

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

22nd June, 2009 at 11.00 am
at the Fire Service Headquarters, Birmingham

Present: Councillors Alden, Ali Khan, Andrew, Chambers, Clinton, S Davis, Delaney, Douglas-Maul, Eustace, Gazey, Hinton, Idrees, Jones, O'Neill, F Robinson, M Robinson, Ryder, Singh, Skinner, Spence, Stevenson, Tagger, Turner and Ward.

Observer: Mr Topliss.

Apologies: Councillors G Davies, Mulhall and Sutton;
Messrs Ager and Denny.

42/09 **Election of Chairman**

Resolved that Councillor Ward be elected Chairman of the Authority for the period ending with the annual meeting in 2010.

43/09 **Election of Vice-Chairman**

Resolved that Councillor S Davis be elected Vice-Chairman of the Authority for the period ending with the annual meeting in 2010.

44/09 **Declaration of Interests**

Nil.

45/09 **Chairman's Announcements**

The Chairman welcomed Councillors Andrew and F Robinson to their first meeting of the Authority. He also introduced Stuart Kellas, who was proposed to succeed Lynda Bateman as Treasurer of the Authority on her retirement. Members expressed their appreciation for the contribution to the work of the Authority made by Mrs Bateman during her period as Treasurer, particularly her assistance with the New Headquarters project.

The Chairman encouraged Members to attend the Brigade's Schools Quiz to be held at the Training Centre on 14th July, 2009 at 6 pm.

He also informed Members that officers from the Brigade had featured in a recent BBC news report on the International Search and Rescue Team, which was shown for Members' information. The officers involved were present to answer Members' questions.

The Chairman also made awards to the following personnel:

- Members of Northfield Blue Watch who were local winners of the Trauma Challenge, part of the Road Traffic Collision Challenge. The Team would be going on to participate in the national competition later in the year.
- The Northfield Blue Watch Team had also participated in the Devon and Somerset Regional Challenge [winning awards for Best Team, Best Technical Operational Team and Best Incident Commander] and the Yorkshire and Humber Regional Challenge [winning the overall award and awards for Best Technical Team, Best Officer in Charge and Best Medic].
- The Brierley Hill Red Watch who were winners of the West Midlands Brigade and Regional Trophy in respect of the Road Traffic Collision Challenge. The Team also won Best Incident Commander and shared the award for Best Technical Team with Northfield Blue Watch. The Team would be representing the West Midlands Fire Service in the national Road Traffic Collision Challenge.

The Chairman and Members also congratulated officers who had recently taken part in the Executive Stretch exercise, taking part in exercises designed to develop leadership, teamwork and communication. The team had raised over £1,000 for the Help for Heroes charity.

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46/09 **Minutes**

Resolved that the minutes of the meeting held on 20th April 2009, be confirmed as a correct record.

47/09 **Membership of the Authority 2009/2010**

The Clerk reported on the membership of the Authority for 2009/2010.

48/09 **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	Alden	Eustace
Coventry	Gazey	
Dudley	Ryder	
Sandwell	Hinton	
Solihull	S Davis	
Walsall	Douglas-Maul	Andrew
Wolverhampton	O'Neill	Stevenson

49/09 **Governance of the Authority 2009/2010**

The Authority considered a report on governance of the Authority for 2009/2010.

Members welcomed the work being carried out to update the employee relations policy and to confirm the role of the Joint Consultative Panel. Members asked for an early sight of the proposed terms of reference for the Panel and the opportunity to have a discussion on this at the Policy Planning Forum.

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Members also asked for a report in due course on the application of the Local Government Pension Scheme to elected Members of the Fire Authority.

Resolved:-

- (1) that the Member portfolios for 2009/2010 and the constitution and terms of reference of committees and panels, as set out in Appendices 1 and 2, be approved;
- (2) that the calendar of meetings for 2009/2010 set out in Appendix 3 be approved;
- (3) that the revised Standing Orders of the Authority, as set out in Appendix 4, be approved;
- (4) that Mr Stuart Kellas, incoming Executive Director of Finance and Corporate Services for Sandwell Council, be appointed as Treasurer to the West Midlands Fire and Rescue Authority with effect from 1st September, 2009;
- (5) that the Clerk report in due course on the application of the Local Government Pension Scheme to elected Members of the Fire Authority.

50/09 Political Balance and Membership of Committees 2009/2010

The Authority considered the constitution and political balance of Committees and the assignment of Members for 2009/2010.

