

<p>Minutes of the Executive Committee</p>
--

11th September, 2006 at 12 noon
at the Fire Service Headquarters, Birmingham

Present: Councillor Hinton (Chair);
Councillors Bowen, Howard, Idrees, and Ward;
Councillors Douglas-Maul and Jackson (Substitute Members);

Observers: Councillors Birbeck, S Davis, Foster, Gazey, Jones, Mulhall, Rogers, Ryder, Singh, Stevenson and Tagger; Mr Topliss.

Apologies: Councillors Hogarth and Eustace.

45/06 **Minutes**

Resolved that the minutes of the meetings held 10th and 22nd May and 12th June, 2006 be approved as a correct record.

46/06 **Visits by Members to Fire Stations**

The Committee received a report requesting approval for approved duty status to be granted in respect of Members visiting their local fire stations.

The initial round of visits to stations by Members made in accordance with Minute No. 72/05 were considered to be extremely effective and it was proposed to arrange further visits on a ward-based approach, co-ordinated by the Public Relations Section.

Some Members indicated that they would prefer to make unannounced visits rather than adhere to a programme of visits.

Packs of information would be provided by Borough Commanders to set the scene for Members' visits. The packs would include the latest data on Home Fire Safety Checks (HFSCs). Monitoring forms would also be provided for Members to complete.

Executive Committee
11th September, 2006

Resolved:-

- (1) that visits by Members to each fire station within their district once per quarter be regarded as approved duty for the purpose of the Members' Allowances Scheme;
- (2) that the Chief Fire Officer canvass Members to ascertain whether they would prefer to make programmed or unannounced visits.

47/06 Visit to the Houses of Parliament

The Committee received a report requesting approval for attendance by Members of the Authority at a forthcoming reception with MPs to be regarded as approved duty. A reception had been arranged for Officers and Members at the Houses of Parliament on Wednesday 15th November, 2006 to meet and discuss topical issues with MPs serving the West Midlands area.

Resolved that the visit by Members to the Houses of Parliament on 15th November, 2006, be recognised as an approved duty.

48/06 Members' Allowances Scheme – Annual Uplift

The Committee received a report seeking authority to amend the Members' Allowances Scheme insofar as it related to the annual adjustment of the level of allowances.

The Members Allowances Scheme provided for the rates of allowance to be increased with effect from 1st April 2005, 2006 and 2007 'in accordance with changes in the average wage rates for all full time employees on adult rates for all industries and services for the West Midlands Metropolitan County area'. This measure of increases in local wage rates was formerly available via the New Earnings Survey which had now been discontinued.

As an alternative, it was recommended that Members' allowances be increased annually in line with the agreed pay awards to NJC Local Government Services. This would result in allowances being increased as set out below:

- With effect from 1st April, 2005 2.95%
- With effect from 1st April, 2006 2.95%

Executive Committee
11th September, 2006

A further uplift in allowances would be payable under the current scheme with effect from 1st April, 2007.

Provision had been included in the approved budget for inflation increases in Members' allowances.

Resolved:-

- (1) that paragraph 9 of the Members' Allowances Scheme be amended to read as follows:

‘The rates of allowances will be increased with effect from 1st April, 2005, 2006 and 2007 in line with the agreed pay awards to NJC Local Government Services;’

- (2) that the payment of back allowances with effect from 1st April, 2005 be approved.

49/06 **Government Response to Consultation on Governance Arrangements for Regional Fire Controls**

The Committee received a report setting out the replies received by the Department for Communities and Local Government (DCLG) in response to the Government's consultation document on governance arrangements for Regional Fire Controls.

The Committee noted the DCLG's response to the issues raised during the consultation process as set out in Fire and Rescue Circular 44/2006; noted the overview and implications of the responses received by the DCLG with particular reference to key criteria relating to the articles and memorandum of association, structure and responsibilities of the proposed Local Authority Controlled Company (LACC), including liabilities and penalties, as set out in the report; noted that the LACC for the West Midlands Region is required to be established by 1st January, 2007; and noted that there was no change in the position regarding the business case and associated costs relating to the operation of the Regional Fire Controls that was reported to the Authority in June, 2006 (Minute No 47/2006).

