

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

**28 November, 2011 at 11.00 am
at the Fire Service Headquarters, Birmingham**

Present: Councillor Edwards [Chair];
Councillor Eustace [Vice Chair];
Councillors Alden, Ali Khan, Andrew, Chambers, Clinton,
Davies, Davis, Delaney, Docker, Douglas-Maul, Foster,
Griffiths, Hogarth, Idrees, Lines, O'Neill, Ryder, Sandy,
Singh, Spence, Stevenson, Tranter, Turner and Walsh.

Observers: Messrs Ager, Denny and Topliss.

Apology: Councillor Finnegan.

80/11 Declaration of Interests

Councillors Edwards and O'Neill declared personal interests in Minute No 85/11 (Monitoring of Finances) below.

81/11 Chair's and Chief Fire Officer's Announcements

The Chair reported that the Services' International Search and Rescue Team had received an award as part of the Birmingham Mail Local Hero initiative, for their recent rescue work in New Zealand and Japan.

The Service had also received an award for developing software known as CHIMP which provided vital data to firefighters on the fire ground and helped to improve safety at incidents.

The Human Resources Team had also won an award from the Chartered Institute of Personnel Development for their work developing a diverse workforce that was representative of the local community.

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The Chair also reported that Mitsubishi had provided a Lancer Evolution on long term loan to the Road Safety Team. The availability of this type of vehicle attracted young people and assisted with their engagement with the road safety message.

The Chair indicated that he and the Chief Fire Officer had recently met with Steve McCabe MP to discuss the financial position facing the Authority. A meeting had also taken place with MPs representing areas covered by metropolitan fire authorities. Robust lobbying would take place between now and the spring in an attempt to get an improved and fairer financial settlement for the last two years of the settlement period for metropolitan fire authorities.

The Chief Fire Officer reminded Members that the Brigade Carol Service would take place on Sunday, 4 December, 2011 at St Martin's Church, Bull Ring, Birmingham.

82/11 Minutes

Resolved that the minutes of the meeting held on 19 September, 2011, be confirmed as a correct record.

83/11 Building upon Success Programme – Cradley Heath and Halesowen Project

The Authority was reminded of its decision on 9th February, 2009 [Minute No 3/09] to approve a proposal to combine the Cradley Heath and Halesowen Fire Stations and to locate two 24-hour pumps at a new facility. The Executive Committee on 28 March 2011 [Minute No13/11] authorised consultation on a revised proposal to locate a single fire appliance at a new facility in Cradley Heath. These proposals had been included in a four year plan [the Building upon Success Programme] that was designed to maximise efficiency with less resources, in response to a reduction in grant funding of over £10m over the next two financial years.

The Authority now received a report on the outcome of the consultation in respect of the proposal to locate a single fire appliance at a new facility in the optimum area identified. A summary of the comments received as part of the consultation and the Service response to those comments was submitted.

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The Authority was advised that a review of incident data, attendance times and appliance activity indicated that the Authority could meet its obligations by having a single fire appliance in the Cradley Heath and Halesowen area. Further data indicated that Halesowen was not the optimum location for a single fire station.

The report set out a number of options for a new facility taking into account the needs of a more diverse workforce and the local community and possible joint working with other public agencies. A full equality impact assessment was submitted in respect of the proposals.

The proposal to locate a single fire appliance at a single location would result in annual salary savings of approximately £1.2m. Overheads and maintenance costs would also be substantially reduced by having a single location.

The Chair indicated for clarity that the amalgamation of the two fire stations had been agreed in February 2009. Members were being asked today to agree interim arrangements for the delivery of the service in the Halesowen/ Cradley Heath area and for feedback on the options for a new facility for a further report to the Authority in due course. It was necessary to make a decision on the new facility by April 2012 at the latest.

The Chair reminded members that the matter for decision today was whether the new station should have one or two pumps. In making this decision, members should take into account the outcome of the recent statutory public consultation, the professional and technical advice from officers, and the unprecedented impact of budget cuts on the financial position of the Authority. He indicated that the Authority should aim to make a reasonable and balanced decision based on relevant considerations.

Members of the public were present and the Chair allowed a representative of those present to address the meeting. A petition was also presented to the Authority, and was accepted although it was now outside the consultation period.

Discussion ensued on the report and there was not a consensus among Members.

Councillor Turner moved an amendment to the proposals set out in the report as follows:

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‘that the resolution of the Authority in February 2009 be accepted, and that a working group be appointed to identify a suitable location for a new fire station with two pumps.’

The amendment was duly seconded.

