

**Highland and Islands Fire Board
No. 2 2009/2010**

Minutes of Meeting of the Highland and Islands Fire Board held in the Town Hall, Lerwick, on Friday, 10 September 2009 at 2.00 p.m.

Present

Representing the Highland Council:

Mr R Durham	Mr E Hunter
Mrs L Munro	Mrs H Carmichael
Mr D Mackay	Mrs P Munro
Mr D Flear	Mr D Henderson
Mrs I Campbell	Mrs B McAllister (Substitute)
Dr A Sinclair	Mr J Crawford (Substitute)
Ms M Smith	Mr J Ford
Mrs M E Paterson	Mr D Fallows

Representing Comhairle nan Eilean Siar:

Mr N Macleod	Mr P Carlin
Mr I Mackenzie	Mr C Nicolson

Representing Orkney Islands Council:

Mr A Drever	Mr R Leslie
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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
Mr J Donaldson, Deputy Chief Fire Officer
Mr T Johnson, T/Assistant Chief Fire Officer
Mr M Jenks, HIFRS Finance Manager
Mr A Macleod, HIFRS Property Manager
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

Mr R Durham in the Chair

1. Apologies for Absence

Apologies for absence were intimated on behalf of Mr J Gray and Mr R Balfour, the Highland Council.

2. Board Membership Update

The Board **NOTED** formally the following changes in Highland Council appointments to the Board:

Substantive Members:

Mrs L Munro (replacing Mr G Rimmel)
Mrs P Munro (replacing Mrs L MacDonald)

Substitute Member:

Mr J Crawford (replacing Mrs L Munro)

3. Queen's Birthday Honours List

The Board **NOTED** that Mr William (Billy) Muir, a Retained Fire Fighter on the Island of North Ronaldsay, Orkney, had been awarded the MBE in the Queen's Birthday Honours List on 13 June 2009, for services to the community.

4. Minutes of Meeting of 24 April 2009

There had been submitted for confirmation as a correct record the Minutes of Meeting of 24 April 2009.

The Board **APPROVED** the Minutes.

5. Matters Arising

In relation to item 10 of the Minutes, concerning the Working Time Directive, the Chief Fire Officer confirmed that, no EU agreement having been reached on the proposals previously made to remove the UK opt-out, the proposals had fallen and the status quo remained meantime. It was, however, likely that the matter would arise again and robust UK data on its implications was being assembled in preparation.

The Board **NOTED** the position.

6. Minutes of Audit Working Group – 21 August 2009

There had been circulated Minutes of Meeting of the Audit Working Group held on 21 August 2009.

The Board **APPROVED** the recommendations of the Working Group and so **AGREED** to homologate the delegation of powers to the Treasurer, in consultation with the Chairman of the Audit Working Group, to deal with the requirements of International Standard on Auditing 260; and **NOTED** that a progress report on Single Status would be brought to a future Board meeting.

7. Minutes of Integrated Risk Management Plan Working Group - 21 August 2009

There had been circulated Minutes of Meeting of the Integrated Risk Management Plan (IRMP) Working Group held on 21 August 2009. There had also been re-circulated Reports Nos. IRMP4/09 and IRMP5/09, previously circulated to that meeting of the Working Group. A presentation was given updating Members on progress with the IRMP, with particular reference to the IRMP Risk Review Phase 2 Sustainability report and the recommendations made for 15 stations identified as presenting serious sustainability issues.

The Convener advised Members that he and the Shetland Members had hoped to visit the island of Foula the previous day, to make the inhabitants aware in advance of the meeting of the recommendation, supported by the Working Group at its August meeting, that, due to the lack of recruits to the island's retained unit and the consequent inability to provide a safe and effective intervention response, the status of the unit on Foula be changed from an intervention role to that of a Community Response Unit undertaking Community Fire Safety information and education only. Due to weather conditions, the visit had taken place only that morning, prior to the board meeting, with Mr A Cooper also in attendance, Mr A Duncan having unavoidably been unable to participate then at such short notice.

