

**M. Pearson
CLERK TO THE AUTHORITY**

**To: The Chairman and Members of the
Devon & Somerset Fire & Rescue
Authority
(see below)**

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DEVON & SOMERSET FIRE & RESCUE AUTHORITY

Monday 14 December 2009

A meeting of the Devon & Somerset Fire & Rescue Authority will be held on the above date, **commencing at 10.00 hours in the Conference Rooms in Somerset House, Service Headquarters** to consider the following matters.

M. Pearson
Clerk to the Authority

<p>PLEASE NOTE THAT A LARGE PRINT VERSION OF THIS AGENDA IS AVAILABLE ON REQUEST</p>

AGENDA

1. **Apologies**
2. **Minutes** of the meeting held on 28 September 2009 attached (Page 1).
3. **Items Requiring Urgent Attention**

Items which, in the opinion of the Chairman, should be considered at the meeting as matters of urgency.

4. **Declarations of Interest**

Members are asked to consider whether they have any **personal/personal and prejudicial interests** in items as set out on the agenda for this meeting and declare any such interests at this time. *Please refer to the Note 2 at the end of this agenda for guidance on interests.*

PART 1 – OPEN COMMITTEE

5. Questions and Petitions by the Public

In accordance with Standing Orders, to consider any questions or petitions submitted by the public. Questions must relate to matters to be considered at this meeting of the Authority. Petitions must relate to a matter for which the Authority has responsibility or which affects the Authority. Questions and/or petitions may not require the disclosure of confidential or exempt information and must be submitted in writing or by e-mail to the Clerk to the Authority **by midday on Wednesday 9 December 2009**.

6. Address by the Fire Brigades Union

In accordance with Standing Orders, Messrs. French (Secretary) and Walker (Chair) of the local branch of the Fire Brigades Union have asked to address the Authority and to show the video clip “Part of the Team”.

7. Questions by Members of the Authority

To receive and answer any questions submitted in accordance with Standing Orders.

8. Minutes of Committees

(a) Community Safety and Corporate Planning Committee

The Chair of the Committee, Councillor Leaves, to **MOVE** the Minutes of the meeting of the Committee held on 19 October 2009, attached (Page 11).

RECOMMENDATION that, in accordance with Standing Orders, the Minutes be adopted.

(b) Human Resources Management and Development Committee

The Chair of the Committee, Councillor Wallace, to **MOVE** the Minutes of the meeting of the Committee held on 27 October 2009, attached (Page 12).

RECOMMENDATION that, in accordance with Standing Orders, the Minutes be adopted.

(c) Resources Committee

The Chair of the Committee, Councillor Gordon, to **MOVE** the Minutes of the meeting of the Committee held on 16 November 2009, attached (Page 15).

RECOMMENDATIONS

- (i) that the recommendations at Minutes RC/11(a) (Resources Budget Monitoring Report 2009/10) and RC/12 (Personal Protective Equipment [PPE] Replacement – Integrated Clothing Project [ICP]) be approved;
- (ii) that, subject to (i) above and in accordance with Standing Orders, the Minutes be adopted.

(NOTE: a copy of the report of the Head of Physical Assets, “Personal Preventative Equipment (PPE) Replacement - Integrated Clothing Project (ICP)” (RC/09/9), as considered by the Resources Committee, is attached (Page 18) FOR INFORMATION.

(d) Audit and Performance Review Committee

The Chair of the Committee, Councillor Dyke, to **MOVE** the Minutes of the meeting of the Committee held on 26 November 2009 attached (Page 23)

RECOMMENDATION that, in accordance with Standing Orders, the Minutes be adopted.

9. **Smoke Detection in Rented Accommodation**

Report of the Deputy Chief Fire Officer (DSFRA/09/28) attached (Page 26)

10. **South West Fire Control Limited - Authority-Appointed Director Feedback**

11. **Chairman's Announcements**

12. **Chief Fire Officer's Announcements**

13. **Exclusion of the Press and Public**

RECOMMENDATION that, in accordance with Section 100A(4) of the Local Government Act 1972 the press and 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:

- for Item 14, in Paragraphs 1, 2 and 4 of Part 1 of Schedule 12A (as amended) to the Act, namely information relating individuals, which is likely to reveal the identity of individuals and which relates to consultations in connection with a labour relations matter between the Authority and its employees; and
- for Item 15, in Paragraphs 1 and 2 of Schedule 12A (as amended) to the Act, namely information relating individuals and which is likely to reveal the identity of individuals.

PART 2 – ITEMS WHICH MAY BE TAKEN IN THE ABSENCE OF THE PRESS AND PUBLIC

14. **Senior Management Board Restructure**

Report of the Chief Fire Officer (DSFRA/09/29) attached (Page 29).

15. **Applications for Retirement and Re-employment - Officers X & Y**

Report of the Chief Fire Officer (DSFRA/09/30) TO FOLLOW

MEMBERS ARE REQUESTED TO SIGN THE ATTENDANCE REGISTER

Membership:-

Councillors Hughes OBE (Chairman), Healey (Vice-Chair), Boyd, Burridge-Clayton, Cann, Dyke, Eastman, Foggin, Fry, Gordon, Gribble, Horsfall, Leaves, Manning, Mills, Mrs. Nicholson, Radford, Randall Johnson, Smith, Turner, Viney, Wallace, Way, Woodman and Yeomans

NOTES

1. ACCESS TO INFORMATION

Any person wishing to inspect any minutes, reports or lists of background papers relating to any item on this agenda should contact Steve Yates on the telephone number shown at the top of this agenda.

2. DECLARATIONS OF INTERESTS BY MEMBERS

What Interests do I need to declare in a meeting?

As a first step you need to declare any personal interests you have in a matter. You will then need to decide if you have a prejudicial interest in a matter.

What is a personal interest?

You have a personal interest in a matter if it relates to any interests which you must register, as defined in Paragraph 8(1) of the Code.

You also have a personal interest in any matter likely to affect the well-being or financial position of:-

- (a) you, members of your family, or people with whom you have a close association;
- (b) any person/body who employs/has employed the persons referred to in (a) above, or any firm in which they are a partner or company of which they are a director;
- (c) any person/body in whom the persons referred to in (a) above have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
- (d) any body of which you are a Member or in a position of general control or management and which:-
 - you have been appointed or nominated to by the Authority; or
 - exercises functions of a public nature (e.g. a constituent authority; a Police Authority); or
 - is directed to charitable purposes; or
 - one of the principal purposes includes the influence of public opinion or policy (including any political party or trade union)

more than it would affect **the majority** of other people in the Authority's area.

Anything that could affect the quality of your life (or that of those persons/bodies listed in (b) to (d) above) either positively or negatively, is likely to affect your/their "well being". If you (or any of those persons/bodies listed in (b) to (d) above) have the potential to gain or lose from a matter under consideration – to a **greater extent** than **the majority** of other people in the Authority's area - you should declare a personal interest.

What do I need to do if I have a personal interest in a matter?

Where you are aware of, **or ought reasonably to be aware of**, a personal interest in a matter you must declare it when you get to the item headed "Declarations of Interest" on the agenda, or otherwise as soon as the personal interest becomes apparent to you, **UNLESS** the matter relates to or is likely to affect:-

- (a) any other body to which you were appointed or nominated by the Authority; or
- (b) any other body exercising functions of a public nature (e.g. membership of a constituent authority; other Authority such as a Police Authority);

of which you are a Member or in a position of general control or management. In such cases, provided you do not have a prejudicial interest, you need only declare your personal interest if and when you speak on the matter.

Can I stay in a meeting if I have a personal interest?

You can still take part in the meeting and vote on the matter unless your personal interest is also a prejudicial interest.

What is a prejudicial interest?

