

**Highland and Islands Fire Board
No. 3 2008/2009**

Minutes of Meeting of the Highland and Islands Fire Board held in Council
Headquarters, Glenurquhart Road, Inverness, on Friday, 14 November 2008 at 1.30
p.m.

Present

Representing the Highland Council:

Mr R Durham	Mrs H Carmichael
Mr D Mackay	Mr D Henderson
Mrs I Campbell	Mr J Gray
Dr A Sinclair	Mr R Balfour
Ms M Smith	Mr J Ford
Mrs M Paterson	Mrs L MacDonald
Mr E Hunter	

Representing Comhairle nan Eilean Siar:

Mr N M Macleod	Mr P Carlin
Mr K Murray (Substitute)	Mr I Mackenzie

Representing Orkney Islands Council:

Mr A Drever	Mr S Harcus (Substitute)
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Representing Shetland Islands Council:

Mr A Cooper	Mr A Duncan
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Officials in attendance:

Mr B Murray, Chief Fire Officer
T Wood, Depute Chief Fire Officer
Mr H Henny, Assistant Chief Fire Officer
Mr J Donaldson, Area Manager, Operations Support
Mr T Johnston, Area Manager, Community Risk Management, HIFRS
Mr A MacAllister, Head of Corporate Services, Highlands and Islands Fire and
Rescue Service (HIFRS)
Mrs M Fisk, HIFRS Head of Human Resources
Mrs M Grigor, Treasurer's Office
Mr J Kelman, Project Manager, Housing and Property Service, The Highland
Council
Ms M Morris, Clerk
Mrs R Moir, Assistant Clerk
Ms L Lee, Committee Administrator

Mr R Durham in the Chair

1. Apologies for Absence

Apologies for absence were intimated on behalf of Mr G Rimell and Mr D Fallows of the Highland Council, Mr R Leslie of Orkney Islands Council and Mr C Nicolson of Comhairle nan Eilean Siar.

2. Minutes of Meeting of 11 September 2008

The Minutes of Meeting held on 11 September 2008, copies of which had been circulated, were found correct and **APPROVED**.

With reference to the concerns raised at the September meeting regarding the condition of Stornoway Fire Station, the Board **NOTED** that (i) the Convener had met with Comhairle nan Eilean Siar Members to discuss the issues, (ii) the Project Manager, Housing and Property Service, The Highland Council, would be visiting the station to look at the facilities, including equalities and health and safety issues and office provision, and (iii) a report would be brought to the Board on the outcome of this visit.

3. Minutes of Audit Working Group – 3 November 2008

There had been circulated and were **APPROVED** Minutes of meeting of the Audit Working Group held on 3 November 2008.

4. Minutes of Policy and Finance Working Group – 3 November 2008

There had been circulated Minutes of meeting of the Policy and Finance Working Group held on 3 November 2008, together with a copy of Report No. PFWG10/08 dated 30 October 2008 by the Chief Fire Officer on the draft Revenue Budget for 2009/10, as circulated to that meeting.

The Board **NOTED** that the Service had responded positively to a request from the Highlands and Islands Conveners Forum to speak to that group on budget issues, indicating that it was hoped that this could be done in addition to the bilateral meetings being sought with each of the individual Constituent Authorities.

The budget for 2009/10 was needs-based and represented a 2.4% increase on the 2008/09. The Chief Fire Officer summarised the main factors taken into consideration in setting the budget. Pressures included increased electricity, gas, petrol and building maintenance costs and community safety initiatives, totalling an additional £511,000. However, there had been a saving of £181,000 in respect of the Service's Insurance premium, and it was anticipated that pension costs of £490,000 would now be met by the Scottish Government. Efficiency savings of £544,000 had been made. The £300,000 included in the current year's budget to meet the costs of the introduction of Firelink would be carried forward to 2009/10, the Firelink project having been delayed.

The Board **APPROVED** the Minutes of Meeting of the Policy and Finance Working Group held on 3 November 2008:

- excluding the recommendations at Item 3(ii) relating to modular building, and at Item 6 relating to Principal Officers' Pay, which would be further discussed at items 6 and 13 below respectively; and

- subject to the revision of the wording at Item 5 to read: “The Convener of Lothian and Borders Fire and Rescue Board had been appointed as Chairman of the Forum, with the Conveners of Strathclyde Fire and Rescue Board and this Board as Vice-Conveners”.

