

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

27 June 2016 at 11.00 am
at Fire Service Headquarters, Vauxhall Road, Birmingham

Present: Councillor Edwards (Chair)
Councillor Idrees (Vice-Chair);
Councillors Allcock, Aston, Singh Atwal,
Barlow, Bennett, Booth, Brackenridge,
Cartwright, Clinton, Craddock, Dad, Davis,
Eustace, Hogarth, Idrees, Mottram,
Sealey, B Singh, P Singh, T Singh, Skinner,
Spence, Tranter, Walsh and Young.

Apologies: Councillor Barrie

Observer: Mr Ager

31/16 Election of the Chair of the Authority for the ensuing year

Resolved that Councillor Edwards be elected Chair of the Authority for the period ending with the annual meeting in 2017.

Councillor Davis stated that the opposition Party was voting for Councillor Edwards to take the Authority through the difficult period ahead. Cllr Edwards offered his thanks.

32/16 Election of the Vice Chair of the Authority for the ensuing year

Resolved that Councillor Idrees be elected Vice Chair of the Authority for the period ending with the annual meeting in 2017.

West Midlands Fire and Rescue Authority
27 June 2016

33/16 **Declarations of Interest**

Councillor Edwards declared a personal and non-pecuniary interest in Minute No.44/16 below (Monitoring of Finances).

Councillor Brackenridge declared a personal and non-pecuniary interest in Minute No. 44/16 (Monitoring of Finances).

Councillor Aston declared a non-pecuniary interest in Minute No 44/16 (Monitoring of Finances) as Aston Fire Station is his place of work.

Councillor Davis declared a non-pecuniary interest in Minute No 44/16 as Business Safety Ltd as he is a Director of the company. All Members of the Business Safety Ltd to declare an interest at future meetings.

34/16 **Chair's Announcements**

The Chair welcomed Councillors:

Booth, Cartwright and Dad from Birmingham,
Walsh from Coventry
Allcock from Sandwell
Bennett from Walsall, and
Brackenridge from Wolverhampton

The Chair had written to Members who were no longer on the Authority and wished them well for the future.

Congratulations were extended to Councillor Peter Hogarth on his recent award of Member of the British Empire in the Queen's Birthday Honours List for services to local government.

Attention was drawn to the pocket Who's Who for Members of the Authority and Members of the Strategic Enabling Team that had been provided for each Member.

Members were requested to complete a self-assessment skills grid and development requirements form. A Training and Development Plan would then be produced to meet Members' requirements.

West Midlands Fire and Rescue Authority
27 June 2016

Members were asked to return their forms to
Julie.Connor@wmfs.net.

A Members Awareness Session had been arranged to take place on Monday 11 July 2016 at Fire Service Headquarters. All Members were invited to attend.

The Authority were also notified of the Annual Schools Safety Quiz Final which was taking place on Saturday 9 July 2016 at Safeside.

The Operational Assessment of the Service was scheduled to take place between the 17 and 20 October 2016. A briefing would be provided to Members of the Authority as they will be involved in the Assessment.

The Chair reminded the Authority of its imminent move to electronic working. Dry runs of electronic working would be held on the 25 July at Audit Committee, 15 August at Scrutiny Committee and at the Policy Planning Forum and Audit Committee on 5 September 2016. The first electronic Authority meeting would take place on Monday 19 September 2016.

The Chair wanted to thank everyone for the hard work that had been undertaken since the CSR and the beginning of austerity in 2011. The Authority's focus had been on reductions in spending, but would now need to focus on Governance too. A great deal had been achieved over the last five years against a loss of 47% of core funding, representing £38m between 2011 and 2020. The Service had retained its Service Delivery Model and through Prevention, Protection and Response continued to maintain 38 stations and a 5 minute attendance: the current response time to incidents which threaten life or property is 4.42 seconds which is thought to be the best response time in the whole of England and a major achievement.

The Authority recognised the work undertaken by everyone at all levels in the organisation including the cooks and cleaners and other historically low paid staff, who were now in receipt of the national living wage as determined by the Living Wage foundation

West Midlands Fire and Rescue Authority
27 June 2016

The Transport Engineering Workshops at Perry Barr have been undertaking work for other sections of the Public Sector and Fire Services and generating substantial income for the service.

