

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

27th June. 2005 at 11.00 am
at the Fire Service Headquarters, Birmingham

Present: Councillors Birbeck, Bowen, G Davies, S Davis,
Douglas-Maul, Eustace, Foster, Hinton, Hogarth,
Howard, Hussain, Idrees, Jones, Lawrence, Matchett,
Mulhall, Pitt, Rogers, Ross, Ryder, Singh, Tagger,
Underhill, Wallace and Ward;
Mr Topliss.

Apology: Councillor Jevon.

27/05 **Election of Chair**

Resolved that Councillor Hinton be elected Chair of the Authority for the period ending with the Annual Meeting of the Authority in 2006.

28/05 **Election of Vice-Chair**

Resolved that Councillor Hogarth be elected Vice-Chair of the Authority for the period ending with the Annual Meeting of the Authority in 2006.

29/05 **Chair's Announcements**

Welcome

The Chair welcomed new Members of the Authority and those who had been re-appointed following the municipal elections.

Councillor Underhill

The Chair referred to Councillor Underhill's impending surgery, and expressed Members' best wishes for her speedy recovery.

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30/05 **Minutes**

Resolved that the minutes of the meeting held on 11th April, 2005 be confirmed as a correct record.

31/05 **Membership of the Authority 2005/2006**

The Clerk reported on the membership of the Authority for 2005/2006.

32/05 **Questions on Discharge of Functions**

Resolved that the following members 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</u> <u>Councillor</u>	<u>Substitute</u> <u>Councillor</u>
Birmingham	Howard	Eustace
Coventry	Matchet	Foster
Dudley	Ryder	
Sandwell	Hinton	
Solihull	Hogarth	
Walsall	Pitt	Douglas-Maul
Wolverhampton	Singh	Bowen

33/05 **Constitution of Committees and Panels, Terms of Reference and Member Portfolios 2005/2006**

The Authority considered a report on the constitution of committees and panels, their terms of reference and Member portfolios for 2005/2006, together with a calendar of meetings.

It was proposed to continue with the modernised decision-making arrangements agreed in 2004/05 comprising an Executive Committee and Lead Members. Lead members had no delegated powers but would champion their issues at Authority meetings, and would sit on the Executive Committee.

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It was anticipated that the Disciplinary Committee would shortly be dis-established, and it was proposed to transfer the special responsibility allowances payable to the Chair and Vice-Chair of that Committee to the Principal and Deputy Principal Member on the Joint Consultative Panel. An additional portfolio for the Principal Member on the Joint Consultative Panel had been drawn up.

Resolved:-

- (1) that the following Committees and Advisory Bodies be constituted for the year ending with the Annual Meeting of the Authority in 2006:-

Committees

Appeals
Appointments
Disciplinary
Executive
Standards

Advisory Bodies

Joint Consultative Panel
Policy Planning Forum

- (2) that the functions set out in Appendix 1 be assigned to the bodies referred to in resolution (1) above and that the Authority's powers and duties be delegated to Committees accordingly, except where the functions provide otherwise;
- (3) that the Member portfolios set out in Appendix 2 be approved;
- (4) that the calendar of meetings for 2005/2006 set out in Appendix 3 be approved.

34/05

Constitution and Political Balance of Committees 2005/2006

The Authority considered the constitution and political balance of Committees and the assignment of members for 2005/2006.

Resolved:-

- (1) that the constitution and political balance of the

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Committees and Advisory Bodies established under Minute No. 33/05 for the period ending with the Annual Meeting of the Authority in 2006 be as set out in Appendix 4;

- (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 2006 as indicated in Appendix 5;
- (3) that pending the outcome of a review of the size, membership, terms of reference and constitution of the Joint Consultative Panel, Authority employees be appointed to serve on the Panel, with voting rights, and that whole time trade union officials be entitled to attend meetings of the Panel in an observer capacity, without voting rights;
- (4) that the Chairs and Vice-Chairs of Committees and the Principal Elected Member [and Deputy] on the Joint Consultative Panel be as indicated in Appendix 5;
- (5) that the following Members be appointed as the Lead and Deputy Lead Members in respect of following portfolios:-

Equality and Diversity

Lead Member - Councillor Bowen

Deputy Lead Member – Councillor Ryder

Performance Management

Lead Member - Councillor Lawrence

Deputy Lead Member – Councillor Mulhall

- (6) that the Disciplinary Committee be dis-established immediately the outstanding case under the Fire Service (Discipline) Regulations 1985 has been dealt with;

- (7) that the special responsibility allowances payable to the

Chair and Vice-Chair of the Disciplinary Committee be transferred to the Principal and Deputy Principal Member on the Joint Consultative Panel with effect from 27th June 2005, and that the Members'

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Allowances Scheme be amended accordingly.

