

BEDFORDSHIRE AND LUTON COMBINED FIRE AUTHORITY

12 DECEMBER 2008

PRESENT

Councillors: R Baker BEM, N Bullock, A Carter, R Davies, R Gwynne-Jones, D Ross, J Saunders, J Street and S Timoney (Vice Chair).

08-09/fa/050 APOLOGIES

Councillors Duggan (Chairman), Riaz and Shingler had tendered their apologies.

08-09/fa/051 COMMUNICATIONS

In Councillor Duggan's absence, the meeting was Chaired by the Vice Chair, Councillor Timoney.

The Vice Chair welcomed Councillor Headley, and Councillors Brown, Gibson and Snelling who were attending the meeting as observers, having been appointed as Shadow Members to the CFA by Bedford Borough Council and Central Bedfordshire Council respectively.

Councillor Anthony Duggan

The Vice Chair advised that the Chairman was unable to attend the meeting as he was to receive his OBE at Windsor Castle that day. Members congratulated Councillor Duggan on his award,

CFO Paul Fuller

The meeting congratulated CFO Fuller on his presentation of The Queen's Fire Service Medal on 10 December 2008.

LGA Equality and Diversity Charter for Fire and Rescue Authority Members

The Vice Chair referred to the recent launch of the LGA 5-point Charter and the LGA's request for individual Members to sign up to the Charter to demonstrate their commitment to equality and diversity. The LGA had sent Members a 'sign up' return and further copies were available at the meeting. This matter was to be noted later in the Agenda when Members considered the report of the Human Resources Scrutiny Group.

08-09/fa/052 DECLARATIONS OF PERSONAL AND PREJUDICIAL INTERESTS

All Members present declared a personal interest in Agenda Item No 17 (Members' Allowances Scheme 2009/10).

08-09/fa/053 MINUTES

RESOLVED:

That, the minutes of the meetings of the Fire Authority held on 4 and 29 September 2008 be confirmed and signed as a true record.

Minute 08-09/fa/041 (Business Continuity – Project Fireguard), had instructed the Chief Fire Officer to explore other options to allow the Authority to meet its statutory duties regarding Business Continuity, for consideration at a Members' Workshop to be held following the Performance Achievement Scrutiny Group meeting on 15 October 2008 and further report to the Combined Fire Authority on 12 December 2008.

CFO Fuller advised that the Workshop had received a presentation on alternative resilience options to Project Fireguard and Members had requested the investigation of five possible options for further report to the CFA. These options remained under investigation for report to a future meeting. In the meantime, it was noted that Project Fireguard had been disbanded nationally.

08-09/fa/054 PUBLIC PARTICIPATION

Members noted that no questions had been received in accordance with the public participation scheme approved at the meeting of the Fire Authority held on 5 April 2000 (minute 99/fa/94 refers).

08-09/fa/055 FIRE AND RESILIENCE PROGRAMME HIGHLIGHTS – OCTOBER 2008

ACFO Hull advised that Communities and Local Government (CLG) had introduced monthly highlights reports in the form of a Fire and Rescue Service Circular.

FRS Circular 56/2008 was reported for Members' attention, who noted that they would be advised of future Circulars which would be stored in the 'Members only area' of the Service website.

RESOLVED:

That the report be noted.

Note: A short presentation on the Members' Area was given after the meeting.

08-09/fa/056 LOCAL GOVERNMENT REORGANISATION

The Secretary reported on amendments to The Bedfordshire Fire Services (Combination Scheme) Order 1996 (the CSO) and consequential changes arising from local government reorganisation (LGR).

In order to deal with the changes arising from the dissolution of the County Council on 1 April 2009, the Secretary of State had made the Local Government (Structural Changes) (Areas and Membership of Public Bodies in Bedfordshire and Cheshire) Order 2008. This was currently in draft form and subject to approval by both Houses. It was anticipated that the Order would be finalised in early 2009.

The draft Order amended the CSO to provide that, from 1 April 2009, the area of the CFA should be Luton Borough Council, Bedford Borough Council, and Central Bedfordshire Council. It did not make any other changes to the CSO, but contained transitional provision for the appointment of representatives who would become Members of the CFA from 1 April 2009.

Following the date of the final Order, the transitional provision would enable representatives of Bedford Borough Council and the shadow council for Central Bedfordshire to attend meetings of the CFA, but not to vote (prior to 1 April 2009). Also, under the draft Order, the CFA was to have regard to the representatives' views on the budget requirement and precept at its budget meeting, which was to be held on 6 February 2009.

