

Hereford & Worcester Fire and Rescue Authority

14 December 2011

Minutes



Members present:

Mr. D Prodger MBE (Chair), Brigadier P Jones CBE (Vice Chair)

Mr. T Bean, Mr. J Campion, Mrs. L Duffy, Mrs. L Eyre, Mr A Hardman, Mrs. L Hodgson, Mrs. G Hopkins, Mrs M Lloyd-Hayes, Mr B Matthews, Mrs. F Oborski, Mrs. J Potter, Mr. T Spencer, Mr. D Taylor, Mr. K Taylor, Mr. J Thomas, R Udall and Mr. G Yarranton.

No. Item

1. Apologies for Absence

Apologies for absence were received from Councillors: B Bullock, M Bunker, J Cairns, D Greenow, C Smith and P Watts.

2. Declaration of Interests

The Chairman invited any Member to declare an interest in any of the items on this Agenda. The following interests were declared:

- Brig. P Jones CBE – declared a personal interest in relation to agenda item 22 relating to Business Continuity Planning, as his wife's son is a fire fighter.
- Councillor L Hodgson declared a personal interest in relation to agenda item 10, relating to Reduction in Attendance at Automatic Fire Alarms as she is a trustee of St Paul's Hostel.

3. Chairman's Announcements

- 3.1 The Chairman wished everyone present a very Happy Christmas and New Year.
- 3.2 The Chairs of the P& R and Audit Committee as well as Members were thanked for their support during 2011.
- 3.3 The Chairman reminded Members of the financial difficulties that the Authority would face during the forthcoming year.
- 3.4 Members were reminded of the Carol Service which would take place that evening (14 December 2011) at 7.30 pm in St Mary's

and All Saints Church, Kidderminster.

- 3.5 The Committee Services Team was thanked by the Chairman for the support, help and guidance they had given him.

4. Confirmation of Minutes

RESOLVED: *that the minutes of the meeting of the Fire and Rescue Authority held on 28 September 2011 be confirmed as a correct record and signed by the Chairman.*

5. Questions from Members of the Public

No questions for the Authority were received from members of the public.

6. Chief Fire Officer's Service Report

A report was considered from the Chief Fire Officer that informed the Authority of recent key developments and activities together with performance information for the period 1 July 2011 to 30 September 2011.

The following points were drawn to Members' attention:

- There had been an increase in the number of secondary fires compared with the same quarter last year. However, it was pointed out that the unseasonably warm weather had been a contributory factor.
- Ongoing work was being carried out with Severn Valley Railway to reduce the number of incidents of fires. This work had proved to be successful with only 9 of the fires attended to in September relating to Severn Valley Railway.
- Work had been undertaken in 'hotspot' areas where there had been a number of secondary fires e.g. in Winyates and Hagley.
- Performance management was reported regularly. The Service was considering its targets with the potential to replace them with a 'band of tolerance.' Any proposed changes would be put on the agenda of the Policy and Resources Committee for discussion and agreement.
- The Fire Authority had worked closely with Police colleagues over an arson case which was successfully prosecuted in the Crown Court and a custodial sentence of 7 ½ years was given to the offender.
- The Service had held a Leadership Seminar which would help to develop the Service's leaders.
- A press release had been circulated to all Members this morning. The Chief Fire Officer read out the press release regarding a fatality that had occurred in the Warndon area of Worcester.

Members raised the following:

- In relation to a question about terrorism and training, the Chief Fire Officer stated that since 9/11 a number of initiatives had been undertaken to ensure that the Authority could cope with whatever situations they met. However, it was pointed out that terrorism could reach new dimensions and although the Authority prepared and trained its firefighters there could be unknown forms of terrorism which may present themselves in the foreseeable future. The Government had issued the Draft National Framework which reiterated its commitment to national resilience.
- A Member expressed her thanks to the Young Firefighters. She had attended a Young Firefighters Executive Committee meeting the preceding evening and commented that it was a pleasure to see the support the Young Firefighters received from Officers.
- A Member wished to commend the Chief Fire Officer on the seminar he had delivered to Members in Hereford. The event had been very much appreciated.

