

# **ROYAL BERKSHIRE FIRE AUTHORITY MINUTES WEDNESDAY 9 FEBRUARY 2005**

**HELD IN THE COUNCIL CHAMBER, WOKINGHAM DISTRICT COUNCIL, SHUTE END, WOKINGHAM, BERKSHIRE COMMENCING AT 6.30PM AND CONCLUDED AT 8.45PM**

**Present:** Jeff C G Brooks (Vice-Chairman in the Chair),  
Christine Borgars (Leader of the Labour Group),  
Mike Adams, Mrs Christine Bateson, Mrs Prue Bray,  
Dr Paul Bryant, Geoff S Findlay, John P Green,  
David Howes, Mrs Vicky Howes, David Maclsaac,  
Owen E Jeffery, Chris Maskell, James E R Mole,  
Fred Pugh, Peter North, Angus J Ross,  
Barrie J S Patman, Rob Stanton, Dexter J Smith,  
Simon Werner, Derek J Wilson

**Also in Attendance:** Peter Harris (Chairman of the Standards Committee)

**Apologies:** Terry Mills (Chairman), Tom Crisp, Jagit S Grewal,

## **1.01/05 MEMBERSHIP OF THE ROYAL BERKSHIRE FIRE AUTHORITY**

The Chairman welcomed Councillor Fred Pugh (Reading Borough Council) and Mr Peter Harris (Chairman of the Standards Committee) to the meeting.

**NOTED**

## **1.02/05 DECLARATIONS OF INTEREST**

Having been reminded that in accordance with the Fire Authority's Code of Conduct, Members are required to declare interests which are Personal or Personal and Prejudicial, where appropriate it was noted that on this occasion there were no such declarations made. Members were reminded that they were required to sign the statutory Declaration of Acceptance of Office in the presence of the Clerk and Monitoring Officer.

**NOTED**

## **1.03/05 PART I MINUTES: 15 DECEMBER 2004**

The Part I Minutes of the last meeting held on Wednesday 15 December 2004, having been previously circulated, were taken as read and signed by the Chairman as a correct record subject to the following amendment:

Transfer Fred Pugh from Present List to Apologies

#### **1.04/05 PART I MINUTES OF COMMITTEES, WORKING PARTY'S AND OTHER GROUPS**

The Authority was advised (Agenda item 4 – not reproduced) of the Fire Authority's Committees, Working Parties and other Group meetings that had taken place since the last meeting in October 2004. Members were advised that in addition to the meetings identified in the report the newly established Community Safety Forum had met on Wednesday 22 December 2004 and Thursday 27 January 2005. Copies of the Part I Minutes are available on request from the Committee Administrator (0118) 932 2288 or by e-mail on [wellerd@rbfrs.co.uk](mailto:wellerd@rbfrs.co.uk).

#### **NOTED**

#### **1.05/05 CHAIRMAN'S COMMUNICATIONS**

The Chairman had nothing to report.

#### **1.06/05 PETITIONS AND QUESTIONS FROM THE PUBLIC**

The Authority noted that no Petitions or Questions had been received from the Public under Standing Orders 8 and 9.

#### **1.07/05 QUESTIONS FROM FIRE AUTHORITY MEMBERS**

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

#### **1.08/05 NOTICES OF MOTION**

The Authority noted that no Notices of Motion had been received from Members under Standing Order 12.

#### **1.09/05 PRESENTATION – HEALTH AND SAFETY RESPONSIBILITIES**

The Authority received a visual Presentation from Tracey Mitchell, Health and Safety Manager (HSM), on health and safety responsibilities and the law, key points from the Greater Manchester County Fire and Rescue case and trial, the current investigation process and some successful and unsuccessful prosecutions. Members noted that in summary no individuals are immune and political, financial and external pressures are no defence when things go wrong. The test will be made against the highest standard available. For the future there will be a Health and Safety for Senior Executives one-day course held and Members were encouraged to attend if possible, and a GMC Seminar is being programmed in April 2005 (awaiting details). A copy of the slides used in the Presentation are available on request from the Committee Administrator on (0118) 932 2288 or E-Mail at [wellerd@rbfrs.co.uk](mailto:wellerd@rbfrs.co.uk)

Following the Presentation, Members were given the opportunity to ask questions or seek points of clarification and the following is a brief summary of the questions asked and answers provided:

**Question:** With the many Haulage Companies in the area which provide drivers with the opportunity to work long hours, what is RBFRS doing in this area to deal with this particular issue?