The CFA had been notified of the representatives (and Members from 1 April 2009) appointed by Bedford Borough Council (3) and Central Bedfordshire (5), some of whom were in attendance.

RESOLVED:

That the report be noted.

08-09/fa/057 PERFORMANCE ACHIEVEMENT SCRUTINY GROUP: 15 OCTOBER 2008

Councillor Gwynne-Jones, Chairman of the Performance Achievement Scrutiny Group, presented the draft minutes of the meeting held on 15 October 2008, highlighting in particular the Audit Commission's Report on the Service's Comprehensive Performance Assessment that had been undertaken in June 2008.

The Service's strategic leadership had been recognised, and its rating had improved significantly since the last assessment in 2005, resulting in the Service moving from being 'weak' to 'fair'.

RESOLVED:

That

1. the draft minutes of the meeting held on 15 October 2008 be noted.
2. the reported changes to the 2008/09 Capital Programme with regard to vehicles and the Incident Command Training Suite be endorsed.
3. the Environmental Protection Strategy be agreed and adopted by the Combined Fire Authority.

08-09/fa/058 INTEGRATED RISK MANAGEMENT SCRUTINY GROUP: 22 OCTOBER 2008

Councillor Saunders, Chairman of the Integrated Risk Management Scrutiny Group, presented the draft minutes of the meeting held on 22 October 2008.

RESOLVED:

That, the draft minutes of the meeting held on 22 October 2008 be noted.

08-09/fa/059 HUMAN RESOURCES SCRUTINY GROUP: 5 NOVEMBER 2008

Councillor Street, Chairman of the Human Resources Scrutiny Group, presented the draft minutes of the meeting held on 5 November 2008, highlighting in particular a week long exercise which been held in the Summer to simulate a 'flu pandemic and test the Service's contingency plan for such an event.

Members of the Scrutiny Group had noted FRS Circulars 44/2008 and 55/2008 which advised of the opportunity to receive a minimum of a £42k capital grant over two years for committing to higher recruitment targets for equality and diversity recruitment. Letters of commitment had been required by CLG by 28 November 2008.

The following target criteria had been established to be eligible for the grant:

- by 2013 recruitment of minority ethnic staff across the whole organisation to be between 2% and 5% above the minority ethnic representation in the local working age population, and
- by 2013 recruitment of women in the operational sector to be at least 18%

To achieve these targets, the Service would need to increase its current profile for female recruits from 16% to 18%, and from 5% to 35% for minority ethnic representation.

Members had expressed concern that the Circulars slewed the numbers for minority ethnic representation by totalling the whole area. Representation in Luton was 57.8% whereas, in

Mid Bedfordshire (which had a number of Retained Stations, requiring firefighters to live in close proximity) it was only 8.9%.

CLG had confirmed that only these figures could be used as the benchmark on which to achieve a higher target.

Members had agreed with the principle of the Circulars but not the process proposed. They considered a realistic profile was required and that the offered £42k over two years could be effectively used by the Service to promote further positive action.

With this in mind, they had recommended that the Service apply for the offered capital grant, noting that the proposals left Bedfordshire and Luton Fire and Rescue Service at a disadvantage, which would be highlighted in the Service's first annual review of the Equality and Diversity Strategy in November 2009.

CFO Fuller advised that a letter to CLG in this regard had been drafted in consultation with the Chairman, pending the CFA's further instructions.

Reference was also made to the recent launch of the LGA 5-point Charter and the LGA's request for individual Members to sign up to the Charter to demonstrate their commitment to equality and diversity. The LGA had sent Members a 'sign up' return and further copies were available at the meeting for Members' consideration.

RESOLVED:

That,

1. the draft minutes of the meeting held on 5 November 2008 be noted.
2. despite informal advice received from CLG, the Service apply for the offered capital grant, noting that the proposals leave Bedfordshire and Luton Fire and Rescue Service at a disadvantage, which would be highlighted in the Service's first annual review of the Equality and Diversity Strategy in November 2009.

08-09/fa/060 STANDARDS COMMITTEE: 10 NOVEMBER 2008

The Secretary presented the draft minutes of the meeting held on 10 November 2008.

Members had considered the consultation document Communities in Control: Real People, Real Power – Codes of Conduct for Local Authority Members and Employees: October 2008 which sought comments on proposals to clarify the Members' Code in its application to Members' conduct when acting in a non-official capacity and the proposed introduction of a Model Code of Conduct for Local Government Employees, which would become part of the employees' terms and conditions of employment.

