

WEST MIDLANDS FIRE AND RESCUE AUTHORITY

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

Present: Councillor John Edwards (Chair)
Councillor Zafar Iqbal (Vice Chair)
Councillors Aston, Barrie, Barlow, Brackenridge,
Craddock, Dehar, Jenkins, Miks, Spence, Walsh,
Young

Mr M Ager, Independent Member
Professor Simon Brake – Co-opted Member

86/18 **Apologies for Absence**

Councillors Hogarth and Tranter, Sarah Middleton

87/18 **Declarations of Interest**

Councillor Brackenridge declared an interest in items 5, 6, and 7 of the Agenda. The Chair declared an interest in the same items and stated they were personal and non-pecuniary.

88/18 **Chief Fire Officer's Announcements**

The Chief Fire Officer (CFO) said it had been a busy period for the Brigade and Officers were working on the strategy options to be presented to the Authority at its February 2019 meeting.

The Authority were informed that Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) would be visiting three times over the forthcoming months.

3 December 2018 – Discovery Week
17 January 2019 – Strategic Briefing
28 January 2019 – Two Week Inspection

The Inspection would focus on the Service but Inspectors would wish to meet with the Chair of the Authority also.

The CFO informed the Authority that West Midlands Fire Service (WMFS) had reached 2nd place in this year's Inclusive Top 50 Employers list announced at the Inclusive Companies Awards.

Three years ago the Service had been 31st and then 29th on the list and had now achieved 2nd place to Touchstone who are a BME organisation. This year, WMFS ranks above organisations such as Sky and HSBC. The league table shows the most inclusive employers along with best practice across all strands of diversity including age, disability, gender, LGBT, race, faith and religion.

The award is a reflection of the work that the Service is undertaking in areas of equality and protected characteristics. Tyne and Wear Fire and Rescue Service had achieved 10th place and the WMFS were the highest ranking Fire and Rescue Service.

Members were informed that the Rewards and Recognition Awards evening had been ~~was~~ scheduled to take place on 29 November 2018 and the Annual Carol Service would be taking place on Sunday 9 December 2018.

The Chair congratulated everyone on the great achievement and thanked everyone for their work in respect of recruitment and retention and the numbers of female and BME groups were positive.

The Chair welcomed Councillor Walsh back to the Authority following his illness and Item 7 regarding an extension to the time to be away from the Authority would now be withdrawn from the Agenda.

Councillor Craddock congratulated the Chief Fire Officer on the Pride of Britain Award achieved. He considered that the Award showed the Service in an excellent light and the officers had been excellent on the television programme.

On behalf of the Authority the Chair thanked and congratulated the crew from Highgate who had won the award.

89/18 Minutes of the Fire Authority held on 17 September 2018

Resolved that the Minutes of the Authority held on the 17 September 2018, be confirmed as a correct record.

90/18 Revising the Strategy 2019-2022

The Authority noted the context of the need to revise the Authority's strategy, including the financial considerations, the need for investment in the Protection function and Support Services and the need to consider Service changes in order to deliver the Authority's 2019 -2022 strategy and budget.

This was the second report the Authority had received on the Options to be considered to meet the £3m deficit in the Financial Efficiency Plan, combined with the need for investment in the Protection function and other Support Services. Clarity and consistency had been maintained with the five options presented to the Authority on the 17 September 2018:

- Staff/resource availability
- Resource configuration
- Shift arrangements (risk based crewing)
- On-call firefighters
- Management Review

The Authority received further information to ensure that all dependencies were considered. They had been developed together and presented as an Appendix for illustrative purposes. A full Equality Impact Assessment would be required together with Trade Union consultation and staff engagement. This was generally positive and on-going.

A final report would be presented on the Options to the Authority meeting scheduled to take place on Monday 18 February 2019.

Members had received a full briefing on the Options at the Policy Planning Forum and were familiar with the action required to address the £3m deficit in the Financial Efficiency Plan, created by the decision to revise the approved Fire Authority Strategy.

The Chair stated that there was a clear expectation from the Auditors to set a balanced budget. However, the Finance Settlement would not be announced until December 2018. This would be the fourth year of this CSR period. Council Tax details for 2019/2 were also unknown and recommended that no hard decisions be made until February 2019.