It was proposed that the number of seats allocated to the Labour Group on the Executive Committee be increased from two to four. The Clerk was asked to consider what effect this would have on proportionality; to report back to the leaders of the political groups on the Authority; and to implement the change if group leaders were in agreement.

Resolved:-

- (1) that the constitution and political balance of the Committees and Advisory Bodies established under Minute No 49/09 above for the period ending with the annual meeting of the Authority in 2010 be as set out in Appendix 5, subject to the number of seats allocated to the Labour Group on the Executive Committee being increased from two to four if there is no objection from the political group leaders;
- (2) that the appointment of the following persons who are not elected Members to the bodies indicated be confirmed for the period ending with the annual meeting of the Authority in 2010:

Standards Committee

Messrs Bagley, Denny and Topliss [with voting rights]

Audit Committee

Mr Ager [without voting rights]

- (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 6;
- (3) that the Chairs and Vice-Chairs of committees be as indicated in Appendix 6;
- (4) that the Chair and Vice Chair of the Standards Committee be elected from amongst the independent Members at the first meeting of the Committee in the current year;
- (5) that Members be appointed as the Lead and Deputy Lead Members as indicated in Appendix 6.

51/09 **Appointment of Representatives to Serve on Other Bodies**

The Authority considered the appointment of representatives to serve on other bodies during 2009/2010.

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Resolved:-

- (1) that the Chairman (Councillor Ward) 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 2010;
- (2) that the Chairman and Vice-Chairman (Councillors Ward and S Davis 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 2010;
- (3) that the Chairman (Councillor Ward) (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 1;
- (4) that the Chairman (Councillor Ward) 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 2010;
- (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 2010;
- (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 2010:-

Association - Observer Member

Chairman of the Authority - Councillor Ward (substitute: Councillor S Davis);

Provincial Council

Councillor Gazey;

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- (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 2010;
- (8) that Councillor Ward be appointed as the Authority's nominated Director of the West Midlands Fire and Rescue Services Regional Control Centre Limited Company in place of Peter Howard whose appointment hereby terminates;
- (9) that Councillor M Robinson 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 2010.

52/09 Delegations to Chief Officers

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

Resolved:

- (1) that the list of powers delegated to the Authority's Chief and Statutory Officers, as set out in Appendix 7, be approved, subject to the clarification of the wording of items E5(2) and (3) and E6 in paragraph 2.22 (Firemen's Pension Scheme);
- (2) that, with regard to item 3.2 in the list of delegations (Standing List of Tenderers), the Chief Fire Officer prepare a report to the Audit Committee on the background to this delegation.

53/09 Member Attendance at Conferences, Seminars and Visits

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

Members sought clarification of the purpose of monitoring visits to fire stations.

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Members discussed the purpose of the Annual Visit to Parliament and how more could be achieved from such visits in the future.

Resolved:

- (1) that the events for 2009/2010 set out in Appendix 8 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; and
- (2) that the attendance of the Chairman, Vice-Chairman and Chief Fire Officer at a meeting of Metropolitan Fire Authorities to be held at the Local Government Association Conference in Harrogate during July, 2009 be approved for the purpose of the payment of travel and subsistence allowances;
- (3) that the Chief Fire Officer ensure that all Members have received the information pack with regard to monitoring visits to fire stations.

54/09

Governance Statement 2008/2009

The Authority considered its Governance Statement for 2008/2009.

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 had operated throughout the year ended 31st March 2009 and up to the date of the approval of the annual report and accounts.

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.

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Resolved that the Authority's Governance Statement for 2008/2009 be approved.

55/09 Statement of Accounts 2008/09

The Authority was asked to approve its Statement of Accounts for the financial year ended 31st March 2009 and its backward looking efficiency statement for 2008/09. The Treasurer dealt with Members' queries on the accounts. She indicated that it had been possible to make further efficiency savings in the region of £1m, and was satisfied that the level of overall reserves was now adequate.

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 2009, and the backward looking 2008/09 efficiency statement, be approved.

56/09 Annual Report of the Audit Committee

The Chairman of the Audit Committee presented the Annual Report of the Committee for 2008/09. He thanked all Members of the Audit Committee for their diligence and perseverance during the year.

57/09 Monitoring of Finances

The Authority noted a report on the monitoring of finances up to the end of May, 2009.