Comments on twenty two questions had been invited by 24 December 2008 and the Standards Committee had recommended a detailed response for the consideration of the Combined Fire Authority.

RESOLVED:

That,

1. the draft minutes of the meeting held on 10 November 2008 be noted.
2. the suggested response to the consultation document Communities in Control: Real People, Real Power – Codes of Conduct for Local Authority Members and Employees: October 2008 be agreed.

08-09/fa/061 EAST OF ENGLAND REGIONAL MANAGEMENT BOARD: 8 OCTOBER 2008

RESOLVED:

That, the draft minutes of the meeting held on 8 October 2008 be noted.

08-09/fa/062 PUBLIC ENGAGEMENT AND CONSULTATION

DCFO Smith advised Members of the existing range of public engagement activities undertaken to ensure meaningful consultation on the delivery of Bedfordshire and Luton Fire and Rescue Service.

Bedfordshire and Luton Combined Fire Authority had a duty to inform, involve and consult with the residents of Bedfordshire and Luton and all other internal and external stakeholders on the delivery of its Fire and Rescue Service.

Consideration of the responses to regular consultation exercises ensured that the Authority took into account the views of all stakeholders and assisted with the shaping and alignment of future service delivery to meet the needs and aspirations of users and partners alike.

To involve stakeholders and consult with local communities effectively the Authority was required to:

- hold consultations at different times of the day;
- use different methods of engagement, e.g. internet, group meetings, visits to community centres and newspaper advertisements etc.;
- provide relevant information which is of appropriate quality and presented in a way that is easily understood; and
- engage with the whole community including those whose circumstances might make them vulnerable, e.g. elderly, new communities, low income, families in rural areas, and minority groups.

To achieve this, a variety of consultation methods were currently employed by the Fire and Rescue Service including B-Live and Local-News TV, both of whom made presentations to Members at the end of the meeting.

Members also discussed current and planned methods to engage with hard to reach groups.

RESOLVED:

That the report be noted.

08-09/fa/063 DRAFT COMMUNITY RISK MANAGEMENT PLAN 2009 - 2012

ACFO Hull advised Members of the production of the Authority's draft Community Risk Management Plan (CRMP) for the period April 2009 to March 2012. This had previously been referred to as the Integrated Risk Management Plan (IRMP).

The original IRMP had been designed to cover the period 2004 until 2009 and include annual Action Plans as part of the process. The proposed draft Community Risk Management Plan 2009 – 2012 had been designed and developed using the *Fire and Rescue Service National Framework 2008 - 11* and subsequent CLG guidance as the overall framework.

Within this overall national framework context, local 'strategic' issues had been developed to help deliver Community Risk Reduction initiatives and service improvement at a local level. Six key areas of service delivery had been proposed to form the basis of the new three year plan:

1. adopt New Incident Attendance Standards
2. fit our Resources to Identified Risks
3. review our Fleet of Specialist Vehicles
4. boost our Community Safety Activity
5. enhance the Enforcement of Fire Safety law
6. enhance Training to Increase Safety of Firefighters at Emergency Incidents

The draft Community Risk Management Plan 2009 - 2012 was purposely designed to be in a fresh, engaging tabloid format which would include two distinct versions of the same overall document:

- a brief 'Summary' version complete with a questionnaire enclosed, and
- a more in depth 'Consultation Document'

Members noted proposals to consult with the internal and external stakeholders during the consultation process which had commenced on Monday 1 December 2008 and was to conclude on Monday 23 February 2009.

It was anticipated that the statutory twelve week consultation process would allow sufficient time for the consultation comments to be collated by the end of February 2009 and the final Community Risk Management Plan 2009 - 2012 presented to the Authority with those comments in March 2009 ready for a possible 1 April 2009 implementation.

RESOLVED:

That,

1. the Authority note the publication of the draft Community Risk Management Plan 2009 - 2012 for Public Consultation.
2. the Chief Fire Officer report the results of the consultation process to the Authority for consideration prior to the final approval and implementation of the Community Risk Management Plan 2009 -2012 and resultant Action Plans.

08-09/fa/064 UPGRADING THE SERVICE'S COMMUNICATIONS CONTROL SYSTEM

ACFO Hull advised Members of recently identified risks associated with the current Service Communications Control System.