RESOLVED: the Chief Fire Officer's Service Report be noted.

7. Fire and Rescue Authority Options for Appointment of a Treasurer and Clerk/Monitoring Officer

The interim Clerk and Treasurer left the room during discussion of this item.

A report was considered that brought to the Authority's attention the options that were available for the provision of services of a permanent Clerk/Monitoring Officer and Treasurer. The report also asked the Authority to extend the interim appointments of the current temporary Treasurer and Clerk/Monitoring Officer until the end of May 2012.

The Chief Fire Officer advised Members that both posts had been appointed on a temporary basis pending the receipt and acceptance of the Audit Commission's report into the retirement of the former Chief Fire Officer as it had been anticipated that this report would make reference to these posts and their relationships with the Authority.

Four Options were contained within the report namely:

Option 1 - SLA with another Fire and Rescue Authority or Council

Option 2 – High Street Solicitor/Accountant

Option 3 – Individual Contract(s)

Option 4 – Direct Employment

For each Option the Chief Fire Officer had listed the advantages and disadvantages, however, he commented that these were not exhaustive.

Members discussed the options available and made the following comments:

- Using a high street service was not appropriate and some public service organisations operated differently to a Fire Authority.
- There could be a conflict of interests if the Treasurer worked for another authority.
- Option 3 was a possibility for the Authority but Option 4 presented the best way forward.
- It was necessary to bear in mind the advice of the Audit Commission regarding the previous remoteness of the posts.
- It was considered necessary to have a dedicated Monitoring Officer.
- The process should be concluded within 6 months.

RESOLVED:

- (i) ***The current arrangements for the Clerk/Monitoring Officer and Treasurer are extended until 31 May 2012 or until permanent appointments are made, whichever is the sooner.***
- (ii) ***The FRA advises the CFO that Option 4 is the preferred option for securing the services of a Clerk/Monitoring Officer and Treasurer and instructs the CFO to complete detailed investigations for consideration by the Appointments Committee.***

8. Future Financial Prospects

A report was considered that informed the Authority of the initial review of future financial prospects.

The Treasurer advised Members that in February 2011 the Fire and Rescue Authority agreed a Medium Term Financial Plan (MTFP) for 2010-11 to 2013-14. However, he explained that since the Plan had been produced more information had become available regarding future grants.

The Treasurer commented that although there was no information on grant allocation to individual authorities, the Department for Government and Local Communities (DCLG) had now released the grant totals for the latter 2 years and the year on year reductions were 8.5% and 5% respectively. The impact of this had been factored into the Authority's MTFP.

With regard to a Council Tax freeze, DCLG had announced details of a further Council Tax Freeze Grant for 2011/12 which meant that if the authority were to set a precept of 0% the FRA would receive a grant equal to

3% of the 2012/13 precept which equated to approximately £0.627m. However, Members were advised of potential issues if the Authority were to take the Freeze Grant. The Authority had planned an annual 3.5% increase and the Freeze Grant equated to a 3% increase which would leave a shortfall in resources of £0.087m for 2012/13. Also the Freeze Grant was for one year only and would necessitate significantly higher cuts in expenditure from 2013/14 or would mean setting a higher future precept.

Members considered the four appendices to the report. Appendix 1 showed the MTFP as approved by the FRA in February 2011. Appendix 2 showed the known changes to projections. Appendix 3 showed the impact of using the 2012/13 Council Tax Freeze Grant and maintaining the MTFP precept increase assumptions for 2013/14 and 2014/15, Appendix 4 showed the impact of taking the Council Tax Freeze Grant and how the 2013/14 precept would have to be increased to compensate.

Members were advised that they were not being asked to make a decision at this stage. The report was for information to alert Members to the current position. Members' attention was also drawn to the further planned meetings that would be held in January/February 2012 where the matter would be discussed further.

The Treasurer advised Members that further information regarding Council Tax capping was contained in the recent Localism Act.

In response to a question about flooding incidents, the Chief Fire Officer commented that the budget had been designed to cover peaks and troughs, but if necessary the operational activity reserve could be used although the activity would have to be exceptional.

