

**M. Pearson
CLERK TO THE AUTHORITY**

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

**SERVICE HEADQUARTERS
THE KNOWLE
CLYST ST GEORGE
EXETER
DEVON
EX3 0NW**

Your ref :
Our ref :
Website : www.dsfire.gov.uk

Date : 8 September 2010
Please ask for : Steve Yates
Email : syates@dsfire.gov.uk

Telephone : 01392 872200
Fax : 01392 872300
Direct Telephone : 01392 872329

DEVON & SOMERSET FIRE & RESCUE AUTHORITY

Thursday 16 September 2010

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

A G E N D A

1. **Apologies**
2. **Minutes** of the previous meeting of the Authority held on 30 July 2010 attached (Page 1).
3. **Items Requiring Urgent Attention**

Items which, in the opinion of the Chair, 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. **Emergency Response Standards (Non-Domestic Fires and Entrapments (Non-Road Collisions)) - Outcome of the Pilot**

Report of the Director of Service Delivery Support (DSFRA/10/20) attached (Page 6)

6. Corporate Planning Timescale

Report of the Director of Corporate Services (DSFRA/10/21) attached (Page 15)

7. Formula Grant Review Consultation

Prior to the 2011/12 Local Government Finance Settlement, which informs government grant allocations, the government has issued a substantial consultation document (circa. 400 pages) which includes a number of options for changes to the formula grant distribution methodology. This consultation document is not fire specific but relates to all areas of local authority services. Responses to the consultation have been invited by 6 October 2010.

A copy of the consultation document can be made available to Members on request and may be accessed by following the attached link:

www.communities.gov.uk/publications/localgovernment/formulagrantedistributionconsult

A draft response on behalf of the Authority has been prepared to this consultation and is now attached (Page 17).

RECOMMENDATION that, subject to any amendments that may be agreed at the meeting, the draft response as included with the papers for this meeting be approved and the Treasurer authorised to submit it on behalf of the Authority.

8. 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 item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A (as amended) to the Act, namely information relating to the financial and business affairs of the Authority.

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

9. Service Charging and Trading

Report of the Director of People and Organisational Development (DSFRA/10/22) attached (Page 25).

MEMBERS ARE REQUESTED TO SIGN THE ATTENDANCE REGISTER

Membership:-

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

30 July 2010

Present:-

Councillors Boyd (Vice-Chairman)(in the Chair), Bown, Burridge-Clayton, Cann, Dyke, Eastman, Foggin, Fry, Gribble, Horsfall, Hughes OBE, Leaves, Mrs. Nicholson, Radford, Randall Johnson, Smith, Viney, Way, Woodman and Yeomans.

Attending in accordance with Standing Order 4(2):

Mr. Withers (Independent Member of the Authority's Standards Committee)

Apologies:-

Councillors Gordon, Healey, Manning, Mills and Turner.

DSFRA/19. Minutes

RESOLVED that the Minutes of the Annual and Ordinary Meetings of the Authority held on 28 May 2010 be signed as a correct record.

DSFRA/20. 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.

Councillor Woodman declared a personal but not prejudicial interest in the items relating to the South West Fire Control Ltd. Company Constitution and the South West Regional Management Board Minutes (in so far as these related to the FiReControl/Regional Control Centre project) by virtue of his being the Authority-appointed Director on South West Fire Control Ltd., the Local Authority Controlled Company (LACC) established to exercise overall governance responsibility for the South West Regional Control Centre.

(SEE ALSO MINUTES DSFRA/23 AND 24 BELOW)

DSFRA/21. Minutes of Committees

(a) Community Safety and Corporate Planning Committee

The Chair of the Committee, Councillor Leaves, **MOVED** the Minutes of the meeting held on 10 June 2010 which had considered, amongst other things:

- an update on community safety initiatives including partnerships; and
- an update on inquest into the tragic deaths of two children following a fire at Ellacombe Road, Torquay.

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

(b) Human Resources Management and Development Committee

The Chair of the Committee, Councillor Cann, **MOVED** the Minutes of the meeting held on 17 June 2010 which had considered, amongst other things:

- a report on absence management;
- an update on the 2010 staff survey and progressing initiatives arising from the previous 2008 survey;
- a report on the Working Time Directive and proposed changes to legislation;
- a report on Goal 2 Corporate Plan Targets;
- a report on the health of the organisation;
- a presentation on self-assessment work undertaken by the Service against the Equality Framework for Fire and Rescue Services;
- a report on a role profile for the Equality and Diversity Member Champion; and
- determination of membership of the Firefighters' Pensions Scheme Internal Dispute Resolution Procedure Stage 2 Panel for the 2010/11 municipal year.

In moving the Minutes, the Committee Chair made particular reference to the success of the Service in securing marked reductions in relation to sickness absence rates which had seen the targets in relation to both short-term and long-term sickness achieved.

RESOLVED

- (i) that the recommendation at Minute HRMDC/11 (Member Champion for Equality and Diversity – Role Profile) be considered in conjunction with the item elsewhere on the agenda for the current meeting;
- (ii) that, subject to (a) above, the Minutes be adopted in accordance with Standing Orders.

(SEE ALSO MINUTE DSFRA/22 BELOW)

(c) Audit and Performance Review Committee

The Chair of the Committee, Councillor Dyke, **MOVED** the Minutes of the meeting held on 30 June 2010 which had considered, amongst other things:

- a presentation on the outcome of the "After the Incident" survey designed to secure feedback on service provision from people affected by either domestic or non-domestic fires;
- the Authority's draft Statement of Accounts and Annual Governance Statement 2009/10; and
- a progress report on work undertaken by the Audit Commission to June 2010 in relation to Authority activities.