The Integrated Communications Control System (ICCS) used in Bedfordshire and Luton Fire and Rescue Service was supplied in 1994/95 and enabled Service Control staff to communicate effectively with firefighters whilst they are mobile to, or actively engaged at, an incident. The system was essential to the Service for meeting its legislative requirements as well as supporting and protecting firefighters.

The ICCS currently in use was a computer based system run from floppy disc with all the components are located in the Service Control building.

In order for the Service to integrate with new radio equipment supplied as part of the national 'Firelink' project, it was necessary to make changes to the ICCS. The supplier had problems making these changes and highlighted the age of the system and the difficulty in providing future support. Additionally, when the supplier attempted to make the changes to allow communication between firefighters at an incident to communicate to other staff, they found

that the software was a very early version. This version had to be upgraded with several fixes to allow the new software to work.

These issues, along with the problems in finding sufficient expertise to work on this ageing product, had raised concerns as to how long it would be before faults arise that could not be resolved. In addition, the computers were all of such an old technology that replacement items were no longer available.

Members noted that these recent experiences, together with an announcement of the likelihood of further slippage in the FiReControl project, placed significant risk on the ability of this Service to continue to handle emergency calls efficiently. A total failure of the system would require use of a contingency system which, although functional, would represent a significant degradation in call handling if it was required to be used for any significant period.

It was recommended that the current ICCS be upgraded to a new system based around Microsoft Windows, a familiar and supportable platform for the Servers and operator positions. There were several other advantages to a move to a more modern PC based system, over and above the longevity of system usability and reduction in risk which include:

- the latest available technology to user enabling system performance availability and resilience to be maintained;
- the facility to migrate to the Airwave digital TETRA based radio system;
- the opportunity to integrate a larger range of 'off the shelf' products with the system including access to web based applications and intranet etc;
- increased options for integration with Service IT systems;
- provision of a platform for other future functional enhancements.

Another advantage of migrating to a new system was that Service IT staff would be able to provide 24x7 support to the ICCS, which currently had to be supported by a third party. This would result in a reduction of reliance on an outside agency and result in a reduced operational support cost.

An indicative quotation had been obtained based on a proven product upgrade procedure which had been successfully implemented within several other Fire and Rescue Services. The quoted price of £123,000 included the equipment and software upgrade, installation and testing, spare components and training for operators and the systems manager.

Members noted that this work had been deferred pending the establishment of the Regional Control Centre, as the full range of equipment would not be required following change over. Unfortunately, as the FiReControl project had further slipped, it was now necessary to take action. Provision had earlier been identified in financial reserves for this work.

RESOLVED:

That,

1. due to the urgency and importance of this matter, the release of £123,000 from financial reserves be approved to allow a full upgrade of the Service's Integrated Communications Control System to take place.
2. reimbursement be sought from CLG due to the slippage of the FiReControl project.

08-09/fa/065 REVENUE BUDGET AND CAPITAL PROGRAMME MONITORING – 2008/09

Mr Osborne presented the third 2008/09 monitoring report for consideration by the CFA. In addition, an updated report had been submitted to each meeting of the Performance Achievement Scrutiny Group.

No agreement had yet been reached on the APT&C Staff Pay Award due on 1 April 2008. The unions had submitted a claim of 6%, which had been referred to arbitration. However, agreement had been reached for an interim offer of 2.45% to be paid in November, backdated to April 2008.

To date, £64,200 had been allocated from the Prices Contingency of £165,000. However, with the substantial increases in energy and fuel costs it was anticipated that this would be called upon further later in the year.

Members were aware that the Authority was a founding member of FRAML, the Fire and Rescue Services 'mutual' insurance company, established by Firebuy Ltd last autumn, with a view to moving all of this Authority's insurance cover to the Company from 1 April 2008. However, as reported previously, as a result of a legal challenge to the London Authorities Mutual, FRAML had been required to make alternative interim arrangements for insurance cover until 31 October 2008.

The arrangements for insurance cover for all the founding members of FRAML from 1 November 2008 had been subject to a tendering process and an update on this had been reported to the meeting of the Performance Achievement Scrutiny Group on 15 October 2008. Savings on the original insurance premiums had been achieved of £151,000 pa over the next two years.

Negotiations were continuing between FRAML and the Financial Services Authority (FSA) for the release of the original premiums paid on 1 April 2008, and it was anticipated that this would be resolved by June 2009.