**Answer:** The Brigade promotes safe driving practices at work through Driver Training and Driver Policy. In response to a further question on the procedure adopted by RBFRS following an accident involving a fire appliance, the HSM confirmed that an internal investigation is undertaken in addition to the conclusion of the Police investigation.

**Question:** How might this legislation affect the front line personnel whereby Officers have to make a decision, which could have implications for the Brigade and does the current legislation have a detrimental effect on an Officer taking such a decision?

**Answer:** The HSM in advising that she is not aware of any prosecutions arising from this possible scenario confirmed that the Fire Service do have very stringent training methods for its fire-fighters and Officers, and recognised procedures and risk assessment methods are laid down for personnel on the fire ground.

**Question:** Is there any legislation and if so what is the procedure covering a fire appliance being involved in a traffic accident whilst attending an incident?

**Answer:** This type of accident comes under the Road Traffic Act, which covers emergency vehicles travelling to an incident under emergency conditions. In addition a Brigade Policy also reflects this.

**Question:** What is the process for dealing with any issues that may arise that are not covered by the Brigade's current health and safety policy?

**Answer:** The Policy is reviewed on a regular basis against new or amended legislation and if necessary there is a process whereby it can be dealt with as a matter of priority.

The Clerk and Monitoring Officer, in response to a further question on the subject of fines, concluded the presentation with a brief overview of the fines, which under health and safety legislation are unlimited and are usually based on a company's profit margin.

In thanking the HSM for a very informative presentation the Chairman requested that a report on the outcome of the Seminar referred to above be presented to the Fire Authority at its meeting in June 2005.

## **NOTED**

### **1.10/05 BUDGET 2005/2006**

The Fire Authority was requested (Agenda item 10 – not reproduced) to finalise the Budget requirements and set the Precept for 2005/2006 based on the recommendations of the Executive Committee. In addition to the report the following Appendices were also presented (not reproduced):

- Appendix A: Final FSS and Grant Figures for 2005/2006
- Appendix B: Medium Term Financial Plan 2005/2006 to 2007/2008
- Appendix C: Revenue Bids
- Appendix D: Revenue Savings

Appendix E: Capital Bids

Appendix F: Prudential Code Report and Treasury Management Strategy Report 2005/2006

In speaking to the report the Authority Treasurer reported that the final FSS and Grant figures were published on 24 January 2005 as shown in Appendix A together with the figures for 2004/2005. He also confirmed that the final Council Taxbase figures have now been received from the six billing Authorities in Berkshire.

At its meeting on Monday 24 January 2005 the Executive Committee had approved the Revenue Budget as set out in Appendix B, which would set a Budget of £29,477,191 with a Band D Council Tax of £46.16 being an annual increase of 4.98% or in cash terms an increase of £2.19 per Band D property.

It was noted that the proposed Revenue Budget includes the maintenance of a general reserve of £500,000. In addition under Section 25 of the Local Government Act 2003, the Authority Treasurer is obliged to report on the robustness of the estimates and the adequacy of the proposed financial reserves. He therefore confirmed that the estimates set out in the report are robust and the proposed reserve is sufficient to ensure the Authority's wellbeing in the next financial year.

The total Capital Budget identified in Appendix E is set at £1,495,765 and is funded through Supported and Unsupported Borrowing of £726,000 and £769,765 respectively. The Brigade is involved in several collaboration issues with other Brigades in areas such as procurement and training and whilst these initiatives are expected to produce significant long-term savings, they may require some investment in 2005/2006 to fund project work. The Treasurer drew Members' attention to the Regional Collaboration/Control Costs of £80,000 as shown in Appendix B and emphasised that the funding would only be spent by this Authority to fund project work and would not under any circumstances be transferred to another Authority or central fund not would it be used to fund any Regional Control Rooms.

Arrangements are under way to design and print 550,000 leaflets for distribution to the six billing Authorities by the end of February. In addition it has also been necessary to consult the public and business community on the proposed Council Tax Precept.