A review of Middle Managers has produced savings of £1.7m and Brigade Managers have also reduced from 4 to 3, which along with other changes in moving from Corporate Board to SET, has produced a further saving of £250,000.

Through collaboration with Stoke on Trent and Staffordshire Fire and Rescue Authority, and a combination of Fire Controls, a further £1m has been saved.

Through reviewing the way in which we work the Service now operates with 26% less support staff producing a saving of £2.6m and currently the Service has 385 less firefighters than in 2011 providing a saving of £15.5m.

More recently 800 firefighters have signed up to a local agreement developed in collaboration with the Fire Brigades Union to undertake additional voluntary shifts to enable West Midlands Fire Service to keep to its excellent Service Delivery Model.

The Service has seen unprecedented change and further transformation is taking place through shared learning and experience through the West Midlands Combined Authority.

The Chair stated that the Brigade Managers have led the Brigade through this difficult period delivering the Plan agreed by the FRA and ensuring that the financial plan and the Service Delivery Model are sustainable to 2020, the end of the current parliament.

On behalf of the Authority the Chair wished to thank all staff at all levels for their hard work and commitment through this difficult period of change.

Members were asked to complete their Declarations of Interest forms and return to the Monitoring Officer.

West Midlands Fire and Rescue Authority
27 June 2016

The Monitoring Officer asked for the assistance of all Members in returning their Declarations of Interest forms and reiterated the importance of completing them and keeping them up to date.

The Chief Fire Officer (CFO) echoed the Chair's comments and welcomed new Members and thanked past Members. The CFO congratulated Councillor Hogarth on his recent award of the MBE.

Congratulations were given to Gary Taylor on his recent promotion to Assistant Chief Officer and the CFO thanked him for his work in connection with Fire Control and the integration of additional shifts, resulting in the resolution of the recent Dispute and Action Short of a Strike and ensuring the Service would continue to meet its Service Delivery Model through to 2020.

The CFO thanked the Chair for his comments about leadership and stated that interesting times were ahead with further challenges. He looked forward to working together with the Authority to meet these challenges in the future and continuing to have the best response standards in the country underpinned by the Prevention, Protection and Response agenda.

35/16 **Minutes**

Resolved that the minutes of the meeting held on 11 April 2016, be confirmed as a correct record.

36/16 **Membership of the Authority 2016/17**

The Clerk reported on the membership of the Authority for 2016/17.

37/16 **Questions on the 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:-

West Midlands Fire and Rescue Authority
27 June 2016

	<u>Lead</u> <u>Councillor</u>	<u>Substitute</u> <u>Councillor</u>
Birmingham	Idrees	Clinton
Coventry	Walsh	B. Singh
Dudley	Aston	Mottram JP
Sandwell	Edwards	Tranter
Solihull	Davis	Hogarth
Walsall	Young	Bennett
Wolverhampton	T Singh	Brackenridge

38/16 **Governance of the Authority 2016/17**

The Authority considered a report on governance of the Authority for 2016/17. The report set out amendments to the constitution and terms of reference of the Standards Committee, Audit Committee and Policy Planning Forum, a calendar of meetings for the year, Members Allowances and consequential amendments to other constitutional documents in light of decisions made with regard to governance arrangements for 2016/17.

Amendments and additions were made to:

Article 4 Matters for Authority:

- Finance and Land Matters

Article 5 Policy Planning Forum

Article 8 Audit Committee

Article 9 Standards Committee

Article 12 Joint Arrangements and Partnerships

In answer to a Member's question, it was confirmed that the financial contribution made by the Authority for membership of the West Midlands Combined Authority of £25,000, provides the ability to fully participate in the debate and work of the Combined Authority.

West Midlands Fire and Rescue Authority
27 June 2016

The CFO confirmed that both he and the Chair attended meetings and take a full part in the debate. Holding Observer status within the Combined Authority does not entitle the Authority to vote, however, it was confirmed that voting does not tend to take place.

The CFO attends the Programme Board with the Chief Executives of the seven District Councils and non-constituent members. West Midlands Fire Service and West Midlands Fire and Rescue Authority have taken up the lead status on Troubled Individuals.