Your personal interest will also be a **prejudicial** interest if **all** of the following conditions are met:-

- (a) the matter is not covered by one of the following exemptions to prejudicial interests in relation to the following functions of the Authority:-
 - statutory sick pay (if you are receiving or entitled to this);
 - an allowance, payment or indemnity for members;
 - any ceremonial honour given to members;

- setting council tax or a precept; **AND**
- (b) the matter affects your financial position (or that of any of the persons/bodies as described in Paragraph 8 of the Code) or concerns a regulatory/licensing matter relating to you or any of the persons/bodies as described in Paragraph 8 of the Code); **AND**
- (c) a member of the public who knows the relevant facts would reasonably think your personal interest is so significant that it is likely to prejudice your judgement of the public interest.

What do I need to do if I have a prejudicial interest?

If you have a prejudicial interest in a matter being discussed at a meeting, you must declare that you have a prejudicial interest (and the nature of that interest) as soon as it becomes apparent to you. You should then leave the room unless members of the public are allowed to make representations, give evidence or answer questions about the matter by statutory right or otherwise. If that is the case, you can also attend the meeting for that purpose.

You must, however, leave the room **immediately after you have finished speaking (or sooner if the meeting so decides)** and you cannot remain in the public gallery to observe the vote on the matter. Additionally, you must not seek to **improperly influence** a decision in which you have a prejudicial interest.

What do I do if I require further guidance or clarification on declarations of interest?

If you feel you may have an interest in a matter that will need to be declared but require further guidance on this, please contact the Clerk to the Authority – preferably before the date of the meeting at which you may need to declare the interest. Similarly, please contact the Clerk if you require guidance/advice on any other aspect of the Code of Conduct.

DEVON & SOMERSET FIRE & RESCUE AUTHORITY

28 September 2009

Present:-

Councillors Hughes OBE (Chairman), Boyd, Burridge-Clayton, Cann, Dyke, Eastman, Fry, Gordon, Gribble, Healey, Leaves, Manning, Mills, Mrs Nicholson, Radford, Smith, Mrs Turner, Viney, Wallace, Woodman and Yeomans.

Apologies:-

Councillors Foggin, Horsfall, Randall Johnson and Way.

DSFRA/16. Minutes

RESOLVED that the Minutes of the meetings of the Annual and Ordinary Meetings held on 14 July 2009 be signed as correct records, subject to Minute DSFRA/3 (Award of OBE to Councillor B. Hughes) being amended to read:

“The Authority congratulated the Chairman on his award of **Officer of the Order of the British Empire**...”

DSFRA/17. Winding Up of Fire and Rescue Authorities Mutual Limited (FRAML) – Granting of Deed of Indemnity

(An urgent item taken in accordance with Section 100B(4)(b) of the Local Government Act 1972).

The Chairman decided that this should be considered as a matter of urgency to enable the Authority to determine at the earliest opportunity whether it would wish to grant an indemnity sought by the company progressing the formal winding up of the Fire and Rescue Authorities Mutual Limited (FRAML). The final wording for the indemnity had been received following despatch of the agenda for the current meeting.

The Head of Corporate Support reported on receipt of a request from Charles Taylor & Co. (CTC) Limited for the Authority, together with those other Authorities who had participated in the former FRAML, to grant it an indemnity in relation to its actions in formally winding up FRAML. The decision to formally wind up FRAML had been taken in light of the Brent judgement which had found, amongst other things, that local authorities including combined fire and rescue authorities had no legal powers to establish a mutual insurance company.

Use of CTC (which had initially been appointed to manage FRAML on a 3 year contract) represented the most cost-effective option for formally wind up FRAML and the Financial Services Authority (FSA) had indicated that it would not be opposed to this course of action. While all authorities who had previously participated in FRAML had, earlier in the year, agreed the mechanism for the re-allocation both of operating surplus and capital contributions there remained a small, remote risk of one or more of the authorities challenging the basis for distribution of the assets as the winding up proceeded. It was against such a possibility that CTC was seeking an indemnity.

RESOLVED

- (a) that a Deed of Indemnity in the form as presented at the meeting (amended as indicated at the meeting for typographical errors at Clauses 4 and 5) be granted to Charles Taylor & Co. Limited in relation to the winding up of the Fire and Rescue Authorities Mutual Limited (FRAML);
- (b) that the Clerk be authorised to sign the indemnity on behalf of the Authority;
- (c) that the Resources Committee be delegated authority to approve any further actions that may be required to secure the successful winding up of FRAML and the return of any outstanding monies to the Authority.

DSFRA/18. Declarations of Interest

Members were invited to consider whether they had any **personal/personal and prejudicial interests** in items as set out on the agenda for this meeting and declare any such interests at this time.

At this time Councillor Healey declared a **personal** but not prejudicial interest in those items relating to South West Fire Control Ltd. by virtue of his being the Authority-appointed Director on the company.

(SEE ALSO MINUTES DSFRA/19(c), 24, 25 AND 27 BELOW)

DSFRA/19. Minutes of Committees Etc.

(a) Standards Committee

The Chairman of the Committee (Mr. Watson) **MOVED** the Minutes of the meeting of the Committee held on 12 August 2009 which had considered, amongst other things:

- appointments to the statutorily-required Assessment and Review Sub-Committees;
- attendance at the forthcoming 2009 Annual Assembly of Standards Committees; and
- the role of the Standards Committee within the Authority.

RESOLVED that, in accordance with Standing Orders, the Minutes be adopted.

(b) Audit and Performance Review Committee

The Chair of the Committee (Councillor Dyke) **MOVED** the Minutes of the meeting of the Committee held on 11 September 2009 which had considered, amongst other things:

- a performance report on Service activities compared to the Corporate Plan for the period April 2008 to March 2009;
- a performance report on Service activities compared to the Corporate Plan for the period April to June 2009;
- a report on the results of the 2009 Place Survey;
- a copy of the Annual Internal Audit Report 2008/09 together with the proposed Plan for 2009/10; and
- a progress report submitted by the Audit Commission on, amongst other things, the interim Audit Report 2008/09 and completed action plan together with a supplementary opinion on the 2008/09 Audit Plan.

RESOLVED that, in accordance with Standing Orders, the Minutes be adopted.

(c) Resources Committee

(Councillor Healey declared a **personal** but non-prejudicial interest in this item in so far that it related to the FiReControl/Regional Control Centre Project, by virtue of his appointment by the Authority as a Director of South West Fire Control Limited, the Local Authority Controlled Company [LACC] with overall governance responsibility for the Centre).

The Vice-Chair of the Committee (Councillor Yeomans) **MOVED** the Minutes of the meeting of the Committee held on 14 September 2009 which had considered, amongst other things:

- a monitoring report on expenditure against the approved 2009/10 revenue budget;
- a monitoring report on progress against the approved Capital Programme 2009/10 to 2011/12;
- a report on a proposal for the introduction of financial recognition for staff undertaking specialist rescue work to level 3; and
- a report on treasury management performance 2008/09 and 2009/10 (to July 2009).

In response to questions from Members, the Chief Fire Officer confirmed that, in relation to specialist rescue and the issue of financial recognition for those staff undertaking this activity to level 3, the Service would be seeking clarification from the National Joint Council (NJC) as to whether or not this activity was included in the current firefighters role map. The outcome of this and the implications for the Service would be reported to a future meeting.

RESOLVED

- (i) that, in accordance with Financial Regulations, the recommendation of the Committee, at Minute RC/5(c) (Budget Monitoring Report 2009/10) in relation to the following virement be approved

Budget Line	From £	To £	Reason
Grants and Reimbursements	(626,900)		To reflect the award of New Burdens grant funding from the Department of Communities and Local Government (CLG) relating to the Regional Control Centre (RCC) project to fund the staffing costs of additional control room operators required as part of the Initial Staffing Pool (ISP) and additional staffing required to form the RCC transition team.
Employee Costs – Wholetime Uniformed staff		89,200	
Employee Costs – Control Room staff		332,200	
Employee Costs – Non-uniformed staff		205,500	
TOTAL	(626,900)	626,900	

- (ii) that, subject to (i) above and in accordance with Standing Orders, the Minutes be adopted.