In addition to the overall Budget, Members approval was also sought to the Medium Term Financial Plan, the Capital Programme and the Prudential Indicators, Treasury Strategy and Investment Strategy as set out in Appendices B, E and F respectively. Members were then given the opportunity to ask questions and/or seek points of clarification and the following is a bullet point summary of the comments made:

- ❖ ❖ It was agreed that for future Budget reports a copy of the Authority Treasurer's letter regarding the robustness of the estimates and reserves be included.
- ❖ ❖ Page 36: In response to a request it was agreed that the ongoing situation in respect of arson, hoax calling, accidental dwelling fires, road traffic accident reduction and working with young people initiatives be monitored and progress reports presented on a six monthly basis to the Executive Committee and/or Fire Authority.

- ❖ ❖ Page 45: The Chief Fire Officer was asked to investigate the additional revenue costs associated with the possible hiring of lifting plant via contractors.
- ❖ ❖ Page 52: Members asked that the IT hardware replacement programme be investigated to see if it is viable and whether the strategy of replacing IT hardware every three years should be reduced.
- ❖ ❖ Page 21: The Treasurer provided Members with an explanation of why insurance costs are expected to increase by 10%, which is way above inflation.
- ❖ ❖ The Chief Fire Officer was requested to present a report on the official outcome of investigations into the accidents involving Appliances to a future Fire Authority Meeting or circulate as a separate Briefing Note to Fire Authority Members.

In conclusion Members wished to place on record their thanks to Andrew Vallance the Authority Treasurer for all his hard work in producing the Budget.

It was therefore proposed by the Chairman that the Royal Berkshire Fire Authority's 2005/2006 Budget be approved. The proposal having been seconded by Councillor Barrie Patman was put to the vote and carried unanimously.

**RESOLVED: That in accordance with the Local Government Finance Act 1992, that the following amounts be now calculated for the year 2005/2006:**

- 1 The aggregate council taxbase of the six Berkshire unitary authorities has been notified as 313,858.25**
- 2a £31,873,691 being the aggregate of the amounts which the Authority estimates for the items set out in Section 43(2)(a) to (d) of the Act**
- 2b £ 2,396,500 being the aggregate of the amounts which the Authority estimates for the items set out in Section 43(3)(a) to (b) of the Act**
- 2c £29,477,191 being the amount by which the aggregate at (2a) above exceeds the aggregate at (2b) above, calculated by the Authority in accordance with Section 43(4) of the Act as its budget requirement for the year**
- 2d £15,033,714 being the aggregate of the sums which the Authority estimates will be payable for the year in respect of redistributed non-domestic rates and, revenue support grant**
- 2e £44,220 being the aggregate of the deficits on billing authorities' Collection Funds to be recovered in 2005/06**
- 2f £46.16 being the amount at (2c) plus the amount at (2e) above less the amount at (2d) above, all divided by the aggregate council taxbase at (1) above, calculated by the Authority, in accordance with Section 44(1) of the Act, as the basic amount of its Council Tax for the year.**
- 2g The Authority, in accordance with Section 40(2)(a) of the Act, hereby sets the following amounts of Council Tax for the year 2005/06 for each of the categories of dwellings shown below:**

| Valuation Band | £ |
|----------------|---|
|                |   |

|          |              |
|----------|--------------|
| <b>A</b> | <b>30.77</b> |
| <b>B</b> | <b>35.90</b> |
| <b>C</b> | <b>41.03</b> |
| <b>D</b> | <b>46.16</b> |
| <b>E</b> | <b>56.42</b> |
| <b>F</b> | <b>66.68</b> |
| <b>G</b> | <b>76.93</b> |
| <b>H</b> | <b>92.32</b> |

Being the amounts given by multiplying the amount at (2f) by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Authority, in accordance with Section 47(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

- 2h The Authority, in accordance with Section 40(2)(b) of the Act, hereby sets the following amounts payable as precepts by the billing authorities for the year 2005/06:

