

ROYAL BERKSHIRE FIRE AUTHORITY MEETING - PART I

Held on Wednesday 10 October 2007

Council Chamber, The Royal Borough of Windsor and Maidenhead, Town Hall, St Ives Road, Maidenhead, Berkshire, SL6 1RF



Those

Present:

Councillor Phillip Bicknell	Councillor Chris Bowring (<i>part meeting</i>)
Councillor Andrew Bradley	Councillor Mrs Prue Bray
Councillor Jeff Brooks	Councillor Dr Paul Bryant (<i>Chairman</i>)
Councillor Colin Dudley	Councillor Adrian Edwards
Councillor Geoff Findlay OBE	Councillor Chris Harris
Councillor Peter Jones	Councillor John Lenton
Councillor Iain McCracken	Councillor Mrs Kathy Newbound
Councillor Fred Pugh	Councillor Angus Ross
Councillor Dexter Smith (<i>part meeting</i>)	Councillor Alan Ward
Councillor Miss Emma Webster	Councillor Sean Wright

In

attendance: Iain Cox (Chief Fire Officer)
George Cross (Area Manager, Support Services)
Lynda Kenyon (Committee Manager)
Richard Taylor (Clerk and Monitoring Officer)
Andrew Vallance (Authority Treasurer)
David Wallace (Director of Human Resources)

Action

04.01.07 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Mrs Christine Bateson, Councillor Tom Crisp, Councillor Mrs May Dodds, Councillor Mrs Sue Evans and Councillor Mrs Pauline Helliar-Symons. Apologies were also received from Councillor Chris Bowring who would be late to the meeting.

04.02.07 DECLARATION OF INTERESTS

Having been reminded that in accordance with the Fire Authority's Code of Conduct, Members were required to declare interests which were Personal or Personal and Prejudicial, where appropriate, it was **Noted** that on this occasion there were no such declarations made.

04.03.07 PART I MINUTES OF THE MEETING HELD ON 27 JUNE 2007

The Part I Minutes of the meeting held on Wednesday 27 June 2007 were received and **Approved** as a correct record, for signing by the Chairman.

04.04.07 PART I MINUTES OF THE MEETING HELD ON 25 JULY 2007

The Part I Minutes of the meeting held on Wednesday 25 July 2007 were received and **Approved** as a correct record, for signing by the Chairman.

On commenting on the Minutes of the meeting held on 25 July 2007, Councillor Dexter Smith noted that his observation regarding the increased fire-risk in Slough from the increasing numbers of House(s) with Multiple Occupancy (HMOs) had not been recorded, and he asked that he be advised of the number of fire-related call-outs from Wokingham fire station to the Slough area. The Chief Fire Officer agreed to provide the requested data, if available.

CFO

Councillor Adrian Edwards stated that he had recently visited a fire station and was grateful for the opportunity to do this, and he encouraged other Fire Authority Members to do the same.

Councillor Iain McCracken stated that, since the last meeting of the Fire Authority, the following changes to Members' appointments to Committees had been made, as follows:

- Audit Committee - Councillor Alan Ward had now been replaced by Councillor Iain McCracken.
- Executive Committee - Councillor Iain McCracken had now been replaced by Councillor Colin Dudley.
- Integrated Risk Management Plan Working Party - Councillor Colin Dudley had now been replaced by Councillor Iain McCracken.

04.05.07 PART I MINUTES OF STANDING COMMITTEES, WORKING PARTIES AND OTHER GROUPS

The Authority was advised of the meetings of the Fire Authority's Standing Committees, Working Parties and other Groups held since last reported at the Fire Authority meeting on 27 June 2007.

The Fire Authority:

- **Noted** the Part I Minutes of the Standing Committees, Working Parties and other Groups.

04.06.07 PETITIONS AND QUESTIONS UNDER STANDING ORDERS 19 AND 25

The Fire Authority Noted that no Petitions had been received from the Fire Authority Members under Standing Order 19.

The Chairman reported that one Question had been received from a member of the public under Standing Order 25, as follows:

- a) Question received from Mr Richard Coates (Resident of Horton), as detailed below. The question was read out by the Chairman in Mr Coates' absence, however Mr Richard Coates arrived at the meeting whilst his question was being read out.
 - *“Following the multi-fatality hotel fires in Newquay and Blackpool in which the provision of Fire Service resources was widely questioned in the media, will*

the Berkshire Fire Authority re-consider its decision to close Windsor Fire Station during the hours of darkness, being the very time period in which the aforementioned tragic fires occurred?"

