

**Minutes of the Annual Meeting of the
West Midlands Fire and Rescue Authority**

23rd June 2008 at 11.30 am
at the Fire Service Headquarters, Birmingham

Present: Councillors Alden, Ali Khan, Chambers, Clinton, G Davies, S Davis, Delaney, Douglas-Maul, Eustace, Gazey, Hinton, Howard, Idrees, Jones, Mulhall, O'Neill, Robinson, Ryder, Singh, Skinner, Spence, Stevenson, Sutton, Tagger, Turner, Tweddle and Ward.

Observer: Mr Topliss.

24/08 **Election of Chairman**

Resolved that Councillor Howard be elected Chairman of the Authority for the period ending with the annual meeting in 2009.

25/08 **Election of Vice-Chairman**

Resolved that Councillor Ward be elected Vice-Chairman of the Authority for the period ending with the annual meeting in 2009.

26/08 **Declaration of Interests**

Councillor O'Neill declared a personal interest in the item referred to at Minute No. 38/08 in that it referred to the Firefighters' Pension Scheme, of which he was a member.

27/08 **Chairman's Announcements**

Members congratulated the Chief Fire Officer on his award of a CBE in the Queen's Birthday Honours List.

Members were reminded that the next Brigade schools quiz final was taking place on 15th July 2008 at 5.45pm at the Brigade Training Centre, Smethwick.

The Authority was informed that the Community Fire Safety section was hosting a conference on road safety on 21st October 2008 at the new Safeside building at the new headquarters site. Further details would be circulated in due course.

It was reported that the West Midlands Fire Service Band Christmas Concert would take place on 6th December 2008 at Sutton Coldfield Town Hall.

It was noted that this meeting would be the last meeting of the full Authority to take place at the current headquarters site. Staff were expected to start moving to the new headquarters site from August 2008 and an official opening would be held in February/March 2009.

28/08 **Minutes**

Resolved that the minutes of the meeting held on 21st April 2008 be confirmed as a correct record.

29/08 **Membership of the Authority 2008/2009**

The Clerk reported on the membership of the Authority for 2008/2009.

Resolved that a letter be sent to retired Members thanking them for their service with the Authority.

30/08

Questions on Discharge of Functions

Resolved that the following Councillors be nominated under Section 41 of the Local Government Act 1985 to answer questions put in the course of proceedings of constituent Councils on the discharge of the Authority's functions:-

	<u>Lead Councillor</u>	<u>Substitute Councillor</u>
Birmingham	Howard	Eustace
Coventry	Gazey	
Dudley	Ryder	
Sandwell	Hinton	
Solihull	S Davis	
Walsall	Douglas-Maul	Tweddle
Wolverhampton	O'Neill	Singh

31/08

Members' Allowances Scheme – Report of the Independent Remuneration Panel

The Authority received the report and recommendations of the Independent Remuneration Panel, which had been established to carry out a review of the existing Members' Allowances Scheme, in accordance with the requirements of the Local Authorities (Members' Allowances) England Regulations 2003.

The Authority considered comparator information on the allowances paid to members of West Midlands Police Authority and West Midlands Passenger Transport Authority and a suggested revised schedule of allowances based on the comparator information.

The Authority was also asked to consider whether the time period within which claims for travel and subsistence allowance could be made should be extended to three months from the date of the duty carried out.

Resolved:-

- (1) That the recommendations of the Independent Remuneration Panel be noted;
- (2) that the Authority approves the schedule of allowances as set out in Appendix 1;
- (3) that the time period within which Members can claim travel and subsistence allowances be increased to three months from the date of the duty carried out.

32/08 **Constitution of Committees and Panels, Terms of Reference and Member Portfolios 2008/2009**

The Authority considered a report on the constitution of committees and panels, their terms of reference and Member portfolios for 2008/2009 and a calendar of meetings.

Resolved:-

- (1) that the Member portfolios for 2008/2009 and the constitution and terms of reference of committees and panels, as set out in Appendices 2 and 3, be approved;
- (2) that the calendar of meetings for 2008/2009 set out in Appendix 4 be approved;
- (3) that Mr M Ager be appointed as an Independent Member of the Audit Committee, without voting rights, for the term of office expiring with the annual meeting of the Authority in June 2011.

33/08 **Political Balance and Membership of Committees 2008/2009**

The Authority considered the constitution and political balance of Committees and the assignment of Members for 2008/2009.

Resolved:-

- (1) that the constitution and political balance of the Committees and Advisory Bodies established under Minute No 32/08 above for the period ending with the annual meeting of the Authority in 2009 be as set out in Appendix 5;
- (2) that Members and substitute members be appointed to committees and advisory bodies for the period ending with the annual meeting of the Authority in 2009 as indicated in Appendix 5;
- (3) that the Chairs and Vice-Chairs of committees be as indicated in Appendix 5;
- (4) that Members be appointed as the Lead and Deputy Lead Members as indicated in Appendix 5;

34/08 **Appointment of Representatives to Serve on Other Bodies**

The Authority considered the appointment of representatives to serve on other bodies during 2008/2009.

