

**Highland and Islands Fire Board
No. 1 2009/2010**

Minutes of Meeting of the Highland and Islands Fire Board held in Council Headquarters, Glenurquhart Road, Inverness, on Friday, 24 April 2009 at 1.30 p.m.

Present

Representing the Highland Council:

Mr R Durham	Mr R Balfour
Mr D Mackay	Mr J Ford
Dr A Sinclair	Mrs L MacDonald
Ms M Smith	Mr G Rimmel
Mr E Hunter	Mr D Fallows
Mr D Henderson	Mr W MacKay (Substitute)
Mr J Gray	Mrs L Munro (Substitute)

Representing Comhairle nan Eilean Siar:

Mr N M Macleod	
Mr C Nicolson	Mr P Carlin
	Mr I MacKenzie

Representing Orkney Islands Council:

Mr A Drever	
	Mr B Leslie

Representing Shetland Islands Council:

Mr A Duncan	
	Mr A Cooper

Officials in attendance:

Mr B Murray, Chief Fire Officer
Mr J Donaldson, Deputy Chief Fire Officer
Mr T Johnson, Area Manager, Community Risk Management
Mr A MacAllister, Head of Corporate Services, Highlands and Islands Fire and Rescue Service (HIFRS)
Mr M Jenks, HIFRS Finance Manager
Mrs M Grigor, Treasurer's Office
Mr J Kelman, Project Manager, Housing and Property Service, The Highland Council
Mrs R Moir, Assistant Clerk
Ms L Lee, Clerk's Office

Mr R Durham in the Chair

1. Apologies for Absence

Apologies for absence were intimated on behalf of Mrs I Campbell, Mrs M Paterson, and Mrs H Carmichael of The Highland Council.

2. Minutes of Meeting of 23 January 2009

There had been submitted for confirmation as a correct record the Minutes of Meeting of 23 January 2009.

With reference to Item 3 of the Minutes, the Convener advised that, in addition to the communication which had already taken place with Constituent Authorities regarding the Board's budgetary position, the Chief Fire Officer was also to give a presentation to the Highland Council on 7 May 2009.

With reference to Item 11 of the Minutes, the Convener reported that a letter outlining the potential impact on the Board's revenue budget should the UK opt-out on the EU Working Time Directive be removed had been sent to the parties agreed, with the Constituent Authorities being copied in to the correspondence rather than being written to individually.

The Board **NOTED** the information given, and **APPROVED** the minutes.

3. Minutes of Meeting of the Appointments Sub Committee 6 and 25 February 2009

There had been circulated and were **APPROVED** Minutes of Meetings of the Appointments Sub Committee held on 6 and 25 February 2009.

The Board welcomed Mr John Donaldson to his first meeting as Deputy Chief Fire Officer.

4. Minutes of Integrated Risk Management Plan Working Group 20 March 2009

There had been circulated Minutes of Meeting of the Integrated Risk Management Plan Working Group held on 20 March 2009, together with a report by the Chief Fire Officer entitled "IRMP Risk Review – Future Capital Build Programme Proposals", previously circulated to the Working Group and now updated in light of the comments made at the Group's March meeting.

The Area Manager, Community Risk Management (AMCRM), gave a presentation summarising the information given at the Working Group, drawing attention to:

- the types of data collected
- independent verification of the methodology
- the implications for the capital programme
- the need for additional data collection and analysis in relation to use of the data in addressing wider sustainability issues in the future.

In compiling the Capital Plan for the current financial year (item 7 below refers), priority had been given to those stations that were without High Pressure Hose Reels and had the highest sustainability score and where sites were already in the Board's ownership.

The AMCRM also commented that, whilst the Board had previously stated its aspiration to provide "Type B" appliances for all stations, this might not be appropriate in all cases. The provision of a suitable vehicle should be based upon identified risk; e.g. the current provision for a Type 'B' appliance was a ladder capable of reaching to 4 storeys, but in some communities the maximum height of a building was no more than 2 storeys. It was therefore intended to investigate whether more appropriate vehicles were available, capable of carrying High Pressure Hose Reels, and which could carry levels of equipment appropriate for the identified risk.