Further engagement enhanced by all Members in their own councils was providing opportunities for sustainability. Currently the Service are providing Telecare services in the Coventry and Wolverhampton areas and the Service are looking to do more work in this area, together with hospital discharges and the added value of this work is becoming clearer.

Increases to Members Allowances have been frozen since 2011/12 and the Members travelling expenses scheme within the County remains suspended as the Authority's contribution towards savings. It was agreed to review this year by year.

Resolved:

- (1) that minor amendments to the constitution and terms of reference of the Standards Committee, Audit Committee and Policy Planning Forum as set out in section 3.2, be approved;
- (2) that member role descriptions as set out in Appendix 2, be approved;
- (3) that the calendar of meetings for 2016/17 as set out in Appendix 3, be approved;
- (4) that no percentage increase be made in members' allowances in 2016/17 by way of indexing or otherwise;
- (5) that the Members' Allowances Scheme for 2016/17 as set out in Appendix 4 be approved;

West Midlands Fire and Rescue Authority
27 June 2016

- (6) that in the light of the current financial situation, no action be taken for the time being with regard to convening an independent remuneration panel to review the members' allowances scheme and that the situation be reviewed prior to the AGM 2017;
- (7) that the Clerk be authorised to make any necessary consequential amendments to other constitutional documents in the light of decisions made with regard to governance arrangements for 2016/17.

39/16 **Political Balance and Membership of Committees and Panels 2016/17**

The Authority considered the constitution and political balance of committees and the assignment of members to committees and panels for 2016/17.

The Localism Act 2011 had implemented changes to the standards framework and independent members of the Standards Committee had now been replaced by an 'independent person' who must be consulted before any decision was taken on a complaint which had been investigated. The Authority had approved an arrangement whereby the independent persons appointed by Sandwell Council would also be used by the Authority. Mr Bell had been re-appointed as an independent person by Sandwell Council for the period expiring 30th June 2016 and had agreed to continue in his role for a further twelve months until the 30 June 2017 when this will be reviewed. In view of the low level of complaints activity at the Authority, it was suggested that the appointment of one independent person would be sufficient.

It was noted that at the meeting of the Authority held on 24th June 2013, Mr M Ager had been appointed as an independent member of the Audit Committee for a term of office expiring with the Annual Meeting of the Authority in 2016. Mr Ager had agreed to continue in this role until 30 June 2017. This would be reviewed at the AGM in 2017.

West Midlands Fire and Rescue Authority
27 June 2016

Resolved:

- (1) that the political balance and membership of committees and panels for 2016/2017, as set out in the Appendix to the report be approved;
- (2) that the appointment of Mr M Ager as an independent non-voting member on the Audit Committee be affirmed;
- (3) that the appointment to the roles of Chairs and Vice-Chairs of committees and panels, as set out in the Appendix be approved;
- (4) that the appointment of Mr F Bell to the role of independent person, appointed in pursuance of Section 28 of the Localism Act 2011, for the term of office expiring 30th June, 2017, be approved.

40/16 **Appointment of Representatives to Serve on Other Bodies**

The Authority considered the appointment of representatives to serve on other bodies during 2016/17.

Resolved:-

- (1) that the appointments of representatives to serve on other bodies, as set out in the Appendix to the report, be approved;
- (2) that the Chair (Councillor Edwards), (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 voted be allocated in accordance with proportionality of the Association.

41/15 **Member Attendance at Conferences, Seminars and Visits**

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

West Midlands Fire and Rescue Authority
27 June 2016

Resolved that the events for 2016/17, as set out in the report be approved for the purpose of the payment of travel and subsistence allowances and conference fees (where appropriate) subject to the necessary budgetary provision being available.

42/15 **Governance Statement 2015/16**

The Authority considered a report seeking their comments and consideration of the Annual Governance Statement for 2015/16 attached as Appendix 1 to the report. The Audit Committee had received the draft Governance Statement for 2015/16 at their meeting held on 6 June 2016.

Under the Local Government Act 1999 the Authority has responsibility for ensuring that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded. The Authority also has responsibility for proper arrangements for the governance of its affairs including arrangements for the management of Risk.

The Authority's Governance Statement was signed by the Chair of the Authority and Chief Fire Officer and was available to view at the end of June 2016.