RESOLVED: that the current revenue expenditure and resource projections be noted.

9. Future Service Planning

A report was considered that updated Members on changes to the Service's Business Planning Processes and Strategic direction.

The Chief Fire Officer informed Members that over the years the Authority had developed a detailed process for managing business planning and projects that was supported by a series of organisational and corporate objectives to underpin this. However, it had been recognised that this was a complex way of dealing with matters and that the process needed to be simplified. The new Plan rectified matters and Members' attention was drawn to the Appendix which outlined the process. By simplifying the process the Authority was giving direction to Managers and allowing them to get on with the work they were expected to undertake.

RESOLVED:

(I) that the Authority approves the replacement of the current

Vision Statement and associated strategy with the Core Purpose for 2012/13 as set out in paragraph 6 of the report to the FRA.

(II) The Authority endorses the new simplified approach to business planning and delivery of Service strategy.

10. Reduction in Attendance at Automatic Fire Alarms – Consultation

A report was considered that drew to Members' attention the responses to consultation regarding the proposed reduction of attendances at Automatic Fire Alarms (AFAs) and sought permission to implement the recommendations contained within the report.

The Chief Fire Officer outlined the background to the proposals and commented that the Authority was trying to work as effectively as possible. The IRMP Action Plan recommended that the Authority should reduce the number of attendances that it made to unwanted fire signals (UwFS). A consultation commenced with key stakeholders and the proposals within the report were also considered by the Authority's Policy and Resources Committee. The proposals sought to reduce the number of road journeys that were made and associated risks. The main reason for the proposals was to cut down attendance at incidents where there turned out not to be a fire. Out of approximately 3,000 incidents per annum only about 0.4% turned out to be real fires. By not attending AFA's it would allow vital training to take place as firefighter safety was one of the Authority's main priorities. Also whilst an appliance was going out to an AFA it was not available for emergencies. The saving to the Authority for not attending AFAs was estimated to be approximately £40,000 per year.

Members were advised that the consultation that was conducted targeted the most relevant premises and stakeholders affected by the proposals.

Each recommendation was considered in turn and questions were taken from Members;

With regard to Recommendation 6 - attendance at hospitals, the Chief Fire Officer advised for the next 12 months the Authority would continue to send an appliance but after that period an individual assessment would be made of each incident. Furthermore, the Localism Bill allowed the Authority to charge repeat AFA offenders but the Authority wished to educate them rather than charge them.

Councillor J Campion declared a personal interest due to his involvement in museums. He expressed concern about heritage buildings and the associated risks of not attending an AFA out of hours. Members were particularly reminded of the incident at Hartlebury Museum recently and the Chief Fire Officer confirmed that any decisions made today would be implemented within a period of 6 to 7 months following specific consideration of heritage buildings.

A Member queried whether Fire Control staff had the appropriate training to deal with borderline cases. The Chief Fire Officer responded that Fire Control always had qualified professional staff on duty that took the calls.

The Chief Fire Officer clarified that many buildings had a fire alarm system which operated whether the building was occupied or not and the alarm went to a collector station which could be anywhere in the country. The Collector Station then contacted Fire Control with details of the AFA.

Members made the following points:

- Whilst the Authority should be congratulated on the way it had consulted on this matter it was disappointing to see such a poor response.
- In response to a query about the storage of industrial chemicals it was clarified that the Service were informed where such chemicals were stored as were other relevant agencies.
- A member was concerned whether the Service would attend an AFA at a school during school holidays. It was confirmed that they would.
- It was confirmed that a fire appliance would turn back from its journey if the call was confirmed to be a false alarm. Conversely if the AFA call proved to be a real fire more appliances could be sent.
- It was confirmed that the Service worked closely with Worcestershire Regulatory Services.
- Fire Control Operators tended to be aware when a call was vexatious.

In view of some of the comments made by Members the Clerk suggested that recommendations 7 and 9 be amended to state: that the Chief Fire Officer has discretion to adjust any attendance based upon a risk assessment.

