

## ***Delegated Decisions by Cabinet Member for Safer & Stronger Communities***

***Monday, 11 April 2011 at 12.00 pm  
County Hall, New Road, Oxford***

### ***Items for Decision***

The items for decision under individual Cabinet Members' delegated powers are listed overleaf, with indicative timings, and the related reports are attached. Decisions taken will become effective at the end of the working day on Tuesday 19 April 2011 unless called in by that date for review by the appropriate Scrutiny Committee.

Copies of the reports are circulated (by e-mail) to all members of the County Council.

**These proceedings are open to the public**



Peter G. Clark  
County Solicitor

March 2011

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**Note:** Date of next meeting: 9 May 2011

**If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named on the front page, but please give as much notice as possible before the meeting.**

## Items for Decision

### 1. Questions from County Councillors

Any county councillor may, by giving notice to the Proper Officer by 9 am on the working day before the meeting, ask a question on any matter in respect of the Cabinet Member's delegated powers.

The number of questions which may be asked by any councillor at any one meeting is limited to two (or one question with notice and a supplementary question at the meeting) and the time for questions will be limited to 30 minutes in total. As with questions at Council, any questions which remain unanswered at the end of this item will receive a written response.

Questions submitted prior to the agenda being despatched are shown below and will be the subject of a response from the appropriate Cabinet Member or such other councillor or officer as is determined by the Cabinet Member, and shall not be the subject of further debate at this meeting. Questions received after the despatch of the agenda, but before the deadline, will be shown on the Schedule of Addenda circulated at the meeting, together with any written response which is available at that time.

### 2. Declarations of Interest

### 3. Petitions and Public Address

### 4. Formal Collaboration Programme between Oxfordshire County Council Fire & Rescue Service, Royal Berkshire Fire Authority and Buckinghamshire & Milton Keynes Fire Authority

*Forward Plan Ref:* 2011/051

*Contact:* Dave Etheridge, Chief Fire Officer Tel: (01865) 855250

Report by Chief Fire Officer (**CMDSSC4**).

In July 2010 the Fire Minister Bob Neill announced the termination of forced regionalisation of fire services in the UK with the intention to give greater powers and responsibilities to communities.

The Minister also announced that whilst the 2008/11 Fire & Rescue Services National Framework remained in force, without fettering his discretion, he will no longer expect to enforce Regional Management Boards\* and he would allow freedom for individual authorities to work on a collaborative basis in a way that works best locally and is not determined by regional boundaries.

In December 2010 the three Thames Valley Chief Fire Officers met & agreed that they wished to see more formal joint working and collaborative arrangements between the three Thames Valley Services. They decided to concentrate on three projects that can be agreed and delivered in reasonable time frames. The projects were subjected to scoping studies each led by a different Fire Authority. The projects are as follows:

Project 1 - Sharing of high level operationally related Health & Safety policy and strategy provision. Buckinghamshire & Milton Keynes Fire Authority to lead.

Project 2 - To assess whether there can be a similar common policy development process for Fire Safety Enforcement to include inspection protocols, enforcement procedures and fire engineering advice. Oxfordshire Fire Authority to lead.

Project 3 - A study of operational officer cover arrangements, including issues such as the provision of Fire Investigation, Accident Investigation, Fire Safety Enforcement, Post Fire Inspection and New Dimension (Resilience) cover. Consideration to be given to a common incident command system, common training and assessment and the interoperability of rota systems. This review is to cover roles from Station Manager to Brigade Manager. - Royal Berkshire Fire Authority to lead.

On 18 January 2011 the initial scoping studies were presented to the three Thames Valley Chief Fire Officers and it was agreed that subject to political agreement in all three authorities further work should be undertaken to progress the projects.

\*Regional Management Boards (RMB) were established in 2003 and were made up of Fire and Rescue Authorities grouped together by their relevant Government Office region. At a South East RMB meeting on 6th October 2010, it was agreed that the recommended approach would be to use the South East Fire Improvement Partnership (SEFIP) to replace the South East RMB. The remit of SEFIP would be broadly similar to South East RMB but would no longer be constrained by the requirement to work Regionally.

***The Cabinet Member for Safer & Stronger Communities is RECOMMENDED to:***

- (a) ***authorise the Chief Fire Officer to commence a formal collaboration programme between Oxfordshire County Council Fire Authority, Royal Berkshire Fire Authority & Buckinghamshire & Milton Keynes Fire Authority to improve operational & organisational resilience & realise efficiencies whilst maintaining existing governance structures; and***
- (b) ***request the Chief Fire Officer to provide regular updates at appropriate times on project progress and delivery of efficiencies against the savings targets identified within the medium term financial plan.***

## **5. Request for Exemption from Contract Procedure Rules - Purchase of Software for Management of Fire Fighter Rotas**

*Forward Plan Ref:* 2011/053

*Contact:* John Lloyd, Acting Assistant Chief Fire Officer Tel: (01865) 855214

Report by Chief Fire Officer (**CMDSSC5**).