Resolved that the Authority's Governance Statement 2015/16 be received.

43/16 **Future Governance of West Midlands Fire Service**

The Authority received a report on the Future Governance of the West Midlands Fire Service (WMFS). The Clerk outlined the purpose and stated that the report was to signal the Authority's intent to review the governance arrangements for WMFS. The review would be undertaken considering the options that currently exist around future governance; a Fire Authority or reduced Fire Authority, Police and Crime Commissioner (PCC), a possible future Mayoral model, including potential combination of Fire. The review would support Home Office expectations regarding accountability. Importantly, the review would ensure that any future governance model would support the delivery of services to the community in a value for money way.

West Midlands Fire and Rescue Authority
27 June 2016

The review will focus on the need for improved scrutiny of governance arrangements as well as measuring the outcome of current and future service delivery to the communities of the West Midlands and beyond.

The Clerk to the Authority gave a comprehensive overview the options to be considered by the 'Future Governance' working group, the approach and timeline to be adopted and the structure of the core working group. Members of the Authority had also received a presentation at the Policy Planning Forum on 6 June 2016.

The Chair thanked the Clerk for the overview and stated that the government have a clear view of the future for the Fire Service in England. WMFRA is prepared to consider the four options open to them and felt that the working group would provide evidence based recommendations to contribute to any further business cases for the future governance of the Fire Authority.

The Chair requested that the Sounding Board to be supplemented by the Executive Committee.

It was noted by one Member of the Authority that the Policing and Crime Bill (the Bill) introduces a duty for each of the emergency service to collaborate more, however, he felt that WMFS already lead the way in respect of collaboration.

The suggested structure of the Future Governance Working Group was:

- 5 Authority Members
- 5 External Stakeholders; PCC office, Health expert, WMCA Office and Home Office Representative
- CFO as an advisor
- External Independent Chair – Price Waterhouse Coopers (Clerk to the Authority and Officer to support above)

The Chair stated although down to local determination, the government see the PCC as taking the lead through the Police and Crime Bill but would need to develop a business case. The business case would then be presented to the Home Secretary.

West Midlands Fire and Rescue Authority
27 June 2016

Where local agreement cannot be reached the Home Secretary would look for an independent review of the business case, however, the nature of this review was still under discussion between the LGA and the Home Office.

The Working Group would look at the options and report back to the Authority with a series of recommendations.

It was noted that there would be five Authority Members on the Working Group and the first meeting would be held in July. The Terms of Reference and Scoping Document would be available after the first meeting and there would be four Members of the Controlling Group (Labour) and one Member of the Opposition (Conservative).

It was requested that all political parties should have representation on the group i.e. two Members of the Controlling Group, one Member of the Opposition Group, one Member of UKIP and one Member of the Liberal Democrats. Or, there could be two Members of the Controlling group, two from the Opposition and one Member of the Liberal Democrats.

It was held that the working group would consist of four Members of the controlling group and one Member of the opposition.

Expenses would be paid to the Independent Chair once they had been identified.

The Chair was asked if, as highlighted in the report, political balance or representation from all Authority areas had been taken into account in respect of the working group arrangements.

In response, the Chair stated the only way to have one representative from each authority area (7 in total) would also mean that 7 independent members would also need to be appointed and the working group would be over populated. All local authorities would be represented by the Sounding Board, where Members of each authority would be able to contribute.

The Chair reiterated that there would be four Members of the Leading Group and one member of the Opposition Group and the Sounding Board will play a scrutiny role via the Executive Committee.

West Midlands Fire and Rescue Authority
27 June 2016

All Members of the Authority can and do attend the Committee.

The nominations were:

Councillor John Edwards, Chair
Councillor Mohammed Idrees, Vice Chair
Councillor Lynda Clinton
Councillor Greg Brackenridge
Councillor Stuart Davies

Following a vote, the nominations to the working group were agreed with one abstention.

Resolved:

- (1) that the strategy as proposed in the report concerning reform of the West Midlands Fire and Rescue Authority be approved.
- (2) that the implementation of a 'Future Governance' working group be approved.
- (3) that the outcomes, purpose, approach and timeline for the 'Future Governance' working group as set out in the report be approved.