Mr Cooper confirmed that the local community on Foula had been shocked to learn what was proposed. He urged Members not to take a decision at this time to change the status of the unit, but to give the community, like others identified in the report, a further 12 months to reach the necessary recruitment level, now that the island's inhabitants fully appreciated the implications of failing to do so. The Chief Fire Officer confirmed that numerous approaches had been made to the community over many months to canvass applications, without the necessary numbers coming forward. However, Mr Cooper suggested that, being now faced with the reality of the consequences of this lack of response, the community would prove more proactive, in order to preserve what they saw as an essential service. Mr Duncan indicated that he would second a motion by Mr Cooper to amend the recommendation in the circulated report so that the Foula unit be allocated a twelve month period in which to recruit sufficient numbers and demonstrate that they could provide a safe and effective response.

During lengthy discussion, several Members supported Mr Cooper's position. Whilst there were some concerns as to whether, out of such a small population, this unit could in fact recruit and maintain a viable, fully trained crew, the general view emerged that it was important for the overall sustainability of a remote and fragile community that the inhabitants be given every encouragement and opportunity to remedy the current position. It was generally acknowledged that the answer lay in the community's own hands; it was important, however, that the Board be kept informed as to progress in order to be able to monitor the situation.

After discussion, the Board **NOTED** that the Minutes of the Working Group should have recorded an apology from Mrs P Munro and **APPROVED** the

following recommendations, these having been presented to and supported by the Working Group, with the exception of the recommendations relating to Foula:

- i. that the Board accept the recommendations of the Risktec Solutions report on validation of the Capital Build Programme methodology;
- ii. that the Board approve the detailed recommendations contained in the IRMP Risk Review Phase 2 Sustainability Report appertaining to the 15 named stations, with the exception of the recommendation on Foula;
- iii. that, given its remote location and the need to support the sustainability of the island community, the Foula unit be allocated a twelve month period in which to recruit sufficient members and demonstrate that they could provide a safe and effective response; but, if this did not prove possible and the station and local community were not able to demonstrate an appropriate level of performance within the next twelve months, that the Board change the Foula role to that of a CRU delivering CFS information and education only; and that the CRM department continue to review the risk associated with Foula as part of the ongoing Risk Review process;
- iv. that a report on the recruitment availability and process at Foula and at all stations identified as under threat in terms of sustainability be produced for each Board meeting, to inform Members of progress; and
- v. that a Phase 2a report be submitted on those stations whose performance impacted upon future analysis of the full network, with a view to promoting performance improvements and involvement in the Risk Review process.

8. Revenue Expenditure 2009/10 – Monitoring Statement

There had been circulated Report No. Fire 20/09 dated 31 August 2009 by the Chief Fire Officer setting out the current position of the Revenue Monitoring Statement for the period to 31 July 2009.

The Board **NOTED** the report.

9. Capital Out-turn Report 2008/09

There had been circulated Report No. Fire 21/09 dated 31 August 2009 by the Treasurer summarising the final capital position relating to the Board's capital programme recorded in the ledger as at 31 March 2009.

The Board **NOTED** the report.

10. Capital Expenditure Monitoring Report 2009/10)

There had been circulated Report No Fire 22/09 dated 31 August 2009 by the Chief Fire Officer showing the expenditure and income relating to the Board's capital programme for the period to 31 July 2009, together with statement by the Treasurer.

The Board **NOTED** the report.

11. Pensions Funding

There had been circulated Report No. Fire 23/09 dated 18 August 2009 by the Treasurer advising that a re-determination of Revenue Support Grant in 2008/09 had increased funding to Constituent Authorities for Fire Pension commutations by £0.235m, and that agreement was needed to request that this funding be paid over to the Board.

The Board **NOTED** the report and **AGREED** that the Treasurer make a request to the Constituent Authorities that they pay to the Board £0.235m received by them in Revenue Support Grant in support of increased costs of Fire Pension commutations.

12. Community Planning Partnership Engagement and Single Outcome Agreements

There had been circulated Report No. Fire 24/09 dated 31 August 2009 by the Chief Fire Officer advising Members of the approach that the Service was adopting to ensure the appropriate level of engagement and support for the Community Planning Partnerships which developed Single Outcome Agreements and led joint work within each of the Constituent Authorities.