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

(d) Resources Committee

The Vice-Chair of the Committee, Councillor Yeomans, **MOVED** the Minutes of the meeting held on 16 July 2010 which had considered, amongst other things:

- the proposed deletion of Goal 3 Use of Resources targets from the Corporate Plan 2010/11 to 2012/13 arising from the abolition of the Comprehensive Area Assessment (CAA) Framework by the new coalition government;
- a financial performance monitoring report for the first three months (to 1 July 2010) of the 2010/11 financial year;
- a report on Treasury Management Performance for the first three months (to 1 July 2010) of the 2010/11 financial year;

- a proposed Property Asset Management Plan; and
- a proposed role profile for the Climate Change and Sustainability Member Champion.

RESOLVED

- (i) that the recommendations at Minutes RC/5 (Change to Corporate Plan 2010/11 to 2012/13 Targets); RC/6 (a)(i – iii) (Financial Performance Report 2010/11); and RC/8 (Property Asset Management Plan) be approved;
- (ii) that the recommendation at Minute RC/9 (Member Champion for Carbon Management and Sustainability – Role Profile) be considered in conjunction the item elsewhere on the agenda for the current meeting;
- (iii) that, subject to (a) and (b) above, the Minutes be adopted in accordance with Standing Orders.

(SEE ALSO MINUTE DSFRA/22 BELOW)

DSFRA/22. Member Champions - Climate Change and Sustainability and Equality and Diversity

The Authority considered a report of the Clerk to the Authority (DSFRA/10/18) to which was appended draft role profiles for the Climate Change and Sustainability and Equality and Diversity Member Champions. Appointments to these posts had been deferred by the Authority at its Annual Meeting on 28 May 2010 pending production of the role profiles (Minute DSFRA/6(c) refers).

Since that time, the role profiles had been developed, considered and commended for approval at the last meetings of the Human Resources Management and Development Committee (for the Equality and Diversity Member Champion role profile) and the Resources Committee (for the Climate Change and Sustainability Member Champion role profile).

RESOLVED

- (a) that the role profiles for the Equality and Diversity Member Champion and the Climate Change and Sustainability Member Champion, as appended to report DSFRA/10/18, be approved;
- (b) that Councillor Leaves be appointed as the Climate Change and Sustainability Member Champion and Councillors Turner and Randall Johnson be appointed as Equality and Diversity Member Champions, the Term of Office to be until the Annual Meeting of the Authority in 2011.

(SEE ALSO MINUTES DSFRA/21(b)(i) AND 21(d)(ii) ABOVE)

DSFRA/23. South West Fire Control Ltd. Company Constitution

(Councillor Woodman declared a personal but not prejudicial interest in this item by virtue of his being the Authority-appointed Director on South West Fire Control Ltd., the Local Authority Controlled Company (LACC) established to exercise overall governance responsibility for the South West Regional Control Centre).

The Authority considered a report of the Clerk to the Authority (DSFRA/10/19) on proposed changes to the constitution of South West Fire Control Ltd., the Local Authority Controlled Company (LACC) established in 2007 to exercise overall governance responsibility for the South West Regional Control Centre (RCC).

The constitutional changes – which were outlined in a commentary contained in the report and prepared by the Company Secretary - were required to ensure compliance with the Companies Act 2006. Legal advice indicated that the changes were of a purely technical nature which, if implemented, would have neither a detrimental nor advantageous effect on the interests of the Devon & Somerset Fire & Rescue Authority.

Members commented that, whilst the overall thrust of the amendments appeared correct, it was hoped that the syntax and grammar in the revised constitution might be re-examined and – where required – corrected prior to the revised constitution being approved. The Clerk undertook to commission the Authority's legal adviser to carry out a re-examination of the revised constitution.

RESOLVED that the Authority representative (Councillor Boyd) appointed to attend, on behalf of the Authority, the Company's Annual General Meeting in 2010 be mandated to vote at that meeting in favour of the proposed changes to the Company constitution as outlined in report DSFRA/10/19 (and as may be amended following re-examination by the Authority's legal adviser) and required to ensure compliance with the provisions of the Companies Act 2006.

(SEE ALSO MINUTE DSFRA/20 ABOVE).

DSFRA/24. South West Regional Management Board

(Councillor Woodman declared a personal but not prejudicial interest in this item in so far as it related to the FiReControl/Regional Control Centre project by virtue of his being the Authority-appointed Director on South West Fire Control Ltd., the Local Authority Controlled Company (LACC) established to exercise overall governance responsibility for the South West Regional Control Centre).

The Authority received, for information, the Minutes of the meeting of the Board held on 22 June 2010 which had considered, amongst other things:

- a report on Firelink cost apportionment in the event of over-usage of the system;
- feedback from the Chairman of the Board (Councillor Walker – Avon) on a meeting of Regional Management Board chairs and vice-chairs held in London on 17 June 2010;
- a workstreams highlights report;
- a presentation on the regional website;
- the Board's Financial Outturn, Accounts and Annual Governance Statement 2009/10;
- an Annual Benefits report 2009/10;
- a Climate Change annual report 2009/10;
- proposed dates for Board meetings in 2010/11; and

- an update report on revisions to the Regional Communications Strategy.

(SEE ALSO MINUTE DSFRA/20 ABOVE).