44/16 **Monitoring of Finances**

In response to a Members question regarding refurbishments to a building known as the "Old Bank", the Treasurer confirmed that the building had been part of the Property Report to the Authority in February 2016. The building would require circa £100,000 to be spent to bring it back into use, but a modest amount of up to £15,000 would be set aside in the revenue budget to improve the appearance of the building. Options were still being considered as to whether any work could be carried out via a Youth Training Scheme.

The Authority were informed that the Coventry City Council Planning Committee had approved the Planning Application for the new Coventry Fire Station. The Members from Coventry City Council on the Authority were thanked for their support with the application.

West Midlands Fire and Rescue Authority
27 June 2016

The Authority noted a report on the Monitoring of Finances to the end of May 2016.

45/16 **Annual Report of the Audit Committee 2016/17**

The Annual Report of the Audit Committee was received.

46/15 **Annual Report of the Scrutiny Committee 2016/17**

The Chair of the Scrutiny Committee presented a short report on the positive prevention work and the CFO stated that the attendance of the Chair of the Scrutiny Committee at Quarterly Performance Reporting meeting was of value. The CFO reiterated that the 26,000 Safe and Well visits undertaken were the new way of fighting fires, managing call demand and managing down risk in the community.

The Annual Report of the Scrutiny Committee was received.

47/16 **Minutes of the Audit Committee**

The minutes of the Audit Committee held on 15 June 2016 were received.

48 /16 **Minutes of the Executive Committee**

The minutes of the Executive Committee held on 21 March 2016 were received.

49/16 **Notes of the Policy Planning Forum**

The notes of the Policy Planning Forum held on 21 March 2016 were received.

50/16 **Minutes of the Audit Committee**

The minutes of the Audit Committee held on 11 April 2016 were received.

West Midlands Fire and Rescue Authority
27 June 2016

51/16 **Notes of the Joint Consultative Panel**

The notes of the Joint Consultative Panel held on 11 April 2016 were received.

52/16 **Minutes of the Appointments Committee**

The minutes of the Appointments Committee held on 2 June 2016 were received.

53/16 **Notes of the Policy Planning Forum**

The notes of the Policy Planning Forum held on 6 June 2016 were received.

54/16 **Minutes of the Audit Committee**

The minutes of the Audit Committee held on 6 June 2016 were received.

55/16 **Minutes of the Scrutiny Committee**

The minutes of the Scrutiny Committee held on 6 June 2016 were received.

56/16 **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 Schedule 12A to the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 relating to the financial or business affairs of any particular person (including the authority holding that information) and information relating to any action taken, or to be taken in connection with the prevention, investigation or prosecution or crime).

West Midlands Fire and Rescue Authority
27 June 2016

57/16 **Fire Control Update**

The Authority received an update on the proposal to relocate both Primary Fire Control and Secondary Fire Control facilities, Secondary Fire Control from the Academy to the Command Development Centre (CDC) site in Smethwick, and Primary Fire Control from Safeside into the main Headquarters building.

Fire Control was moved into Safeside as a temporary measure prior to the move the proposed Regional Fire Control Centre in Wolverhampton. However, this scheme was cancelled by the government. The impact of the proposed HS(2) Railway works and the risk of prolonged periods of disruption, together with a need to change the way the Service wishes to operate as an organisation have provided an opportunity to bring Fire Control into the main building.

Compensation for the move will be applied for through the 'compensation code' within the HS2 project. The moves should be completed in 12 – 18 months. However it should be noted that HS2 has not received Royal Assent or agreed to fund the above move.

In answer to a member's question, the Deputy Chief Fire Officer confirmed that the Service had a statutory duty to manage and maintain arrangements for dealing with calls for help and for summoning personnel and was happy to provide further details of the move outside the meeting.

It was also confirmed that the move would not affect the leased parts of Headquarters and there was enough space to accommodate Fire Control in the centre of the building and would incorporate the Incident Room. A full architectural check would also be made.

There had been a level of interest in the Academy building and market conditions would provide the most appropriate price.

Resolved that the proposal to relocate both Primary and Secondary Fire Control be approved.

(The meeting ended at 1230 hours)

West Midlands Fire and Rescue Authority
27 June 2016

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