The Chairman provided the following response to Mr Coates' question:

- *"The placement of our fire appliances is based on the principal life risks to those in Berkshire, primarily fires in dwellings and extrication from road accidents. The location of appliances is governed by the risk of such incidents, it is not based on the size and location of hotels. This risk is assessed by looking at where incidents actually occur. The Royal Berkshire Fire and Rescue Service has data going back over 8 years, and the Integrated Risk Management 5-Year Plan is based on the risks identified by this data, which is continuously refreshed and reviewed.*

Responsibility for ensuring the safety of hotel guests and staff rests with the hotelier who, by law, must ensure that the premises they operate are safe from fire. Those responsible must undertake a fire risk assessment, looking at, amongst other items, the means of giving warning of fire and the means of escape from the building. This is to ensure that people can leave the premises unaided in the case of fire.

It would be a failure of the risk assessment to rely on the Fire Service to rescue people from a hotel on fire. It states in the Regulations covering the design of buildings, including hotels (Approved Document B Vol 2, B1.1, guidance issued under the Building Regulations)

"... reliance should not be placed on external rescue by the fire and rescue service nor should it be based on a presumption that the Fire and Rescue Service will attend an incident within a given time."

It goes on to say:

"This Approved Document has been prepared on the basis that, in an emergency, the occupants of any part of a building should be able to escape safely without any external assistance".

It is true that the Royal Berkshire Fire and Rescue Service will always respond to any call to a building on fire to prevent the spread and extinguish the fire and will, if necessary and possible, rescue any who are unable to escape unaided - if their escape has been compromised by neglect, unforeseeable circumstances or malicious actions.

It is, of course, better not to have a fire in the first instance. Guidance is available to hoteliers (and others) to assist them in preventing fires from starting, from spreading if they start and, in any case, to ensure that those in the building can escape through their own unaided efforts. Devices such as sprinklers can greatly assist in preventing the spread of fire and the Royal Berkshire Fire and Rescue Service encourages their use.

The Royal Berkshire Fire and Rescue Service has a risk based inspection programme designed to ensure that those responsible are fulfilling their duties. 80% of fire safety inspections currently carried out by the Royal Berkshire Fire

and Rescue Service are of sleeping accommodation. This includes, but is not restricted to, hotels and guesthouses. In the last year, 50 hotels have been inspected by Fire Safety Officers resulting in no prosecutions or prohibitions of use. In addition, 9 post fire inspections have been carried out on hotels and guesthouses since 1 October 2006. Of these, 2 have been in Windsor, both for the same hotel.

On this basis it would not be proper or prudent to change our response arrangements unless there is evidence that there can be further improvements in our response to the key risk areas of life threatening fires and road traffic collisions.”

Mr Richard Coates asked one supplementary question. The Chairman advised that a written response would be provided to Mr Coates.

Chairman

Mr Richard Coates stated that he had arrived late to the meeting as the information published on the Royal Berkshire Fire and Rescue Service website was incorrect, in that the address given was the Guild Hall, Windsor, and, as such, he asked the Fire Authority for an apology. The Chairman advised that this issue would be investigated.

CFO

04.07.07 CHAIRMAN'S COMMUNICATIONS

- a) The Chairman reported that he had attended the recently held Royal County of Berkshire Show at which the Royal Berkshire Fire and Rescue Service had conducted 4 extrication exercises and chip pan demonstrations.
- b) The Chairman reported that the Royal Berkshire Fire and Rescue Service would be sending a Team of firefighters to the 2007 World Rescue Challenge taking place in Barcelona shortly. He referred to the previous years' Teams' successes, and he conveyed his congratulations to those involved in their achievements, and this was **endorsed** by the Fire Authority. The Chairman stated that he would be reporting on the Team's performance on its return.
- c) The Chairman reported that he had attended, with the Chief Fire Officer, the Regional Management Board meeting earlier in the day (10 October 2007).
- d) The Chairman encouraged Members to visit their local fire station and Control. The Chief Fire Officer advised of his invitation letter to Members which extended an opportunity to Members to visit any of the services provided the Royal Berkshire Fire and Rescue.
- d) The Chairman reported that Councillor Sean Wright (Independent Member) would be taking the remaining Conservative Member place on the Community Safety Forum.
- e) The Chairman was pleased to report that the negotiations with the Fire Brigades Union at Stage 3 of the Royal Berkshire Fire and Rescue Service's Negotiating Procedure regarding the introduction of Additional Responsibility Allowances had been resolved, and that the Additional Responsibility Allowances Policy and specific proposals for payment of Additional Responsibility Allowances in 2007/08 had been approved.