This report seeks an exemption from Rule 13 of the Contract Procedure Rules,

which requires that for contracts of more than £75,000 but less than the relevant EU Directive threshold in value, to submit tenders for the goods, services or works required by the Council.

OFRS currently uses Gartan Technologies for managing our Retained Duty System (RDS) Firefighters availability for use at emergency calls and the production of performance management reports related to this.

It is proposed and has been agreed at OFRS Strategic Leadership Team, that we purchase an additional Module ( called Rota Management ) to manage Wholetime and all other personnel rotas and to provide additional functionality, subject to approval.

In general, the additional Module would not remove one process completely but rather will make a number of, often complex or long winded processes much quicker and more easily achieved, monitored and audited. This will include the provision of both standard and bespoke reports as required.

This purchase is considered to be an upgrade of the existing Gartan system within OFRS. It essentially allows all OFRS personnel ( including Fire Control and non Uniformed ) to use the system rather than just the part time Firefighters currently using it. However, it also brings a number of additional functionalities that are considered to be of great benefit to the Service going forward and will reduce administrative procedures by automating parts or the whole. This will bring efficiency savings but because it will impact across a wide number of processes and teams, these will not be cashable savings.

There are very few direct competitors to Gartan in that this is a bespoke system, designed to specifically meet the needs of Fire & Rescue Services (FRS's). It is designed to match the unique characteristics of their Terms & Conditions of employment eg rota patterns, leave entitlements and bookings, overtime arrangements, Working Time Directive rules etc and although there are a couple of similar systems that deal with some of these aspects, they are both expensive in comparison and normally originally designed for an office / factory environment. They would therefore require additional development work to ensure that they meet the needs of the Service and provide the requisite confidence. There is no guarantee that this development work would match our needs or be completed within a reasonable timescale and it would be at an unknown ( normally additional ) cost at this time. In addition, the system used for RDS staff would also need to be replaced for compatibility, with it's associated retraining and rewriting of policies and procedures.

***The Cabinet for Safer & Stronger Communities is RECOMMENDED to approve this exemption from the Council's Contract Procedure Rules.***

## 6. Request for Exemption from Contract Procedure Rules - Personal Protective Equipment for Firefighters

*Forward Plan Ref:* 2011/058

*Contact:* Nathan Travis, Assistant Chief Fire Officer Tel: (01865) 855206

Report by Chief Fire Officer (**CMDSSC6**).

This report seeks an exemption from Rule 13 of the Contract Procedure Rules, to submit tenders for the goods, services or works required by the Council. The reason is that the council, through no fault of its own, will not have a supply of personal protective equipment for firefighters unless this exemption is granted. This places an unacceptable risk on the council to meet its statutory duty to both firefighters as employees and in turn the public who depend on our staff to provide a safe and effective emergency response.

The Report highlights both the current and historical situation, by way of context, and the Value For Money, Legal, Sustainability and Health & Safety implications of not following the recommended course of action.

***The Cabinet Member for Safer & Stronger Communities is recommended to approve this exemption from the Council's Contract Procedure Rules in view of the emergency situation now brought about beyond the reasonable control of the council.***

## 7. Re-Authorisation for the Birmingham City Council Illegal Money Lending Team to Operate in Oxfordshire

*Forward Plan Ref:* 2011/028

*Contact:* Richard Webb, Acting Head of Trading Standards Tel: (01865) 815791

Report by Acting Head of Trading Standards (**CMDSSC7**).

Birmingham City Council Trading Standards Service operates an Illegal Money Lending Team funded by central Government. The purpose of this team is to investigate allegations of illegal money lending activity, establish if illegal activity is being pursued and, if so, to take enforcement action against those persons carrying on this activity. The team is staffed with specialist officers and has proved effective in tackling illegal money lending activity and in supporting victims.

In November 2009 the Cabinet Member for Safer and Stronger Communities agreed to delegate authority for enforcement of the Consumer Credit Act 1974 to Birmingham City Council. This delegation enabled the Illegal Money Lending Team to operate in Oxfordshire. However, the original agreement with Birmingham City Council expired on 31st March 2011. Therefore, an extension of the agreement is required if the team is to continue to operate in Oxfordshire.

This report summarises the background to Birmingham City Council's Illegal Money Lending Team and the work undertaken in Oxfordshire by this team alongside the Trading Standards Service. The paper requests authorisation to extend the agreement with Birmingham City Council.

***The Cabinet Member for Safer & Stronger Communities is RECOMMENDED to:***

- (a) agree to continue the delegation of the function of enforcement of Part III of the Consumer Credit Act 1974 in Oxfordshire by Birmingham City Council and to delegate the power of prosecution to Birmingham City Council for any matters associated with or discovered during an investigation by the illegal money lending team; and***
  
  - (b) agree that authority be delegated to the Acting Head of Trading Standards and Community Safety to extend the existing agreement with Birmingham City Council on behalf of Oxfordshire County Council and approve minor alterations if required***
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