DSFRA/25. Chairman's Announcements

The Vice-Chairman reported on attendance, together with the Chief Fire Officer, at a briefing session with the new Fire Minister, Bob Neill MP, held in London on Wednesday 28 July 2010. The briefing, attended by other fire and rescue authority representatives, had been arranged to discuss re-defining the relationship between central government and local fire and rescue authorities in favour of more localised control and arrangements. Specific matters discussed included:

- abolition of the requirement for Regional Management Boards – this would now be an issue for determination solely by the individual regions themselves;
- abolition of centrally-set specific equality and diversity targets and a relaxation of assessment arrangements to measure compliance with the national Equality Framework for Fire and Rescue Services;
- relaxation of the requirements to comply with the Fire and Rescue Service National Framework.

The Vice-Chairman also reported on attendance by the Chairman (Councillor Healey) at the following events since the last meeting of the Authority:

- the London Fire Congress Conference;
- the Long Service and Good Conduct Medal Ceremony at Oldway Mansion, Paignton;
- the Glastonbury Festival to visit officers and firefighters on duty and also to escort the Chairman of Somerset County Council on their official tour as guests of the Service;
- the Combined Fire and Police Cadet Passing Out parade at Torquay;
- the Yeovil Mayor's Civic Ceremony;
- the 2010 Fire Conference held in Harrogate;
- together with the Chief Fire Officer, the Local Government Association (LGA) Conference in Bournemouth to attend a fringe meeting and to sit on panel discussing the Devon and Somerset Combination;
- together with the Chief Fire Officer, at Sidmouth Fire Station to present Councillor Stuart Hughes (former Authority Member) with a framed print for his dedication and commitment to the Fire Authority prior to taking up his Cabinet position with Devon County Council.

DSFRA/26. Chief Fire Officer's Announcements

The Chief Fire Officer reported on two fire-related fatalities which had occurred since the last meeting of the Authority:

- on 1 June 2010, in Yeovil; and
- on 18 July 2010, in Torrington.

The meeting started at 10.00hours and finished at 10.45hours.

DEVON & SOMERSET FIRE & RESCUE AUTHORITY



REPORT REFERENCE NO.	DSFRA/10/20
MEETING	DEVON & SOMERSET FIRE & RESCUE AUTHORITY
DATE OF MEETING	16 SEPTEMBER 2010
SUBJECT OF REPORT	EMERGENCY RESPONSE STANDARDS (NON-DOMESTIC FIRES & ENTRAPMENTS (NON-ROAD TRAFFIC COLLISIONS)) – OUTCOME OF THE PILOT
LEAD OFFICER	Director of Service Delivery Support
RECOMMENDATIONS	<p><i>That the outcome of the initial pilot to date into proposed Emergency Response Standards (ERS) for non-domestic fires and non-road traffic collision entrapments, as set out in Section 3 of this report, be noted and the pilot extended for a further three month period to provide opportunity to review and validate the following minor changes proposed in light of the initial pilot outcome:</i></p> <ul style="list-style-type: none"> <i>(a) that the Emergency Response Standard (ERS) be amended to discount false alarms and state that they are recorded for confirmed fires only;</i> <i>(b) that the measures for non-domestic premises be calculated for personnel originally mobilised to the incident by Fire Control, although the standard should remain the same;</i> <i>(c) that the standards for non-domestic premises be adopted subject to the minor alterations as set out above;</i> <i>(d) that the measures for entrapments be amended to read “person(s) trapped” and not “1 person trapped”;</i> <i>(e) that the ERS for entrapments be split into major and minor based on the definitions and experience currently used by Control Room Operators;</i> <i>(f) that Guidance be developed to ensure to enable an appropriate differentiation to be made between a major and minor entrapment.</i>

EXECUTIVE SUMMARY	Following the decision to approve and introduce new emergency response standards for house fires and road traffic collisions, it was recognised that the Service is called to attend many different types of emergency incident for which there is also a need to set response standards. It was further agreed to pilot new emergency response standards for non-domestic fires & entrapments (non-road traffic collisions). This report provides details of the standards that were piloted, information on the outcome of the pilot, lessons learned and observations from the pilot and makes recommendations based on the pilot.
RESOURCE IMPLICATIONS	None
EQUALITY IMPACT ASSESSMENT	
APPENDICES	N/A
LIST OF BACKGROUND PAPERS	N/A

1. INTRODUCTION

- 1.1 Last year the Service approved and introduced new emergency response standards for house fires and road traffic collisions. However, it was recognised that the Service is called to attend many different types of emergency incident for which there is also a need to set response standards.
- 1.2 The corporate plan 2010/11 – 2012/13 stated that to achieve success in Goal 1 it should be able to demonstrate that a response strategy is provided to emergency incidents that meets local response standards and ensures firefighter and public safety. To achieve this, the plan stated that the Service will complete the work on adopting locally risk assessed emergency response standards and the areas for development were recognised as follows:
- To pilot new emergency response standards for non-domestic fires
 - To pilot new emergency response standards for entrapments
- 1.3 The work on the house fires and road traffic collision standards in 2007/08 laid effective foundations for recommending the proposed standards for non-domestic fires and entrapments. Implementation of these proposals will reduce the variation of pre-determined attendance standards and resource levels currently in use. Under current resource distribution and deployment processes there will be no lessening in the level of service provision and in some cases a potential for a small increase.

