the Monitoring Officer should seek confirmation from each constituent appointing Authority that its appointees have received training in the Code of Conduct and the date it was received. **CMO**
- **Agreed** that all Members and Co-opted Members of the Fire Authority should review their Registers of Interests and if, necessary, seek advice from the Monitoring Officer. **All**
- **Noted** the position and action taken by the Standards Committee regarding the Member's Scheme of Allowances.

03.17.08 ESTABLISHMENT OF 'ARMS-LENGTH' TRADING COMPANY TO PROVIDE COMMERCIAL TRAINING - PROGRESS REPORT

The Fire Authority was provided with an update on the progress that had been made in establishing an 'Arms-length' Trading Company to provide commercial training, as approved by the Fire Authority on 13 February 2008.

The Director of Human Resources confirmed that the Administrator post had now been filled for an initial period of one year. Councillor Phillip Bicknell was pleased to report that progress was being made and that it was now expected that commercial trading would commence on 1 January 2009.

The Fire Authority Noted the update report.

03.18.08 FIRECONTROL AND FIRELINK UPDATE REPORT

The Fire Authority was advised by George Cross (Area Manager, Support Services) of the progress in both the FiReControl and FireLink projects that are two aspects of the Governments resilience agenda.

Both the Chief Fire Officer and the Authority Treasurer urged caution regarding any assurances from the Communities and Local Government (CLG) in respect to expected savings for Fire and Rescue Authorities, and, as such, the Authority Treasurer was not yet prepared to align any savings into the medium term financial plan.

In response to Councillor Geoff Findlay, George Cross was confident that the future Airwave technology would realise an improved service and that appropriate testing was being carried out.

The Fire Authority Noted the contents of the report.

03.19.08 ROYAL BERKSHIRE FIRE AND RESCUE SERVICE AFTER THE INCIDENT QUALITY OF SERVICE SURVEY 2007/08

The Fire Authority was informed of the outcome of the recent independent report conducted by Opinion Research Services (ORS) on the Royal Berkshire Fire and Rescue Service performance at operational incidents.

Andy Mancey (Area Manager, Response) confirmed that this was the second such survey conducted and agreed to ensure that year-on-year comparative data be included in future survey reports.

AM

The Chief Fire Officer agreed to advise Members of the costs of the survey.

CFO

In response to Councillor Jeff Brooks, the Chief Fire Officer stated that, subject to impartiality, consideration could be given to conducting this survey in-house at the conclusion of the current contract with ORS. Councillor Colin Dudley did not support this as a way forward. The Chief Fire Officer agreed that further options would be presented to a future meeting of the Executive Committee.

CFO /
AM

The Vice-Chairman asked that all reports should include references to financial, legal, risk management, environmental and equality implications, as per the Section 4 report heading.

Officers

The Chairman congratulated the Royal Berkshire Fire and Rescue Service on its performance at operational incidents.

The Fire Authority:

- **Noted** the report and **Supported** the actions being implemented by the Service Delivery Response Department as a contribution towards the Strategic Management of the Royal Berkshire Fire and Rescue Service.

03.20.08 CHAIRMAN'S REPORT ON THE REGIONAL MANAGEMENT BOARD

The Fire Authority Noted the 2007/08 Chairman's report on the Regional Management Board.

03.21.08 SOUTH EAST FIRE AND RESCUE SERVICE CONTROL CENTRE LTD (SEFRCCCL) UPDATE REPORT

Councillor Angus Ross reported that Human Resources and staffing issues were the key issues considered at the meeting of the SEFRCCCL on 3 October 2008 and that a clearer steer was now being realised. He expected that more confidential staffing issues would be considered at the next meeting in November 2008. Councillor Angus Ross was hopeful that Royal Berkshire Fire and Rescue Service Officers, and in particular Control staff, would be able to visit the South East Regional Control Centre in the near future.

The Fire Authority Noted Councillor Angus Ross' update report on the South East Fire and Rescue Service Control Centre Ltd (SEFRCCCL).

03.22.08 DATE OF NEXT FIRE AUTHORITY MEETING

The Fire Authority Noted that the next meeting of the Fire Authority would take place on:

- **Wednesday 10 December 2008 at 6.30pm** (Council Chamber, Town Hall, Slough Borough Council, Bath Road, Slough, Berkshire, SL1 3UQ).

03.23.08 EXCLUSION OF PUBLIC

The Fire Authority:

- **Resolved** that under Section 100(A)(4) of the Local Government Act 1972 (as amended), the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information, as defined in the paragraphs of Part I of Schedule 12A of the said Act indicated, and is exempt information if, and so long as, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information:
 - Part II Minutes of the meeting held on 25 June 2008 (*Paragraphs 1, 2, 3, 4 and 5*)
 - Project Fireguard (*Paragraph 3*).

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

03.24.08 PART II MINUTES OF THE MEETING HELD ON 25 JUNE 2008

The Part II Minutes of the last meeting held on Wednesday 25 June 2008 were received and Approved as a correct record, for signing by the Chairman.

03.25.08 PROJECT FIREGUARD

The Fire Authority Agreed the Recommendation presented, subject to a minor amendment.