04.08.07 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.

04.09.07 NOTICES OF MOTION UNDER STANDING ORDER 44

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

04.10.07 COMPARISONS OF INTEGRATED RISK MANAGEMENT PLANS

The Chief Fire Officer reported that he would be attending an Integrated Risk Management Conference in London on 15 October 2007.

The Chief Fire Officer gave a presentation entitled 'IRMP (*Integrated Risk Management Plan*) Fire and Rescue Service Comparison' (*copy available from the Committee Manager*) in which he referred to the setting of, and comparable, response standards, the National Framework, comparable population, and pump and £/person/incident data between Fire and Rescue Services, including risk model comparisons.

The Chief Fire Officer provided further clarity to the issues raised by Members, and confirmed that further education and training could be considered for those who had a duty of care under the Regulation Reform Order (Regulatory Reform (Fire Safety) Orders).

The Vice-Chairman reiterated that the Integrated Risk Management Plan's methodology was robust, as demonstrated in the presentation given by the Chief Fire Officer.

04.11.07 REVISION OF PROPERTY AND RESOURCES COMMITTEE'S REMIT

The Fire Authority was advised of the Executive Committee's recommendation of the need to change the remit of the Property and Resources Committee to allow it to consider the evolving property strategy in detail and to make recommendations to the Executive Committee and full Fire Authority.

Members from The Royal Borough of Windsor and Maidenhead and West Berkshire Council reported that the issues pertaining to numbers 4 and 18 Hawtrey Road, Windsor, the land adjoining Mortimer Fire Station, and 7 Aston Close and 45 Hawthorn Road, West Berkshire had been resolved. The Chief Fire Officer stated that it should be for the Property and Resources Committee to affirm these resolutions.

Councillor Miss Emma Webster proposed that the revised CO23 and CO24 be re-numbered to CO21 and CO22 respectively, and this was seconded by Councillor Geoff Findlay.

The Fire Authority:

- **Unanimously agreed** that the Committee be re-named as the "Property and Property Resources Committee".

- **Unanimously agreed that** the revised CO23 and CO24 be re-numbered to CO21 and CO22 respectively.
- **Unanimously agreed** that the Property and Property Resources Committee be reviewed annually at the annual Fire Authority meeting.
- **Approved** the revisions to the Terms of Reference of the Property and Property Resources Committee, as recommended by the Executive Committee, subject to the above agreed amendments.
- **Unanimously re-affirmed** the Membership of the Property and Property Resources Committee.

Annual meeting

04.12.07 APPOINTMENT OF ONE MEMBER TO SERVE ON THE LOCAL STRATEGIC PARTNERSHIP IN THE ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

The Fire Authority was invited to consider whom they should appoint to represent the Authority on The Royal Borough of Windsor and Maidenhead Local Strategic Partnership.

The Vice-Chairman noted The Royal Borough of Windsor and Maidenhead had confirmed that they would wish the Fire Authority to appoint a Member other than one from The Royal Borough of Windsor and Maidenhead, but he believed that it was more appropriate to appoint a Member from The Royal Borough of Windsor and Maidenhead, and he proposed that Councillor Mrs Kathy Newbound be appointed, and this was seconded by Councillor Mrs Prue Bray. Councillor John Lenton proposed that Councillor Phillip Bicknell be appointed, and this was seconded by Councillor Dexter Smith. **On being put to the vote, the appointment of Councillor Phillip Bicknell as the Fire Authority's representative on The Royal Borough of Windsor and Maidenhead Local Strategic Partnership was carried.**

Councillor Dexter Smith retired from the meeting.

04.13.07 CODE OF CONDUCT

The Clerk and Monitoring Officer gave a presentation entitled 'The Revised Code of Conduct' (*copy available from the Committee Manager*), in which he outlined Members' general conduct obligations, including confidential information, disrepute and private capacity conduct, personal interests and exemptions to the rule on declaring personal interests, prejudicial interests, prejudicial interests and paragraph 12(2), and what a Member can or cannot do when they have a prejudicial interest. He also referred to the Members' Registers for their respective declarations of interests, gifts and hospitality.