2. THE NEW EMERGENCY RESPONSE STANDARDS FOR FIRES IN NON-DOMESTIC PREMISES AND ENTRAPMENTS

Non-Domestic Fires

- 2.1 Non-domestic fires are defined in two categories, residential risk and commercial/non-residential risk. In this context residential risk does not include domestic dwellings. In considering non-domestic buildings it must be borne in mind that this title covers a wide range of buildings from hotels through to public lavatories, and therefore represents a broad range of risk. In addition, with Devon and Somerset being fundamentally rural counties, there is a large predominance of agricultural buildings which are unoccupied for the majority of the time.
- 2.2 The sparsity of the counties' population and access problems mean that even with a significant increase in funding and redistribution of resources it would not be cost effective, or provide the community with value for money, to endeavour to meet the 10-minute attendance time set for domestic dwelling fires for all agricultural buildings and all non-domestic buildings.
- 2.3 It is also unlikely that fires in agricultural buildings present a significant life risk. The real impact on such buildings would best be made by proactive work, which would have a greater impact on life and environmental safety. Whilst life risk may be lower, it should still form a fundamental element of our planning, as when life is threatened, the survival times remain the same and the 10-minute thresholds established for domestic dwelling fires should remain the benchmark for our initial attendance.

Non-domestic Fires - Proposed Standards

- 2.4 The proposed response standards are presented as Reactive and Proactive. The reactive response standard is how we will react with the mobilisation of resources to an incident. The proactive response standard is how we will be proactive in working to prevent an incident occurring in the first place. These standards will ensure the most appropriate provision of vehicles and equipment will be available to respond to ensure firefighter and public safety.

Proactive Response Standard

PREMISES LOCATION	ACTION
All non-domestic premises	Application of the DSFRS Targeting of Enforcement Activity policy

Reactive Response Standard

INCIDENT TYPE & LOCATION	1st ATTENDANCE	FULL	NO OF PERSONNEL
Residential (non-domestic) premises e.g. hotels, sheltered accommodation etc	10mins	13mins	9
Residential (non-domestic) buildings where we are unable to make first attendance time of 10 minutes	-	-	12
Non-domestic premises confirmed fire e.g. shops, factories	10mins	15mins	9
Non Domestic premises fire where we are unable to make first attendance time of 10 minutes	-	-	12
Prescribed attendance due to specific risk	No change to existing prescribed attendance		

Entrapments (excluding Road Traffic Collisions)

- 2.5 With the potential exception of traffic management, the factors affecting the effective management of an entrapment are very similar to the management of a road traffic collision (RTC) extrication. Therefore it would appear to be appropriate to carry forward the reactive response standards for RTCs. The numbers of personnel dispatched to RTCs takes into account the potential for the fire and rescue service having to carry out traffic management activities in order to create a safe working environment.
- 2.6 Unless the entrapment takes place on or in close proximity to a roadway these additional duties will not be required, therefore a lower number of personnel can be considered. In the planning assumptions used for RTCs two personnel were included for the performance of additional duties potentially required. Therefore six personnel may be sufficient for entrapments not on the roadway. Where the entrapment is on or in close proximity to a road the response standards for single and dual carriageway roads should be used. However, it is even more difficult to define a proactive response standard for entrapments as the variety is extremely wide.

- 2.7 Entrapments in machinery are often a result of a failing of the safety/guarding systems within plant and machinery, which is the enforcement domain of the Health and Safety Executive. Therefore, the most significant potential for proactive work would appear to lie in partnership working with other agencies. Entrapments (excluding Road Traffic Collisions) - Proposed Standards
The standards are for entrapments in machinery or the collapse of structures or stacked objects. These standards will ensure the most appropriate provision of vehicles and equipment will be available to respond to ensure firefighter and public safety.

INCIDENT TYPE & LOCATION	1st ATTENDANCE	FULL	CREW
Entrapment, off road (1 person trapped)	15mins	18mins	6
Entrapment, excluding road traffic collision on a single carriageway (1 person trapped)	15mins	18mins	8
Entrapment, excluding road traffic collision on a Dual Carriageway e.g. incident involving highway maintenance / construction	15mins	18mins	10

3. **PILOT AND IMPLEMENTATION OF EMERGENCY RESPONSE STANDARDS FOR FIRES IN NON-DOMESTIC PREMISES AND ENTRAPMENTS**

- 3.1 The emergency response standards for non-domestic premises and entrapments have been subject to a six month trial during 2010/11, which commenced on 1st March 2010. It was proposed in the corporate plan 2010/11 – 2012/13 that pending the successful evaluation of the pilot the Authority will be invited to consider formal adoption of the standards.

The Pilot

- 3.2 The pilot commenced on the 1st March 2010 and, as it had previously been agreed, ran for a period of six months. Essentially during the pilot, appliances were mobilised to incidents as per current policies and the performance, against the new emergency response standards was measured. However, for non-domestic premises, there was an arrangement put in place to notify Control Room Operators of premises outside of the 10 minute area, which prompted the mobilisation of an additional appliance in line with these new ERS. No other special arrangements were put in place for entrapments as these were treated in much the same way as RTCs, i.e. there is potentially no fixed locations for such incidents.

Outcome of the Pilot

3.3 In terms of performance (from the 1st March 2010 to the 31st August 2010*) the outcome is based on the percentage of occasions that the standard was met as set out below:

Incident Type and Location	1 st attendance in 10 Minutes (Includes those where only 1 appliance is in attendance)	Full Attendance (9 Crew) in 13 minutes
Non Domestic - Residential (confirmed fire only) e.g. hotels, sheltered accommodation etc. (Inside 10 minute area)	90% (18 out of 20)	71% (12 out of 17)
		Full Attendance (12 Crew)
Non-Domestic - Residential (confirmed fire only) where we are unable to make first attendance time of 10 minutes (Outside 10 minute area)	-	83% (5 out of 6)
		Full Attendance (9 Crew) in 15 minutes
Non Domestic - Non Residential (confirmed fire only) e.g. shops, factories – Does NOT include BARN FIRES (Inside 10 minutes)	85% (66 out of 78)	78% (54 out of 69)
		Full Attendance (12 Crew)
Non Domestic – Non Residential (confirmed fire only) where we are unable to make first attendance time of 10 minutes (Outside 10 minutes)	-	89% (25 out of 28)

