

Minutes of the Executive Committee

6th December, 2004 at 12.00 noon
at the Fire Service Headquarters, Birmingham

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

Observer: Councillor Birbeck.

109/04 **Minutes**

The minutes of the meetings held on 9th and 26th August, 13th and 27th September, 25th October and 15th November, 2004 were confirmed as a correct record.

110/04 **Fire Conference 2005 and Local Government Association Annual Fire Conference 2005**

The Committee was informed of the arrangements for the Fire Conference 2005 and the Local Government Association Annual Fire Conference 2005 and asked to nominate members to attend.

Members raised concerns regarding the cost of attending such events and questioned whether it represented value for money for the Authority. However, it was also felt that the events provided a good opportunity to maintain relationships with other authorities and it was important that the West Midlands was represented at both member and officer level.

Members requested a further report on attendance at such events before any decisions were taken on attendance at events in 2005.

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Resolved that a further report be submitted to a future meeting.

111/04 The Fireworks Regulations 2004

The Committee was informed that the Fireworks Regulations 2004 came into force on 7th August, 2004, with the exception of Regulations 9 and 11, which would come into force on 1st January, 2005. From this date the Authority would become responsible for the enforcement of Regulation 9 (Licensing of Firework Suppliers).

The Regulations made certain provisions in relation to fireworks in order to minimise the risk that fireworks would be used with harmful consequences to people, animals or property.

Approval was sought to delegate authority to the Chief Fire Officer to appoint inspectors under the Consumer Protection Act 1987 to enable Regulation 9 (Licensing of Firework Suppliers) and Regulation 10 (Information about Adult Fireworks) to be enforced.

Resolved:-

- (1) that the Committee notes the Authority's responsibility for enforcing Regulation 9 and Regulation 10 of the Fireworks Regulations 2004;
- (2) that the power to appoint inspectors to enforce Regulations 9 and 10 of the Fireworks Regulations 2004 under the Consumer Protection Act 1987 be delegated to the Chief Fire Officer;
- (3) that a charge of £500 be set for the purchase of a licence to sell fireworks outside the prescribed times as set out in Regulation 9 of the Regulations.

112/04 Outcomes Against Action Plan Objectives

The Committee noted the progress to date against the following Action Plan objectives:-

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- Ten Year Scan and Departmental Objectives for 2004/2005.
- Directed Action Planning.
- KMPG Annual Audit Recommendations.
- KPMG Review of Performance Management at Devolved Fire Stations.
- Audit Commission: Verification Study.
- Best Value Reviews of:
 - Employment Services and Litigation
 - ICT
 - Procurement
 - Principal Management
 - Property Management
 - Financial and Legal Services.

113/04 **Consultation on Scope and Content of the Draft Fire and Rescue Services (Emergencies) (England) Order 2004**

The Committee was requested to approve the Authority's response to the Office of the Deputy Prime Minister on a consultation document with regard to the scope and content of the Draft Fire and Rescue Service (Emergencies) (England) Order 2004.

Views were being sought to ensure that the final Order:

- defined emergencies comprehensively and effectively;
- detailed reasonable and adequate provisions which Fire and Rescue Authorities (FRAs) must make for a specified emergency;
- included sufficient circumstances when an FRA must reasonably respond to an emergency outside its own area;
- was workable in practice.

Resolved that approval be given to the contents of the response to the Office of the Deputy Prime Minister to the detailed proposals set out in the draft Fire and Rescue Services Order.

114/04 **Appeals Committee – Revised Terms of Reference**

Further to Minute No. 80/04 of the Authority the Clerk submitted draft updated terms of reference for the Appeals Committee following adoption of revised disciplinary and grievance procedures.

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The sixth edition of the Grey Book contained a new disciplinary procedure and guidance on grievance procedures. The opportunity had therefore been taken to introduce common disciplinary and grievance procedures for both uniformed and non-uniformed employees based on ACAS guidelines, with effect from 1st January, 2005. Consequently, changes were required to the terms of reference of the Appeals Committee.

The Committee concurred with the view that the Disciplinary Committee should be retained for the time being in order to deal with any matters submitted under the previous procedures.