(SEE ALSO MINUTE DSFRA/18 ABOVE)

DSFRA/20. Emergency Response Standards

The Authority considered a report of the Chief Fire Officer (DSFRA/09/23) seeking:

- formal adoption of the former “in principle” decision on response standards for road traffic collisions (RTCs); and
- in-principle approval to proposed response standards for non-domestic buildings and entrapments (other than RTCs) for consultation purposes as part of the Authority’s next Corporate Plan.

The Fire and Rescue Services Act 2004 required fire and rescue authorities to produce their own Integrated Risk Management Plans (IRMPs) under which local risks to life should be assessed and appropriate measures put in place to address these risks and improve the safety of all sections of society.

The report referred to work undertaken in conjunction with Exeter University to develop a risk assessment model for house fires (accounting for demographics, crime and historic data) the results of which had informed the development and introduction of new response standards both for dwelling fires and, initially on a pilot basis, road traffic collisions.

The results of the pilot for the road traffic collision response standard indicated that it was sufficient for the task required on 96.1% of all occasions. The proposed response standards for non-domestic buildings and entrapments (other than RTCs) were based upon maintaining the same general principles approved by the Authority in setting the response standards for dwelling fires and RTCs namely that:

- the response standard should be expressed as a single value across the Service;
- where the target cannot be met the standard is varied;
- the time should be measured from the time the Service answers the call in Control to the time it arrives at the scene (individual activity such as call-handling, turn-out and travel time will still be monitored to drive improvement); and
- the response standard should reflect the Service commitment to both re-active and pro-active approaches.

RESOLVED

- (a) That the response standard for road traffic collisions (RTCs), previously approved by the Authority:
 - (i) in principle, at its meeting on 27 March 2008 (Minute DSFRA/92(b) refers); and
 - (ii) as part of the Corporate Plan 2009/10 to 2011/12, to operate for a trial period (Minute DSFRA/74 refers)

and as set out in the table overleaf be now formally adopted as the Service’s response standard for RTCs

REACTIVE			PROACTIVE
Time	Appliances	Crew	
1 st Attendance 15 Minutes Full Attendance 18 Minutes	2 vehicles with defined equipment (3 on multi-lane)	8 personnel (10 on multi-lane)	LOCAL: Road safety as part of local Community Risk Management AREA/SERVICE: working with partners

- (b) that the recommended Service emergency response standards for non-domestic buildings and entrapments (other than RTCs) as set out in the Appendix to report DSFRA/09/23, Section 7, pages 34 to 36 and summarised in the table below be approved in principle subject to the outcome of a consultation exercise to be undertaken as part of the proposals for the Authority's next Corporate Plan.

REACTIVE				PROACTIVE
Incident type & location	1 st Attndce	Full Attndce	Crew	
Residential (non-domestic) buildings e.g. hotels, sheltered accommodation etc.	10 mins.	13 mins.	9	ALL PREMISES: Application of Fire Safety Order targeting and enforcement policy.
Residential (non-domestic) buildings where Service is unable to make first attndce time of 10 mins.	-	-	12	
Non-domestic premises e.g. shops, factories etc. – confirmed fire	10 mins.	15 mins.	9	
Non-domestic premises where Service is unable to make first attndce time of 10 mins.	-	-	12	
Prescribed attendance due to specific risk	No change to existing prescribed attendance			

(SEE ALSO MINUTE DSFRA/21 BELOW)

DSFRA/21. Devon & Somerset Fire & Rescue Authority Draft Corporate Plan 2010/11 to 2012/13

The Authority considered a report of the Chief Fire Officer (DSFRA/09/24) to which was appended a draft Authority Corporate Plan 2010/11 to 2012 for consideration pending approval for consultation.

The draft Plan set out how it was proposed to realise the ambition of the Authority by 2014 through identifying clear outcome statements. The draft Plan contained proposals to formally adopt the previously piloted response standards for road traffic collisions (RTCs) and to pilot new response standards for fires in non-domestic premises and entrapments (excluding RTCs).

The report to the Authority outlined the proposed 12 week consultation exercise for the Plan which would feature key stakeholders such as Members of Parliament, local authorities, staff and representative bodies.

RESOLVED

- (a) That the Devon and Somerset Fire and Rescue Authority Draft Corporate Plan 2010/11 to 2012/13, as enclosed separately with the agenda for this meeting, be approved in principle;
- (b) That the views of key stakeholders be sought on the contents of the Draft Corporate Plan be consulted on seeking
- (c) That the results of the consultation and any recommended changes to the draft Corporate Plan be considered at the Fire and Rescue Authority budget meeting scheduled for February 2010.

(SEE ALSO MINUTE DSFRA/20 ABOVE AND DSFRA/22 BELOW)

DSFRA/22. Audit Commission Annual Governance Report including Draft Opinion on the Statement of Accounts 2008/09

(Messrs. Brown and Williams – Audit Commission – in attendance for this item).

The Authority considered and received a presentation from the Audit Commission on the Annual Governance Report (AGR) issued by the Commission following completion of its audit of the Authority's 2008/09 accounts. The report provides a summary of the key findings from the audit, and highlighted any issues that the Authority would need to consider prior to the Commission issuing an Opinion, Conclusion and Certificate.

In addition to the Annual Governance Report the Authority also received an associated revised Statement of Accounts 2008/09. The Authority had initially approved its draft 2008/09 Statement of Accounts at its meeting on 29 June 2009 (Minute DSFRA/111 refers). The revisions had been necessitated by Department for Communities and Local Government (CLG) Circular FPSC/7/2009, issued on 7 September 2009 and relating to new commutation factors to be used for the calculation of lump sums payable under the Firefighter Pension Scheme to officers who retired during the period 22 August 2006 to 30 September 2007 and chose to take a lump sum. These additional payments would be funded by CLG under pension top-grant arrangements.

Key messages featured in the Audit Commission Annual Governance Report included:

- a. that it was proposed to issue an unqualified opinion on the Authority's accounts;
- b. that the Authority had secured an overall score of 2 in the new, more challenging "Use of Resources" assessment, with especially good arrangements in place for securing value for money and savings. Consequently, it was proposed to issue an unqualified opinion that the Authority has adequate arrangements in place to secure economy, efficiency and effectiveness in its use of resources;
- c. that it was intended to issue an unqualified opinion on the Authority's financial statements 2008/09.

The Chief Fire Officer reported that the Authority had already started to respond to those action points raised as part of the Use of Resources element of the Comprehensive Area Assessment (CAA) and that initiatives to address these matters would feature as part of the Authority's next Corporate Plan.

Members expressed satisfaction with the outcome of the Use of Resources assessment but indicated that the Audit Commission should, in publishing these results, also clarify that the new regime did represent a harder challenge to the former assessment so as to avoid the possibility of a public perception that performance was worsening.

RESOLVED that the Annual Governance Report and associated revised Statement of Accounts 2008/09, together with the draft Letter of Representation required by the Audit Commission prior to issue of the final opinion on the Statement of Accounts, be approved and the Treasurer authorised to sign the Letter of Representation on behalf of the Authority.

(SEE ALSO MINUTE DSFRA/21 ABOVE).

DSFRA/23. Disposal of a Strip of Land at Cullompton Fire Station

(Councillors Boyd, Cann, Eastman, Fry, Gribble, B. Hughes OBE, Radford and Smith each declared a **personal** but non-prejudicial interest in this item by virtue of their being appointed to the Authority by Devon County Council).