Incident Type and Location	1 st Attendance in 15 minutes (Includes those where only 1 appliance is in attendance)	Full Attendance (6 Crew) in 18 minutes
Entrapments (person(s) trapped)	85% (52 out of 61)	33% (20 out of 61)
Entrapment, excluding road traffic collision on a single carriageway (person(s) trapped)	no data available**	no data available**
Entrapment, excluding road traffic collision on a Dual Carriageway e.g. incident involving highway maintenance / construction (person(s) trapped)	no data available**	no data available**

* at present this table only includes data up to 31st July and will be amended to include the data up to 31st August when this is available

** no incidents of this type have occurred throughout the duration of the pilot

Observations/Lessons Learnt from the Pilot

- 3.4 When recording performance against the standards, experience from the standards set for Domestic Dwellings and RTCs has been considered.

Non-Domestic Premises

- Calls to all false Alarms should be discounted unless further information is received confirming a fire. This also reflects current Service policy in respect of attendance at AFAs.

Therefore it is recommended that the ERS should be amended to discount false alarms and state that they are recorded for confirmed fires only.

- The pilot has showed that in some cases the actions of the incident commander on the initial attending appliance, based on his/her initial assessment of the incident, could have a bearing on whether the full attendance arrives at the incident. For example, whilst the initial call may have been to a fire, which would attract the full attendance as set out in the ERS, the initial Incident Commander may feel that he/she has sufficient resources to deal with the incident and may therefore send the on-coming appliance(s) back before they arrived at the incident. This would clearly constitute a failure.

Therefore it is recommended that the measures for non-domestic premises should be calculated for personnel originally mobilised to the incident by Fire Control, although the standard should remain the same.

It is recommended that the standards for non-domestic premises be adopted subject to the minor alterations as set out above.

Entrapments

- The original standards make reference to one person trapped and it is recognised that, on occasions, there may be more than one person at these types of incident.

Therefore it is recommended that the measures for entrapments should read person(s) trapped and not 1 person trapped.

- For entrapments off-road, the ERS is for a single appliance in 15mins and the full attendance in 18mins. The full attendance is one appliance and a crew of 6. In the majority of cases, appliances will only mobilise with a crew of up to five and therefore this requires an automatic mobilisation of two appliances, irrespective of the incident type. The current appliance mobilising policy differentiates between major and minor entrapments, with a major entrapment attracting two appliances and a minor entrapment, one appliance. The decision as to whether the incident is classed as major or minor is based on caller interrogation by, and the experience of the Control Room Operators. The piloted ERS do not differentiate between major and minor and therefore would require, in most cases, the automatic mobilisation of two appliances.
- It is questionable therefore whether this is both an efficient and effective use of resources. Evidence from the pilot, suggests that where appliances have been mobilised based on the current mobilising policy, resources have been sufficient to meet the needs of the incident.

Therefore it is recommended that the ERS for entrapments be split into major and minor based on the definitions and experience currently used by Control Room Operators.

It is also recommended that guidance be developed to ensure an appropriate differentiation to be made between a major and minor entrapment.

To provide validity to the proposed amendments to the entrapments standards and to ensure appropriate opportunity for review and stakeholder comment, it is further recommended that the pilot for entrapments be extended for a further period of three months using the following standards:

INCIDENT TYPE & LOCATION	1 st ATTENDANCE	FULL	CREW
Entrapment - minor, off road (person(s) trapped)	15mins	-	5
Entrapment - major, off road (person(s) trapped)	15mins	18mins	6

The standards for entrapments on single and dual carriageway roads (excluding RTCs) would remain the same.

4. **CONCLUSIONS**

4.1 During the pilot there were regular reviews of the performance based on the new standards. As stated earlier, experience from the previous ERS for domestic dwellings and RTCs was considered and this enabled the performance to be measured based on a number of different scenarios, whilst not altering the standard. This experience and some of the changes to the measures form the basis of the recommendations that have been made.

4.2 The performance, with the exception of the full attendance to entrapments is good and compares favourably with the Service's current performance against the existing ERS for domestic dwellings and RTCs. The suggested recommendations for the changes to entrapments should see an improvement in the performance in respect of the full attendance to entrapments and this will be monitored should agreement be reached to extend the pilot for entrapments.

ACFO TREVOR STRATFORD
Director of Service Delivery Support

DEVON & SOMERSET FIRE & RESCUE AUTHORITY



REPORT REFERENCE NO.	DSFRA/10/21
MEETING	DEVON & SOMERSET FIRE & RESCUE AUTHORITY
DATE OF MEETING	16 SEPTEMBER 2010
SUBJECT OF REPORT	CORPORATE PLANNING TIMESCALE
LEAD OFFICER	Director Of Corporate Services
RECOMMENDATIONS	<i>That the Draft Corporate Plan be submitted to the Authority meeting scheduled for 16 December 2010 for approval for consultation purposes, with the associated consultation period being proportionate to the level of change.</i>
EXECUTIVE SUMMARY	The Draft Corporate Plan has traditionally been consulted upon for twelve weeks during the period of October to December. Due to the current national economic position and the expected budget savings from the public sector, it is important that the Authority has knowledge of its level of government grant so that it can adjust its plans accordingly. Therefore, the Authority may wish to wait until the grant is announced before it approves the draft Plan for consultation. The announcement of the government grant is not expected until the end of November 2010, currently estimated around the 25 November. It is proposed that the Draft Corporate Plan is presented to the Authority for approval in December followed by a period of consultation that is proportionate to the level of change.
RESOURCE IMPLICATIONS	Nil
EQUALITY IMPACT ASSESSMENT	This will be considered in conjunction with the proposals for the Draft Corporate Plan and associated consultation period in December 2010.
APPENDICES	Nil
LIST OF BACKGROUND PAPERS	Nil