| <b>Authority</b>                | <b>Taxbase</b>    | <b>Net Yield from C Tax</b> | <b>Collection Fund Deficit</b> | <b>Precept</b>       |
|---------------------------------|-------------------|-----------------------------|--------------------------------|----------------------|
|                                 |                   |                             |                                |                      |
| <b>Bracknell Forest</b>         | <b>41,600.00</b>  | <b>1,918,242.00</b>         | <b>2,014.00</b>                | <b>1,920,256.00</b>  |
| <b>Reading</b>                  | <b>50,630.00</b>  | <b>2,337,080.80</b>         | <b>0</b>                       | <b>2,337,080.80</b>  |
| <b>Slough</b>                   | <b>38,575.10</b>  | <b>1,780,626.62</b>         | <b>0</b>                       | <b>1,780,626.62</b>  |
| <b>West Berkshire</b>           | <b>58,156.00</b>  | <b>2,683,870.96</b>         | <b>610.00</b>                  | <b>2,684,480.96</b>  |
| <b>Windsor &amp; Maidenhead</b> | <b>62,642.55</b>  | <b>2,871,283.11</b>         | <b>20,297.00</b>               | <b>2,891,580.11</b>  |
| <b>Wokingham</b>                | <b>62,254.60</b>  | <b>2,852,373.34</b>         | <b>21,299.00</b>               | <b>2,873,672.34</b>  |
|                                 |                   |                             |                                |                      |
| <b>Total</b>                    | <b>313,858.25</b> | <b>14,443,476.83</b>        | <b>44,220.00</b>               | <b>14,487,696.83</b> |

- 3 That the Medium Term Financial Plan the Capital Programme and the Prudential Indicators, Treasury Strategy and Investment Strategy as set out in Appendices B, E and F respectively be approved.
- 4 That the Chief Fire Officer be requested to present a report on the official outcome of investigations into the accidents involving Appliances to a future Fire Authority Meeting or circulate as a separate Briefing Note to Fire Authority Members.

## **1.11/05 INTEGRATED RISK MANAGEMENT PLAN (IRMP) CONSULTATION RESULTS**

The Authority received a report (Agenda item 11 – not reproduced) on the results of the IRMP consultation process together with a reminder of the intentions for the Year II Action Plan and the outcomes of the Year I IRMP, and were requested, as recommended by the IRMP Working Party, to approve the Year II IRMP without further amendment for implementation on 1 April 2005. The report was supported by a visual presentation from ACFO Tidbury on the intentions of both the Year I and Year II Action Plans.

Members were reminded that a key element of modernisation within the UK Fire Service is that individual Fire Authorities will adopt a locally determined risk-based approach to managing the risks and resources in their areas, which is known as IRMP. It is a requirement under this process to consult all appropriate stakeholders on IRMP's, both on the intentions of the plan and the outcomes. Therefore having commenced formal consultation on 1 October it was completed on 31 December 2004, the Fire Brigades' Union have, and continue to be, an integral part of the planning process.

It is also a requirement that following the completion of the consultation process all responses must be evaluated and formally considered by the Fire Authority before it determines the adoption of the IRMP and implementation of the proposed Action Plans on 1 April 2005.

The results of the consultation process together with a reminder of the intentions and outcomes of the Year II and Year I IRMP's respectively was presented in Appendix 1 (not reproduced). A total of 110 responses were received during the consultation process and although this is an improvement on the 37 responses received last year it is still disappointing. Of the responses received 95 were from Internal Stakeholders with the remaining 15 being from External Stakeholders and whilst no consistent or meaningful trends were identified a summary of the general points was set out in the Appendix (not reproduced).

In noting that the response level will be the subject of a review of the pilot consultation plan in place during this process, Members suggested that during the forthcoming review the feasibility of involving Authority Members in the process be investigated, as they may have experience in specific areas which may prove beneficial, or as members of Focus Groups/Citizen Jury's in their respective Unitary Authority. As Members were also of the opinion that awareness is more important than responses, they also suggested that consideration be given to circulating information about the IRMP through Voluntary Organisations, Housing Associations etc and also the Unitary LSP's.

ACFO Tidbury drew Members attention to the fact that the Thames Valley Chamber of Commerce, representing 2,600 businesses within the Thames Valley area, had sent a comprehensive reply and was very supportive of all areas identified within the Year II IRMP, but more specifically in the reduction of road traffic accidents, which appear to have a significant impact to its organisations. As there was a positive indication from the Chamber of Commerce to become involved in partnership working to reduce risk, this will be developed via the Community Safety Team.

The IRMP Working Party, at its meeting on Tuesday 11 January 2005, having noted that throughout the extensive consultation process no significant proposals were given to suggest that any change was needed to either the Year I or Year II Action Plans, agreed to recommend to the Fire Authority that the Year II Action Plan and recommendations arising from the Year I Projects, be progressed from 1 April 2005 with no amendment.