(Councillor Mrs F Oborski left the meeting at 11.44 am)

RESOLVED: that the Authority adopts the following in relation to Automatic Fire Alarms:

- (i) all Pre-Determined Attendances to Automatic Fire Alarm calls to be one pumping appliance only, except where risk factors and Intel (intelligence) information indicate otherwise;**
- (ii) robust call filtering in the Service's Command and Control Centre be implemented;**
- (iii) return en route be implemented when a caller confirms any previous call as now a false alarm;**
- (iv) all responses to Automatic Fire Alarms to be at normal road speeds unless the Officer in Charge of the appliance deems**

otherwise;

- (v) attendance be made to Automatic Fire Alarms received to dwellings (includes houses in multiple occupation, flats), schools, residential care and other residential (includes special units, sheltered housing, hotels, hostels);*
- (vi) hospitals to receive one fire appliance attendance to calls from Automatic Fire Alarms for a period of 12 months, during this 12 months a full assessment of each hospital be made to establish if a single fire appliance or a non-attendance is appropriate.*
- (vii) attendance will not be made to non residential premises (includes offices, shops, factories, warehouses, other buildings); unless it is deemed necessary following a risk assessment.*
- (viii) all restricted attendances be implemented at all times of day and night, this will be specifically reviewed after 12 months;*
- (ix) Automatic Fire Alarms to unoccupied premises will not receive an attendance unless it is deemed necessary following a risk assessment.*
- (x) The Service's Command and Control Centre will apply a "full" filter procedure to Automatic Fire Alarm calls from non-residential premises and hospitals. (This complements Recommendation (v). They will apply a "light" filter procedure to Automatic Fire Alarm calls from dwellings, schools, residential care and other residential properties).*
- (xi) The Service may implement a non-attendance policy to repeat offenders, following Technical Fire Safety Intervention, unless a confirmed fire is reported; and*
- (xii) the Authority will not adopt a 'Charging for Automatic Fire Alarms' policy at this time.*

Councillor T Bean left the meeting at this point (11.50)

11. Revised Redundancy Policy

A report was considered that provided the Authority with the revised draft Redundancy Policy for approval.

The Chief Fire Officer stated that the Policy and Resources Committee had considered the policy which had been revised due to the current economic climate. He highlighted the changes to the Policy namely:

- Inclusion of the option for voluntary redundancy
- Pay protection for those staff redeployed into alternative roles from

three years full pay to a sliding scale over a three year period.

RESOLVED: that the revised draft Redundancy Policy be approved.

Councillor R Udall left the meeting at this point (11.55)

12. West Midlands Contractor Framework

The Chairman announced that this report had been withdrawn and would be submitted to the next meeting of the Policy and Resources Committee on 25 January 2012.

13. Risk Management Strategy and Strategic Risk Register

A report was considered regarding the revised Risk Management Strategy and Policy and the Live Strategic Risk Register.

The Chairman of the Audit Committee advised Members that the Audit Committee had considered these documents and recommended that the Authority approve them.

RESOLVED: that the revised Risk Management Strategy and Policy and the live Strategic Risk Register be approved by the Authority.

14. Information Commissioner's Office Model Publication Scheme

A report was considered that sought the Authority's approval of the revised Publication Scheme, in line with the Service's Governance arrangements. The Chief Fire Officer advised Members that the more information that the Authority published the less Freedom of Information requests it received.

RESOLVED: that the revised Model Publication Scheme be approved by the Authority.

15. Amendment to Appointments Committee's Terms of Reference

A report was considered that sought approval from the Authority to amend the wording of the Appointments Committee's Terms of Reference.

The Clerk advised Members that in September 2010 Members had adopted a new committee system and in the main had adopted the previous terms of reference of committees. However the terms of reference did not allow for the Appointments Committee to have delegated authority in relation to determining terms and conditions of the relevant officers. Previously this had been written into its terms of reference as there was usually an element of local discretion with regard to terms and conditions that were agreed nationally. The report therefore sought the Authority's approval to regularise the matter.

RESOLVED: that the Authority approves the change in the Terms of Reference of the Appointments Committee as set out in paragraph 5 of

the report to the FRA.

