

Minutes of the West Midlands Fire and Rescue Authority

**19 February 2018 at 1100 hours at
Fire Service Headquarters, Vauxhall Road, Birmingham**

Present: Councillor John Edwards (Chair)
Councillor Mohammed Idrees (Vice Chair);
Councillors Allcock, Aston, Atwal-Singh, Barlow,
Booth, Brackenridge, Cartwright, Clinton, Craddock,
Davis, Douglas-Maul, Eustace, Hogarth, Male, Miks,
Mottram, T. Singh, P Singh, Spence, Tranter, Walsh,
Williams and Young

1/18 Apologies for Absence

Councillors Barrie and Sealey

2/18 Declarations of Interest in contracts or other matters

Councillor Edwards and Brackenridge declared a non-pecuniary interest in Minute No. 6/18 below (Monitoring of Finances).

3/18 Chair and Chief Fire Officer's Announcements

There were no announcements.

4/18 Minutes of the Fire Authority held on 19 November 2017

Resolved that the minutes of the Fire Authority meeting held on 19 November 2017, be confirmed as a correct record. It was noted that Cllr Sealey was not in attendance on 19 November 2017.

5/18 **Budget and Precept 2018/2019 and Budget Forecast
2019/20 to 2020/2021**

The Authority considered a report on the Authority's Net Revenue Budget for 2018/19, the consequent additional 2.99% Band D Precept Level increase and the resultant amount payable by each constituent District Council, the Capital Programme for 2018/19 to 2020/2021, the Treasury Management Strategy including the Minimum Revenue Provision Statement and Prudential Indicators.

As part of the settlement for 2016/17 an offer was made for a multi-year funding settlement. In order to take up the four-year funding settlement to 2019/20, the Authority considered and approved the Efficiency Plan on 19 September 2016 which was submitted to the Home Office.

On 19 December 2017, the Secretary of State for Communities and Local Government (CLG) had announced the provisional settlement for 2018/19 at £53.030m resulting in a core funding reduction of £1.673m. The Government also proposed a Council Tax referendum threshold of 3% for Fire and Rescue Authorities.

The four-year settlement offer announced in December 2016 (provisional for 2017/18 – 2019/20) would result in the following core funding reductions:

- 2016/17 £3.278m
- 2017/18 £3.962m
- 2018/19 £1.673m
- 2019/20 £1.006m

A total reduction over the four-year period (2016/17 - 2019/20) of £9.919m (16% of the 2015/16 core funding).

The CLG confirmed the Authority's 2018/19 total core funding on the 6 February 2018.

The projected budget included a number of efficiency measures which were set out in the Efficiency Plan as well as enabling any actions to be undertaken arising out of the Authority's Corporate Risk Register. The Corporate Risk Register had identified a number of major risks that would seriously affect the Authority's ability to carry out its functions. The nature of the risk had made it difficult to quantify any funding impact that would arise were the risk to materialise and in the short term would result in a demand on the Authority's General Balances.

During 2017/18 only extremely limited recruitment activity for some essential support staff had taken place. Recruitment of firefighters had taken place during the year due to the need to maintain staffing levels in line with the numbers required for the operational staffing level (1,220) to meet the Authority's approved Service Delivery Model. The situation will need to be closely monitored and reviewed in the future in respect of funding.

The Chancellor announced in the Spending Review in November 2015 the intention to localise 100% of business rates to local authorities by 2019/20, however the Local Government Finance Bill fell when Parliament was dissolved for the General Election. The Government is still committed to the reforms.

The Secretary of State for CLG announced in the provisional settlement for 2018/19 of the Government's aim to increase the local share of business rates retention to 75% in 2020-21.

The Authority consulted the public in January 2017 providing the public with an opportunity to influence how the Service works. A review of the Community Safety Strategy (the Integrated Risk Management Plan) confirmed that there had been no significant change to the risk profile of the West Midlands, therefore, there would be no significant change to the Authority's priorities and outcomes set out in The Plan 2018 – 2021.

All City/Metropolitan Councils had formally set their Council Tax base and had notified the Authority accordingly. The Council Tax at Band D for 2018/19 would be £58.84 an increase of 2.99% (£1.70) per annum, the lowest precept for any stand alone fire authority.

The Council Tax amounts to £41,296,308 split between the constituent Local Authorities.

The final figures from external funding sources had now been notified and totalled £95.468 million. Included is an estimate that the Authority would generate income of £3,877m.

The Authority noted that the available General Balances at 1 April 2018 was estimated at £8.4 million, this equates to 8.8% of the Authority's 2018/19 Net Revenue Budget. The actual level of General Balances at 1 April would not be determined until the completion of the Authority's 2017/18 closedown of accounts process.