Resolved that the draft revised terms of reference for the Appeals Committee be approved with effect from 1st January 2005.

115/04 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 for the following reasons:-

Minute No. 116/04 relates to the financial or business affairs of other persons;

Minute No. 117/04 relates to terms proposed for the disposal/acquisition of property or the supply of goods or services and disclosure would be likely to prejudice the Authority;

Minutes Nos 118/04 and 119/04 relate to the identity of a tenderer for the supply of goods or services.

116/04 Use of Brigade Premises by North Birmingham Victim Support Scheme – Renewal of Lease

Further to Minute No. 64/99 of the Authority, approval was sought to renew the lease of Flat 9, Erdington Fire Station to North Birmingham Victim Support Scheme for use as office accommodation.

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The North Birmingham Victim Support Scheme was a charitable organisation that provided a support service to the victims of crime on a referral basis from the Police.

The organisation had been leasing the premises since 1997 and had maintained a good working relationship with the Brigade. It was therefore proposed to renew the lease for a further five years.

Resolved:-

- (1) that approval be given to lease Flat 9, Erdington Fire Station to the North Birmingham Victim Support Scheme, for a further four year period, with effect from 14th January, 2005, and that the lease be excluded from the provisions of Sections 24 - 28 of the Landlord and Tenant Act 1954;
- (2) that a rent of £2,000 per annum be charged for the duration of the lease.

117/04 Fire Service Headquarters Relocation Project

Further to Minute No. 18/04, the Committee received a report on progress with the Headquarters Relocation Project.

A Project Management Board (PMB) had been established to oversee and co-ordinate the project and a project brief and Project Initiation Document (PID) had been approved. Work was nearing completion regarding the options for the temporary relocation of Fire Control and the Integrated Risk Management Team would shortly conclude work being undertaken to validate the requirement for Central Fire Station.

A specialist consultancy firm, CB Richard Ellis (CBRE) had been engaged, via Sandwell Property Services, to undertake an evaluation of the planning and development options.

Whilst not a listed building, the Headquarters building fell within the Steelhouse Lane conservation area. In order to provide certainty as to the future of the land and buildings, CBRE was recommending that a Certificate of Immunity Against Listing be applied for and that a specialist consultant be engaged to complete this key element of the work.

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A workspace design consultancy had also been commissioned to carry out an analysis of the current work practices to define the requirements of the Headquarters functions and to prepare work place designs for the new facility. The work would ultimately lead to the formulation of a 'Statement of Requirements', which was essential for a clear building brief to be formulated.

Resolved:-

- (1) that the recommendation of consultants CB Richard Ellis (CBRE) to seek a Certificate of Immunity from Listing from the Secretary of State for Culture, Media and Sport for the Fire Service Headquarters building be approved;
- (2) that approval be given for CBRE to engage Donald Insall Associates Ltd to undertake provenance work required to support the application for a Certificate of Immunity from Listing on the Authority's behalf;
- (3) that the engagement of Square Dot Ltd to undertake workspace design consultancy work be noted.

118/04 Tenders for Re-roofing Project at Ladywood Fire Station

The Committee opened five tenders received for the above scheme in the following amounts:-

£130,560.00;
£150,560.00;
£153,041.74;
£158,500.00;
£178,855.00.

The estimated cost of the work was £121,000.00

Resolved that subject to:-

- (a) the checking of the tender;
- (b) the preparation of a formal contract by the Clerk;

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- (c) any necessary comments from the Government Departments concerned;

the tender submitted by General Asphalt Company Limited, amounting to £130,560.00, being the lowest received, be accepted.

119/04 **Tenders for Re-roofing Project at Binley Fire Station**

The Committee opened four tenders received for the above scheme in the following amounts:-

£196,400.00;
£213,859.00;
£244,881.00;
£269,316.00.

The estimated cost of the work was £155,000.00.

Resolved that officers be instructed to analyse the tenders and to submit a further report to the Committee in due course.

(Meeting ended at 12.47 p.m.)

<p style="text-align: center;"><i>Contact Officer: Stephnie Hopcroft</i> <i>Democratic Services Unit</i> <i>0121-569 3189</i></p>