1. BACKGROUND

- 1.1 The annual planning cycle produces the Corporate Plan that sets the future direction to ensure the Authority has the right resources in the right place being used efficiently and effectively. The Corporate Plan has also historically incorporated the needs of Integrated Risk Management Planning (IRMP); a component of this is the incorporation of proposed service delivery changes upon which the community and stakeholders are invited to comment through various methods of consultation.
- 1.2 In previous years, the Authority has approved the Draft Corporate Plan and presented it for public consultation during the period of October to December. The consultation has been managed so that it considers the guidance of consulting for a twelve week period, which the Authority has endeavoured to achieve.

2. PUBLIC SECTOR BUDGET SAVINGS

- 2.1 Due to the current national economic position and the expected savings required from the public sector, it is suggested that the Authority may wish to know the level of government grant prior to setting its Draft Corporate Plan. With the knowledge of the grant it will receive the Authority may adjust the plan accordingly before it is approved for consultation.
- 2.2 The announcement of the government grant is not expected until the end of November 2010, currently estimated at 25 November. Therefore it is proposed that the Draft Corporate Plan is presented to the Authority for approval in December followed by a period of consultation that is proportionate to the level of change.

3. CONSULTATION PERIOD

- 3.1 By approving the Draft Corporate Plan in December, the Authority will have a future decision to make on the period of consultation. The consideration of the consultation methodology and timescales for the Draft Corporate Plan would be at the Authority meeting on 16 December 2010 at the same time the draft plan is approved. There are currently two options that may be presented for Members to consider. These are as follows:
- to compress the duration of consultation to a period substantially less than 12 weeks in order that the Corporate Plan is approved alongside the budget at the Authority's meeting on 16 February 2011; or
 - to hold a twelve week consultation period commencing in December 2010. This option may require the Authority to set a budget in February 2011 that could be dependent on incorporating one or more of the options that would be consulted on. The decision on which option(s) to select would be informed by the consultation results and made by the Authority at a meeting in late March or early April 2011, the date for which will be proposed at the Authority meeting on 16 September 2010.

MIKE PEARSON
Director of Corporate Services

**Lee Howell
CHIEF FIRE OFFICER**

Mr Andrew Lock
Communities and Local Government
Zone 5/J2 Ashdown House
Eland House
Bressenden Place
LONDON SW1E 5DU

**SERVICE HEADQUARTERS
THE KNOWLE
CLYST ST GEORGE
EXETER
DEVON
EX3 0NW**

Your ref :	Date :	16 th September 2010	Telephone :	01392 872200
Our ref :	Please ask for :	Mr Woodward	Fax :	01392 872300
Website www.dsfire.gov.uk	Email :	kwoodward@dsfire.gov.uk	Direct Telephone :	01392 872317
:	:	k	:	:

Dear Mr Lock,

**LOCAL GOVERNMENT FINANCE FORMULA GRANT DISTRIBUTION –
CONSULTATION DOCUMENT**

The Authority welcomes the opportunity to respond to the recent consultation document which outlines options for changes to formula grant distribution methodology, to be applied to the 2011/2012 Local Government Finance Settlement.

As your department will be aware, this Authority has repeatedly highlighted, what it feels, is the inequitable methodology used to distribute Fire Formula grant, which favours the more urban areas and does not fairly reflect the disproportionate cost issues faced by a rural authority providing fire and rescue cover in a large sparsely populated geographical area, such as Devon and Somerset. The most recent challenge was made in my letter dated 5th January 2010, in response to the 2010/2011 provisional grant settlement. I attach a copy of that letter as Annex A.

We are therefore very supportive of this review taking place, and feel that it is imperative that the opportunity is taken to implement changes to make it a much fairer system of grant distribution. Of course, in relation to Fire, your department had already made a commitment to carry out a fundamental review of Formula grant, and we would expect that commitment to be honoured.

We provide below our responses to the specific questions raised in the consultation document. Obviously, we are only in a position to provide responses to those questions that impact on the Fire Service.

Responses to Questions

Chapter 5 Fire and Rescue

Question 6 - Do you agree that the expenditure data used to determine the coefficients should be updated (FIR1)?

Response - Yes, we believe it to be nonsense that the current regression analysis is based on data averaged over the period 1998-99 to 2000-2001, which is now 10 years out of date.

Question 7 – Should annual cashable efficiency savings be added to the updated expenditure data used to determine the coefficients (FIR 2)?

Response – No, whilst we support the principle to add back efficiency savings, so as not to penalise those authorities that have achieved the most savings, we do not believe that the data to be used i.e. figures included in the Annual Efficiency Statements, have been subject to sufficient scrutiny to be able to rely on them for this purpose.

Question 8 – Would you prefer either FIR3 or FIR4 as an alternative to the current risk index?

Response – This Authority is pleased that both options FIR3 and FIR4 include factors to recognise population sparsity or density, which we have been seeking for a long time, however, because this change has been combined with another significant change relating to risk index, it is difficult to make an informed judgement on which option is preferred. In fact, based upon the financial exemplifications supplied this authority would see a **reduction** in grant (£1.5m for FIR3, and £0.1m for FIR4) for either option. We would therefore like to see population sparsity/density separated from this choice and included as a separate factor, so that we can make a more informed response on both of these significant changes.