The Board **NOTED** the report and the Service's plans for engagement with the Community Planning Partnerships operating within each of the Constituent Authorities; and **AGREED** to write to the chair of the Orkney Community Planning Partnership to request that an Orkney Board member be invited to sit on that panel.

13. Fire and Rescue Framework for Scotland 2009 – Consultation

There had been circulated Report No. Fire 25/09 dated 31 August 2009 by the Chief Fire Officer advising Members of the publication of the Draft Fire and Rescue Framework for Scotland 2009 and setting out a draft response from the Service on behalf of the Board, which highlighted the need to strengthen the Framework's provisions on fire-fighters on the Retained Duty System.

The Board **NOTED** the report and **APPROVED** the draft response appended to the report.

14. Scottish Fire Conveners' Forum Update

There had been circulated Report No. Fire 26/09 dated 1 September 2009 by the Clerk introducing a briefing note on recent discussions at the Scottish Fire Conveners Forum, which had encompassed topics such as the flooding review commissioned by the Scottish Government; the government's Resilience Strategy and contingency planning; future distribution of Fire capital grant; training investment strategy; and the wider reform agenda.

In speaking to the report, the Convener advised Members that the Forum had now acknowledged the particular difficulties faced by this Board in meeting the capital requirements of its upgrade programme and now supported the

argument, in discussions with COSLA and the Scottish Government on Fire capital distribution, that this be regarded as an issue of national priority.

The Board **NOTED** the report.

15. Corporate Governance

i. Scheme of Delegation

There had been circulated Report No. Fire 27/09 dated 1 September 2009 by the Clerk recommending updates to the Scheme of Delegation.

The Board **APPROVED** the revised Scheme of Delegation, subject to, in addition to the circulated recommendations, deletion of the following from the remit of the Policy and Finance Working Group: “(b) consideration of proposals for the development of a Board Public Private Partnership (PPP) project”.

ii. Standing Orders for the Conduct of Meetings

There had been circulated Report No. Fire 28/09 dated 1 September 2009 by the Clerk recommending a number of amendments to Standing Orders.

The Board **APPROVED** the revised Standing Orders for the Conduct of Meetings.

16. Contract Standing Orders

There had been circulated for approval Report No. Fire 29/09 by the Chief Fire Officer dated 31 August 2009 recommending updates to the Board’s Contract Standing Orders.

The Board **APPROVED** the revised Contract Standing Orders.

17. Role Descriptions for Members

There had been circulated Report No. Fire 30/09 dated 1 September 2009 by the Clerk recommending the introduction of Role Descriptions for the Convener, Vice Convener and Board Members, which would inform a planned training needs analysis for Members and also assist in preparing for the pending Best Value Audits of all fire authorities in Scotland.

The Board **AGREED** to adopt the circulated Role Descriptions.

18. Post of Chief Fire Officer

There had been circulated Report No Fire 31/09 dated 27 August September 2009 by the Clerk briefing Members on the appointment process for a new Chief Fire Officer, the current Chief Fire Officer, Mr Brian Murray, having intimated his intention to resign as from January 2010.

The Board **AGREED**:

- i. to homologate the action of the Clerk in confirming the Board's acceptance of the Chief Fire Officer's notice of retirement, following consultation with Board Members;
- ii. the proposed timetable and process for the appointment;
- iii. to establish a Chief Officers Appointments Sub-Committee comprising those Members who previously sat on the Appointments Sub-Committee for the post of Deputy Chief Fire Officer, with delegated powers to fill any chief officer vacancies arising during the term of this Board; and
- iv. that the Deputy Chief Fire Officer cover the role and responsibilities of the Chief Fire Officer during any period between the retirement of the current postholder and the arrival of his successor.

19. Gender Equality Scheme

As agreed at the Board's meeting held on 22 April 2008, the Clerk, in consultation with the Convener, Vice Convener and the Board's Equality and Diversity Champions, Mr J Ford and Mrs H Carmichael, had prepared and published the Board's annual report on its Gender Equality Scheme (GES) by the deadline date of 30 June 2008. The Action Plan attached to that Report indicated that the Board, as part of its review/scrutiny function, would receive a copy of the Chief Fire Officer's GES annual report for information.