Resolved:-

- (1) that the Chairman (Councillor Howard) and Councillors Jones and Hinton (or their substitutes) be appointed to serve on the West Midlands Regional Management Board for the period ending with the annual meeting of the Authority in 2009;
- (2) that the Chairman and Vice-Chairman (Councillors Howard and Ward) and Councillors Hinton and Eustace (or their nominees) be appointed to serve on the Local Government Association General Assembly for the period ending with the Annual Meeting of the Authority in 2009;

- (3) that the Chairman (Councillor Howard) (or his nominee) be authorised to exercise the Authority's Corporate Vote at the Local Government Association General Assembly and that the Authority's General Assembly votes be as follows – Conservative 3, Labour 1, Liberal Democrat 0;
- (4) that the Chairman (Councillor Howard) and Councillors Eustace and Hinton (or their nominees) be appointed to serve on the Local Government Association Fire Service Forum for the period ending with the annual meeting of the Authority in 2009;
- (5) that Councillor S Davis and the Chief Fire Officer (or their nominees) be appointed to serve on the Local Government Association Urban Commission for the period ending with the Annual Meeting of the Authority in 2009;
- (6) that the following nominations be made in respect of the West Midlands Local Government Association for the period ending with the annual meeting of the Authority in 2009:-
 - Association - Observer Member*
Chairman of the Authority - Councillor Howard
(substitute: Councillor Ward);
 - Provincial Council*
Councillor Gazey (substitute: tba);
- (7) that Councillor Turner (or his nominee) be appointed as an Observer Member to attend meetings of the Black Country Consortium on behalf of the Authority for the period ending with the annual meeting of the Authority in 2009;
- (8) that Councillor Howard continue as the Authority's nominated Director of the West Midlands Fire and Rescue Services Regional Control Centre Limited Company;

- (9) that Councillor Ward be appointed as the Authority's representative on West Midlands Road Safety Partnership for the period ending with the annual meeting of the Authority in 2009.

35/08 Delegations to Chief Officers

The Authority considered the list of the powers delegated to Chief and Statutory Officers.

In connection with the delegation to the Chief Fire Officer regarding Industrial Action, Members requested that reference to the FBU (Fire Brigades Union) be replaced to refer to all trades unions, to read as follows:-

“To seek repudiation from trades unions of any industrial action that does not comply with the legal process set out in the Trade Union and Labour Relations (Consolidation) Act 1992.”

Resolved that the list of powers delegated to the Authority's Chief and Statutory Officers, as set out in Appendix 6, be approved, subject to the delegation to the Chief Fire Officer regarding Industrial Action be amended to read as follows:-

“To seek repudiation from trades unions of any industrial action that does not comply with the legal process set out in the Trade Union and Labour Relations (Consolidation) Act 1992.”

36/08 Member Attendance at Conferences, Seminars and Visits

The Authority considered a report setting out the arrangements for authorising attendance at conferences, seminars and visits.

Resolved that the events for 2008/2009 set out in Appendix 7 be approved for the purpose of the payment of travel and subsistence allowances and conference fees (where appropriate) subject to the necessary

budget provisions being available.

37/08 **Governance Statement 2007/2008**

The Authority considered its Governance Statement for 2007/2008.

The Statement was based on an ongoing process designed to identify and prioritise the risks to the achievement of policies, aims and objectives and to evaluate the likelihood of those risks being realised, the impact should they be realised and to manage them efficiently, effectively and economically.

The Statement was designed to manage risk to a reasonable level rather than to eliminate all risk of failure to achieve policies, aims and objectives; it could therefore only provide reasonable and not absolute assurance of effectiveness.

The Statement had been considered by the Audit Committee on 9th June 2008 (Minute No. 18/08 refers). The final Statement would be signed off by the Chairman, the Clerk, the Treasurer and the Monitoring Officer.

Resolved that the Authority's Governance Statement 2007/2008 be approved.

38/08 **Statement of Accounts 2007/08**

The Authority was asked to approve its Statement of Accounts for the financial year ended 31st March 2008 and its backward looking efficiency statement for 2007/08.

The Authority noted the £0.427million increase in its balances and requested that this be emphasised in forthcoming discussions with District Leaders. Members also requested that an explanatory note be inserted into the notes to accounts regarding rates of inflation for pension schemes.

The accounts had yet to be audited, and any material changes required by the Audit Commission would be reported to the Authority.

Resolved that the Statement of Accounts for the financial year ended 31st March 2008, and the backward looking 2007/08 efficiency statement, be approved.

39/08 **Monitoring of Finances**

The Authority noted a report on the monitoring of finances up to the end of May, 2008.

40/08 **Institution of Legal Proceedings**

The Authority was informed of the institution of legal proceedings against the owners of The Village Snooker Club, Kitts Green Birmingham for failure to comply with the Regulatory Reform (Fire Safety) Order 2005.

41/08 **Minutes of the West Midlands Regional Management Board**

The minutes of the meeting held on 24th April 2008 were received.

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

42/08 **Minutes of the Executive Committee**

The minutes of the meetings held on 19th May and 9th June 2008 were received.

43/08 **Minutes of the Audit Committee**

The minutes of the meeting held on 9th June 2008 were received.

44/08

Notes of the Policy Planning Forum

The notes of the meeting held on 9th June 2008 were received.

(Meeting ended at 11.53 am)

*Contact Officer: Stephnie Hancock
Democratic Services Unit
Sandwell MBC
0121-569-3189*