

Minutes of the West Midlands Fire and Rescue Authority

4th December, 2006, at 11.00 a.m.
at the Fire Service Headquarters, Birmingham

Present: Councillor Hinton (Chair);
Councillor Hogarth (Vice-Chair);
Councillors Bowen, G Davies, S Davis, Douglas-Maul, Eustace, Foster, Howard, Hussain, Idrees, Jackson, Jones, Mulhall, Rogers, Ross, Ryder, Singh, Spence, Stevenson, Tagger, and Ward;
Mr Topliss.

Apologies: Councillors Alden, Birbeck and Pitt.

70/06 Chair's Announcements

The Chair referred to the tragic deaths of two firefighters in a recent fire and explosion at a fireworks factory in East Sussex. Other firefighters had been seriously injured in the incident.

Members stood in silent tribute to those who had lost their lives. A letter of condolence would be sent on behalf of the Authority.

The Chair also reported that the Deputy Chief Fire Officer had attending Buckingham Palace on 29th November, 2006 and received his OBE from Her Majesty the Queen.

The Chair had attended the Computing Awards for Excellence ceremony on 25th October, 2006 at which Tim Needham, one of the Brigade's Information Technology staff, had been named 'IT Professional of the Year' in recognition of his leading role in developing software designed to record, analyse and display information about risks via interactive map-based interfaces.

The Brigade's ICT staff had also won the Innovation and Best Practice Category awarded annually by the Association for

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Geographic Information, in recognition of their outstanding achievement in this field. Peter Mills, a Watch Commander, had been awarded a Diploma in Operational Management of Technical Rescue Incidents.

The Chair reported that the Fire Services Minister, Angela Smith, MP, had attended a meeting of the Programme Board of the West Midlands Regional Management Board on 14th November, 2006, and had been impressed with the progress being made. On the following day Members had undertaken a successful Parliamentary visit.

The Chair reported that he and the Lead Member for Performance Management [Councillor Ward] had given evidence to HM Fire Service Inspectorate as part of the CPA process examining operational assessment of performance. Councillor Ward and the Chair had also hosted an exploratory visit from Councillor Tandy of the London Fire and Emergency Planning Authority on 3rd November 2006.

The Chair indicated that this was the last Authority meeting to be attended by Robert Hulland, Assistant Chief Fire Officer, who would be retiring shortly after nearly 32 years service. Members thanked Mr Hulland for his valued contribution and long service to the Authority and wished him a long, healthy and happy retirement.

The Chair presented Andrew Brown, Crew Commander at Walsall Fire Station, with the prestigious Godiva Award of the Institution of Fire Engineers. Andrew achieved this award as the best overall candidate nationally in the post-graduate Membership Papers examinations in 2006.

71/06 **Minutes**

Resolved that the minutes of the meeting held on 25th September, 2006 be confirmed as a correct record.

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72/06 **Amendment to Members' Allowances Scheme**

The Authority was informed that the current Members' Allowances Scheme approved by the Executive Committee on 15th November, 2004, did not provide for Members to be reimbursed for costs in relation to child care expenses. It was desirable in the interests of equality and diversity to include such a provision in the scheme. The scheme could not be amended without having regard to the recommendations of an independent remuneration panel.

The Authority was also reminded that the current scheme did not provide for the payment of travelling and subsistence allowances to Lead Members and Deputy Lead Members in respect of attendance at meetings with officers in relation to their portfolio areas, as their Special Responsibility Allowances had been increased under the scheme approved on 15th November, 2004 to recognise this additional commitment.

The current Members' Allowances Scheme was subject to review in 2007 by an Independent Remuneration Panel and a new scheme would come into force with effect from 1st April, 2008.

Members discussed the possibility of deferring the introduction of a dependent carers' allowance until a revised scheme came into operation in 2008 to save on advertising costs, but it was felt that this matter needed to be addressed immediately.

Resolved that, subject to the approval of the members of the Authority's Independent Remuneration Panel, the Members' Allowances Scheme be amended to enable Members to claim dependent carers' allowances, to an annual maximum amount of 10% of the basic allowance, in respect of expenses incurred in pursuance of approved duties.

73/06 **Monitoring of Finances**

The Authority received a report on the monitoring of finances during 2006/07.

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74/06 **National Mutual Aid Protocol for Serious Incidents**

The Authority was informed that, after consultation with the Chair and Vice-Chair, the Clerk had signed an agreement indicating the Authority's willingness to participate in a National Aid Protocol for Serious Incidents. This matter had been dealt with as a matter of urgency under Standing Order 17 in order to comply with the timescales for a response set out in Fire Service Circular 42/2006.

75/06 **Minutes of the Executive Committee**

The minutes of the meetings held on 23rd and 30th October and 2nd and 13th November, 2006 were received.

76/06 **Notes of the Policy Planning Forum**

The notes of the meetings held on 23rd October and 13th November, 2006 were received.

77/06 **Minutes of the West Midlands Regional Management Board**

The minutes of the meeting held on 27th October, 2006 were submitted.

Resolved that the acts, proceedings and recommendations of the West Midlands Regional Management Board, as set out in the minutes, be approved and adopted.

78/06 **Outstanding Business**

The Authority received an update on items of business that were outstanding and an indication of when the items would be coming forward for consideration.

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79/06 **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 relating to the financial and business affairs of any particular person (including the authority holding that information).

80/06 **Local Authority Controlled Company - Regional Fire Control**

The Authority considered proposals drawn up by the West Midlands Regional Fire Lawyers' Group in relation to the governance arrangements for the Local Authority Controlled Company (LACC) required to be established by constituent Fire Authorities by January 2007 to operate the West Midlands Regional Fire Control Centre.

The format of the Memorandum of Association in respect of the establishment of the LACC was prescribed by the Department for Communities and Local Government and there was no local discretion as to its terms.

Draft articles of association were submitted for the Authority's consideration. These provided (inter alia) for appointments by constituent Fire Authorities to a Board of Directors. It was recommended that the Chair of each constituent Fire Authority be appointed as Director of the Company. These arrangements were intended to be of an interim nature and would be subject to review in 2009, by which time it was anticipated the Regional Fire Control Centre would be fully operational. The draft articles were subject to some regional variations, and agreement on those variations had been reached at a special meeting of the West Midlands Regional Management Board held on 1st December, 2006, and commended to individual Fire Authorities for approval.

Discussions were ongoing on the form of an accompanying Members' Agreement that would deal with issues such as

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dispute resolution and apportionment of operating costs between constituent authorities. A further report would be submitted in due course on this matter.

New burdens funding would be available to the LACC whilst the Regional Control Centre was being established, but once it was fully operational the constituent Authorities would be responsible for the full cost of running the Centre.

Resolved:-

- (1) that the Chair of the West Midlands Fire and Rescue Authority [Councillor Hinton] be appointed as an initial Director of the Board of the Local Authority Controlled Company;
- (1) that the Memorandum of Association, and the Articles of Association for the Local Authority Controlled Company attached as Appendix A to the report, be approved for signature by the Clerk on behalf of the Authority;
- (2) that delegated powers be granted to the Executive Committee to approve and authorise the signing of any further documentation in pursuance of the establishment of the LACC by January, 2007.

(Meeting ended at 11.47 pm)

<p><i>Contact Officer: Georgina Wythes Democratic Services Unit Sandwell Metropolitan Borough Council 0121-569-3791</i></p>

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