Although interest rates had drastically reduced over recent months, the investment of monies in November 2007, June 2008 and in August 2008 (from borrowing for the three year Capital Programme) would generate interest estimated at £400,000 for the year compared with £112,200 in the budget. It was recommended that the additional £288,000 arising from this should be earmarked and carried forward to support the 2009/10 revenue budget.

As a result of a number of factors, wholetime and retained firefighters' pay and associated costs were underspending which, when projected to 31 March 2009, equated to £200,000. It was again proposed that this be earmarked and carried forward to support the 2009/10 Revenue Budget process.

There were no other revenue issues to bring to Members' attention other than the item elsewhere on the agenda concerning the upgrading of the Service's Communications Control System (minute 08-09/fa/065 refers).

With regard to capital, Members noted that the main project – Dunstable Community Fire Station – was now complete and a claim for the land remedial work had been submitted to EEDA.

The other major project to provide rest and study accommodation at Stopsley Fire Station had been completed and handed over to the Service last week, both within budget and ahead of schedule.

There were no other issues on the other capital projects, although some slippage between years might become necessary and would be reported to a future meeting.

RESOLVED:

That,

1. the report be noted.
2. the additional £288,000 arising from investment interest be earmarked and carried forward to support the 2009/10 revenue budget process.
3. the underspend on firefighters' pay and associated costs in the sum of £200,000 be earmarked and carried forward to support the 2009/10 revenue budget process

08-09/fa/066 TREASURY MANAGEMENT – OPERATIONS REPORT APRIL – OCTOBER 2008

Mr Osborne advised Members of the Authority's Treasury Management arrangements.

From 1 April 2006 the work on the Authority's Treasury Management functions had been undertaken in-house by staff in the Service's Finance Team who were also responsible for the arrangements of the Fire Authority's banking facilities. Since 1 April 2008 the majority of this role had been performed by a part-time qualified Accounting Technician fully funded from the additional interest generated.

The report summarised the treasury management operations that had taken place in the current financial year to 31 October 2008, dealing with interest rate movements, investment/borrowing operations, performance measurement and Prudential Indicators.

For the year to date, the average interest rate achieved from temporary investments was 6.08%, higher than the average Local Authority Seven Day Rate over the same period of 5.23%.

No Prudential Indicators had been breached.

RESOLVED:

That, the report be noted.

08-09/fa/067 MEMBERS' ALLOWANCES SCHEME 2009/10

All Members present declared a personal interest in this Item.

The Secretary introduced a report to review the Members' Allowances Scheme for 2009/10.

The Combined Fire Authority's Members' Allowances Scheme (the Scheme) was introduced on 1 January 2004. It had been fully reviewed by Members at their meeting on 9 February 2007, when it had been agreed that the Scheme should be revised on the basis of a daily rate of mean weekly earnings advised by the Local Government Association (LGA) multiplied by an assessment of days required to perform each Member's tasks.

RESOLVED:

That,

1. Members' Allowances Scheme for 2009/10 remain as existing, but be updated to account for the 2009 daily rate of mean weekly earnings when advised by the Local Government Association, with the mileage rate continuing to be as payable to non uniformed personnel.
2. these proposals be included as part of consideration of the Budget for 2009/10.

08-09/fa/068 STRATEGIC HUMAN RESOURCES PROVISION

CFO Fuller reminded Members that, following unsuccessful attempts to appoint an Assistant Chief Officer specifically responsible for Human Resources, and pending the maternity leave of the Personnel Manager, they had delegated him powers to manage arrangements until March 2009.

The interim management of these arrangements had proved satisfactory. The Authority's Learning and Development Strategies had been reviewed and a five year horizon scan of issues that may affect the Authority provided.

A complete review of the approach to Equality and Diversity had also been undertaken in light of the new National Strategy recently published by Communities and Local Government, and relevant advice was also being provided on day-to-day matters for the Authority and Service in general.

CFO Fuller now requested that Members continue the delegated powers to manage arrangements until June 2009 when a further paper will be provided to the Authority establishing longer term options and recommendations.

RESOLVED:

That the current delegated powers to the Chief Fire Officer be continued until June 2009.

08-09/fa/069 INFORMATION BULLETIN

Members received a Bulletin containing information on various matters relating to the Fire and Rescue Service.

It was noted that, in the quarter year reported, about 200 years of experience had been lost due to retirements.

Members also noted operational statistics for the quarter period and received presentations from B-Live and Local-News TV (minute 08-09/fa/063), and local media coverage of the Service.