A further report on the business case and associated costs would be submitted in due course, once the position was clarified by the DCLG.

Executive Committee
11th September, 2006

50/06 **Consultation: FiReBuy Corporate Plan 2006/08 and Business Plan 2006/07 and Members' Agreement**

The Committee considered a proposed response in respect of a consultation document issued by FiReBuy.

The National Procurement Strategy for the Fire and Rescue Services 2005/2008 proposed a single over-arching framework for fire and rescue procurement. At the heart of the strategy was the creation of a Non-Departmental Government Body (NDGB) called FiReBuy. One of the objectives of FiReBuy was the intention to produce and consult on a procurement plan year on year.

FiReBuy had now published its Corporate Plan for 2006/2008 and a Business Plan for 2006/07, together with a draft Members' Agreement for comment by Fire and Rescue Authorities. The intention was for all Fire Authorities to subscribe to FiReBuy Limited by way of a guarantee limited to the amount of £1, pursuant to the power vested in them under Section 111 of the Local Government Act 1972 and in exercise of their functions under Sections 6 and 8 of the Fire and Rescue Services Act 2004. The documents were submitted for the Committee's consideration, together with a draft response.

The Committee received legal advice on the Members' Agreement, which was in the process of being assessed by the Fire Lawyers' Network. The Committee were assured that the points now raised by Members would be pursued by the Fire Lawyers Network, and would also be incorporated as part of the Authority's consultation response.

The Committee noted the letter received from the Chair of FiReBuy, the FiReBuy Corporate Plan 2006/08 and Business Plan 2006/07 and Members' Agreement.

Resolved that the proposed response of the West Midlands Fire and Rescue Authority to the FiReBuy consultation be approved.

51/06 **Analysis of Progress towards Key Objectives and Best Value Recommendations – Quarterly Report April to June 2006**

The Committee noted progress made towards key objectives and Best Value Review recommendations from April to June 2006.

Task and finish groups chaired by the Lead Member for Performance Management would be set up as appropriate to look at high risk

Executive Committee
11th September, 2006

strategic objectives where there had been a failure to deliver objectives by specified dates.

Members expressed concern about lack of progress around the Cultural Change objective, which had been due to sickness absence and secondment of key staff. The Equality and Diversity Section was now fully resourced and this work was continuing apace.

52/06 Quotations received in excess of £50,000 - Quarterly Update

The Committee noted a report detailing quotations received in excess of £50,000.

Concern was expressed that estimates were considerably below the level of quotations in these instances and that this could impact on year-end expenditure against budget.

Resolved that this matter be investigated and a further report on the estimating process be submitted in due course.

53/06 Minutes of the West Midlands Regional Management Board

The Committee noted the minutes of the meeting of the West Midlands Regional Management Board held on 28th July, 2006.

54/06 Outstanding Business

The Committee noted a report outlining outstanding items of business.

55/06 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 as amended by the Local Government (Access to Information) (Variation) Order 2006 for the following reason:

Minute No 56/06 – information relating to the financial or business affairs of any particular person [including the authority holding that information].

56/06 Disposal of Former Fire Station Tower Street, Dudley

Executive Committee
11th September, 2006

Further to Minute No. 49/06 of the Fire Authority, the Committee were informed that Trigram Properties Limited had served notice on the Authority that it had exercised its legal options to waive the completion conditions set out in the Agreement and Assignment entered into with the Authority in August 2004 relating to the purchase of the former Fire Station located in Tower Street Dudley. The effect of the Notice was that the Company would now undertake the immediate unconditional purchase of the former Fire Station for the sum of £250,000 less the deposit already paid to the Authority. As a result the approvals granted to the Company at the Authority meeting on 26th June, 2006 would have to be set aside.

Resolved:-

- (1) that the effect of the Notice served on the Authority by the Company be noted;
- (2) that the Authority be recommended to rescind Minute No. 49/06.

(Meeting ended at 1.10 pm)

*Contact Officer: Georgina Wythes
Democratic Services Unit
Sandwell Metropolitan Borough Council
0121-566-3791*