

# **Extraordinary Meeting of Hereford & Worcester Fire and Rescue Authority**

**10.45 am, Friday 21 May, 2010**

**Headquarters, 2 Kings Court, Charles Hastings Way, Worcester, WR5 1JR**

**Present:**

**Herefordshire:**

Mr J H R Goodwin, Mr D Greenow, Brigadier P Jones CBE (Chair),  
Mr D C Taylor.

**Worcestershire:**

Cllr. P. Andrews, Mr T J Bean, Ms. M. Bunker, , Mr S J Clee (Vice  
Chair), Mrs L Duffy, Mrs L Eyre, Mr A I Hardman, Mrs L Hodgson, ,  
Mrs F Oborski, Mr D W Prodger MBE, Mr C T Smith, Mr T Spencer,  
Mr K Taylor, Mr J Thomas, Mr R M Udall, Mr G C Yarranton.

**58. Apologies for Absence**

Apologies were received from Mr J Campion, Mr J Cairns, Mrs G Hopkins, Mrs J Potter and Mr P J Watts.

**59. Chairman's Announcements**

The Chairman informed the meeting that Cllrs Maddy Bunker and John Cairns had replaced Cllrs Allah Ditta and Mary Drinkwater on the Authority and welcomed the new Member to the meeting.

The Chairman announced that former ACFO Frank Norton had passed away in the early hours of the morning. The meeting held a minutes silence in his memory.

**60. Declaration of Interests**

No interests were declared.

**61. Questions from the Public**

There were no questions submitted.

**62. Exclusion of Public and Press**

The Clerk to the Authority recommended that the public and press be excluded from the meeting during the consideration of item number 5: Outgoing Chief Fire Officer's Retirement Situation on the grounds that if they were present during such consideration it was likely that there would be disclosure to them of exempt information as defined in Section 100 (I) and Schedule 12A of the Local Government Act 1972 i.e. it was likely that information relating to the financial or business affairs of any particular person (including the authority holding that information) and information in respect of which a claim to legal professional

privilege could be maintained in legal proceedings and the public interest in maintaining the exemption outweighed the public interest in disclosure.

**RESOLVED that the public and the press be excluded from the Meeting for the consideration by the Committee of Item number 5: Outgoing Chief Fire Officer's Retirement Situation.**

**63. Outgoing Chief Fire Officer's Retirement Situation**

The Clerk proposed that the meeting be adjourned for ten minutes to provide Members with additional time to read through the confidential report, which had been circulated an hour prior to the meeting due to its confidential nature.

The meeting resumed at 11.08 am.

The Clerk provided the Authority with three options for Members to consider which sought to resolve the situation. The Clerk explained that option two was recommended by Officers, however although option three had been put forward for consideration it was strongly recommended by Officers that this was not taken.

Cllr Hodgson proposed an additional recommendation that the Chairman and Clerk write to the DCLG setting out the Authority's concerns as detailed in the report. This was seconded by Cllr Eyre.

Cllr Clee proposed to move the recommendations, including the additional recommendation as put forward by Cllr Hodgson. The proposal to move was seconded by Cllr Prodger.

Cllr Udall proposed an amendment to recommendation (ii) i.e. that delegated authority be given to the Clerk in consultation with the Assistant Chief Fire Officer, Service Support, the Treasurer and the Chairman of the Authority to pursue Option 2, subject to the constituent authorities accepting the contents of paragraph 20 of the report. In the event of a failure to achieve this, a further meeting of the Fire & Rescue Authority would be convened to discuss the position further.

The Authority agreed unanimously to the recommendations, as amended.

**RESOLVED that:**

- i) Members note the content of the report;**
- ii) delegated authority be given to the Clerk in consultation with the Assistant Chief Fire Officer, Service Support, the Treasurer and the Chairman of the Authority to pursue Option 2, subject to the constituent authorities accepting the contents of paragraph 20 of the report. In the event of a failure to achieve this a further meeting of the Fire & Rescue Authority be convened to discuss the position further;**

- iii) in the event that agreement cannot be reached between the parties in relation to Option 2 delegated authority be given to the Clerk in consultation with the Assistant Chief Fire Officer, Service Support, the Treasurer and the Chairman of the Authority to implement Option 1;
- iv) in the event that agreement cannot be reached on either option delegated authority be given to the Clerk to determine any claim brought against the Authority;
- v) the Chief Fire Officer be given authority to pursue action in accordance with paragraph 48 of the report;
- vi) Members be advised of the final outcome of the matter and the Clerk in consultation with the Chairman of the Authority be authorised to issue a public report at the conclusion of the matter;
- vii) the proposal in paragraphs 52 and 53 of the report be approved; and
- viii) the Chairman and Clerk write to the Department of Communities and Local Government (DCLG) setting out the Authority's concerns as detailed in the report.

Signed:.....  
Chairman

Date:.....