The Authority considered a report of the Head of Physical Assets (DSFRA/09/25) on a request from Devon County Council for the release of a small strip of land owned by the Service at Cullompton fire station to facilitate the establishment of a footpath alongside a narrow vehicular track thereby improving pedestrian safety especially in respect of a school route.

RESOLVED that the one metre strip of land at Cullompton Fire Station be disposed of to the Devon County Council, on the terms and conditions as set out in report DSFRA/09/25, to enable a footpath to be established for public safety.

DSFRA/24. Appointment of Member to Attend South West Fire Control Ltd. Annual Meeting, Monday 9 November 2009

(Councillor Healey declared a **personal** but non-prejudicial interest in this item in so far that it related to the FiReControl/Regional Control Centre Project, by virtue of his appointment by the Authority as a Director of South West Fire Control Limited, the Local Authority Controlled Company [LACC] with overall governance responsibility for the Centre).

The Clerk reported that South West Fire Control Ltd., the Local Authority Controlled Company (LACC) with overall governance arrangements for the South West Regional Control Centre (RCC), would hold its Annual General Meeting (AGM) at Devon & Somerset Fire & Rescue Service Headquarters on Monday 9 November 2009, commencing on the rising of the meeting of the South West Regional Management Board to be held at the same venue on that day.

The Authority was invited to nominate a representative to attend this meeting to represent the views of the Authority and to speak and vote as necessary. To avoid a conflict of interest, it was recommended that the Authority-appointed representative should NOT be the person appointed by the Authority as a Director on the Company.

RESOLVED that Councillor Boyd be nominated as the Authority's representative to attend the South West Fire Control Ltd. Annual General Meeting on Monday 9 November 2009 and to speak and vote as necessary at the meeting.

(SEE ALSO MINUTE DSFRA/18 ABOVE)

DSFRA/25. Payment of Allowance to Alternate Director on South West Fire Control Ltd.

(Councillor Healey declared a **personal** but non-prejudicial interest in this item in so far that it related to the FiReControl/Regional Control Centre Project, by virtue of his appointment by the Authority as a Director of South West Fire Control Limited, the Local Authority Controlled Company [LACC] with overall governance responsibility for the Centre).

The Authority considered a report of the Clerk to the Authority (DSFRA/09/26) on a proposal, on a one-off basis and for the current municipal year, the Specialist Responsibility Allowance to the Authority alternate Director on South West Fire Control Ltd rather than the substantive Director as provided for by the current Allowances Scheme.

Councillor Healey had been appointed as the Authority's substantive Director but, as Vice-Chairman of the Authority and in receipt of a Special Responsibility Allowance (SRA) for that post, was not eligible under the current allowances scheme to claim more than one SRA.

It was intended, however, that to facilitate succession planning his alternate Director, Councillor Woodman, should "shadow" Councillor Healey at each Company Board meeting. Consequently it was proposed, in recognition of this additional commitment, that Councillor Woodman should receive for the remainder of the current municipal year the SRA normally payable to the substantive Authority-appointed Director to the Company.

RESOLVED that, on a one-off basis and for the remainder of the current municipal year only (i.e. until the Annual Meeting of the Authority in 2010), the Special Responsibility Allowance normally payable to the Authority-appointed Director to South West Fire Control Ltd. be instead paid to the alternate Director.

(SEE ALSO MINUTE DSFRA/18 ABOVE)

DSFRA/26. Service Corporate Identity

The Authority considered a report of the Head of Corporate Support (DSFRA/09/27), and received a presentation from Logo Design and Marketing, on the proposed introduction of corporate identity guidelines and an associated revised Service badge aimed at promoting a consistent and professional corporate image throughout the organisation.

The proposed revised Service badge was not a radical departure from the existing badge but was cleaner, clearer and produced using professional design disciplines. The revised badge was fully scalable as required for the application of the corporate identity guidelines. It was proposed that the revised identity should be introduced incrementally as and when new stocks were required. In this way implementation of the revised identity and associated guidelines could be secured on a cost-neutral basis and could potentially, ultimately, deliver cost savings as the new design allowed for different reproduction options and effective one-colour printing.

RESOLVED that the revised Service corporate identity, as presented at the meeting, be approved and implemented on an incremental, cost-neutral basis, replacing items within existing budgets as part of normal programmes.

DSFRA/27. South West Fire Control Ltd. - Authority-Appointed Director Feedback

(Councillor Healey declared a **personal** but non-prejudicial interest in this item by virtue of his appointment by the Authority as a Director of South West Fire Control Limited, the Local Authority Controlled Company [LACC] with overall governance responsibility for the Centre).

Councillor Healey, as the Authority-appointed Director to South West Fire Control Ltd., informed the Authority of his intention – given the importance of the issue - to provide feedback on progress with the FiReControl project as a standing agenda item at future Authority meetings. As part of the first such instance, Cllr. Healey confirmed that the South West was still in the first tranche of authorities intended to go live in 2011.

Members in general welcomed this approach and indicated that they would wish to have information particularly on the indicative costs of the project and on the timescales and associated activities linked to cut-over.

(SEE ALSO MINUTE DSFRA/18 ABOVE)

DSFRA/28. Chairman's Announcements

The Chairman reported on attendance since the last meeting at the following events on behalf of the Authority:

- on 14 July, at a Fire Break Pass Out Parade held at Somerton Fire Station, Somerset;
- on 19 July, attendance at the Bridgwater Civic Service;
- on 20 July, attendance at Warwick University for the award presentation of Certificate in Leadership Studies to Assistant Chief Fire Officer (Community Safety) Peter Smith and Derek Wensley (Head of Physical Assets);
- on 22 July, attendance at a meeting with the Fire Brigades Union;
- on 4 September, attendance at the Fire Ball organised by Exmouth fire station and which raised in excess of £1,000 for the Firefighters Charity;
- on 9 September, attendance at the opening of the new Exeter Middlemoor fire station;
- on 13 September, attendance with the Chief Fire Officer at the Firefighters Memorial Service in London; and
- on 15 September, attendance at the opening of the new Exeter Danes Castle fire station.
- on 20 September, attendance with the Vice-Chairman at the Family Fun Day held at Service Headquarters.

Additionally, Members commented on:

- the success of the recently-held open day at Bridgwater fire station;
- establishment of the Fire Cadets scheme at Newton Abbot fire station; and
- the achievement of Ilminster Crew Manager B. Paull in being named as Ilminster Citizen of the Year.

DSFRA/29. Chief Fire Officer's Announcements

The Chief Fire Officer reported on the following since the last meeting of the Authority:

- two fire fatalities - one at the King George V Playing Fields, Exeter, and the other at Porlock involving an elderly lady. In both cases the Service was exploring with other agencies approaches to target prevention activities at vulnerable individuals;
- the programme on induction/awareness events both for new and existing Members of the Authority held during July/early August and on which indicative feedback was positive; and
- his participation in a forthcoming expedition to the Arctic North Pole in Spring 2010 by way of a personal leadership challenge and to raise funds for the Firefighters Charity.

The meeting started at 10.00hours and finished at 12.45hours.

COMMUNITY SAFETY AND CORPORATE PLANNING COMMITTEE
(Devon and Somerset Fire and Rescue Authority)

19 October 2009

Present:-

Councillors Eastman, Foggin, Fry, Healey, Leaves (Chair) and Manning.

Apologies:-

Councillor Woodman.

***CSCPC/1. Election of Chair**

RESOLVED that Councillor Leaves be appointed Chair of the Committee until the first meeting after the Annual Meeting of the Authority in 2010.

NB. Councillors Foggin and Fry abstained from the vote in respect of the above resolution.