In discussion, Members strongly supported the concepts driving the IRMP and welcomed the independent validation. The amount of work involved in gathering and analysing the data was recognised and Members asked that their appreciation be passed to the officers involved.

The Board **APPROVED** the Minutes and **AGREED** the following recommendations of the Working Group:

- i. to progress the allocation of vehicles with high pressure hose reel equipment, currently owned by the Service, into current stations which could physically accommodate the appliances;
- ii. as an interim measure, in order to achieve the required capital build spend for 2009/10, to progress the most appropriate build from those sites currently owned by the Board, based upon risk;
- iii. that the future upgrading of stations be prioritised upon the combined Sustainability score and the aspiration of the Board to provide high pressure hose reel equipment for all stations;
- iv. to support a project to explore the potential to provide alternative types of appropriately equipped appliances, and, following this investigation, agree to implement a phased programme to provide, on a risk-based approach, appropriately equipped vehicles (with high pressure hose reel equipment) into current stations able to accommodate new physically smaller appliances;
- v. that an independent verification of the statistics and the weighting used in compiling the combined Sustainability score be carried out, to provide validation of the methodology; and
- vi. that the Head of the Fire and Rescue Advisory Unit in Scotland be kept fully informed as to progress.

5. Revenue Expenditure 2008/09 – Monitoring Statement

There had been circulated Report No. Fire 11/09 dated 9 April 2009 by the Chief Fire Officer setting out the current position of the Revenue Monitoring Statement for the period to 31 March 2009.

An explanation having been given that some income, such as from fire fighting at sea - for which the Service was reimbursed - was offset by expenditure, the Board welcomed and **NOTED** the position.

6. Capital Expenditure Monitoring Report 2008/09

There had been circulated and **NOTED** Report No Fire 12/09 dated 9 April 2009 by the Chief Fire Officer showing the expenditure and income relating to the Board's capital programme for the period to 31 March 2009, together with statement by the Treasurer.

In response to questions raised, Members were advised that:

- whilst an even spread of expenditure throughout the year was desirable, due to the capital funding allocation being announced only at the end of the preceding financial year, the early part of the year tended to be spent on preparatory work, with projects being rolled out later in the year – expenditure was therefore concentrated towards the end of the year
- delays in the construction of stations at Tongue and Rousay had meant that expenditure on vehicles had been brought forward to 2008/09 to utilise moneys not spent on the stations; in turn, this would allow monies originally allocated to vehicles in the 2009/10 budget to be used for the two Stations
- £80,000 allocated in the 2009/10 budget for Fort William Fire station was to cover anticipated costs of the contractor's loss and expense claim.

Having been informed that the Scottish Fire Conveners' Forum was discussing the future arrangements for capital funding, including the potential that this funding would be distributed via COSLA in future, and the desirability of 3-year rather than 1-year capital funding arrangements, the Board **NOTED** the position.

7. Capital Budget 2009/10 & Outline Capital Plan 2010 to 2012

There had been circulated Report No. Fire13/09 dated 9 April 2009 by the Chief Fire Officer setting out the sources of capital funding available to the Board for 2009/10, and also the proposals and recommendations for allocating the Board's capital programme for 2009/10, taking account of the Service's strategic aims, in particular the commitment to improve building stock and vehicle fleet. The outline capital plan for 2010/11–2011/12 was appended to the report. Previous support from Scottish Government in the form of top-slicing had been greatly appreciated, but this source of funding might not be available in the future. An assumption had therefore been made that future capital allocations would be £1.8m only.

In speaking to the report, the Chief Fire Officer observed that the capital challenge was a key issue for the Board. Unlike some other Boards in Scotland, who required only to maintain properties rather than to construct them, a balance had to be found in the Highlands and Islands between extending building stock and meeting maintenance costs. As the number of properties owned by the Board increased, maintenance costs also rose.

