

APPENDIX B

Mayor's Fire Function – Proposed Constitutional Amendment

- 1.1 **Delegation of Operational and Organisational Fire Functions to Chief Fire Officer.**
 - 1.2 The Mayor must delegate to the Officer of the Combined Authority defined as the Chief Fire Officer under paragraph 2 of the West Midlands Combined Authority (Fire and Rescue Functions) Order 2019 (the Order]) and further defined in paragraphs 1.3 and 1.4 below the functions set out in paragraph 7 (1) a–j of the Order.
 - 1.3 In order to develop and implement the Integrated Risk management Plan (IRMP) as defined by the National Fire and Rescue Framework, the CFO must be the Officer who has the necessary competencies to do so.
 - 1.4 The competences of this role will be defined by the Gold Book, National Framework and guidance produced by the fire sector through the National Fire Chiefs Council.
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- 2.0 **Procedure to be followed in the event of any Proposed Changes to Delegation.**
 - 2.1 If at any time the Mayor proposes to seek a change to Section 1.0 of the Constitution above he shall first prepare a Report to the Combined Authority Board setting out his/her intention and the reasons.
 - 2.2 The Report must first be formally considered by;
 - 2.2.1 The Chief Fire Officer, providing professional and technical advice regarding proposals to all key stakeholder;
 - 2.2.2 The Combined Authority Overview and Scrutiny Committee
 - 2.2.3 The Combined Authority Audit Risk and Assurance Committee
 - 2.2.4 The Mayor's Fire Committeeand any representations will be made available to the meeting of the Board at which the Mayor's report is to be considered.
 - 2.3 If the Combined Authority Board do not agree unanimously the proposals in the Mayor's report made under 2.1 above they may;

- 2.3.1 Request the Mayor to withdraw the proposal, or
- 2.3.2 Indicate the amendment(s) to the current proposal before the Board which they would be prepared to agree.
- 2.4 On receipt of a request or a proposal under paragraphs 2.3.1 or 2.3.2 above respectively the Mayor must, at the next ordinary meeting of the Board inform the Board if he proposes to take no further action or whether any amendments proposed under paragraph 2.3.2 above are to be incorporated into the report.
- 2.5 If on the Report being put to a vote at this meeting there is no unanimous agreement to the proposals the matter (or a matter which is substantially of the same content) may not be considered again until a period of six months has elapsed or the commencement of a new Municipal Year whichever is the later.
- 3.0 Any change to the provisions set out in clause 2 above will be treated as a change to the Combined Authority Constitution and will require unanimous approval for agreement.
- 4.0 The implementation date for any changes agreed under clause 2 above must be agreed with the CFO taking into account the need to provide for the continued effective delivery of agreed IRMP priorities as set out in the WMFS Strategic Plan and enable effective implementation of the fire and rescue functions as set out through the national framework.
- 5.0 No Officer other than the CFO as defined in section 1.2 or the properly appointed Brigade Manager in appropriate circumstances (as defined by the CFO) shall be delegated the functions set out in section 1.0 and the West Midlands Combined Authority (Fire Functions) Order 2019.