The Board accordingly **APPROVED** the Revenue Budget for 2009/10, subject to the correction of figures in table 2c.

The Board also **AGREED**:

- to recognise the establishment of the Fire Conveners' Forum for Scotland and that the Convener, with the Vice Convener as substitute, be appointed as the Board's representative on the Forum; and
- that the Convener and representatives as appropriate from HIFRS meet with the individual Constituent Authorities, in particular Shetland Islands Council, to discuss budget issues.

5. Revenue Expenditure 2008/09 – Monitoring Statement

There had been circulated and was **NOTED** Report No. PFWG8/08 dated 30 October 2008 by the Chief Fire Officer setting out the current position of the Revenue Monitoring Statement for the period to 30 September 2008, and the predicted year-end out-turn, previously circulated to the Policy and Finance Working Group at its meeting held on 3 November 2008.

6. Capital Expenditure Monitoring Report 2008/09

There had been circulated Report No. PFWG9/08 dated 30 October 2008 by the Chief Fire Officer summarising the expenditure and income relating to the Board's capital programme for the period to 30 September 2008, previously circulated to the Policy and Finance Working Group at its meeting held on 3 November 2008.

Members were also advised of a delay in building Fire Stations at Tongue and Rousay which had been funded under “top slice” arrangements. The projects were now unlikely to meet the spend requirements within the financial year and, as the terms of the Scottish Government funding were that top slice monies could not be carried forward to the following financial year, this could mean that any expenditure incurred in 2009/10 would have to be met from that year's capital budget. The position was being discussed with the Scottish Government and it was hoped that a solution could be found.

Members were provided with information on the comparative costs and timescales of alternative (prefabricated / modular) construction methods as against accelerated traditional contracts, and were advised that, whilst modular construction options could be investigated for future Fire Stations, best value in the immediate circumstances would be for the tender for Tongue Fire Station, with accelerated construction, to be accepted. An accelerated contract for Rousay Fire Station would, however, have a minimal effect on the expenditure that could be achieved prior to 31 March 2009 and there was little to be gained in pursuing this option.

While initial discussions suggested that the Scottish Government might be inclined to permit the carry forward, there was no guarantee of this. It was hoped that action taken by the Board to minimise the underspend would increase the

likelihood of the Scottish Government allowing the funding to be carried forward to 2009/10. The Convener and the Chief Fire Officer would meet with Scottish Government officials on 19 November 2008 to discuss the position, and the best way forward for the Rousay project would be considered in light of the outcome of this meeting.

Arising from discussion of the foregoing, the Convener updated Members on ongoing deliberations at national level regarding future Fire and Rescue Service capital funding. Proposals were being considered by the Scottish Government and COSLA whereby the Government would retain 1/3 of the available funding for capital projects of national importance, with COSLA involvement in the allocation of the remainder. Whilst no decisions had been made, it was likely that the current method of awarding capital funding would change. The Convener would continue to push for a national minimum standard of provision to be set.

Islands Members having stressed the importance to communities of the award of tenders to local contractors, the Project Manager, Housing and Property Service, the Highland Council, confirmed that he was in contact with Clerks of Works in the Islands Authorities and that local contractors were used wherever possible. The Convener undertook to include this matter in his discussions with the Constituent Authorities.

In response to Member comment on the importance of having building plans prepared in advance, the Chief Fire Officer stated that the Service was looking to invest money in preparation as part of the capital programme, and that the potential to use the top-slice underspend on such works would be discussed at the meeting with the Scottish Government on 19 November.

The Board **NOTED:**

- i. the content of the report and the information given on the delayed builds at Tongue and Rousay and the options open to the Board; and
- ii. that, whilst initial responses from the Scottish Government had appeared positive, there was no guarantee that funding for these projects which had not been spent by 31 March 2008 could be retained by the Board.