In response to a request from Councillor Simon Werner the ACFO agreed to keep all Maidenhead Members fully informed of any future plans for Cookham Fire Station.

**RESOLVED: That:**

- 1 The Year II IRMP, also containing the implementation of the Year I projects, be approved without further amendment for implementation on 1 April 2005.**
- 2 During the forthcoming review the feasibility of involving Authority Members in the process be investigated, as they may have experience in specific areas which may prove beneficial, and/or as members of Focus Groups/Citizen Jury's in their respective Unitary Authority.**

**1.12/05 DRAFT MEMBERS/OFFICERS PROTOCOL**

The Authority's approval was sought (Agenda item 12 – not reproduced) to the Draft Members/Officers Protocol as recommended by the Standards Committee and Executive Committee at their meetings held on Friday 21 January and Monday 24 January 2005 respectively.

Having noted the background to the proposal to introduce a more formalised written Protocol, Members were advised that the Standards Committee had agreed that the Protocol be endorsed in principle and the Executive Committee having taken into consideration the decision of the Standards Committee agreed that it also be endorsed and referred to the Fire Authority with a recommendation that it be approved.

Consideration was therefore given to the Draft Members/Officers Protocol, a copy of which was presented as Appendix 2 (not reproduced) and the following is a summary of the comments made:

Councillor Owen Jeffery reiterated the comments he had made at the Standards Committee in that in his opinion the Draft Protocol is not necessary and would prefer to see the development of a professional relationship between Officers and Members rather than the proposed Protocol. In addition Councillor Jeffery drew Members attention to various paragraphs of the Protocol, which, in his opinion are not relevant. He therefore suggested that the Draft Protocol should be looked at more thoroughly and a revised version presented to a future meeting of the Executive Committee. Councillor Peter North however indicated that he was strongly in favour of such a Policy and welcomed its introduction.

In noting the comments made by Councillor Jeffery, Members supported a suggestion from Councillor North that, as the Protocol will be subject to a review in six months time, the proposed Resolution be split to clearly identify Members decision on the endorsement of the document and the proposed review.

The following amendments to the document were also suggested and agreed:

Paragraph 18: in penultimate line delete “would” and insert “may”

Paragraph 21: In fifth line delete “seriously”

Paragraph 23: Delete in its entirety

It was therefore proposed that subject to Councillor North’s amended Resolution and the inclusion of the suggested amendments the Draft Members/Officers Protocol be approved and adopted. The proposal having been seconded was put to the vote and carried by seventeen votes for to three against with no abstentions.

**RESOLVED: That:**

- 1 The Draft Members/Officers Protocol (as amended) be approved and adopted as the Authority’s formal Policy.**
- 2 2 The Protocol be subject to a Review in October 2005 with a report on the outcome of that Review being presented to the Standards Committee/ Executive Committee for comment and endorsement and then to the Fire Authority for consideration and final approval.**

**1.13/05 BUDGET MONITORING**

The Authority was informed (Agenda item 13 – not reproduced) of the Revenue and Capital Expenditure against Budgets up to 31 December 2004 as presented in Appendices A and B respectively (not reproduced)

**NOTED**

**1.14/05 DATE OF NEXT MEETING**

It was noted that the next Fire Authority Meeting is scheduled to take place on Wednesday 29 June 2005 in the Council Chamber, Slough Borough Council, Town Hall, Bath Road, Slough commencing at 6.30pm.

**NOTED**

**1.15/05 EXCLUSION OF THE PUBLIC**

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

|    | Agenda Item                                 | Paragraph |
|----|---|-----------|
| 16 | Part II Minutes: Wednesday 15 December 2004 | 1, 7 & 8  |
| 17 | Part II Minutes of Committees               | 7 & 8     |

*(Note: The following is a summary of the items considered in the Part II Agenda of the Fire Authority meeting held on Wednesday 9 February 2005)*

**1.16/05      PART II MINUTES: 15 DECEMBER 2004**

The Part II Minutes of the last meeting held on Wednesday 13 October 2004 were received and approved as a correct record.

**1.17/05      PART II MINUTES OF COMMITTEES**

Information on the Part II Minutes of Committee Meetings that have taken place since the last meeting of the Authority in December 2004 was received and noted.