The overall funding would require the use of £1.5 million General Balances to support the 2018/19 Net Revenue Requirement, which included an estimated 2% pay award assumption (compared to 1% allowed for when the Efficiency Plan was established) and ongoing service transformation changes. This would result in General Balances being approximately £6.9 million by the end of 2018/19 (7.2% of the Authority's 2018/19 Net Revenue Budget).

The full year impact of a 1% pay award on the Authority's expenditure is significant (approximately £800k per year). The Efficiency Plan linked to the four-year Government settlement period (2017/18 – 2019/20) was based on a public sector pay cap of 1% per year. At the Autumn Budget on 22 November 2017, the Government confirmed the "end of the 1% pay policy". Given the mounting pressures to increase public sector pay awards, an uplift in the pay award assumptions to 2% in each of the next three financial years was considered appropriate.

Due to the estimated scale of Government funding reductions in future years, increased budget pressures (particularly the impact of high pay award assumptions) and the need to assist with transformational service changes, the further use of General Balances was anticipated in 2019/20 and 2020/21. Whilst the Government settlement figures up to 2019/20 have provided some greater funding certainty than previously, additional budget pressures, for example anticipated increases in firefighter pension employer rates, further anticipated Government funding reductions beyond this time period and a

lack of any direct capital and transformation funding being available, would mean that the level of General Balances is estimated to be approximately £5m by the end of 2020/21, which is considered appropriate given the issues highlighted. It was recognised that the use of General Balances was not a sustainable means of funding the Authority's revenue budget. Consideration would need to be given to further Services changes, in addition to those reflected within the Efficiency Plan, to reduce the reliance on General Balances over the next three-year period and/or aim to set a budget beyond this point without reliance on the use of General Balances.

The Capital Programme has been monitoring during the year and the specific projects were set out in the capital programme. No specific announcements had been made by the CLG in relations to capital funding, as a consequence, it was anticipated that there would be a capital funding shortfall of circa £2 million in 2020/21. Consideration would need to be given to identify funding to meet this requirement as part of the 2017/18 closedown of accounts process.

West Midlands Fire Service's Treasury Management functions are provided by Sandwell MBC, who have, in turn, appointed external advisors to support them. The Treasury Management Strategy for 2018/19 was set out in the report.

The budgetary planning is closely linked with the delivery of the Plan and in order to take up the four-year funding settlement and the Authority, at its meeting on 19 September 2016, considered and approved the Efficiency Plan for submission to the Home Office. It is anticipated that work will continue to focus on: staffing, alternative funding, internal restructures and general budget reductions.

The robustness of the budget preparation and adequacy of reserves had been assessed and determined using a variety of mechanisms.

The current level of reserves are considered to be sufficient in all but the most unusual and serious combination of possible events and best endeavours have been made to ensure that the budget and reserves are adequate using the information available at this date.

Resolved:

- (1) That the Authority's Net Revenue Budget for 2018/19 of £95,468m which includes a Council Tax requirement of £41,296m, together with the associated precept levels and resulting Band D Precept Increase of 2.99%, as now submitted, be approved;
- (2) that the Authority's capital programme for 2018/19 to 2020/2021, as submitted, be approved;
- (3) that the Authority's Treasury Management Strategy which includes the Minimum Revenue Provision Statement, and the Prudential Indicators, as now submitted, be approved;
- (4) that it be noted that the constituent District Councils have formally set their Council Tax bases for the year 2018/19 in accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992 made under Section 33 (5) of the Local Government Finance Act 1992 as follows:-

	Tax Base
Birmingham	248,838.00
Coventry	80,815.40
Dudley	91,427.39
Sandwell	72,206.05
Solihull	75,972.00
Walsall	69,742.96
Wolverhampton	<u>62,816.47</u>
	<u>701,818.27</u>

- (5) that the following amounts be now calculated by the Authority for the year 2018/19 in accordance with Sections 40 to 48 of the Local Government Finance Act 1992.
 - (i) £115,222,000 being the aggregate of the amounts which the Authority estimates for the items set out in Section 42A(2)(a) to (d) of the Act.

- (ii) £73,925,692 being the aggregate of the amounts which the Authority estimates for the items set out in Section 42A(3)(a) to (b) of the Act.
- (iii) £41,296,308 being the amount by which the aggregate at 5(i) above exceeds the aggregate at (5)(ii) above calculated by the Authority in accordance with Section 42A(4) of the Act as its council tax requirement for the year.
- (iv) £58.84 being the amount (5)(iii) above divided by the total amount at (4) above, calculated by the Authority in accordance with Section 42B(1) of the Act as the basic amount of its Council Tax for the year.