In respect of the Options, the Chair would want to see one Pump Rescue Ladder (PRL) on every fire station and maintain 5 riders on first PRLs, but recognised the need for flexibility around 2nd PRLs.

All other options should be left for consideration, but further information was requested on On-Call Firefighters, shift patterns and self-rostering.

Further discussions and negotiation would need to take place on the savings that could be made and the consequences of any changes.

The Review of SET and FDS as part of the Management Review and departmental assessment and restructure was noted and the need for additional resources in Operations, Information and Communications Technology, Education and Learning and HM Inspection etc, would be considered in February 2019 when the budget was set.

The Opposition Group generally supported the report, however, as the political landscape had changed and there had been no significant changes since the last time on-call had previously been supported, it was suggested that this option was unlikely and should be taken off the table to allow more discussion on the other elements.

The Chief Fire Officer confirmed that this had previously been explored however on-call firefighters would not be suitable to meet the 5 minute risk based attendance time. The Service was performing positively in the 2, 3 and 4 categories.

However, if the option was to have nothing or an on-call or retained service for category 2, 3 and 4 incidents, this would be brought out in the options report in February. On call would not be desirable for category 1 incidents.

One Member supported the process of moves in preference to station closures and wholeheartedly agreed with a PRL on every fire station and with the suggestion of 5 Riders on PRLS and 2nd Pumps having 4 Riders and BRVs with 3 Riders.

It was acknowledged by Members however that they didn't want to tie the Chief's hands too closely and wished to see what was brought back to the February 2019 meeting.

Another Member noted the resource configuration and noted the suggestions for the reduction in riders on the 2nd Pump at Coventry, Highgate and Walsall. It would be the expectation that there would be no less than 5 riders on the 1st Pump Rescue Ladder and this would be an expectation of the public and a priority for the Service.

The Authority supported the suggestions put forward by the Chair.

The Authority looked forward to receiving the detailed report in February for budget setting.

91/18 **Investment in Protection Resources**

The Authority noted the impact of the reduction in Protection resources because of the core funding reductions and the need for further financial investment.

The Authority noted the potential impacts to the efficient and effective delivery of the Authority's statutory fire safety responsibilities because of the external environment.

The report highlighted the impact of continued resource reductions within the Protection function, as a result of core funding reduction to meet the challenges of the comprehensive spending review. There were increased demands on resources due to the internal and external environment and the need for investment to enable the Authority to continue to effectively discharge its statutory responsibilities in relation to fire safety. The need for investment in Protection resources had been brought to the Member's attention as part of the Strategy Options 2019 – 2022 report to the Authority on the 17 September 2018.

Staffing levels within the Protection function had seen a 41% reduction in the number of Fire Safety Officers from 105 in 2002 to the current establishment of 60.

A requirement of the National Framework for Fire and Rescue Services is to consider all risks in their areas and provide the resources and strategy to manage and reduce those risks and protect the public from risk. Fire and Rescue Services should ensure Protection has enough capacity through suitably qualified Fire Safety Officer to effectively implement Integrated Risk Management Plans (IRMPS), risk-based inspection programmes and discharge their statutory fire safety duties in relation to:

- Inspections and audits
- Prohibition and enforcement action
- Consultations
- Carry out additional activities as result of an independent review

Protection continues to experience increasing demands for its resources to effectively reduce risk, ensure public safety and provide public reassurance due to the external environment. Forecasting future demand due to recent changes in legislation and outcomes of the Grenfell Tower incident will further increase the demands placed upon existing resources.

In response to a question from the Co-Opted Member about recovering costs from other authorities for the service being provided.

ACO Taylor stated that the Authority has a Statutory Duty under the Regulatory Reform Order, but can only provide advice to Partner organisations and cannot charge as this would cause a conflict of interest. The responsibility for Building Regulations Applications sits with Local Authorities, but the Fire Service are a statutory consultee and any response is critical for fire safety.

The Authority had previously attempted to have a Trading Company to provide Fire Engineering advice, however, this had not been successful and the company was now dormant.

Resolved that further investment in Protection resources to enable the Authority to maintain effective discharge of statutory fire Safety responsibilities be approved.

92/18 **Extension to Six Month Attendance**

This item was withdrawn.

93/18 **Monitoring of Finances**

The Authority noted the Monitoring of Finances. As part of the Authority's 2018/19 budget setting process the current year's budget reflects an estimated transfer from general balances of £1.5m.