***CSCPC/2. Minutes**

RESOLVED that the Minutes of the meeting held on 19 January 2009 be signed as a correct record.

***CSCPC/3. Declarations of Interest**

Members of the Committee were asked to consider whether they had any personal/personal and prejudicial interests in items to be considered at this meeting in accordance with the Authority's approved Code of Conduct.

No interests were declared.

***CSCPC/4. Election of Vice Chair**

RESOLVED that Councillor Manning be appointed Vice Chair of the Committee until the first meeting after the Annual Meeting of the Authority in 2010.

*** DENOTES DELEGATED MATTER WITH POWER TO ACT**

The meeting started at 14.15hours and finished at 14.19hours.

HUMAN RESOURCES MANAGEMENT AND DEVELOPMENT COMMITTEE
(Devon and Somerset Fire and Rescue Authority)

27 October 2009

Present:-

Councillors Boyd, Burridge-Clayton, Horsfall (vice Mrs Turner), Manning, Mrs. Nicholson and Wallace

Apologies:-

Councillor Cann.

***HRMDC/1. Election of Chair**

RESOLVED that Councillor Wallace be elected Chair of the Committee until the first meeting after the Annual Meeting of the Authority in 2010.

***HRMDC/2. Minutes**

RESOLVED that the Minutes of the meeting held on 15 April 2009 be signed as a correct record.

***HRMDC/3. Declarations of Interest**

Members of the Committee were invited to consider whether they had any **personal/personal and prejudicial interests** in items as set out on the agenda for this meeting and declare any such interests at this time.

No interests were declared.

***HRMDC/4. Election of Vice Chair**

RESOLVED that Councillor Boyd be elected Vice Chair of the Committee until the first meeting after the Annual Meeting of the Authority in 2010.

***HRMDC/5. High Potential Leadership Programme**

The Committee received for information a report of the Head of Human Resources Management and Development (HRMDC/09/10) on the introduction, initially as a pilot, of a new pilot High Potential Leadership Programme (HPLP) within Devon and Somerset Fire and Rescue Service (DSFRS) based on a new national "fast track" scheme. The national scheme was intended to provide intensive progression for high potential staff and also sought to attract further high potential individuals into the FRS by offering an opportunity for a challenging and rewarding middle/strategic management career.

The proposed HPLP within DSFRS would have three entry routes for different groups of staff, namely:

- Existing operational staff at Firefighter and Crew Manager level (including RDS);
- Existing non-operational staff;

- New entrants.

DSFRS would be supporting 3 places and the pilot, which was for existing operational staff initially and which would commence in Autumn 2009. The Programme would be evaluated and the results reported back through this Committee in due course.

***HRMDC/6. Eligibility for Retained Duty System (RDS) Staff to Apply for Wholetime**

The Committee received for information a report of the Head of Human Resources Management and Development (HRMDC/09/11) on the establishment of processes to enable “part time” (RDS) staff to be considered for wholetime roles within the Service. The report set out the legislative and national context behind this initiative and gave details of the action being taken within the Service to facilitate eligibility for transfers at firefighter level. The report also set out, amongst other matters, details of the selection process that would be involved, training and role development programmes.

***HRMDC/7. Staff Skills Bank**

The Committee received for information a report of the Head of Human Resources Management and Development (HRMDC/09/12) which advised of work undertaken to set up a Staff Skills Bank as a result of feedback that had been received during the course of the first round of staff seminars. The Skills Bank would capture the additional skills that staff possessed, including hobbies, voluntary work, vocational qualifications, public and charitable appointments, languages, Retained Duty System (RDS) primary employment and any other skills staff may have. This was a voluntary scheme intended to be utilised for small projects and to enhance Area performance and community plans where appropriate.

***HRMDC/8. Absence Management**

The Committee received for information a report of the Head of Human Resources Management and Development (HRMDC/09/13) that updated the Committee on the position in respect of the Service performance on both short- and long-term absence levels.

The corporate target was “to reduce the levels of sickness absence to the regional average of 9.0 days/shifts lost per person by 2010/11”. The target for 2009/10 was 9.6 days and the actual performance to August 2009 was 3.37 days/shifts as compared to 4.34 days/shifts for the same period last year (a 22.4% reduction).

The Head of Human Resources Management and Development advised that the introduction of the new Absence Management Policy had played a key role in reducing the absence levels. The single most important contributory factor had been the return to work interviews which were undertaken now after an absence of only one day. The position was monitored closely by the Service Improvement Group (SIG) and work was being undertaken to drill down into the figures to ascertain whether there were any “hot spots”.

It was noted that the main cause of long term sickness were muscular skeletal and mental health issues. As a result, arrangements had been put into place for staff to be able to self refer to appropriate health practitioners such as a physiotherapist and this had assisted in cutting down on the length of absence. The position would continue to be monitored.

***HRMDC/9. Future Workshops for the Human Resources Management and Development Committee**

The Head of Human Resources Management and Development stated that arrangements could be made for Members to participate in workshop sessions relating to the work of this Committee. The suggestions included holding sessions at Severn Park and Service Training Centre to give Members of this Committee a flavour of the training undertaken within the Service and to give a context to decision making in the future. Additional areas of work that could be covered in due course included firefighter safety and the health and safety role for Members.

*** DENOTES DELEGATED MATTER WITH POWER TO ACT**

The meeting started at 14.15hours and concluded at 15.35hours.

RESOURCES COMMITTEE

(Devon and Somerset Fire and Rescue Authority)

16 November 2009

Present:-

Councillors Gordon (Chair), Horsfall, Hughes OBE, Smith and Yeomans

Apologies:-

Councillors Turner and Woodman

***RC/9. Minutes**

RESOLVED that the Minutes of the meeting held on 14 September 2009 be signed as a correct record.

***RC/10. Declarations of Interest**

Members were invited to consider whether they had any **personal/personal and prejudicial interests** in items as set out on the agenda for this meeting and to declare any such interests.

RC/11. Revenue Budget Monitoring Report 2009/10

The Committee considered a report of the Treasurer (RC/09/8) that set out projections of income and expenditure for the first seven months of the year (to the end of October 2009) against the approved Revenue Budget for 2009/10 and which detailed significant variations against individual budget lines. The report also contained details of the Authority's forecast performance against its financial targets.

At this stage, projections indicated that spending will be £0.875m less than the approved Revenue Budget for 2009/10, equivalent to just 1.20%. It should be noted that of this figure, an amount of £0.490m related to the fact that the 2009 pay award, for both uniformed and non-uniformed staff had been settled at a lower rate than had been budgeted. Additionally, there had been slippage associated with the Capital Programme resulting in a decrease in the debt charges and an underspend of £145,000. There had been an increase in the level of income received, due largely as a result of training new recruits for other services, which was good news for the Authority. Although there was five months of the year remaining, the Treasurer stated that there was a reasonable level of confidence in the forecast underspend position.

Reference was made to the underspend and the proposal to earmark £357,000 of this to contribute towards the costs of procuring Personal Protective Equipment (PPE) through the Integrated Clothing Project (ICP) to avoid increasing the base budget for 2010/11. In view of the Financial Regulations, in year virements in excess of £150,000 had to be authorised by the Fire and Rescue Authority and if this request was approved, it would be submitted for consideration on 14 December 2009.

In debating performance against financial indicators, as outlined in the report, Members expressed concern as to the level of “aged debt” (debt outstanding for more than 85 days) and any process that might be in place to mitigate against this (e.g. credit checks). The Treasurer indicated that this would then form the basis of a report to a future meeting.

