

<p><b>Minutes of the Executive Committee</b></p>
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**28<sup>th</sup> February, 2005 at 10.00 am**  
**at the Fire Service Headquarters, Birmingham**

**Present:** Councillor Hinton (Chair);  
Councillor Hogarth (Vice-Chair);  
Councillors Eustace, Howard, Lawrence and Underhill.

**Apology:** Councillor Kazi.

**Observers:** Councillors Birbeck, Davis, Foster, Haque, Jackson,  
Rogers, Ryder and Ward.  
Mr C Topliss.

14/05 **Minutes**

**Resolved** that the minutes of the meetings held on 6<sup>th</sup> December, 2004 and 4<sup>th</sup> and 31<sup>st</sup> January, 2005 be approved as a correct record.

15/05 **Civil Contingencies Act 2004**

The Chief Fire Officer reported on the introduction of the Civil Contingencies Act 2004 and the revised duties of the Authority.

The Act was separated into two substantive parts: Part 1 - local arrangements for civil protection and Part 2 - emergency powers. The purpose of Part 1 of the Act was to establish a statutory framework for civil protection at a local level that was capable of dealing with a range of emergencies, in particular events that threatened serious damage to human welfare or the environment and terrorism which threatened damage to security.

The Authority had been categorised as a Category 1 Responder, which would mean that the following duties would be placed upon it:-

**Executive Committee**  
**28<sup>th</sup> February, 2005**

- assess local risks and use to inform emergency planning;
- put in place emergency plans;
- put in place Business Continuity Management arrangements;
- put in place arrangements to make information available to the public about civil protection matters and maintain arrangements to warn, inform and advise the public in the event of an emergency;
- share information with other local responders to enhance co-ordination;
- co-operate with other local responders to enhance co-ordination and efficiency.

It was intended that Category 1 and 2 Responders would come together to form a Local Resilience Forum (LRF) that would be based upon police areas. The Forum would enable co-operation and co-ordination at a local level.

The introduction of the Act and the subsequent repeal of the Civil Defence Act 1948 and the Civil Defence in Peacetime Act 1986 would require changes within the service so that responsibilities as a Category 1 Responder were met in full. This would require a review of the activity currently undertaken by the New Dimension Team, the Intervention Section and the Emergency Planning Unit. In particular, the removal of associated grant funding would mean the disestablishment of three temporary posts within the Emergency Planning Unit.

The scope and extent of application of the Act to the various responder organisations would be determined by the Act's accompanying regulations and guidance, which were currently in draft for consultation.

The financial implications of implementing the Act and the subsequent review of the New Dimension Team, Intervention Section and Emergency Planning Section would be the subject of a further report.

**Resolved** that the introduction of the Civil Contingencies Act 2004 be noted and its impact on the duties of the Authority.

16/05     **Civil Contingencies Act 2004 – Draft Regulations and Guidance**

Further to Minute No. 15/05 (above) the Chief Fire Officer reported on the draft regulations and guidance to support the Civil Contingencies Act 2004 and the Authority's draft response.

The consultation period was due to end on 3<sup>rd</sup> March, 2005 and the

**Executive Committee**  
**28<sup>th</sup> February, 2005**

Authority's draft response was now submitted for approval.

**Resolved:-**

- (1) that the key themes and requirements of the draft Civil Contingencies Act 2004 (Contingency Planning) Regulations 2005 and associated guidance be noted;
- (2) that the Authority's response to the draft regulations and guidance be approved.

17/05     **The Fundamentals of Business Continuity**

The Chief Fire Officer informed the Committee of a seminar being held by the Emergency Planning Unit to raise awareness of the need for business continuity management and planning strategies to ensure that, in the event of a business interruption, business and services would continue to operate efficiently.

The cost of the seminar would be met from the Emergency Planning Unit budget and member attendance would be based on £85.00 per person.

The Committee was asked to determine the level of member attendance at the event, which was being held on 10<sup>th</sup> March, 2005 at the Tally Ho! Sports and Conference Centre.

**Resolved** that Councillor Underhill be authorised to attend the 'Fundamentals of Business Continuity' seminar on 10<sup>th</sup> March, 2005.

18/05     **Exclusion of the Public and Press**

**Resolved** that the public and press be excluded from the rest of the meeting to avoid the possible disclosure of exempt information under Part I of Schedule 12A to the Local Government Act 1972 relating to the financial or business affairs of other persons.

**Executive Committee**  
**28<sup>th</sup> February, 2005**

19/05     **Procurement of Concept Appliance**

The Committee was informed that a review had recently been undertaken of the Vehicle Replacement Programme. As a result of the review, which had taken into account the potential implications of the White Paper 'Our Fire and Rescue Service', the Transport Engineering Workshop (TEW) had invited contractors to declare their interest in exploring a partnership with West Midlands Fire Service (WMFS) to develop a combined pump/water tower vehicle with a cab configuration that would enable flexible crewing levels to be adopted as appropriate.

The forthcoming Working at Height Regulations would have an impact on operational incident ground activities. However, the proposed new vehicle would enable the Brigade to further improve firefighter safety by reducing the need to operate from ladders and occupy cages of aerial appliances when fighting fires.

The Chief Fire Officer reported on the technical capabilities of the proposed new vehicle and its versatility to cope with a range of incident types.

Two main contractors had expressed an interest in undertaking the work, both of which had supplied vehicles and equipment to WMFS in the past and had a proven track record in terms of delivery and reliability. Responses from other companies had not met the expectations of the TEW team and it was proving difficult to identify companies that could offer a complete solution. An exception to Contract Standing Orders was therefore sought to enable the Authority to pursue the project with the two contractors identified as being capable of undertaking the work.

**Resolved:-**

- (1) that approval be given to the procurement of a concept appliance, to be developed in partnership with John Dennis Coachbuilders and Direct Access Platforms;
- (2) that an exception be made to the Authority's Contract Standing Orders to enable the course of action set out in (1) above to proceed;
- (3) that the Committee notes that opportunities are being explored to manage the potential for this vehicle on a regional basis.

**Executive Committee**  
**28<sup>th</sup> February, 2005**

20/05

**Extension to Current Externalised Part of the Brigade's Catering Contract**

Approval was sought to make an exception to Contract Standing Orders to allow an extension of the Brigade's current catering contract by a 12 month period and to enable a tender to be drawn up in relation to the catering requirements of the new Brigade Headquarters.

The existing catering contract was due to expire on 31<sup>st</sup> May, 2005. Due to the uncertainty of the details relating to the new headquarters, it had not been possible to produce a tender document in relation to future provision at the new location. It was felt that it would not be practical or cost effective to commission a new tenderer at this stage, given the possibility that service requirements could change radically after 12 months if the relocation of headquarters took place in 2006. Given the uncertainty of when the headquarters relocation project would be complete, it was also proposed to authorise officers to negotiate a further 12 month extension beyond 2006 as a contingency measure in the event of any unforeseen delays with the project.

The Draft National Procurement Strategy for the Fire and Rescue Service, issued by the Office of the Deputy Prime Minister, supported the course of action proposed.

**Resolved:-**

- (1) that approval be given to negotiate an extension to the Brigade's current catering contract for an initial 12 month period;
- (2) that officers be authorised to negotiate an extension of up to 12 months, should it become necessary, depending on the timescale of the headquarters relocation project;
- (3) that an exception be made to the Authority's Contract Standing Orders to enable the course of action set out in (1) and (2) (above) to proceed.

(Meeting ended at 12.37 p.m.)

<i>Contact Officer: Stephnie Hopcroft Democratic Services Unit Sandwell Metropolitan Borough Council 0121-569 3189</i>
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