The Chair indicated that if the recommendations set out in the report were approved, he undertook to ensure that six months following implementation, a report would be brought back to the Authority to review the incident data to ensure that attendance standards were being maintained. He placed on record that a report would be brought to the Authority by April 2012 at the latest for a decision to be made on the location of the replacement facility. He also undertook to ensure that there would be fresh informal consultation with residents on the nature of the facility. He indicated that discussions would continue with other agencies to explore a shared facility but that this would not be allowed to delay the development.

A named vote was requested on the amendment and was duly supported.

The amendment was put to the vote and the voting was as follows:

For the amendment:

Councillors Alden, Andrew, Davis, Delaney, Docker, Douglas-Maul, Foster, Hogarth, Lines, Ryder, Stevenson and Turner.

Against the amendment:

Councillors Ali Khan, Chambers, Clinton, Davies, Edwards, Eustace, Griffiths, Idrees, O'Neill, Sandy, Singh, Spence, Tranter and Walsh.

The recommendations set out in the report, subject to the provisos indicated by the Chair as set out above, were then put to the meeting and a named vote was taken as follows:

In favour of the recommendations:

Councillors Ali Khan, Chambers, Clinton, Davies, Edwards, Eustace, Griffiths, Idrees, O'Neill, Sandy, Singh, Spence, Tranter and Walsh.

Against the recommendations:

Councillors Alden, Andrew, Davis, Delaney, Docker, Douglas-Maul, Foster, Hogarth, Lines, Ryder, Stevenson and Turner.

The Authority accordingly resolved:

- (1) that the Authority notes the results of the public consultation contained in Appendix 1 of the report;
- (2) that the Authority approves the proposal to have a single fire appliance serving the Cradley Heath and Halesowen areas;
- (3) that the Authority approves as an interim measure that this single appliance will be located at the existing Cradley Heath Fire Station with effect from March 2012, whilst options for a new facility are developed;
- (4) that fresh informal consultation take place with the local community on the options for the future development of a new facility in the optimum area identified through risk modelling as including the Old Hill/Cradley Heath area, as detailed in Appendices 5 and 6 of the report;
- (5) that six months after implementation of the proposal to have a single fire appliance serving the Cradley Heath and Halesowen areas, a report be brought back to the Authority to review the incident data to ensure that attendance standards are being maintained.

84/11 Delegations to Chief Officers

The Authority considered a proposed revised scheme of delegation to officers. The scheme of delegations had been reviewed as part of a larger examination of governance with a view to introducing a formal constitution for the Authority. The review had indicated that there was an opportunity to improve the format of the document to reduce duplication and to clarify the arrangements for delegating powers, and in particular to provide more clarity about which powers were reserved to the Authority.

If the revised scheme of delegations were to be approved there would need to be consequential amendments to the Executive Committee's terms of reference.

Resolved:

- (1) that the list of delegations to Chief Officers as set out in the attached Appendix, together with the schedule of matters reserved to the Authority, be approved;
- (2) that the Executive Committee's terms of reference with regard to partnership working be amended to read as follows:

‘to approve arrangements for partnership working, funding and/or goods, works and services provided freely from external sources, including external funding agreements, above £100,000 in value.’

85/11 Monitoring of Finances

The Authority noted a report on the monitoring of finances to the end of October 2011.

86/11 Result of Recent Fire Safety Prosecution

The Authority was informed that a prosecution had been brought against Mr Basharat Ali in respect of breaches of the Regulatory Reform (Fire Safety) Order 2005 at the Village Snooker Club, Kitts Green, Birmingham. Mr Ali pleaded guilty to four offences under the Order and not guilty pleas were accepted in respect of four other offences.

87/11 Institution of Legal Proceedings

The Authority was informed that, after consultation with the Chairman and Vice-Chairman, legal proceedings had been instituted in respect of The Fox Hotel (Wolverhampton) Limited, and against Mr P Kalirai, for failure to comply with the Regulatory Reform (Fire Safety) Order 2005.

The Chief Fire Officer undertook to inform Members what steps were taken to liaise with local authority licensing authorities in the event of a successful prosecution.

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In response to an enquiry from a Member, the Chief Fire Officer also undertook to investigate a possible change in the law with regard to abandoned cars on the highway.

88/11 Minutes of the Audit and Performance Management Committee

The minutes of the meeting held on 10 October, 2011 were received, subject to the inclusion of the name of Councillor Docker as an apology for the meeting.

89/11 Minutes of the Executive Committee

The minutes of the meetings held on 10 October and 7 November, 2011 were received.

90/11 Minutes of the Standards Committee

The minutes of the meeting held on 7 November, 2011 were received.

91/11 Notes of the Policy Planning Forum

The notes of the meetings held on 10 October and 7 November, 2011 were received.

92/11 Notes of the Joint Consultative Panel

The notes of the meeting held on 10 October, 2011 were received.

(Meeting ended at 12.15 pm)

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