(6) Valuation Bands

	£ (to 6 decimals)	£ (rounded to 2 decimals)
A	39.227921	39.23
B	45.765907	45.77
C	52.303894	52.30
D	58.841881	58.84
E	71.917855	71.92
F	84.993828	84.99
G	98.069802	98.07
H	117.683.762	117.68

being the amounts given by multiplying the amount at (5)(iv) above by the number which in the proportion set out in Section 5(1) of the Act is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Authority in accordance with Section 47(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

£

(7) Resultant precepts:

Birmingham City Council	14,642,096
Coventry City Council	4,755,330
Dudley MBC	5,379,760
Sandwell MBC	4,248,740
Solihull MBC	4,470,336
Walsall MBC	4,103,807
Wolverhampton City Council	<u>3,696,239</u>
Total	<u>41,296,308</u>

being the amounts given by multiplying the amount at (5)(iv) above by the appropriate tax base at 4 above in accordance with section 48(2) of the Act, as the amount of precept payable by each constituent District Council.

(8) that the precept for each District Council as calculated at 5(iv) above be issued in accordance with Section 40 of the Local Government Finance Act 1992.

There was unanimous support for the Budget and Precept 2018/19.

Following the meeting, The Budget and Precept 2018/19 and Budget Forecast 2019/2020 to 2020/2021 required an amendment to reflect Wolverhampton City Council's Tax Base of 62,959.19.

Resolved that the amendment, as set out below, be approved.

WEST MIDLANDS FIRE AND RESCUE AUTHORITY

19 FEBRUARY 2018

1. BUDGET AND PRECEPT 2018/2019 AND BUDGET FORECAST 2019/2020 TO 2020/2021 - AMENDMENT

Report of the Treasurer.

RECOMMENDED

1.1 THAT the following amendment be approved:-

- 1.1.1 The Authority's Net Revenue Budget for 2018/2019 of £95.477m which includes a Council Tax requirement of £41.305m, set out in Appendix A, together with the associated precept levels, set out in Appendix B, resulting in a Band D Precept increase of 2.99%.

2. PURPOSE OF REPORT

Approval is sought to amend the 'Budget and Precept 2018/2019 and Budget Forecast 2019/2020 to 2020/2021' report approved by the West Midlands Fire and Rescue Authority at its meeting on 19 February 2018 to reflect Wolverhampton City Council's Tax Base of 62,959.19.

3. BACKGROUND

- 3.1 Wolverhampton City Council approved their Council Tax Base at its meeting of the Cabinet (Resources) Panel on 16 January 2018 at 62,816.47. This was subsequently amended to 62,959.19 but the original Council Tax Base of 62,816.47 was reflected in the report to the Authority on 19th February.
- 3.2 The impact of an increase in the Council Tax Base by 142.72 on the Authority is additional precept income from Wolverhampton City Council of approximately £8.4k.
- 3.3 Sections 4 & 5 and Appendices A & B of the original Authority report have been amended to reflect the revised Council Tax Base figure for Wolverhampton City Council.

4. **PRECEPT 2018/2019**

- 4.1 Under the Council Tax arrangements, the allocation of the total sum required by the Authority between constituent District Councils is based on the relevant tax base for each District.
- 4.2 All District Councils have now formally set their Council Tax base and have notified the Authority accordingly. The total relevant Council Tax base for the Authority is 701,960.99 (689,149.00 in 2017/18).
- 4.3 The appropriate precept has now been calculated for each District and is set out in Appendix B, paragraph 1.4, for the Authority's approval.
- 4.4 The Council Tax at Band D for 2018/19 would be £58.84, an increase of 2.99% (£1.70) per annum.

5. **FUNDING OF EXPENDITURE 2018/2019**

The final figures from external funding sources have now been notified and are included in the table below:

	£000
Core Funding	53,030
Section 31 Grant	676
Share of Collection Fund Surplus / (Deficit)	466
Council Tax (met by Districts)	41,305
Net Revenue Budget	95,477

In addition to external funding, it is estimated that the Authority will generate income of £3.877m (£3.334m in 2017/18) (Appendix D).

APPENDIX A

WEST MIDLANDS FIRE AND RESCUE AUTHORITY

SUMMARY OF 2017/2018 AND 2018/2019 BUDGET

	Original Budget 2017/18 £000s	Revised Budget 2017/18 £000s	Original Budget 2018/19 £000s
<u>Expenditure</u>			
Employees	83,360	84,093	85,215
Premises	5,213	5,364	5,643
Transport	1,358	1,321	1,340
Supplies & Services	7,203	7,768	7,304
Capital Financing	15,527	9,078	15,620
Appropriations to Reserves	100	412	100
Total Expenditure	112,761	108,036	115,222
<u>Income</u>			
Core Funding (Formula Grant)	(54,703)	(54,703)	(53,030)
Other Government Grant	(1,045)	(1,606)	(1,890)
Income from Services	(3,334)	(3,381)	(3,877)
Collection Fund (Surplus) / Deficit	(768)	(768)	(466)
Appropriations from Reserves	(13,534)	(8,201)	(14,654)
Total Income	(73,384)	(68,659)	(73,917)
COUNCIL TAX REQUIREMENT	39,377	39,377	41,305
Collection Fund Surplus / (Deficit)	768	768	466
Core Funding (Formula Grant)	54,703	54,703	53,030
Section 31 Grant	-	-	676
NET REVENUE BUDGET	94,848	94,848	95,477