The Authority is obviously very supportive of the proposal to include population sparsity/density in the formula for the reasons previously highlighted, but in relation to the changes in the risk index, we are concerned that both FIR3 and FIR4 would seem to be suggesting that the risk statistical analysis will be re-run based on more up-to-date incident data. We would not be in support of any option which would include a perverse incentive to reward more incidents, at a time when our agenda is very much to reduce incident numbers.

Chapter 8 Area Cost Adjustment

Question 14 – Do you agree with the proposal to update the weights given to the labour cost adjustment (ACA 1)?

Response – As such a large proportion of the costs of the Fire Service relate to pay, which is subject to nationally agreed pay rates, it makes no sense for the inclusion of an Area Cost Adjustment in the Fire formula. However, on the basis that it remains, it is our view that it would seem sensible to update the weightings applied, based on the latest assessment.

Chapter 10 Scaling Factor

Question 15 – Do you think that the scaling factor for the central allocation should be close to one, so that equal importance is attached to the amounts above and below the minima?

Question 16 – If so, would you prefer Ministers to be able to set judgemental weights for the Relative Needs Amount, as in option CAS1, or the Relative Resource Amount, as in option CAS2.

Response – No, it is our view that any further judgemental change would only have the impact of creating further variations in grant funding which would be difficult to explain, and lead to a lack of confidence in the distribution model.

Chapter 11 Floor Damping Levels

Question 17 – Over the next Spending Review period do you think that the floor level should be set close to the average change or such that it allows some formula change to come through for authorities above the floor?

Response – This Authority favours the approach that enables some formula change to come through for authorities above the floor. Whilst we agree with the principles of floor protection, the scaling factors applied over the years has been so low that those authorities, such as Devon and Somerset FRS, that are above the floor, have lost significant amounts of grant to pay for this protection. This leads to a lack of confidence in the model. This position adds weight to the fact that the Fire Service does not receive an equitable share of the national control total.

Chapter 14 Replacing the Children’s Income Support Benefit Indicator

Question 23 – Do you agree that children in out-of-work families receiving Child Tax Credit (CTC) should replace the current children of IS/(IB)JSA claimants (DATA2)?

Response – Whilst this Service is not provided by the Fire Service, and therefore it does not seem appropriate for us to make comment, it does seem inequitable that the distribution of fire service grant is impacted by this change.

SUMMARY

The Authority is very supportive of the need to carry out a fundamental review of the Fire Formula grant, in particular, and welcomes the opportunity to again provide its views on some of the issues that it feels should be considered as part of the review. The authority requests that the issues highlighted within this response be considered as part of the review.

Yours faithfully

Kevin Woodward
Treasurer to Devon and Somerset Fire and Rescue Authority

ANNEX A

**Lee Howell
CHIEF FIRE OFFICER**

Mr Andrew Lock
Communities and Local
Government
Zone 5/J2 Ashdown House
Eland House
Bressenden Place
LONDON SW1E 5DU

**SERVICE HEADQUARTERS
THE KNOWLE
CLYST ST GEORGE
EXETER
DEVON
EX3 0NW**

Your ref :	Date :	5 January 2010	Telephone :	01392 872200
Our ref :	Please ask for :	Mr Woodward	Fax :	01392 872300
Website : www.dsfire.gov.uk	Email :	kwoodward@dsfire.gov.uk	Direct Telephone :	01392 872317

Dear Mr Lock,

**RESPONSE FROM DEVON AND SOMERSET FIRE AND RESCUE AUTHORITY IN
RELATION TO THE REVENUE SUPPORT GRANT SETTLEMENT FOR 2010/2011**

In relation to the provisional 2010/2011 Local Authority Finance Settlement announcement on the 26th November 2009, I am writing to make representations in response to the settlement as it affects Devon and Somerset Fire and Rescue Authority.

As your department will be aware, this Authority has on a number of occasions, challenged the methodology used to distribute Fire Formula grant, which in its view, does not fairly reflect the disproportionate cost issues faced by a rural authority providing fire and rescue cover in a large sparsely populated geographical area, such as Devon and Somerset. The most recent challenges were made in my letter dated 7th January 2009, in response to the 2009/2010 provisional grant settlement, and my letter dated 16th July 2009 in response to the proposed review of the methodology used to distribute Fire Formula Grant from 2011/2012.

There are three specific issues that this authority has previously raised, and which it again, as part of this consultation exercise, requests are addressed in the final 2010/2011, and future, settlements. These issues are:-

- The inequity of the Formula Grant system to recognise the additional costs of running a rural fire and rescue authority i.e. sparsity.
- The inequity of the Formula Grant system in the way that support to capital spending is distributed.
- The additional financial burden from changes in legislation which now provides access to a pension scheme for retained fire-fighters. It is estimated that this change alone has placed an additional financial burden on the authority in 2009/2010 of £0.440 million.

The paragraphs below expand further on each of these issues.

SPARSITY

The current formula distribution mechanism for Fire does not include a sparsity factor, and therefore does not reflect the additional resource implications of providing a Fire Service in a rural area. This is the case despite the fact that in the other Formula Grant calculations, such as Education, Social Services and Police, sparsity is recognised as a factor.