35/05 **Appointment of Representatives to Serve on Other Bodies**

The Authority considered the appointment of representatives to serve on other bodies during 2005/2006.

Resolved:-

- (1) that the Chair and Vice-Chair (Councillors Hinton and Hogarth) and Councillor Eustace (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 2006;
- (2) that the Chair and Vice-Chair (Councillors Hinton and Hogarth), Councillors Eustace and Howard (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 2006;
- (3) that the Chair (Councillor Hinton) (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 previously allocated;
- (4) that the Chair (Councillor Hinton), Vice-Chair (Councillor Hogarth) and Councillor Eustace (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 2006;
- (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 2006;
- (6) that the following nominations be made in respect of the West Midlands Local Government Association:-

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Association - Observer Member

Chair of the Authority - Councillor Hinton (substitute: Councillor Idrees);

Provincial Council

Councillor Underhill (substitute: Councillor Wallace);

- (7) that Councillor Ryder (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 2006;
- (8) that Councillor Idrees (or his nominee) be nominated to serve on the West Midlands Community Safety Sub-Committee for the period ending with the Annual Meeting of the Authority in 2006.

36/05 **Delegations to Chief Officers**

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

Resolved that the list of powers delegated to the Authority's Chief and Statutory Officers, as set out in Appendix 6, be approved.

37/05 **Internal Audit Report**

The Treasurer submitted the Annual Internal Audit Report, which summarised the results of the audits of the financial affairs of the Authority for the year ended 31st March 2005 . The Authority noted the report and the action taken.

38/05 **Monitoring of Finances**

The Authority received a report on the monitoring of finances during 2005/2006.

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39/05 **Institution of Legal Proceedings**

The Authority was informed that, after consultation with the Chair and Vice-Chair, legal proceedings had been instituted against a Coventry company in respect of failure to comply with the Explosives Act, 1875.

40/05 **Minutes of the Executive Committee**

The minutes of the meetings held on 23rd May and 9th June, 2005, were received.

41/05 **Minutes of the Standards Committee**

The minutes of the meeting held on 3rd June, 2005 were received.

42/05 **Minutes of the Appeals Committee**

The minutes of the meeting held on 1st April, 2005 were received.

43/05 **Notes of the Policy Planning Forum**

The notes of the meeting held on 23rd May and 9th June, 2005 were received.

44/05 **West Midlands Regional Management Board**

A note of the key decisions from the meeting of the West Midlands Regional Management Board held on 10th June, 2005 was submitted.

45/05 **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 relating to negotiations or consultation on labour relations matters and disclosure would be likely to prejudice those negotiations.

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46/05

**Update on New Duty System and Shift Pattern for Operational
Station-based Personnel – Outcome of Meeting with Technical
Advisory Panel**

Further to Minute No 42/05 of the Executive Committee, the Chief Fire Officer reported that meetings had taken place with the National Joint Council for Local Authority Fire and Rescue Services Technical Advisory Panel on 14th and 15th June 2005. The Panel had sought to broker an agreement between the Authority and the Fire Brigades Union (FBU) following the FBU's rejection of the proposed new duty system and shift pattern.

A verbal agreement had been reached which would be conveyed to each party in writing, each of whom had 14 days to accept the resolution. It was understood that the FBU was recommending acceptance of the agreement to its members, and the Chief Fire Officer would be writing to the Chair of the Panel formally accepting the agreement on behalf of the Authority.

Once both sides had formally accepted the recommendations of the Technical Advisory Panel this became a collective agreement which would enable the Authority to introduce a new duty system and shift pattern to support the Integrated Risk Management Plan Action Plan for 2005/06 without the need to issue 90-day notices.

(Meeting ended at 11.37 am)

<p><i>Contact Officer: Georgina Wythes Democratic Services Unit Sandwell MBC 0121-569 3791</i></p>
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Appendices not circulated in the interests of economy

Appendix 1 Functions of Committees

Appendix 2 Member portfolios

Appendix 3 Calendar of meetings

Appendix 4 Proportionality

Appendix 5 Committee appointments

Appendix 6 Delegations