Councillor B Matthews left the meeting at this point (12:00)

16. Member Development 2011/12

A report was considered that updated Members on the current position with regard to Member Development.

A Member Development Champion spoke on the report and informed Members that one of the principles of good governance that the Authority had adopted was to develop the capacity and capability of Members and Offices to be effective. She outlined how Member Development Champions were appointed. Furthermore she outlined the key points arising from a meeting with the Clerk, Corporate Support Manager and Corporate Support Officer at which it was agreed that it would be useful to send Members a key skills questionnaire to inform the Member Development Programme and thus reduce duplication of training.

Members were advised that the Authority had made a commitment to developing the skills of Members by identifying funds within the 2011/12 revenue budget. Discussions had also taken place on how Members could be given an opportunity to visit locations and staff in each District to provide an overview of areas such as specialist vehicles, types of appliances, training facilities and scenarios. The Committee Services Team would progress this as part of the overall Development Programme.

RESOLVED: that the report be noted.

17. FRA Member Representative for Health and Safety Liaison Panel

A report was considered that advised Members of the proposed new Member representative for the Health and Safety Liaison Panel.

The Clerk informed Members that a recommendation had been made by the Policy and Resources Committee in September 2011 that a Member be appointed to the Health and Safety Liaison Panel. Group Leaders had recommended that Councillor P Watts take on this role and he had duly accepted the nomination.

RESOLVED: that Councillor Peter Watts be appointed as the Member representative on the Authority's Health and Safety Liaison Panel.

18. Audit Committee Report

A report was considered that informed the Authority of the proceedings of the Audit Committee meeting held on 28 September 2011 and the Special Audit Committee meeting held on 7 November 2011.

The Chairman of the Audit Committee thanked Members for their participation and support – particularly for the Special Audit Committee meeting held on 7 November 2011. She also wished to congratulate the Chief Fire Officer for receiving an unqualified audit opinion during the recent audit.

RESOLVED that the Authority notes:

- (i) the proceedings of the Committee Meeting held on 28 September 2011 and the Special Audit Committee meeting held on 7 November 2011;***
- (ii) that the Committee approved the Annual Governance Statement 2010/11 for publication;***
- (iii) that the Committee approved the Statement of Accounts 2010/11;***
- (iv) that the Committee agreed to monitor the progress of the actions as set out in the District Auditor's report; and***
- (v) the Committee approved the letters of representation be approved on behalf of the Authority for both the Supplementary Annual Governance Report 2009/10 and the Supplementary Annual Governance Report 2010/11.***

19. Policy and Resources Committee Report

A report was considered that informed the Authority of the proceedings of the Policy and Resources Committee meeting held on 23 November 2011.

The Chairman of the Policy and Resources Committee thanked Members of the Committee for the work they had carried out during the year and also wished to thank Officers for their input.

RESOLVED: that the Authority note the proceedings of the Committee meeting held on 23 November 2011.

20. FRA and Committee Meeting Dates for 2012/13

A report was considered that informed Authority Members of the meeting dates for 2012/13.

RESOLVED: the dates as attached to the report to the FRA be noted.

21 Exclusion of the Press and Public

RESOLVED: that the press and public be excluded from the meeting as Item 22 is (a) likely to disclose information relating to the financial or business affairs of the Authority and (b) contains information relating to any consultations or negotiations in connection with any labour relations matter arising between the authority or a Minister of the

Crown and employees of, or office holders under the Authority.

22. Business Continuity Planning

A report was considered that updated Members on planning arrangements and associated strategy and requested Authority approval for such arrangements.

The Chief Fire Officer outlined the background and a presentation was given to Members which outlined the future resilience arrangements.

RESOLVED:

(I) The Authority approves the assumptions and proposals as contained in paragraph 8 in the report to the FRA and detailed during the presentation to the Authority.

(II) Resilience levels and response standards (as set out in Table 1 of the report to the FRA) are approved to be implemented by the Chief Fire Officer during periods of appliance unavailability.

The meeting finished at 12.30pm

Signed: _____
Chairman

Date: _____