RESOLVED

- (a) That the Authority be recommended to establish, from the total projected underspend of £0.875m, an earmarked reserve of £0.357m to part-fund the costs associated with the replacement Personal Preventative Equipment (PPE) Project under the Integrated Clothing Project (ICP);
- (b) That the performance against 2009/2010 financial targets, be noted;
- (c) That, subject to (a) and (b) above, the budget monitoring position as outlined in this report be noted.

(SEE ALSO MINUTE RC/12 BELOW)

RC/12. Personal Preventative Equipment (PPE) Replacement - Integrated Clothing Project (ICP)

The Committee considered a report of the Head of Physical Assets (RC/09/9) on recent developments in relation to securing replacement PPE as initially approved by the Authority at its meeting on 23 October 2008.

The PPE contract as initially approved was based and funded on a Fully Managed System (FMS). Subsequent consideration of both operational and contractual issues, however, had resulted in a revised option to move to a Purchase Managed System (PMS) which would provide all firefighters with two sets of kit instead of one (and a pool as under FMS). The PMS option represented a saving of £1.439million over the seven year term, although an additional amount of £621,000 would be required in 2010/11. £264,000 of this had already been set aside and it was proposed to meet the remaining £357,000 from an earmarked reserve to be established - subject to approval by the Authority - from the underspend in 2009/10.

RESOLVED that, following approval for utilisation of £357,000 from the indicative underspend on the 2009/10 budget, the Authority be recommended to approve the replacement of personal protective equipment (PPE) by a Purchase Managed Service (PMS) “as needed” basis (Option 2, Appendix A to report RC/09/9) under the Integrated Clothing Project and funded in accordance with the model as set out in Section 4 of report RC/09/9.

(SEE ALSO MINUTE RC/11 ABOVE)

***RC/13. Minutes of the Capital Programme Working Party held on 5 November 2009**

The Committee received for information the Minutes of the meeting of the Capital Programme Working Party held on 5 November 2009.

***RC/14. Capital Programme Monitoring 2009/10 to 2011/12**

The Committee received for information a report of the Head of Physical Assets (RC/09/10) giving the current position for the capital programme 2009/10 to 2011/12. Revisions to the Capital Programme to take account of actual outturn in 2008/09 and current status were approved by the Authority at its meeting on 28 September 2009.

The Head of Physical Assets advised that there had been a saving of £500,000 made in respect of the Middlemoor station build. He added that this matter had been reported to the Capital Programme Working Party at its meeting on 5 November 2009 and that a decision would need to be taken in due course as to how this funding could be reinvested within the Capital Programme in the future in the light of the pressures that had been identified already.

A discussion ensued in respect of potential pressures such as the Camels Head and Brixham station rebuilds. The Chief Fire Officer reiterated the point that there was a need for a longer term strategy in respect of station location and appliance disposition in order to gain improvements in public safety and efficiencies in service delivery. He indicated that he envisaged that the Capital Programme Working Party would assist in shaping the proposals emanating from the fundamental review of service delivery currently being undertaken and that this would be reported back to the Resources Committee in due course. It was noted that the Capital Programme Working Party would be undertaking visits to a number of stations to gain evidence at first hand in order to inform discussion in the future.

***RC/15. Treasury Management Performance 2009/10**

The Committee received for information a report of the Treasurer (RC/09/11) that provided details of the Authority's borrowing and investment activities during the first six months of 2009/10 (to the end September 2009) and which compared this performance against the approved Treasury Management Strategy.

The Authority's treasury management adviser, Mark Swallow, was in attendance at the meeting to present the report and he highlighted the following points:

- None of the Prudential Indicators had been breached and a prudent approach had been taken in relation to investment decisions taken during the year with priority being given to liquidity and security over yield;
- Whilst investment returns had reduced from the previous year as a consequence of the fall in interest rates, the Authority was still achieving returns above the LIBID 7 day rate, which is the benchmark return for this type of short term investment.

The Chair commented that this was an excellent health check for the Authority and commended the Treasurer and his team for the work undertaken in this area.

*** DENOTES DELEGATED MATTER WITH POWER TO ACT**

The meeting started at 10.00hours and concluded at 11.20hours

DEVON & SOMERSET FIRE & RESCUE AUTHORITY



REPORT REFERENCE NO.	RC/09/9
MEETING	RESOURCES COMMITTEE
DATE OF MEETING	16 NOVEMBER 2009
SUBJECT OF REPORT	PERSONAL PROTECTIVE EQUIPMENT (PPE) REPLACEMENT – INTEGRATED CLOTHING PROJECT (ICP)
LEAD OFFICER	Head of Physical Assets
RECOMMENDATIONS	<i>That, pending approval for utilisation of £357,000 from the indicative underspend on the 2009/10 budget, the Authority be recommended to approve the replacement of personal protective equipment (PPE) by a Purchase Managed Service (PMS) “as needed” basis (Option 2, Appendix A to this report) under the Integrated Clothing Project and funded in accordance with the model as set out in Section 4 of this report.</i>
EXECUTIVE SUMMARY	This report represents an update to the report to the Authority dated 23 October 2008 whereby the proposed method of PPE implementation has changed as a result of ICP contractual issues, revised operational considerations and a differing funding envelope becoming available.
RESOURCE IMPLICATIONS	Additional sum of £357,000 in 2010/11 – see Budget Monitoring Report elsewhere on agenda for today’s meeting.
EQUALITY IMPACT ASSESSMENT	The PPE, work wear and other clothing items are specifically designed and tested for tailored use by all genders and cultures, with full interoperability of garments for the individual wearer.
APPENDICES	A. PPE funding options appraisal
LIST OF BACKGROUND PAPERS	Report DSFRA/08/27 “Provision of Personal Protective Equipment” to the Devon and Somerset Fire and Rescue Authority dated 23 October 2008.

1. INTRODUCTION

- 1.1 This report is intended to update the Authority on developments in relation to securing replacement personal protective equipment (PPE) following approval by the Authority, at its meeting on 23 October 2008, to adopt the national Integrated Clothing Project (ICP) contract for the provision of Personal Protective Equipment (PPE) (Minute DSFRA/23 refers). The PPE clothing in the contract is gold in colour and referred to as PBi Gold. Although not specifically in the recommendation, it was stated within the earlier report to the Authority that the Fully Managed Service (FMS) leasing option would be adopted and the additional costs for this were factored into the following three years' financial commitments (Minute DSFRA/53. refers). These costs were £64,000 in 2009/10, £264,000 in 2010/11 and £209,000 in 2011/12.
- 1.2 The ICP contract offers a range of clothing provision as follows:
- 3 layer Structural PPE (Tunic, Over Trousers, Helmet, Fire Hood, Leather Boots, Rubber Boots, Gloves)
 - 2 layer Technical Rescue PPE
 - 1 layer Wildland PPE
 - USAR PPE garments
 - Non operational PPE, station wear, sports wear, corporate wear
 - Ceremonial wear
- 1.3 Due to the developments in technical rescue and wildland fire-fighting, it would be desirable to provide some bespoke, more suitable, PPE for these environments in future.

2. BACKGROUND TO IMPLEMENTATION DIFFICULTIES

- 2.1 Following the Authority approval, the full ICP contract, which could not be made available without an access agreement signature, was passed to DSFRA's legal advisors. The contract was very complex and the legal opinion doubted that either party would know if they were in breach of the contract. There were additional concerns over the 15 year term and the inability to terminate the contract for convenience without penalty, the legality of the contract and the requirement to forcibly purchase from the contract all clothing items already in use, including non PPE. Lastly, a legal challenge had been lodged by a competitive supplier concerning the manner in which the contract had been let.
- 2.2 In these circumstances it would have been foolhardy to ignore the legal advice and in the knowledge that this was going to take some time to resolve, a decision was made to bolster existing navy blue Nomex stock. There was no conclusive outcome from the protracted legal discussions, but a more readily understood layman's version of the contract was produced which, whilst being quite useful, would not have had any legal standing. Moreover concerns still remained over the long term lock in of the contract.