Appendix A showed the current position of the Revenue Budget with an overall minor favourable variance of £14,000.

The Treasurer referred members to the Corporate Budgets and, in particular, the most significant variances related to the Corporate Business Development budget, where there was an adverse variance of £403,000 and the Corporate Finance and Resources Budget where there was a favourable variance of £251,000, arising from a successful rates rebate appeal for the Headquarters and Safeside buildings.

Appendix B of the report set out the position in respect of the Firefighters' Pension Scheme and this was broadly in line with the full year estimate.

The capital scheme analysis shown at Appendix C indicated the Capital Programme forecast was £13.145m for 2018/19. Expenditure at the end of October was shown as £6.016m.

The main forecast variance within the capital programme related to:

- Aston Fire Station, where there had been a delay to construction to enable the re-siting of communication lines with a variance of £540,000
- Vehicle Replacement Programme, where there had been a delayed purchase of ancilliary vehicles (command support vehicle, Detection Identification and Monitoring vehicle and Welfare Pod) with a variance of £640,000.

The Treasurer highlighted that of the £13.145m forecast capital expenditure in 2018/19, £12.4m would be funded from earmarked reserves.

The Chair informed the Authority that the new Station in Coventry was nearing completion and crews were due to move back into the station in December 2018. Members were invited to look around the new facility.

The Chief Fire Officer confirmed that the building of Coventry It had been built using earmarked reserve funding as there was no annual capital allocation. The Authority would still need to find funds to meet ongoing capital programme requirements.

Metropolitan Brigades had not received any capital funding for several years and the Local Government Association were making a case to the Government for this funding.

94/18 **Members Allowances**

The Authority noted the contents of the Independent Review of Members' Allowances report, by Andrew Campbell, Local Government Association and considered the recommendations set out in the report to determine a way forward.

The Authority thanked Andrew Campbell for the good analysis of Members' Allowances and the information provided in the report would be valuable for the future Mayor's Fire Committee. Members appreciated the small savings that would result from the recommendations, but did not feel it appropriate to accept a small pay rise and felt it was the wrong time to do this.

A further review would be undertaken by an internal assessor in April.

95/18 **Minutes of the Audit and Risk Committee held on 4 September 2018**

The minutes of the Audit and Risk Committee held on 4 September 2018 were received.

96/18 **Notes of the Policy Planning Forum held on 4 September 2018**

The notes of the Policy Planning Forum held on 4 September 2018 were received.

97/18 **Minutes of the Scrutiny Committee held on 12 September 2018**

The minutes of the Scrutiny Committee held on 12 September 2018 were received.

98/18 **Minutes of the Appointments, Standards and Appeals Committee held on 17 September 2018**

The Members of the Appointments, Standards and Appeals Committee were concerned that the Appellant had not attended the meeting and felt that the Appeal was unbalanced. The Pension Advisor had attended the Committee to provide information on the circumstances of the Appeal.

It was agreed that the process would be reviewed and the outcomes be provided to the Authority Members.

The minutes of the Appointments, Standards and Appeals Committee held on 17 September 2018 were received.

99/18 **Minutes of the Governance and Transformation Committee held on 8 October 2018**

The minutes of the Governance and Transformation Committee were received.

100/18 **Minutes of the Scrutiny Committee held on 10 October 2018**

Councillor Brackenridge welcomed the report on recruitment and that the challenges set had been met. The Authority congratulated the Recruitment Team on their achievement and the ongoing work in this respect.

The minutes of the Scrutiny Committee held on 10 October 2018 were noted.

101/18 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 Section 12A to the Local Government Act 1972 as amended by the Local Government (Access to Information)(Variation) Order 2006 relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of a crime.

102/18 Notification of Fire Safety Prosecution

Members noted the details of an impending prosecution. The case involved a significant risk of severe injury or loss of life. The case was due to be heard at Birmingham Magistrates Court and the outcome would be reported to the Authority. Assistant Chief Officer Taylor stated that there had been a doubling in the demand on the Service in respect of Fire Safety work in the past eight years.

Councillor Young requested further information on a recent prosecution where a 7 year custodial sentence had been given. ACO Taylor agreed to provide further details.

The meeting closed at 1155 hours.

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