The Board **AGREED:**

- i. to accelerate the traditional contract for Tongue as outlined in the tabled paper, incurring £15,000 of additional expenditure but resulting in an estimated year-end underspend of £86,000 rather than the £240,843 otherwise risked should the contract not proceed, the revised contract to be issued as soon as possible;
- ii. to defer a decision with regard to Rousay until after the Convener and Chief Fire Officer had met with the Scottish Government on 19 November 2008 to discuss the position - Members to be informed by email as to the outcome of the talks;
- iii. that in future consideration be given to both modular build and traditional build options for capital projects; and
- iv. that closer working with Shetland Islands Council (SIC), with a view to promoting the use of local contractors as far as possible, be included on the agenda when the Chief Fire Officer and the Convener met with SIC for budget discussions, (Item 4 (iv) above refers).

7. Equalities

i. Race Equalities Schemes

There had been circulated Report No. Fire29/08 dated 5 November 2008 by the Chief Fire Officer presenting (a) an updated Race Equality Scheme for the Fire Service, outlining actions the Service planned to undertake in 2008-11 in order to meet legislative requirements, and (b) the Service's annual report setting out how the Service had fulfilled its action plan for the year 2007-08.

Having been advised that the Board was also required to review and update its Race Equality Scheme by 30 November 2008, the Board **NOTED** the Service's updated Race Equality Scheme and annual report and **AGREED** that powers be delegated to the Clerk, in consultation with the Convener, Vice Convener and the Board's Equality and Diversity Champions, Mr J H Ford and Mrs H Carmichael, to finalise and publish the Board's report by the due date.

ii. Disability Equality Scheme

Having been advised that the Board was required to publish its annual report in relation to the Disability Equality Scheme by 4 December 2008, the Board **AGREED** to delegate powers to the Clerk, in consultation with the Convener, Vice Convener and the Board's Equality and Diversity Champions, Mr J H Ford and Mrs H Carmichael, to finalise and publish the Board's report by the due date.

8. Capital Programme Monitoring Report

There had been circulated and was **NOTED** Report No. Fire30/08 dated 6 November 2008 by the Director of Housing and Property of the Highland Council summarising the status of all current key projects carried out for the Board.

9. Site Acquisitions Progress Report

There had been circulated Report No. Fire31/08 dated 6 November 2008 by the Director of Housing and Property of the Highland Council summarising the status of the acquisition of sites for future development. The Project Manager, Housing and Property Service, the Highland Council, updated Members on recent progress, including: the reasons for the delay in reaching agreement with the landowners, the National Trust for Scotland (NTS), for a fire garage on Fair Isle; a request from the landowners for a revaluation of the site at Kinlochewe; and progress with purchasing the site at Scalloway.

Members expressed concern that negotiations with the NTS appeared to have been ongoing for some considerable time. Whilst the benefits of a joint venture approach, perhaps with the Coastguard or Airstrip, were recognised, the Board's priority was to provide a Fire Garage and further delay should be minimised. Early contact with NTS was advocated to resolve any outstanding issues and to progress the arrangements for use of the site as soon as possible.

In response to Members' concerns regarding problems with the pager system in some remoter areas, where a signal could not always be received, the area Manager, Operations Support, advised that more sensitive equipment was being

purchased, but that this was prioritised on a risk basis, as costs had to be balanced against the benefit to the Service.

The Board **NOTED**:

- i. the report and the information given, and
- ii. that the Chief Fire Officer would investigate the issues raised regarding the difficulties incurred in the use of pagers, such as the lack of reception, and consider problems and solutions.

The Board **AGREED** that:

- i. a final approach be made to the other agencies on Fair Isle, such as the Coastguard and Airstrip, to see if they wished to participate in a joint venture; but that, if the response was negative, to return to the National Trust for Scotland and seek to proceed with leasing the land for the Fire Station as soon as possible; the Project Manager, Housing and Property Service, the Highland Council to discuss the position with NTS and report back to the Board; and
- ii. powers be delegated to the Clerk, in conjunction with the Convener and Vice Convener, to expedite the lease agreement as soon as possible.

10. Operational Update

The Chief Fire Officer gave a verbal report on recent activities carried out by the Service to develop business continuity plans, in case of a major disaster. The plans had been tested and proved successful.

The Chief Fire Officer also reported on a fatal fire in Shetland which had occurred in September 2008. The Shetland Members supported the Chief Fire Officer in commending the rapid response of the fire fighters, and their determination and bravery.