APPENDIX B

WEST MIDLANDS FIRE AND RESCUE AUTHORITY

BAND D PRECEPT INCREASE OF 2.99%

- 1.1 THAT it be noted that the constituent District Councils have formally set their Council Tax bases for the year 2018/2019 in accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992 made under Section 33(5) of the Local Government Finance Act 1992 as follows:

	Tax Base
Birmingham	248,838.00
Coventry	80,815.40
Dudley	91,427.39
Sandwell	72,206.05
Solihull	75,972.00
Walsall	69,742.96
Wolverhampton	62,959.19
	<hr/>
	701,960.99

- 1.2 THAT the following amounts be now calculated by the Authority for the year 2018/2019 in accordance with Sections 40 to 48 of the Local Government Finance Act 1992:
- 1.2.1 £115,222,000 being the aggregate of the amounts which the Authority estimates for the items set out in Section 42A(2)(a) to (d) of the Act.
- 1.2.2 £73,917,295 being the aggregate of the amounts which the Authority estimates for the items set out in Section 42A(3)(a) to (b) of the Act.

1.2.3 £41,304,705 being the amount by which the aggregate at 1.2.1 above exceeds the aggregate at 1.2.2 above calculated by the Authority in accordance with Section 42A(4) of the Act as its council tax requirement for the year.

1.2.4 £58.84 being the amount at 1.2.3 above divided by the total amount at 1.1 above, calculated by the Authority in accordance with Section 42B(1) of the Act as the basic amount of its Council Tax for the year.

1.3	<u>Valuation Bands</u>	£ (to 6 decimals)	£ (rounded to 2 decimals)
	A	39.227921	39.23
	B	45.765907	45.77
	C	52.303894	52.30
	D	58.841881	58.84
	E	71.917855	71.92
	F	84.993828	84.99
	G	98.069802	98.07
	H	117.683762	117.68

being the amounts given by multiplying the amount at 1.2.4 above by the number which in the proportion set out in Section 5(1) of the Act is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Authority in accordance with Section 47(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

1.4 Resultant precepts:

	£
Birmingham City Council	14,642,096
Coventry City Council	4,755,330
Dudley MBC	5,379,760
Sandwell MBC	4,248,740
Solihull MBC	4,470,336
Walsall MBC	4,103,807
Wolverhampton City Council	3,704,636
Total	41,304,705

being the amounts given by multiplying the amount at 1.2.4 above by the appropriate tax base at 1.1 above in accordance with section 48(2) of the Act, as the amount of precept payable by each constituent District Council.

- 1.5 THAT the precept for each District Council as calculated at 1.4 above be issued in accordance with Section 40 of the Local Government Finance Act 1992.

6/18 **Monitoring of Finances**

The Authority noted the Monitoring of Finances report up to and including January 2018, which included revenue expenditure and the capital programme. The assumptions had been updated as part of the preparation process for the 2018/19 Budget.

The Authority's 2017/18 Council Tax requirement is £39.377 million and the revenue budget is £95.569 million. As part of the Authority's 2018/19 budget setting process the current year's budget has been revised and reflects an estimated transfer to earmarked balances of £0.300 million. The Actual spend to January 2018, including commitments, was £80.229 million compared to a projected budget of £80.247 million, an overall favourable variance of £0.018 million.

Statistical data relating to the Firefighters' Pension Scheme was provided and the figures were in line with assumptions.

The Authority's approved capital programme for 2017/18 is £13.823 million. Expenditure to the end of January 2018 is shown as £2.711 million.

The main forecast variances within the capital programme related to:

- Coventry Fire Station, due to an extension to demolition timescales predominantly arising from asbestos relates issues. The development phase of the project started in October 2017.
- Aston Fire Station, the listed status of the site had required extensive consultation. The planning application was submitted on 15 September 2017 and approval was given on 15 January 2018.
- Vehicle Replacement Programme, the completion of Pump Rescue Ladder appliances was now anticipated in the second quarter of 2018/19 together with slippage on a number of ancilliary vehicles.

7/18 **The Plan 2018 – 2021**

The Authority considered the revised Outcomes, which the Vision statement and Priorities of The Plan for 2018-2021 which are derived from the Integrated Risk Management Plan (IRMP). The changes were designed to enable the Service to sufficiently respond and react to the increasingly changing environment of the public sector.