- 2.3 Whilst this legal interchange was progressing, it was noticed that there was a lack of take up of the ICP contract by FRAs for similar contractual doubts and also some doubts concerning the proposed method of operation. The original FMS contract allowed for one garment ensemble per fire-fighter and a pool to be held on each station to act as a back up uniform. This proposed methodology was unproven and brigades began to question whether it would be a foolproof method of working. Although the risk conceptually lay with the supplier, in the event of a catastrophe Authority's reputation would be at risk. DSFRS became increasingly concerned with this methodology and there was also an issue of storage space on stations for the pool.
- 2.4 A further consideration developed in terms of funding the PPE. As is reported elsewhere on the agenda for this meeting, it is anticipated that there will be significant savings against the current year revenue budget. In this event, there was a possibility that PPE kit could be purchased 'up front' with lesser expenditure being required in later years when budgets may well be tighter. The ICP contract allowed for two purchasing options, namely:
- Purchased Managed Service (PMS) and;
 - Purchase Only (PO).
- 2.5 The additional advantage with the purchasing options was that there was no contractual lock in, albeit that the managed services element (laundry and repair) required a minimum five year term.
- 2.6 A further recent development occurred whereby the ICP contract would allow for the provision of two dedicated garments per firefighter under the FMS option, albeit at greater expense. This was in direct response to general concerns from brigades.

3. CURRENT POSITION

- 3.1 As a result of all the emerging factors, DSFRS decided to formally review the options again. The Purchase Only (PO) option was discounted as the Service had a long history of successfully using managed services. Consequently, the Purchased Managed Service (PMS) offering was considered. Two garments would be procured for each firefighter. Two options were considered:
- replacement en bloc, and;
 - replacement according to need.
- 3.2 Both the one garment and the new two garment FMS options were considered. For comparative purposes the status quo Nomex kit was also considered, although there was an overriding wish to move to PBi Gold due to the increased interoperability, quality of garments and extensive research and testing that had been undertaken prior to adoption as the national contract. It should also be noted that the status quo was not an option as such, since the Service would have needed to formally procure from contract at costs that would have been higher than traditional costs. A business case to CLG would also be required. The status quo did, however, serve as a base cost comparator.

- 3.3 The estimated costs of all these options over a seven year period are given in Appendix A of this report. The FMS options effectively eliminated themselves as the one garment option was potentially too risky and the two garment option was too expensive. This left the two PMS options. It was clear that the PMS option which would be introduced according to need over a three year period would provide significant savings over the seven year period, by making optimum use of existing Nomex stock. It was considered that this outweighed the disadvantage of having mixed colour uniform on stations during the three year period. It was also considered that this option would potentially fit well with the current and future funding expectations.
- 3.4 As a result of the considerable savings that the proposed PMS option would have over the whole term, it would be desirable to introduce some measure of technical rescue and wildland PPE at an appropriate time, but this would only follow successful trials on a limited basis. There may also be some self-funding aspects to these approaches where a full second set of full structural PPE could be replaced in certain circumstances.

4. FUNDING MODEL

- 4.1 The PMS option now proposed - to replace all kit as needed over an initial three year period - represents a saving of £1,439,506 over a seven year term as against the proposal originally approved by the Authority in October 2008. £64,000 was secured in 2009/10 for the project and an additional £200,000 factored into the Medium Term Financial Plan (MTFP) for 2010/11 arising from the Authority's earlier approval. The PMS option now proposed requires in total a further £621,000 in 2010/11, leaving a net additional funding requirement of £357,000. The budget monitoring report elsewhere on the agenda for today's meeting outlines a proposal to fund this additional £357,000.
- 4.2 In terms of the project as a whole, it is proposed that a rolling earmarked reserve be established to assist in project funding over its seven-year duration. This will enable the expenditure peaks and troughs to be smoothed out over the duration of the project and will also secure funds that can be used towards any procurement refresh needed at the end of the seven year period. This earmarked reserve will be monitored by the Resources Committee on an ongoing basis in the same way as other earmarked reserves. This funding model is, therefore, commended as the most effective and efficient method of resourcing the project over its total lifespan.

5. CONCLUSION

- 5.1 The PMS option to introduce the new PPE kit as needed over an initial three year period, funded in accordance with the funding model outlined above, is seen as the most cost-effective option of introducing the ICP contract into DSFRS. It also has the advantage of avoiding long-term contractual lock in. It is, therefore, commended for approval.

DEREK WENSLEY
Head of Physical Assets

APPENDIX A TO REPORT RC/09

PPE PROJECTIONS

Option No.		Yr 1	Yr 2	Yr 3	Yr 4	Yr 5	Yr 6	Yr 7	Total cost
1	PMS replace en bloc	2,056,051	366,998	486,426	657,038	1,083,566	401,120	571,732	5,622,931
2	PMS replace as need	1,168,872	657,038	657,038	401,120	401,120	486,426	401,120	4,172,734
3	FMS 1.6 sets	810,320	800,320	800,320	800,320	800,320	800,320	800,320	5,612,240
4	FMS 2 sets	907,920	897,920	897,920	897,920	897,920	897,920	897,920	6,295,440
5	Current cost FMS & PMS	547,677	547,677	547,677	547,677	547,677	547,677	547,677	3,833,739

AUDIT AND PERFORMANCE REVIEW COMMITTEE
(Devon and Somerset Fire and Rescue Authority)

26 November 2009

Present:-

Councillors Dyke (Chair), Burridge-Clayton, Mills, Radford, Viney and Wallace

Apologies:-

Councillor Way

In attendance:-

Councillor John Woodman.

***APRC/10. Minutes**

RESOLVED that the Minutes of the meeting held on 11 September 2009 be signed as a correct record.

***APRC/11. Declarations of Interest**

Members of the Committee were asked to consider whether they had any personal/personal and prejudicial interests in items as set out on the agenda for this meeting and to declare any such interests at this time.

Councillor Wallace declared a personal but non-prejudicial interest in relation to the Performance Report item – on so far as this related to South West One – by virtue of his being a Somerset County Councillor.

(SEE ALSO MINUTE *APRC/12 BELOW).

***APRC/12. Performance Report: April 2009 to September 2009**

(Councillor Wallace declared a personal but non-prejudicial interest in relation to this item – in so far as it related to South West One – by virtue of his being a Somerset County Councillor).

The Committee received for information a report of the Head of Service Planning and Review (APRC/09/5) that detailed the performance and progress made by the Service as measured against the Corporate Plan goals, activities and targets for the first six months of the year (April to September 2009).

The report highlighted areas in which the Service was applying a specific focus, namely:

- d. Accidental dwelling fire fatalities;
- e. Deliberate fires;
- f. Emergency response standards – house fires and road traffic collisions.

The Committee received presentations in respect of the position on accidental dwelling fire fatalities and the emergency response standards. Attention was drawn to the point that there had been 7 accidental dwelling fire fatalities to date this year and as a result, the Service was being proactive in working with partners to identify people at risk in their homes and targeting resources accordingly. At present, of the 16,000 scheduled home fire safety visits for 2009/10, 11 to 12% of these were generated by other agencies. It was anticipated that, with the action being taken, this pattern could be reversed so that 90% of referrals were generated by other agencies and discussions were ongoing with Local Strategic Partnerships in this respect. In response to a request, the Chief Fire Officer undertook to provide information to support Members of the Authority in disseminating information amongst their electorates within the community.

Reference was made to the position in respect of deliberate fires and particularly, deliberate primary fires (excluding vehicles) which had seen a 13% increase on the same period in 2008/09. It was noted that there had been some issues in respect of recording these incidents. The Service was following the same pattern as other fire and rescue services within the Region, however, on deliberate fires and would continue to work closely with colleagues to identify potential trends. There were patterns associated with seasonality such as hot summers contributing to increases in minor fires involving rubbish but the target was based on a 3 year average in order to overcome these issues.