The Board **NOTED** the information given.

11. Schedule of Meetings 2009

There had been circulated Report No. Fire 32/08 dated 5 November 2008 by the Clerk recommending the following schedule for meetings in 2009:

Friday 23 January (afternoon)	Inverness
Friday 24 April (early afternoon)	Inverness
Thursday 10 September (return 11 September)	Lerwick
Friday 27 November (afternoon)	Inverness

The Board **AGREED** the above schedule of meetings for the year 2009 and that the Clerk make the necessary arrangements, including discussion with the Convener and Vice Convener regarding any adjustments to the schedule that might prove necessary.

The Board also **NOTED** that, should there be a need for a meeting of the Policy and Finance Working Group prior to the 23 January meeting, this would be held on Friday, 9 January 2009.

12. Exclusion of the Public

The Board resolved that, under Section 50A(4) of the Local Government (Scotland) Act 1973, the public be excluded from the meeting during discussion of the following items on the grounds that they involved the likely disclosure of exempt information as defined in Part 1 of Schedule 7A of the Act, the relevant paragraphs being shown.

13. Principal Officers' Pay

Paragraph 1

Further to the Board decision on 11 September 2008 that this matter be deferred to this meeting to allow consideration of additional information by the Policy and Finance Working Group (item 4 above refers), there had been circulated to Members only Report No. Fire33/08 dated 23 October 2008 by the Clerk.

The Board **AGREED** the recommendations as set out in the report.

14. Strategic Management of Highlands and Islands Fire and Rescue Service

Paragraph 1

Following a verbal report by the Chief Fire Officer, the Board **NOTED** that:

- i. the Deputy Chief Fire Officer would retire on 24 January 2009; and
- ii. the Chief Fire Officer and the Clerk to the Fire Board would provide advice through the recruitment process.

The Board **AGREED** to appoint an Appointments Sub-Committee, acting with powers, to select a new Deputy Chief Fire Officer (DCFO) and that this comprise five Members, including the Convener and Vice Convener, plus one representative each from Comhairle nan Eilean Siar and Shetland Islands Council, and one further representative from the Highland Council.

For the second Highland Council place, Mr J Ford was nominated by Mr J Gray and seconded by Mrs H Carmichael; Mr D Henderson was nominated by Mrs I Campbell and seconded by Mr R Balfour; and Mr D Flear was nominated by the Convener and seconded by Mrs L MacDonald.

On a first vote being taken, Mr Ford gained four votes, Mr Henderson gained seven votes and Mr Flear gained three votes. No candidate having received an absolute majority of the votes cast, Mr Flear's name was struck out of the list of candidates as having received the least votes. On a second vote between the two remaining candidates, Mr Ford gained five votes and Mr Henderson gained ten votes. Mr Henderson was therefore duly appointed as the second Highland Council representative on the Sub-Committee.

Mr N MacLeod was unanimously appointed *in absentia* to represent Comhairle nan Eilean Siar, Mr P Carlin to be appointed instead should Mr MacLeod be unable to take up the position, and Mr A Cooper was unanimously appointed to represent Shetland Islands Council.

The Board accordingly **AGREED** to appoint the following Members to the Appointments Sub-Committee to select a new Deputy Chief Fire Officer:

- Convener (Highland Council)
- Vice Convener (Orkney Islands Council)
- Mr D Henderson (Highland Council)
- Mr N MacLeod (whom failing Mr P Carlin) (Comhairle nan Eilean Siar)
- Mr A Cooper (Shetland Islands Council)

The Board further **AGREED**:

- i. to complete the Principal Officers' vehicle review as quickly as possible to enable the vacancy notification for the DCFO post to be circulated;
- ii. to remit powers to an urgent meeting of the Policy and Finance Working Group to finalise the terms and conditions package to be advertised for the post of Deputy Chief Fire Officer, once all the relevant information was available, including the outcome of the Principal Officers' vehicle review;
- iii. to advertise the vacancy nationally, aiming for a closing date for return of application forms to the Clerk's department in December 2008; and
- iv. to arrange for the Appointments Sub-Committee to conduct the selection process, consisting of an interview and presentation, early in 2009.

The meeting ended at 3.30 p.m.