As part of the review of the rolling three year-year corporate strategy – The Plan, the Service has reviewed its Vision Statement, Annual Priorities and Outcomes which are enablers to achieving the vision of “Making West Midlands Safer, Stronger and Healthier”. A review of risk analysis indicated that there has not been any significant change to risk in the West Midlands and as such the priorities and outcomes remain appropriate to achieve the vision as well as the current Service Delivery Model. The Vision Statement remains the same.

As part of the review of the Plan the Outcomes were refreshed and refined, as submitted, to ensure they are reflective of the continued evolution of the Priorities.

Key considerations in the refresh of the Outcomes were:

- Operational excellence leading to assertive, effective and safe response
- Health, social care as a key connector to vulnerability and fire risk
- Ensuring public safety focusing on the outcomes of Grenfell
- Improving resilience within communities
- Increasing partnerships and collaboration in delivery of public safety

The Outcomes provide an increased focus on the collaborative delivery of services, maximising outcomes for the communities and in particular, vulnerability.

The following factors had been considered in the recommendation:

- Risk analysis
- The budget 2018-19
- The external environment (political and financial)

Officers will consider the corporate performance indicators to enable the effective management and performance monitoring of the Plan and the proposed indicators will be presented to the Executive Committee on 26 March 2018.

The Plan 2018-2021 would go live on 3rd April 2018 and would be available on www.wmfs.net

In answer to a Member's enquiry regarding the impact of the financial cuts to the service will have on the vulnerability and health of the community, the CFO stated that the Service was at a tipping point in respect of the Plan. In order to maintain the Service Delivery Model, there is a requirement to generate income or to reduce the size and effectiveness of the SDM.

Currently the workforce are distributed throughout 38 stations, 41 PRLs, 19 BRVs but without the additional income the Service would not be able to maintain its SDM.

The CFO confirmed that further cuts would be detrimental to the services provided to the most vulnerable.

The Chair stated it was important to understand the impact of health, social and financial difficulties experienced by the community. The Fire Service, as part of the wider public services, was working closely with local authorities and the West Midlands Combined Authority and expanding the role it plays in the West Midlands.

The Chair also stated that the Fire Service had a skilled workforce working with the communities and the profound effects of austerity on poverty, food poverty and energy poverty could not be ignored. The Fire Service worked with partners to meet the needs of the community and had a responsibility to do this.

Both the CFO and his team and Fire Authority had worked hard since 2010 and were not prepared to see the service lose its excellent reputation and although the Service had seen cuts of £38m, it still delivered the best response times in the country of 4.42 seconds. The Authority were proud to oversee the essential public service being delivered in very difficult circumstances and the staff had made the changes to maintain and deliver this service.

Resolved that the amendments to the Outcomes in The Plan 2018-2021 as now submitted be approved.

8/18 **Pay Policy Statement 2018-2019**

Approval was sought to the Pay Policy Statement for 2018/19 financial year setting out the Authority's policies relating to the remuneration of its Chief Officers.

The Treasurer confirmed that the Pay Policy Statement 2018/19 complied with the Section 38 (1) of The Localism Act 2011 and would be available on the Internet.

The Pay Policy Statement and Appendices set out the pay of all employees, pension arrangements and confirms the Authority's commitment as a Living Wage Employer.

There were no changes of substance to the Pay Policy Statement from 2017/18.

The issues of Gender equality would be brought up to date on the West Midlands Fire Service website by 31st March 2018.

Resolved that the Pay Policy Statement for the financial year 2018/19 as now submitted be approved.

9/18 **Property Asset Management Plan**

Approval was sought to the 2018/19 Property Asset Management Plan. In order to ensure the effective and efficient use of land and buildings, a Property Asset Management Plan is essential.

It was anticipated that there would be a significant impact on the Headquarters/Safeside site as a result of development work associated with the HS2 project, following the project gaining royal assent.

Planned maintenance issues will be undertaken during the five year period commencing 2018/19.

The Authority received the key Specific Actions for the forthcoming year.

The Treasurer informed the Authority of the working being undertaken with partners to share accommodation and facilities where appropriate and so achieve better value for money and wider community benefits.

Negotiations were at an advanced stage with West Midlands Police with a view to establishing a police presence on four pilot sites (Kings Norton, Northfield, Billesley and Haden Cross Fire Stations) in the next few months.

Initial discussion had also taken place regarding the possibility of an asset transfer of the Kings Norton Police site between the two Services. Further details of this would be reported to a future meeting of the Fire Authority.

In response to a Member's question about the site of The Old Bank in Bloxwich, the Treasurer confirmed that negotiations were being held with a training company who wished to upgrade the facilities to make this building fit for purpose in exchange for a rent free period.

Resolved that the 2018/19 Property Asset Management Plan be approved.

