

**AGENDA ITEM:**

<b>REPORT TO:</b> Meeting of the	<b>MERSEYSIDE FIRE &amp; RESCUE AUTHORITY COMMUNITY SAFETY &amp; PROTECTION COMMITTEE</b>
<b>DATE:</b>	<b>17<sup>TH</sup> OCTOBER 2013</b>
<b>REPORT NO.</b>	<b>CFO/119/13</b>
<b>REPORTING OFFICER:</b>	<b>DEPUTY CHIEF FIRE OFFICER PHIL GARRIGAN</b>
<b>CONTACT OFFICER:</b>	<b>AM MYLES PLATT – DIRECTOR OF PREVENTION &amp; PROTECTION, EXTN: 4644</b>
<b>OFFICERS CONSULTED:</b>	<b>KEVIN JOHNSON - FSD BUSINESS MANAGER SARAH BOURNE - LEGAL SERVICES</b>
<b>SUBJECT:</b>	<b>DRY RISER TESTING UPDATE</b>

<b>APPENDIX A</b>	<b>TITLE</b>	<b>EQUALITY IMPACT ASSESSMENT</b>
<b>APPENDIX B</b>		<b>DRY RISER TEST – CASE STUDY</b>

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Purpose of Report

1. To update the Authority on the delivery of the Dry Riser testing service on a cost recovery basis.

Recommendation

2. That the Authority note the contents of this report relating to the chargeable provision of Dry Riser testing by Merseyside Fire and Rescue Authority (MFRA) on a cost recovery basis.

Introduction & Background

3. Dry risers are intended for the use by the Authority to provide a readily available means of delivering considerable quantities of water to extinguish or prevent the spread of fire in buildings that are:
  - a) Over 18 metres above ground level; or
  - b) Low level buildings where there are excessive distances from entrances (60m).

4. The Responsible Person (as defined in Regulation 3 of the Regulatory Reform (Fire Safety) Order 2005) is legally required to maintain all firefighting equipment, including Dry Risers in adherence to The British Standard Code of Practice BS9990:2006.
5. The British Standard Code of Practice BS9990:2006 requires buildings to have a full annual pressure test and a six monthly visual test, conducted by a competent person.
6. Dry riser testing is undertaken by Operational Crews who as part of a Site Specific Risk Information (SSRI) visit will, if requested, test the dry riser in respect of its operational effectiveness in line with 7.2.d of the Fire & Rescue Services Act 2004, the costs of which are recovered by the Authority.
7. Fire Service Direct (FSD) are managing and developing the initiative by contacting all premises in Merseyside with a dry riser main explaining the service offered by the Authority. FSD manage and co-ordinate the service internally and with the responsible persons.
8. There are numerous companies offering dry riser testing in Merseyside, however it is anticipated that the strong brand of the Authority and the guaranteed delivery of an excellent service will make our offer more attractive to the responsible persons.

#### Equality & Diversity Implications

9. The Equality and Impact Assessment is attached as Appendix A.

#### Staff Implications

10. Operational personnel are all competent and hold the pre-requisite core skills for pump, hose and branch operation. Familiarisation training via LearnPro in respect of High Rise and Dry Riser testing is delivered prior to the SSRI visit.
11. Dry riser testing is delivered as part of the Community Engagement period included in the station work routine.

#### Legal Implications

12. There is a potential conflict for Officers of the Authority carrying out dry riser testing because the Authority is also the inspecting and enforcing body for the Regulatory Reform (Fire Safety) Order 2005.
13. Article 32(10) of the Regulatory Reform (Fire Safety) Order 2005 states that where the commission of an offence is due to the act or omission of some other person then that person may be charged with and convicted of an offence. If the Authority carried out the testing inadequately there is the potential for a crime to be committed for which, if within the Merseyside area, the Authority would be responsible for prosecuting which highlights the conflict.

14. If the Authority negligently said that the equipment was working and the faulty equipment subsequently didn't work in a fire there is potential for litigation in case of damage or injury arising from negligent action. The authority's excess on its public liability insurance is £0.5 million and any successful claims up to this amount would have to be paid directly from the Authority's budget. There is also potential for damage to the reputation of the Authority.
15. The provision of dry riser testing is not considered as a Special Service and therefore a separate agreement has been drafted by the Authority's Legal Department.

#### Financial Implications & Value for Money

16. The Authority will charge £170 for the testing of dry riser mains, which is consistent with prices charged by private companies.
17. The pilot, using a cost recovery model, offers a quality service that contributes to firefighter safety and in addition, brings revenue back into the Authority.

#### Risk Management, Health & Safety, and Environmental Implications

18. The relevant Station Manager will be advised of any Dry Riser testing arrangements within their station areas and will use this opportunity as a training, assessment and community fire prevention opportunity for operational crews.
19. The SHQ Community Fire Prevention Watch Manager will be used to quality assure the operational delivery of this service.

#### Contribution to Our Mission – To Achieve:

“Safer Stronger Communities – Safe Effective Firefighters”

20. By reducing risk in buildings in Merseyside ensuring that firefighting equipment is suitably tested and maintained, making a positive difference to our firefighter's safety and provides an excellent and affordable service to our communities.
21. Appendix B (case Study) provides a real example of the positive contribution to firefighter and community safety that dry Riser testing by the Authority has.

#### **BACKGROUND PAPERS**

## \*Glossary of Terms

MFRA	-	Merseyside Fire & Rescue Authority
FSD	-	Fire Service Direct
SSRI	-	Site Specific Risk Information
SHQ	-	Service Headquarters