The issue is amply demonstrated by looking at grant per head of population for urban and rural authorities:

2009/2010 Average grant per head = £24.64

Urban Authorities

Cleveland	£39.84
London	£33.82
Merseyside	£34.05

Rural Authorities

Hereford and Worcester	£14.27
Wiltshire	£14.54
Dorset	£15.34
<i>Devon and Somerset</i>	<i>£18.16</i>

The impact of recent large scale flooding incidents is a good example of the sort of issues that are not adequately recognised in formula grant, and which impact on rural areas in particular. This position can only be exacerbated from the impact of climate change. Sparsity is also an important influence on costs because of: -

- Distance of travel, which is compounded when topographical features such as moors, rivers, estuaries, etc are also prevalent in area;
- The need to provide fire cover, at a disproportionate cost to its utilisation;
- Diseconomies of scale;
- Management effort in terms of running a large retained fire service with generally high turnover rates of staff.
- Significant transport costs.

In terms of area covered, sparse Fire and Rescue Authorities are in a different league from urban authorities. For example, area covered on average per rural station compared with that of urban stations is shown below: -

Sparse	Hectares	Urban	Hectares
Cumbria	18,000	London	1,400
Lincolnshire	16,000	Merseyside	2,400
North Yorks	22,000	Manchester	3,100
Devon and Somerset	12,400	West Yorks	4,000

Because of the huge areas they have to cover rural authorities have to maintain many more fire stations than their urban counterparts, as shown in the table below. This compares the population served on average by each station in urban and rural areas.

Sparse	Population per station	Urban	Population per station
Cumbria	13,000	London	67,500
Lincolnshire	18,000	Merseyside	52,000
Devon and Somerset	19,900	West Midlands	63,000

What Devon and Somerset FRA is seeking: an equitable grant distribution formula which reflects the additional costs of maintaining service provision in a large rural area, both through an allowance for the area served and an allowance for the number of fire stations necessary to maintain minimum standards of fire cover across the area.

ALLOCATION OF CAPITAL RESOURCES

The Formula Grant includes support for capital spending through a formula to calculate notional debt charges emanating from capital spending levels. Prior to the introduction of the Prudential Code this calculation was based upon the amount of Basic Credit Approval allocated to each Authority. Whilst the Prudential Code now permits authorities to set its own levels of capital spending, as long the spending is prudent and affordable, the Formula Grant calculation still includes a contribution towards the debt charges, which is based upon the Supported Capital Expenditure (Revenue) figure, which is a figure allocated to each Authority by government to enable the calculation of notional debt charges to be made.

Under current arrangements the total amount of supported capital expenditure is split between Metropolitan Fire Authorities 50.9% and non-Metropolitan Fire Authorities 49.1%, with the non-Metropolitan share being distributed based upon population, and the Metropolitan share being distributed based on a formula which takes account of the number of fire stations, appliances and staff that each authority has. This distribution would clearly seem to favour Metropolitan Authorities as is illustrated from Table 1 overleaf;

TABLE 1 – ANALYSIS OF SUPPORTED CAPITAL EXPENDITURE (PER HEAD OF POPULATION)

	Population (m)	Supported Capital Expenditure (SCE) 2009/2010 (£000)	Number of Stations	SCE per station (£000)
Combined Fire Authorities				
Devon and Somerset	1.681	1,757	82	21
Hampshire	1.711	1,811	52	35
Kent	1.673	1,750	65	27
Essex	1.700	1,788	51	35
Metropolitan Fire Authorities				
Merseyside	1.353	3,160	26	122
South Yorkshire	1.296	2,748	25	110
Greater Manchester	2.580	4,396	41	107
Tyne and Wear	1.075	2,129	17	125

As can be illustrated from the above the current mechanism for the distribution of SCE amongst fire authorities is 'unfair' and clearly does not recognise the needs of a more rural Fire Service, which will inevitably have greater capital spending issues as a result of the need to build and maintain more fire stations, and to replace more fire appliances and equipment. For instance, under the current distribution methodology Tyne and Wear (£2.129m), receives a larger allocation than Devon and Somerset (£1.757m), even though it has significantly less fire stations, i.e. 17 compared to 82. Similarly, when compared to other combined fire authorities, Devon and Somerset receives a similar SCE figure to that of Hampshire, Kent and Essex, as all have similar populations, and yet Devon and Somerset has by far the greater number of stations.

What Devon and Somerset FRA is seeking: An equitable formula for the allocation of SCE (R) which is consistent right across England, and which reflects the factors which give rise to the need for capital spending.

ADDITIONAL COSTS RELATING TO RETAINED STAFF JOINING THE NEW PENSION SCHEME

The new fire-fighters pension scheme has for the first time given access to a scheme for retained staff. This has incurred a new cost to fire authorities in relation to an employer's contribution for each member that joins the scheme. Whilst this has placed additional financial burdens on most FRA's, it will be in rural authorities such as Devon and Somerset where the biggest cost impact will be felt. To put this into context, Devon and Somerset FRA currently employs **1,185 retained staff**, of which 512 (43%) have opted to join the pension scheme, at an additional cost of £440,000 for 2009/2010. This figure can only grow in future years, as new entrants are automatically entered into the scheme. For a Metropolitan Authority such as Greater Manchester (**36 retained staff**) or South Yorkshire (**53 retained staff**) the impact of this change has been relatively insignificant. There is no recognition in the new formula of this additional burden.

What Devon and Somerset FRA is seeking: A formula, which is changed to reflect the additional burdens faced by rural authorities in relation to employer's contributions to the Pensions Account for retained staff. If this issue is not to be reflected in Formula grant distribution, then this authority would request that funding be allocated through 'New Burdens' grant.

SUMMARY

This Authority welcomes the opportunity to again provide its views on some of the shortcomings of the current methodology used to distribute fire formula grant, and requests that the issues highlighted within this response, particularly the non inclusion of sparsity as a factor in the grant, are reflected in the final grant calculations for 2010/2011.

Yours faithfully

Kevin Woodward
Treasurer to Devon and Somerset Fire and Rescue Authority