10/18 **Proposed Vehicle Replacement Programme**

Approval was sought to proceed with the proposed Vehicle Replacement Programme (VRP) for the financial years 2018/19 to 2020/21, based on the three year capital programme for 2018/19 to 2020/21 identified as part of the Authority's budget setting process.

The Programme is a three-year rolling programme and will pick up on the slippage outlined in the previous ~~Budget and~~ Monitoring of Finance Reports.

It was intended to procure a range of vehicles identified in the Vehicle Replacement Programme using the Crown Commercial Services Purchase Framework Agreement RM859, EU tenders and other approved Consortia routes that represent value for money to the Authority.

The Treasurer explained that due to the expanding range of services provided by the Service and the way those services are delivered, consideration will be given over the next 12 months to the type and range of vehicles required to most effectively meet those demands. A further report would be provided to the Authority following an exploration of potential partnership opportunities if any specific options were identified.

The replacement of vehicles within the scope of the report would all be current with the latest vehicle technology to emissions currently Euro 6.

Environmental standards applicable for city usage both now and in future will also be considered on light vehicle applications and Petrol/Electric technology and full electric vehicles.

This issue has increasing relevance with the Government's drive across the UK to tackle air pollution in urban areas and the expanding number "Clean Air Zones" which have been identified, one of which is Birmingham.

In answer to a Member's enquiry about the significant impact on the public sector of clean air zones and possible public sector exemptions, the Treasurer confirmed that the Authority were seeking to ensure compliance where possible, but some old vehicles would not meet the required standards and so exemptions would be sought.

The DCFO stated there would be some impact on the fleet, for both response and non-response vehicles. Officers were working with Birmingham City Council (BCC) and the NFCC on the exemptions.

It was noted that the Leader of Dudley Metropolitan Borough Council, was the Environmental Lead in West Midlands Combined Authority and it was requested that the Lead Member for Dudley to ensure that the question of exemptions would be fed into the WMCA.

The Authority's Pump Rescue Ladders (PRLs) are retained for 13 years and if they do not have an exemption for "clean air zones", this will have an impact on their replacement. Currently, the PRLs are due for replacement as outlined below:

Number	Year
5	2018/19
5	2019/20
6	2020/21

Resolved:

- (1) that the Vehicle Replacement Programme for the financial years 2018/19 to 2020/21, as now submitted, be noted,
- (2) that the funding for the Vehicle Replacement Programme for 2018/19, be approved,

- (3) that the intention to procure a range of vehicles identified in the VRP using the Crown Commercial Services Purchase Framework Agreement RM859, Open EU tenders and other approved Consortia routes that represent value for money to the Authority be noted.

11/18 **Enabling Paper – Developing Chief Fire Officer Constitutional Accountabilities**

The Authority considered a report setting out the rationale for proposed changes to CFO accountabilities, seeking to establish a widening of the current delegations in the Authority constitution.

The accountabilities aim to support the Authority in the transformational development of its strategy, The Plan 2018-2021 and moving forward, as well as setting a sound basis for the anticipated transfer of governance from the Authority to the Mayoral West Midlands Combined Authority.

The Clerk set out the current approach to CFO accountabilities and the changes to the status quo of Fire and Rescue Authorities. New models of governance are emerging and inconsistencies are appearing in the accountability of the CFO role.

The developing draft National Framework for Fire and Rescue Service (England) had recently been consulted upon and now proposed to more overtly identify the role of the CFO.

The proposed model for the transfer of Authority functions to the Mayoral WMCA in 2019, establishes widened accountabilities for the CFO role.

As Head of Paid Service it is and will be the CFO's responsibility to determine the staffing model and Structure of the Service.

The WMCA governance model, seeks to provide a more agile approach to decision making in support of this, enabling the CFO to lead and manage the service and staff with clear and established lines of accountability to the Mayor.

The proposed changes to the Constitution and CFO delegations provide an overview of the widened accountabilities for the CFO role. The proposals create clear lines of responsibility for the CFO role and aim to identify the role of the Strategic Enabling Team (SET) in the decision making process.

The proposals acknowledge the role of the Authority as a “supervisory body”.

The proposed CFO accountabilities which will enable the most effective and efficient delivery of services to local communities are as set out below:

- **Full CFO accountability for leading the Fire Service, setting the direction and culture of the service.** *This will be achieved with direct involvement of the Strategic Enabling Team (SET) providing for a more cohesive working environment.*
- **The CFO is accountable to the Authority for delivering against the requirements of the Fire and Rescue Services Act, National Framework, Regulatory Reform Order, Civil Contingencies Act and other appropriate enabling legislation.** *These responsibilities will be achieved with direct involvement of the SET providing for a more cohesive working environment.*
- **The CFO is accountable for the preparation of the Integrated Risk Management Plan and the Strategy (The Plan) for the Authority to consider and approve.**
- **Aligned to the above bullet, the CFO and Section 151 Officer will propose an annual budget to enable effective and efficient delivery of the strategic priorities, for the Authority to consider and approve.**
- **Operational independence of the CFO to deliver the strategic priorities as agreed by the Authority, aligned to the IRMP and The Plan. This will be achieved through the efficient and effective delivery of prevention,**

protection and response services to communities, enabled through accountability for decisions which, aligned to both organisational strategy and budget, will determine:

a. The staffing structure of all fire service workforce.