In response to a question from Councillor Mrs Prue Bray regarding Members' right to speak if they had a prejudicial interest, the Clerk and Monitoring Officer clarified that a Member with a prejudicial interest may make representations, answer questions and give evidence before leaving the room, provided that members of the public were allowed to attend for the same purpose, and that Members of the Property and Property Resources Committee, for example, would need to declare such an interest if the business to be conducted related to decisions which might affect the financial position of their respective Unitary.

The Clerk and Monitoring Officer (CMO) agreed to clarify the need to declare the receipt of gifts and hospitality to both the parent Unitary and to the Fire Authority.

CMO

04.14.07 2007/2008 BUDGET MONITORING

The Fire Authority was advised of the revenue and capital expenditure against budgets, up to the end of September 2007.

The Authority Treasurer confirmed that the 2008/09 Budget Working Party would be considering, in detail, the capital programme. The Authority Treasurer, in response to requests from Councillor Mrs Prue Bray and Councillor Adrian Edwards respectively, agreed to provide, within the detailed revenue budget report and capital programme schemes, more detail as to what the major items were referring to and the locations of the appliances.

AT

The Fire Authority:

- **Noted** the 2007/2008 Budget Monitoring report.

04.15.07 CHAIRMAN'S REPORT ON REGIONAL MANAGEMENT BOARD

The Chief Fire Officer advised that the South East Regional Control Centre was not now expected to go live until 2010. He stated that it was expected that the first meeting of the Local Authority Control Company (LACC) (South East Fire and Rescue Control Centre Ltd) Board of Directors would take place in November 2007.

The Fire Authority:

- **Noted** the Chairman's written report on the Regional Management Board.

04.16.07 DATE OF NEXT FIRE AUTHORITY MEETING

The **Fire Authority Noted** that the next meeting would take place on Wednesday 12 December 2007 at 6.30pm in the Council Chamber, Reading Borough Council.

04.17.07 DATES OF SUBSEQUENT MEETINGS OF THE FIRE AUTHORITY

The **Fire Authority Noted** that the subsequent meetings of the Fire Authority would take place on the following dates:

- Wednesday 13 February 2008 at 6.30pm (venue to be advised).
- Wednesday 25 June 2008 at 6.30pm (Annual Meeting) (venue to be advised).
- Wednesday 8 October 2008 at 6.30pm (venue to be advised).
- Wednesday 10 December 2008 at 6.30pm (venue to be advised).

04.18.07 EXCLUSION OF THE PUBLIC

The Fire Authority:

- **Resolved, unanimously**, 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 27 June 2007 (*Paragraphs 1, 2, 3, 4 and 5*)
- Part II Minutes of Standing Committees, Working Parties and other Groups (*Paragraphs 1, 2, 3 and 4*).
- Setting up an 'Arms Length' Trading Company (*Paragraph 3*).
- Approval of the arrangements for the appointment of a Clerk and Monitoring Officer for the Royal Berkshire Fire Authority Director (*Paragraphs 1 and 3*).

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

04.19.07 PART II MINUTES OF THE MEETING HELD ON 27 JUNE 2007

The Part II Minutes of the meeting held on Wednesday 27 June 2007 were received and **Approved** as a correct record.

04.20.07 PART II MINUTES OF STANDING COMMITTEES, WORKING PARTIES AND OTHER GROUPS

The Fire Authority was advised of the Part II meetings of the Executive Committee that have taken place since last reported to the Fire Authority on 27 June 2007. There had been no other Part II meetings of the other Standing Committees, Working Parties and other Groups since the last meeting of the Fire Authority on 27 June 2007. The report was **Noted**.

04.21.07 SETTING UP AN 'ARMS LENGTH' TRADING COMPANY

The Fire Authority considered the Recommendations presented and **Agreed** that further work was required on the Company's governance arrangements, and that it should re-consider the setting up of an 'Arms Length' Trading Company at its next meeting.

04.22.07 APPROVAL OF THE ARRANGEMENTS FOR THE APPOINTMENT OF A CLERK AND MONITORING OFFICER FOR THE ROYAL BERKSHIRE FIRE AUTHORITY

The Fire Authority **Agreed** the Recommendations presented regarding the arrangements for the appointment of a Clerk and Monitoring Officer for the Royal Berkshire Fire Authority.