The Capital Plan for 2009/10 indicated that the Stations at Tongue and Rousay would be completed, and new builds commenced at Lochboisdale and Lochaline, this latter being a Joint Venture with the Highland Council. The expenditure profile for vehicles in 2009/10 was outlined in item 6 above and would revert to the usual pattern thereafter. The Chief Fire Officer also explained the reasons for the proposed expenditure on mobile data terminals and additional control room software.

The Convener reminded Members that, hitherto, distribution of capital funding had been through the capital allocation formula, where a proportion of available capital funding was divided between the 8 Fire and Rescue Services (FRS), with the remainder being pooled for top-slicing projects, which all FRS could bid into. However, following the introduction of the Concordat between Local Authorities and the Scottish Government, the future allocation of fire capital grant was open to debate. The indications were that, in line with the Concordat, the Minister was minded that this funding would be administered by COSLA. It was unknown whether ring fencing arrangements would continue, or whether a portion of the capital grant would be expected to fund national projects such as Resilience and the training school at Gullane. For the current year, the Minister had taken a decision to retain some capital funding centrally, but the debate was ongoing. The issue of future capital funding had been discussed at the Scottish Fire Conveners' Forum meeting on 22 April 2009 and the Convener had apprised the Forum of the Board's position.

The Convener explained that Fire Boards had both a legal and a practical responsibility to provide a Fire and Rescue Service. In coming to an agreed position as to how capital funding should be allocated, whether this be via COSLA or directly by the Scottish Government, it would be important for the Highlands and Islands that strategies be put in place to drive capital expenditure policy, and that these cover the following:

- National Training
- National Resilience
- Asset Management – this would require all 8 Fire and Rescue Authorities/Services to quantify their assets and introduce a management programme.

The Convener advocated contact being made with Ministers, COSLA, other Fire Boards, and the Chief Fire Officers Association, to make representations as to how the Board would wish to see the principle of capital grant dealt with in future.

Members raised a number of points in discussion, including that:

- the Board welcomed previous top-slice allocations
- the Board was a special case due to the situation with its building stock – the aspiration should be to build two new fire stations per year as a minimum
- the IRMP process would provide strong evidence to support the Board's position regarding its capital needs.

The Convener and the Chief Fire Officer supported the aspiration to build two stations per year. The Chief Fire Officer commented that other Boards recognised and supported the HIFRS position, as long as this was not at cost to themselves. The proposed strategies for training and asset management would be helpful to the HIFRS. It would also be useful were the formula for the distribution of capital grant to be revisited, as this could benefit HIFRS. In response to a question raised, he commented that additional staffing resources to help the Board and Service to make the case would be welcome, but recruiting people with the right credentials would be difficult.

The Board **APPROVED** the proposed capital programme for 2009/10, as set out in Appendix 1 to the report, and the Outline Plan for 2010/11 and 2011/2012, and **AGREED**:

- i. to continue to engage with the Government, COSLA and the Constituent Authorities to secure the necessary funding for 2010/11 and beyond, including making representation to Ministers, COSLA, other Scottish Fire Boards, and the Chief Fire Officers Association on the principles along which the Board would wish to see capital grant dealt with in the future; this to include that:
 - arrangements for capital funding should enable the HIFB to build a minimum of two stations per year – there was a special case in the Board's area due to the current position with building stock
 - the formula for distribution of capital allocation should be updated; and
- ii. that a paper be brought to an early meeting investigating options for providing additional capital funding in future years to compensate for the loss of top-slice funding.

The Board also **NOTED** that the Chief Fire Officer would investigate alternative construction methods suggested by a Member which, it was understood, might have potential to reduce new station building costs significantly.

8. Increase in Special Service Charges

There had been circulated Report No. Fire14/09 dated 9 April 2009 by the Chief Fire Officer advising that, in accordance with usual practice, Special Service Charges had been increased in line with inflation with effect from 1 April 2009.

The Board **APPROVED** the changes to Special Service Charges.

9. Incident Recording System

There had been circulated Report No. Fire15/09 dated 9 April 2009 by the Chief Fire Officer on Government requirements for the introduction of a new Incident Recording System (IRS) from 1 April 2009.