Changes to this will be determined within the existing processes and policies of the Service and managed with the SET. The Employee Relations Framework (ERF) provides a robust and transparent framework for engagement, consultation and/or negotiations regarding the future shape and structure of the workforce. Any changes which will (or has the potential to) impact on the delivery of the strategy will be communicated to inform the Authority using existing and/or reformed governance structures.

b. Workforce planning and development to support Service transformation in the delivery of both current and future strategy. *Workforce development is a national priority as the type, number and scale of incidents are changing. The workforce of the future for many fire services needs to be capable of providing prevention, protection and response services that stretch wider than the traditional and will see fire fighters working with and alongside other professions to deliver core services (i.e. police, ambulance, healthcare).*

SET will work with the CFO to determine an evidence based approach to the transformation of services enabled through the development of the workforce, which enables the delivery of the Authority's strategy aligned to the agreed efficiency plan and budget.

As with a) the ERF will provide the established procedure by which staff and representative bodies will be engaged, consulted and negotiated with. The Authority will be engaged as appropriate through the Joint Consultative Committee as set out in the ERF.

- c. **The CFO is accountable for the management and allocation of assets and fleet to support the most effective staffing structure, delivery of services and SDM.** *The CFO will be accountable for the approval, movement and usage of these. The SET will support the delivery of these accountabilities as delegated by the CFO.*
- d. **The delivery of added value through the development and management of agile digital solutions.** *Driving change through moving from managing assets to services.*
- **CFO engagement in collaborative partnerships with other emergency services, as defined in the Policing and Crime Act 2017, and public service providers, aligned to enabling the delivery of strategic priorities, where it is in the interests of efficiency and effectiveness and public safety to do so.**

The CFO will engage with the Authority through Policy Planning Forum and Fire Authority to vary the strategic objectives if needed and to inform of progress.

The above areas of proposed accountabilities will be reviewed against the Authority's standing orders to ensure each provides sufficient flexibility to enable effective decision making.

Any changes to Authority procedures will be reported into April Fire Authority for approval.

These widened accountabilities will remain open to the same transparency and scrutiny arrangements which currently exist within the Authority governance committee framework, as well as that provided for by both internal and external audit services.

The journey to the Combined Authority has proposed ring fenced accountability and budget as well as reserves. These proposals will protect the delivery of services to local communities and enable the Service to function in an unfettered

way. Further information will be presented to the Policy Planning Forum on Monday 26 March 2018 and the penultimate Authority meeting scheduled for the 16 April 2018.

The Chair confirmed that the current membership of the Fire Authority will continue until the day before the Annual General Meeting.

It was confirmed that at the Annual General Meeting on 25 June 2018 there would be 15 Members with the same powers and responsibility as the current Fire Authority. This model will then stay in place until April 2019, depending on the outcome of the current consultation on the Scheme and Home Secretary approval.

The timeline below will enable the proposed changes to be sufficiently considered and implemented following April Fire Authority, in preparation for the constitution of the Reformed Fire Authority at the June AGM 2018:

- 11 January** – consideration of areas of increased accountability for CFO
- 5 February – members receive** broad overview of proposals
- 19 February** – enabling paper to Authority
- 23 February** – informal WMCA CEx awareness of proposals around CFO accountabilities
- 9 March** – informal WMCA leaders (as above)
- 16 April** – Authority approval of changes to CFO accountabilities in constitution in line with new planning year and refresh of 2018-2021 Plan.

The proposed outlined variation in delegations would apply to the reformed Fire Authority.

Resolved:

- (1) that the changing landscape of governance for Fire and Rescue Services and the impact on the role of the Chief Fire Officer is noted.

(2) that the proposed changes around Chief Fire Officer and officer accountabilities are noted.

(3) that the progression of the proposed changes to enable local engagement and full recommendation to the 16 April 2018 meeting of the Fire Authority be agreed.

12/18 **Representation of the West Midlands Police and Crime Commissioner on WMFRA**

The Authority considered a request from the West Midlands Police and Crime Commissioner (WMPCC) to nominate a second deputy to attend meetings.