In this context, there had been circulated and was **NOTED** a copy of the Highlands and Islands Fire and Rescue Service's Gender Equality Scheme Annual Report 2008/09, as published on the Service's website.

20. Capital Programme Monitoring Report

There had been circulated Report No. Fire 32/09 dated 28 August 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.

Having heard the Project Manager respond to a number of questions on specific projects, the Board **NOTED** the report.

21. Site Acquisitions Progress Report

There had been circulated Report No. Fire 33/09 dated 28 August 2009 by the Director of Housing and Property of the Highland Council summarising the status of the acquisition of sites for future development.

The Board **NOTED** the report.

22. Operational Update

There had been circulated Report No. Fire 34/09 dated 31 August 2009 by the Chief Fire Officer setting out performance information for the Service for the year 2009/10 to date.

The Chief Fire Officer also provided a verbal report on recent operational activities, including fire and flooding incidents, and highlighted various Service successes, including in recent extrication team competitions.

The Board **NOTED** the update and the performance data provided and **AGREED:**

- i. to invite the Head of Corporate Services and the Head of Engineering and Supplies to attend the Board's November meeting to offer the Board's thanks and good wishes on their respective retirements; and
- ii. to reaffirm the Board's decision, taken in September 2007, that equipment or clothing surplus to the Board's requirements could be donated to the charity "Blythswood Care" for distribution to East European countries.

23. Schedule of Meetings

The Board **NOTED** that a report recommending a full schedule of meetings for 2010 would be brought to the November meeting of the Board and in the meantime **AGREED** that:

- i. the Board's first meeting of 2010 be held on Friday, 29 January 2009, in Inverness;
- ii. should there be a need for a prior meeting of the Policy and Finance Working Group to consider the budget, this be held on Friday, 15 January 2010, and that arrangements also be made for a preliminary meeting of the Working Group to consider the budget, to be held in November 2009; and
- iii. a meeting of the IRMP Working Group also be held on 15 January 2010.

24. 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 for the following items on the grounds that they involved the likely disclosure of exempt information as defined in of Part 1 of Schedule 7A of the Act, the relevant paragraphs being shown.

25. Scottish Resilience

Paragraph 14

There had been circulated to Members only Report No. Fire 35/09 dated 31 August 2009 by the Chief Fire Officer on the Scottish Fire and Rescue Service Resilience Delivery Plan, regarding the contribution of the Fire and Rescue Services to Scotland's National Resilience Strategy.

The Board **NOTED** and endorsed the Scottish Fire and Rescue Service Resilience Delivery Plan.

26. Estate Management

Paragraphs 6, 8 and 9

There had been circulated to Members only Report No. Fire 36/09 dated 2 September 2009 by the Chief Fire Officer on a number of Estate Management issues.

The Board **NOTED** the plans and progress on Value Engineering and the review of Capital Investment Planning in a Best Value context; and **AGREED**:

- i. the acquisition of Building 2 at Baltasound, as detailed, for conversion to a Fire Station, subject to statutory consent;
- ii. the proposals for 37C Harbour Road, Inverness, as detailed, for a short term solution to the ongoing requirement for suitable additional office space for HQ;
- iii. the rental of the garage property at Scalloway, as detailed, as a temporary measure to close the Service gap there;
- iv. to homologate the action of the Chief Fire Officer, in consultation with the Convener and Vice Convener, in declaring surplus to requirements the former Fire Station at Aultbea and confirming that arrangements be made for its disposal; and
- v. to retain the area of land adjacent to Dunvegan Fire Station previously declared surplus to requirements.

27. Acquisition of Land at St Margaret's Hope, Orkney

Paragraphs 6, 8 and 9

There had been circulated to Members only copy report from the District Valuer on terms agreed for the acquisition of an area of land at St Margaret's Hope, Orkney.

The Board **HOMOLOGATED** the acquisition following consultation with the Convener and Vice Convener.

28. Principal Officers' Pay

Paragraph 1

There had been circulated to Members only Report No. Fire 37/09 dated 27 August 2009 by the Clerk on the annual review of Principal Officers' pay.

The Board **APPROVED** the terms of the report.

The meeting ended at 5.55 p.m.