The Deputy Chief Fire Officer summarised the report, emphasising that the introduction of the IRS required the delivery of training to some 400 staff in 95 locations, and that the Service's considered view was that, operationally, the new system could be not introduced in the proposed timescale, particularly when

work on the introduction of the Firelink system was also impacting on staff. The Scottish Government had been kept informed of the Service's position.

The Scottish Fire and Rescue Advisory Unit had in response recently agreed to second a member of their staff to the Service, at no cost, to assist with the introduction of the IRS. Arrangements for this were being taken forward.

The Board **NOTED** the position.

10. Working Time Directive

There had been circulated Report No Fire16/09 dated 9 April 2009 by the Chief Fire Officer updating Members on the Conciliation Process between the European Parliament and the EU Council in relation to the implementation of the Working Time Directive (WTD).

The Chief Fire Officer reported that no agreement had been reached to date on the WTD proposals, although it was understood that there was a desire to reach agreement. Should no agreement be reached the proposals would fall. An outcome was expected by the end of the coming week, but until that time it was not possible to determine the impact on the Service. The Board's concerns had been raised with all appropriate parties; Members wishing to view the responses should contact the Clerk. He gave an assurance that, whatever the outcome of the discussions, the Service would respond in the way that would provide the best possible service.

Having heard the Convener comment that some EU Member States chose not to implement EU Directives and were fined accordingly, the Board **NOTED** the report and the information given and **AGREED** that a progress report be brought to the Board meeting on 10 September 2009.

11. Fire Conveners' Forum Update

The Convener gave a verbal update on the meeting of the Scottish Fire Conveners Forum held on 22 April 2009.

Further to his comments under item 7 above, he clarified that, through its role under the Concordat, particularly on Fire Capital Grant, and the establishment of its Community Safety Executive Group, COSLA currently had a higher profile on fire and rescue issues than in the past.

The Fire Conveners' Forum was working with COSLA in a co-operative spirit, while safeguarding the constitutional position of fire authorities and their right to engage directly with the Scottish Government. The Forum was currently in discussion with COSLA on establishing a mechanism that took account of their respective roles and legal powers and would allow them to develop a sound and effective working relationship operating in the best interests of fire and rescue services throughout Scotland.

The Board **NOTED** the position.

12. Gender Equality Scheme Annual Report

At its meeting held on 23 January 2009, the Board had noted that the Board's revised Race Equality Scheme and its annual report in relation to the Disability Equality Duty had both been published by their respective due dates under delegated powers granted by the Board at its meeting on 14 November 2008.

Members were advised that the Board was required to publish its annual report on its Gender Equality Scheme by 29 June 2009. As the Board did not meet again until 10 September 2009, the Board **AGREED** to delegate powers to the Clerk to prepare and publish a report by that date, in consultation with the Convener, Vice Convener and the Board's Equality and Diversity Champions, Mr J Ford and Mrs H Carmichael.

13. Freedom of Information – Publication Scheme

There had been circulated Report No. Fire17/09 dated 7 April 2009 by the Chief Fire Officer advising that the Board was required, in terms of the Freedom of Information (Scotland) Act 2002 and the Environmental Information (Scotland) Regulations 2004, to adopt and maintain a Publication Scheme approved by the Scottish Information Commissioner. The Publication Scheme had required to be submitted to the Commissioner by 28 February.

The Board **HOMOLOGATED** the adoption by the Board of the revised Scottish Fire Services Model Publication Scheme and its submission to the Scottish Information Commissioner by the due date.

14. Capital Programme Monitoring Report

There had been circulated Report No. Fire18/09 dated 8 April 2009 by the Director of Housing and Property of the Highland Council summarising the status of all current key projects carried out for the Board. The approved budget (£1.65m) for Fort William Fire Station had been omitted in error from the report.

The Project Manager, Housing and Property Service, The Highland Council gave a verbal update on progress to date. Most projects were on schedule and on budget, with some savings anticipated. The site at Lochboisdale had been visited and the design team would meet on 1 May 2009 to draw up a programme, and would then liaise with the Service as to timescales.