58/09 Analysis of Progress towards Key Objectives – Fourth Quarterly Report 2008/09

The Authority noted the progress made in delivering departmental and operations command areas 2008/09 Action Plans. The Lead Members for Performance Management had monitored this matter at regular meetings with officers throughout the year.

59/09 **Operational Performance Targets**

The Authority noted achievements made against the operational performance targets detailed in the Authority's 2008/09 Annual Service Plan.

There had been significant achievements in reducing arson and fires in the home, and a contributory factor had been increased investment in fire prevention.

The Authority noted the cost related to this area of service and the overall downward trend in the annual number of incidents since 1996/97.

Members expressed concerns over the number of false alarms. The Chief Fire Officer indicated that these calls were reducing due to continuing fire service initiatives.

60/09 **Sutton Coldfield Fire Station - Easements**

The Authority was informed that there had been a change in ownership of Sutton Coldfield Magistrates' Court arising from which it was necessary to determine the boundaries of the adjacent Sutton Coldfield Fire Station site and to agree mutual rights of access in respect of the Fire Station and the Magistrates' Court.

Resolved that approval be given for the Authority to grant and take such mutual easements as are considered appropriate by the Chief Fire Officer for the support, protection and maintenance of the Sutton Coldfield Fire Station and the Sutton Coldfield Magistrates' Court and to confirm the position of the boundary between the Sutton Coldfield Fire Station and the Sutton Coldfield Magistrates' Court to the satisfaction of the Chief Fire Officer.

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61/09 Consultation on the Regulation of Investigatory Powers Act 2000

The Authority was informed that Fire Service Circular 29/2009 requested responses from Fire Authorities with regard to Home Office proposals to review the Regulation of Investigatory Powers Act, 2000, in particular views as to whether Fire and Rescue Authorities (FRAs) should continue to maintain their status as 'listed bodies' for the purposes of the Act, and if so, to provide robust evidence of how FRAs could use the Act. A draft response was submitted for consideration.

Resolved that the report be noted, and that the Chairman be authorised to finalise the response to the Home Office.

62/09 Minutes of the Executive Committee

The minutes of the meeting held on 18th May 2009 were received.

63/09 Minutes of the Audit Committee

The minutes of the meeting held on 8th June 2009 were received.

64/09 Minutes of the Standards Committee

The minutes of the meeting held on 18th May, 2009 were received.

65/09 Notes of the Policy Planning Forum

The notes of the meeting held on 18th May 2009 were received.

66/09 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 or business affairs of any particular person (including the authority holding that information).

67/09

Supply and Installation of Replacement Boiler Plant and Associated Services Contract Award

The Chief Fire Officer reported that a review of the condition and suitability of all boiler plant and associated mechanical and electrical services across the Brigade had been undertaken and three fire stations had been identified as priority for work to be undertaken.

The cost of the works was approximately £490,000 which could be met from an earmarked reserve identified during the 2007/08 and 2008/09 Closedown of Accounts process.

Tenders were invited from six companies and the returned tenders were opened in the presence of the Vice Chairman on 30th April, 2009. The results of the tender evaluation exercise were submitted for consideration.

Resolved that contracts for the supply and installation of replacement boiler plant and associated services be awarded as follows:

Tomlinson Ltd	Sutton Coldfield Fire Station	£170,600
Tomlinson Ltd	Tipton Fire Station	£125,900
S G Maintenance Ltd	Coventry Fire Station	£193,100

68/09

Temporary Agency Staff Award

The Authority was informed that tenders had been invited via the Thames Valley Police Authority's contract for temporary and agency staff services, for the provision of those services for the West Midlands Fire Service for a three year period commencing on 1st July, 2009, with the possibility of a further one year extension.

The cost of the service would be dependent on use but was estimated to be approximately £200,000 per annum.

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Four companies had submitted a tender which had been opened in the presence of the Chairman and Vice Chairman on 20th April, 2009. The results of the tender evaluation exercise were submitted for consideration.

Resolved that the award of the contract to Randstad UK, for the supply of temporary and agency staff, be approved.

69/09 Retirement of Lynda Bateman

The Chairman presented Lynda Bateman with a retirement gift. Mrs Bateman had been Treasurer of the Authority since June 2003 and would be retiring on 31st August 2009.

Members and officers thanked Mrs Bateman for her service with the Authority and wished her a long and happy retirement.

(Meeting ended at 12.38 pm)

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