

WEST MIDLANDS FIRE AND RESCUE AUTHORITY

21 JUNE 2021

WEST MIDLANDS POLICE AND CRIME COMMISSIONER – MEMBERSHIP ON FIRE AUTHORITY 2021/2022

Report of the Clerk and Monitoring Officer.

RECOMMENDED

- 1.1 THAT the Authority approve the West Midlands Police and Crime Commissioner's (WMPCC) request to join the Authority.
- 1.2 THAT the Authority approves the request for full membership with voting rights, on the basis that the PCC as an elected member, attends to enable this.

2. PURPOSE OF REPORT

- 2.1 This report is submitted to inform the Authority of the invite to and subsequent request from the WMPCC to join the Fire Authority and to support the Authority's decision in response to this request.

3. BACKGROUND

- 3.1 On 24 May 2021 the Chair of the Authority wrote to the WMPCC to invite the PCC to formally submit a written request for appointment to the Authority as provided for in the Policing and Crime Act 2017. The letter stated that upon receiving a request from the WMPCC, the Authority would:
 - a. consider the request;
 - b. provide a decision with reasons, and
 - c. publish those reasons in an appropriate manner.

- 3.2 On 28 May 2021, the Authority received a formal letter of request from the WMPCC to take up a voting position on the Authority. This letter also invited the WMPCC to take a place on the Authority's Collaboration and Transformation committee.
- 3.3 Both these letters are set out in Appendices 1 and 2.
- 3.4 As a Member of the Authority, the WMPCC will have voting rights only if the WMPCC attends. Any representatives for the WMPCC will not have voting rights as this power can only be exercised by an elected member.
- 3.5 As a co-member of the Authority, the WMPCC will not be remunerated for this role. It is believed the value and benefits for the WMPCC and Authority will be mutual. Benefits would include:
- continued and enhanced collaboration between Police, Fire and Rescue Services;
 - supporting progressive reform;
 - This will also ensure the Authority is reflective of the Authority's partnerships and enhance scrutiny audit and performance measurement to improve outcomes/effectiveness.
- 3.6 It is recommended that the Authority accept the WMPCC's request and provides a position of full membership with voting rights on the basis the WMPCC takes up this position. This is in the interests of greater collaboration, public safety and enhanced delivery of wider shared priorities to the communities of the West Midlands.

4. **EQUALITY IMPACT ASSESSMENT**

- 4.1 In preparing this report, an initial Equality Impact Assessment is not required and has not been carried out.

5. **LEGAL IMPLICATIONS**

5.1 The following legislation enables the changes raised in this report:

- The Localism Act 2000.
- Local Government Act 1985, Section 29 and Schedule 10 (Part 6).
- Local Government and Housing Act 1989, Sections 15 to 17 and Schedule
- Local Government (Committees and Political Groups) Regulations 1990 [SI 1990 No. 1553].
- Policing and Crime Act 2017.

6. **FINANCIAL IMPLICATIONS**

6.1 There are no financial implications.

BACKGROUND PAPERS

Fire Authority Meeting November 2017

The contact name for this report is Karen Gowreesunker, telephone number 0121 380 6678

Karen Gowreesunker
CLERK to the Authority

Satinder Sahota
Monitoring Officer



Fire Service Headquarters,
99 Vauxhall Road, Birmingham B7 4HW

Mr Simon Foster,
West Midlands Police and Crime Commissioner,
Lloyd House,
Colmore Circus Queensway,
Birmingham B4 6NQ

Date: 21 May 2021
Your Ref:
Our Ref: FRA210521/GB/KG
Tel No: 07552 211600
Please ask for: Greg Brackenridge

Dear Simon,

Appointment on the West Midlands Fire and Rescue Authority

I am writing on behalf of West Midlands Fire and Rescue Authority (the Authority) in relation to our discussions with regard to you joining the Authority in your role as Police and Crime Commissioner, in line with the representation model as outlined within the Policing and Crime Act 2017.

In keeping with the Authority's commitment to collaboration and engagement, and in line with the Policing and Crime Act 2017, I invite you to formally submit your written request for appointment to the Authority.

Further to the above, upon receipt of your request to join the Authority, I would like to extend the offer of your appointment to include a position on the Authority's Collaboration and Transformation Committee.

It should be noted that upon your appointment to the Authority, a full member voting position would only be provided if you, as an elected member, attend in the position of Police and Crime Commissioner.

It would be permissible for a representative to deputise on your behalf and this has existed since February 2017 providing valuable participation and scrutiny of Authority business. In the event of a representative deputising on your behalf it would be imperative to ensure that such a deputy was nominated and that the named representative was kept ensuring consistency would be maintained at all times. Additionally, as a non-elected member, any such representative would not be afforded voting rights. As a result, please ensure that the request includes the confirmation of

your representative if one is to be nominated.

If as Police and Crime Commissioner you attend Authority yourself, you will be able to engage in Authority business. Upon receipt of your request the Authority will:

- a) consider the request,
- b) provide a decision with reasons, and
- c) publish those reasons in an appropriate manner.

It is possible that if your request is received prior to the end of May 2021 this appointment could commence on the Authority's AGM on 21 June 2021.

Please direct your response to: The Clerk, West Midlands Fire and Rescue Authority, c/o Karen Gowreesunker: Karen.Gowreesunker@wmfs.net

Please do not hesitate to contact me if you have any questions.

Thank you for your support in *Making West Midlands Safer, Stronger and Healthier*.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'G Brackenridge', written over a horizontal line.

Councillor Greg Brackenridge, Chair
West Midlands Fire and Rescue Authority

Copies to: Phil Loach, WMFS
Greg Brackenridge, WMFS
Karen Gowreesunker, WMFS
Lord Greenhalgh, Home Office
Stuart Harwood, Home Office

APPENDIX 2

28/05/2021

Dear Greg,

Thank you for your letter dated 21 May 2021.

I write to formally submit my written request for appointment to the Authority.

My appointment will allow us to facilitate a joint response to the Government's forthcoming White Paper on Fire Reform, consider respective governance issues, fulfil my statutory duties in relation to collaboration between police and fire, and meaningfully support the Authority's existing programme of work.

As you may be aware, I am currently recruiting a strategic board to support me to exercise my functions, which is likely to include a Deputy PCC and Assistant PCCs. My Chief Executive has spoken with Karen Gowreesunker, and clarified that, while I will formally be part of the Fire Authority, there will be instances from time to time where I send a nominated substitute. Karen has provided assurances that this is consistent with my formal uptake of the appointment.

I would be delighted to accept your further offer of a position on the Authority's Collaboration and Transformation Committee.

Separately, I am happy to extend the offer of a meeting with you and Phil Loach so we can discuss issues of mutual interest. I would be most grateful to meet before the Fire Authority's AGM on 21 June, and I will contact your Office so that we can make the necessary arrangements to identify a mutually convenient date and time for a meeting as soon as possible.

Many thanks. I look forward to meeting with you.

Yours sincerely

Simon Foster
West Midlands Police and Crime Commissioner