He gave an explanation for projects where expenditure differed significantly from budget:

Fort William Fire Station - the £830,000 overspend was due to additional agreed expenditure on the Fire Training House (£600,000), plus additional costs arising from dealing with contamination issues and payment to the contractor for a loss and expense claim, as previously reported to the Board.

Carrbridge – the main causes of the £19,000 overspend were: unforeseen expenditure on alterations to the main sewer (£8,000); alterations to the steel

frame of the front door (£3,000); and a change in the timber frame design (£4,000).

The Project Manager gave an assurance that, given the difficulties experienced in the construction of Fort William Fire Station, the final cost represented good value.

The Convener having commented on the positive response of the communities at Helmsdale and Scourie to their new Fire Stations, and having emphasised the importance of such developments in sustaining rural communities, the Board **NOTED** the report and the information given.

15. Site Acquisitions Progress Report

There had been circulated Report No. Fire19/09 dated 8 April 2009 by the Director of Housing and Property of the Highland Council summarising the status of the acquisition of sites for future development.

The Chief Fire Officer and the Clerk having undertaken to respond after the meeting to queries regarding Fair Isle and Scalloway raised by individual Members, the Board **NOTED** the position.

16. Operational Update

The Chief Fire Officer provided an update on a number of recent operational activities, including:

Single Outcome Agreement – Local Authorities were required to submit their Single Outcome Agreements (SOA2) to the Scottish Government by 15 August 2009. The SOAs had implications for the Fire and Rescue Service (FRS) as the documents promoted community safety, including the reduction of road traffic incidents. The FRS was therefore an active partner. Representatives from the FRS would attend SOA meetings in all four Local Authorities, and it was planned to review the Service Plan to make it more relevant to the SOAs.

Commitment to Excellence Awards – a civic event had been arranged for the evening of Friday 5 June at Inverness Town House, at which awards would be presented by the Minister, Fergus Ewing, and the Convener and Vice Convener, for various categories, including:

- Excellence in Community Safety
- Excellence in Emergency Operations
- Excellence in Community/Youth Engagement
- Excellence in Service Delivery

Long Service and Good Conduct medals would also be presented.

Incidents - the Chief Fire Officer gave a brief summary of recent incidents, including:

- 13–15 April: wildfire near Dunnet Head, affecting 500-700 acres of heather and requiring attendance of 5 fire appliances
- 17 April: wildfire at Glen Tarbat, affecting 50 acres of trees and requiring attendance by 3 appliances and a helicopter
- 20 April: Nail Varnish factory at Invergordon, requiring the attendance of the special unit from Inverness to deal with hazardous substances
- 22 April: Taj Mahal restaurant, Thurso, requiring 3 appliances; the cause of the fire was being investigated.

It was commented that fire fighters had to deal with a wide range of incidents and performed their duties to a very high standard.

The Board **NOTED** the information given.

17. Fire Service Conference 3-4 February 2009

A verbal report was given on the Fire Service Conference attended by the Convener and Mr I Mackenzie in early February 2009.

Matters considered at the Conference had included: the possible extension of the Retained Duty System nationwide; resilience and contingency planning; and the impact of the Fire (Scotland) Act 2005 requirement for fire safety assessment of Bed and Breakfast accommodation. Both the Convener and Mr Mackenzie had found the conference extremely useful in terms both of the information given and of the opportunity to network with Members from other Boards and officers from other Fire and Rescue Services.

The Board **AGREED** that a report be brought by the Chief Fire Officer to a future meeting of the Board on the feasibility of wider attendance at the conference in future.

18. Disposal of Surplus Property

Following completion of the new build at Dunvegan, Isle of Skye, the Board **AGREED** that the former Fire Station at Dunvegan be declared surplus to requirements and that arrangements be made for its disposal.

19. Execution of Deeds

Members **NOTED** the following deed recently executed on behalf of the Board:

- Disposition by Highland and Islands Fire Board in favour of Lochaber Housing Association Limited of former Fire Station, Claggan, Fort William.

The meeting ended at 3.05 p.m.