In terms of the proposed new emergency response standards for domestic premises, the Committee was advised of the performance against the targets set. The principles of the standard include:

- A single response time regardless of whether a house is in city centre or rural village;
- First attendance of an appliance within 10 minutes with all resources arriving within 13 minutes;
- The time for response to be measured from answering of the phone call to arrival at the scene;
- A minimum of 9 crew should attend a house fire.

This was a much higher standard than had been in place previously, bearing in mind that there had not been any change in the location of stations. The Service was currently achieving the 1st attendance within 10 minutes 86% of the time. It was noted that work needed to be undertaken in respect of how attendance times were recorded and in ensuring that sufficient resources were mobilised in the first instance. Work was being undertaken within the Service in respect of the use of resources more effectively to achieve better response times but it was unlikely that additional resources would be made available as this would be disproportionate.

Members of the Committee commented that the Service was progressing well in terms of performance and expressed thanks accordingly.

(SEE ALSO MINUTE *APRC/11 ABOVE).

***APRC/13. International Financial Reporting Standards (IFRS)**

The Committee considered a report of the Treasurer (APRC/09/6) that provided an update in respect of the progress made towards the requirement to produce IFRS compliant accounts for 2010/11.

It was noted that, although local authorities did not move to IFRS until 2010/11, work needed to be carried out to ensure that the preparation of the accounts in 2008/09 complied with IFRS so that there would be a comparator available. The Treasurer indicated that regular progress reports would be submitted to the Committee, the first stage of which would be in respect of a detailed project plan.

(SEE ALSO MINUTE *APRC/14 BELOW).

***APRC/14. Audit Progress Report**

The Committee received for information an Audit Progress Summary to 18 November 2009 as prepared and submitted by the Audit Commission. The summary report covered the following issues and separate reports were enclosed as indicated:

- g. Managing the Transition to IFRS
- h. Protecting the Public Purse
- i. Use of Resources
- j. Accounts & Systems Audit

(SEE ALSO MINUTE *APRC/13 ABOVE).

***APRC/15. Six Monthly Internal Audit Monitoring Report**

The Committee received for information a copy of the Six Monthly Internal Audit Monitoring Report for the Devon and Somerset Fire and Rescue Service as prepared by the Audit Manager for the Devon Audit Partnership. The report summarised work carried out against the agreed internal audit plan for the first six months of 2009/10.

***DENOTES DELEGATED MATTER WITH POWER TO ACT**

The meeting started at 10.00hours and finished at 11.55hours



DEVON & SOMERSET FIRE & RESCUE AUTHORITY

REPORT REFERENCE NO.	DSFRA/09/28
MEETING	DEVON & SOMERSET FIRE & RESCUE AUTHORITY
DATE OF MEETING	14 DECEMBER 2009
SUBJECT OF REPORT	SMOKE DETECTION IN RENTED ACCOMMODATION
LEAD OFFICER	Deputy Chief Fire Officer
RECOMMENDATIONS	<i>That the Authority be asked to support the undertaking of a campaign, as envisaged in Section 3.1 of this report, with the intention of securing legislative change to introduce a statutory requirement for smoke detection systems to be fitted in the premises currently not covered by legislation.</i>
EXECUTIVE SUMMARY	Certain types of rented accommodation premises have no statutory requirement for potentially life saving smoke detection equipment to be fitted. As a result, some of society's most vulnerable people are exposed to risk that could be considerably reduced with the installation of "hard-wired" smoke detection systems. This report seeks Authority support for a planned campaign seeking to change the relevant legislation by introducing a mandatory provision for the type of premises concerned to be fitted with smoke detection systems compliant with British Standard 5839 Part 6 thereby reducing risk and loss within the community.
RESOURCE IMPLICATIONS	Nil.
EQUALITY IMPACT ASSESSMENT	An initial assessment has revealed that there are no equality issues arising from this report.
APPENDICES	Nil.
LIST OF BACKGROUND PAPERS	Nil

1. BACKGROUND INFORMATION

- 1.1 The Authority may be aware of the the recent tragic fire fatalities in Ellacombe Church Road, Torquay (17 October 2009). This has attracted considerable media coverage and was discussed at the last meeting of the Authority's Community Safety and Corporate Planning Committee. Sadly, despite the best efforts of all fire and rescue authorities around the country, incidents of this nature are still all too common.
- 1.2 In 2007, for example, there were 331 fire fatalities and 9937 non-fatal casualties due to fires in dwellings throughout the UK. There was no working smoke alarm in the properties where 222 of these people died. It remains a fact that 20% (1 in 5) of households in the UK have no working smoke alarm and there is a growing body of evidence to indicate that the most vulnerable people in our society are those least likely to have a working smoke alarm.
- 1.3 The Regulatory Reform (Fire Safety) Order 2005 is the major fire legislation in England and Wales. It does not, however, apply to dwellings but only to the common parts of flats and Houses in Multiple Occupation (HiMOs). This presents the situation where dwellings owned and "rented out" by a landlord have no statutory requirement to have smoke detectors of any form fitted within the dwelling spaces. Whilst there are good examples of landlords and social housing providers fitting smoke detection of their own free will, there are significant numbers of properties with no detection therefore potentially exposing the most vulnerable of our society to risk from injury or death in the event of fire.

2. PURPOSE OF PAPER

- 2.1 The Devon & Somerset Fire & Rescue Service considers that action needs to be taken to address this situation and to that end, the support of the Authority is sought to support an initiative aimed ultimately at achieving a change to current legislation and making the installation of smoke detectors a statutory obligation in the premises concerned.

3. HOW THIS CAN BE ACHIEVED?

- 3.1 By working together with professional bodies, representative associations, key partners, legislators and, where relevant, politicians, a planned campaign will be implemented with the aim to bring about a change in the relevant legislation (the Fire Safety Order and/or the Housing Act) making it a statutory requirement for smoke detection systems to be fitted in the premises currently not covered by legislation.
- 3.2 The current cost of a fire fatality to the community is in the region of £1.7 million pounds, with each fire event costing in the region of £32,000. Information provided recently by a number of accredited fire alarm installation companies has indicated that the installation of fire detection systems compliant with British Standard (BS) 5839 part 6 would cost in the region of £200 to £300 for the average 2 storey property.
- 3.3 This type of installation would provide for reliable "hard-wired" mains powered systems, with detectors professionally sited and installed (traditional stand alone smoke detectors are subject to abuse, tampering and battery removal etc). This would provide the most satisfactory method of early warning of fire to families and people asleep, as well as reducing loss and damage to properties, thereby reducing the financial and humanitarian consequences for all concerned.

3.4 It is interesting to note that on average there are between 40 and 50 accidental deaths and 200 serious injuries from Carbon Monoxide (CO) poisoning and gas explosions each year in the UK. The vast majority are due to CO poisoning. Landlords currently have a statutory duty to arrange an annual gas safety check on appliances in rented accommodation.

4. **SUMMARY**

4.1 Certain types of rented accommodation have no statutory requirement for potentially life saving smoke detection equipment to be fitted. As a result, some of society's most vulnerable people are exposed to risk that could be considerably reduced with the installation of Hard Wired smoke detection systems. The Service considers that this situation needs to be addressed and consequently the Authority is asked to support a planned campaign with the aim of bringing about a change in the relevant legislation and making it mandatory for the type of premises concerned to be fitted with smoke detection systems compliant with British Standard 5839 Part 6 thereby reducing risk and loss within the community.

NEIL GIBBINS
Deputy Chief Fire Officer