On the 20th November 2017, the Authority approved the request from the WMPCC to take up a representative position on the Fire Authority aligned to the representation model set out in the Policing and Crime Act 2017 on the basis that:

- a full member voting position would only be provided if the PCC as an elected member attends;
- the WMPCC's nominated deputy would be the deputy PCC but this would not provide full voting rights;
- there would be consistency from the PCC's representative for continuity purposes;
- the WMPCC would not be paid expenses for undertaking this position.

Following this approval, the Authority received a further letter on 23 November 2017 stating that the WMPCC would, when the deputy PCC was not available, want to delegate his position further to an officer of the WMPCC's office.

Advice received from the Home Office states that whilst there is no provision for the Deputy PCC or a deputy of the Office of the PCC to be a member of the Authority, this wouldn't prevent this. The arrangement of interchangeable representatives sitting on the Authority would be for the Authority and PCC to consider.

The Authority also took into account the consultation that had recently taken place with Combined Fire and Rescue Authorities proposing delegations but not voting rights.

This was owing to Fire Authorities comprising of elected individuals, who do not themselves have similar rights to delegate to an unelected official as exists for PCCs. Consultation outcomes had yet to be released.

The Authority had agreed that the PCC could send a Deputy PCC, Councillor Lynnette Kelly and felt that no further substitution should be allowed, for example, an officer from the Office of the PCC.

It was noted that other Members of the Authority cannot send Deputies to represent them and were disappointed with the response from the PCC.

The Chair confirmed that the Reformed Fire Authority would comprise 15 Elected Members, the PCC and two additional co-opted members.

The Authority noted the changes that would come into effect following the 2020 Mayoral elections when the Mayor/PCC role will become one position.

Resolved that the request from the WMPCC to nominate a second deputy to attend Authority meetings is not approved.

13/18 **Notes of the Policy Planning Forum 6 November 2017**

The notes of the Policy Planning Forum held on 6 November 2017 were received.

14/18 **Minutes of the Audit Committee held on 13 November 2017**

The minutes of the Audit Committee held on 13 November 2017 were received.

15/18 **Minutes of the Scrutiny Committee held on 13 November 2017**

The minutes of the Scrutiny Committee held on 13 November 2017 were received.

16/18 **Minutes of the Executive Committee held on 19 December 2017**

The minutes of the Executive Committee held on 19 December 2017 were received.

17/18 **Minutes of the Audit Committee held on 19 December 2017**

The minutes of the Audit Committee held on 19 December 2017 were received.

18/18 **Notes of the Policy Planning Forum held on 19 December 2017**

The notes of the Policy Planning Forum held on 19 December 2017 were received.

19/18 **Minutes of the Audit Committee held on 15 January 2018**

The minutes of the Audit Committee held on 15 January 2018 were received.

20/18 **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 Scheduled 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).

21/18 **Planned Procurement Exercise**

The Authority received a report for approval of the tender exercise for the provision of various works, goods and services to West Midlands Fire and Rescue Authority during 2018/19 for:

- Firefighter Apprenticeships
- Personal Protective Equipment (Structural Firefighting Kit)
- Planned Preventative Maintenance and Reactive Repairs of Heating, Ventilation and Hot Water Systems

- Roof Replacements
- Liquid Fuels

A detailed report would be presented to a future Authority meeting on Firefighter Apprenticeships.

Resolved that the tender exercises for the provision of various works, goods and services to West Midlands Fire and Rescue Authority during 2018/19 be approved.

22/18 **CFO Announcements**

The Chief Fire Officer announced that a Memorandum of Understanding had been signed between Warwickshire County Council, West Midlands Fire and Rescue Authority, Warwickshire and West Midlands Fire Services agreeing to work together and collaborate more widely in the future.

It was noted that Press Statements from CFO Hickmott and CFO Loach would be issued welcoming the new approach to collaboration.

The Chair of Warwickshire County Council, Cllr Izzie Seccombe has signed the agreement and has expressed the genuine desire for the two Authorities to work together with the aim of achieving efficiency and economy. A Press Release would also be issued.

Further details would be provided at a future Policy Planning Forum.

Members of the Authority welcomed the signing of the Memorandum of Understanding and the benefits this would bring in respect of boundary sharing, training and equipment and savings that can be made.

The Authority congratulated the CFO on the progress made in respect of collaboration and felt it would lead to opportunities, improvements and bring financial benefits.

The CFO thanked the Authority for their support and stated that this was not a merger but a close relationship. The shared border of 130km provided the opportunity of a positive sustainable model with the shared aims of driving operational collaboration while maintaining and improving the current model.

Staff at West Midlands Fire Service and Warwickshire Fire and Rescue Service would be informed of the decision with an announcement on the afternoon of the 19 February 2018.

The meeting closed at 1222 hours.

Contact Officer: Julie Connor Strategic Hub 0121 380 6906 Julie.Connor@wmfs.net
