

NORTH WALES FIRE AND RESCUE AUTHORITY

Minutes of the Executive Panel meeting of the North Wales Fire and Rescue Authority held on Monday 25th July 2005 at Fire and Rescue Service Headquarters, St. Asaph. Meeting commenced at 12.15pm.

Present:

Councillor

Representing

T Roberts (Chairman)
M Williams (Vice-Chairman)

Gwynedd Council
Wrexham County Borough Council

D Jones MBE
J A Smith
D Barratt
E F Evans
E Morgan Jones
W T Owen
E C George
W J Chorlton

Denbighshire County Council
Denbighshire County Council
Flintshire County Council
Flintshire County Council
Gwynedd Council
Gwynedd Council
Wrexham County Borough Council
Ynys Môn County Council

Also present:

S A Smith (Chief Fire Officer and Chief Executive); J Kennedy (Deputy Monitoring Officer to the Authority); S Forrest (Treasurer's Department Conwy County Borough Council); C Enness (Deputy Chief Fire Officer); C Hanks (Assistant Chief Fire Officer, Service Support); P S Claydon (Assistant Chief Fire Officer, Service Delivery); P L Slee (Assistant Chief Officer, Corporate Services); S Morris (Corporate Planning Manager); N Williams (Estates Manager); D Hughes (Temporary Information Technology Manager) and Rh Evans (Member Liaison Officer).

PART I

1) Apologies

Councillor

Representing

S C Jones
J M Vaughan
P C Evans JP (substitute)
G M Craddock

Conwy County Borough Council
Conwy County Borough Council
Conwy County Borough Council
Wrexham County Borough Council

I R Miller
K W Finch

Clerk and Monitoring Officer to the Authority
Treasurer to the Authority

Panel members were welcomed to their first meeting at the Service's new Headquarters by the Chairman.

The Chairman informed members that Councillor S C Jones, who had recently been transferred from a hospital in France to Ysbyty Glan Clwyd had now left the High Dependency Unit and was a patient on one of the hospital's wards. It was his intention to visit her following the meeting and take with him a gift from the Authority. Following his visit he undertook to write to all members informing them of the visiting arrangements for Councillor Jones.

2) Notice of Urgent Matters

The Chairman advised that one item had been submitted for consideration:

- i. The Minister for Social Justice and Regeneration's letter to the Chairman, dated 18th July 2005, titled *Deferring Elements of IRMP Activity*. The letter had been discussed at the earlier Integrated Risk Management Plan (IRMP) Working Group meeting and had been referred to the current meeting for a formal decision.

3) Minutes

The following minutes were submitted:

- i. Executive Panel meeting held on 25th April 2005

Resolved: - to approve the minutes as a true and correct record of proceedings

4) Matters Arising

The following matters arose from the minutes:

Page 4 - Update on Capital Projects: Members were informed by the Chief Fire Officer that the proposed visit to the new Headquarters building for all Fire and Rescue Authority members would take place immediately following the meeting. Non Executive Panel members had been invited to join Panel members at the Headquarters for a tour of the new premises and of the neighbouring building which would house the proposed tri-service control centre.

5) The Relationship between the WLGA and the Fire and Rescue Services in Wales

The Chief Fire Officer introduced his report (previously circulated), discussion on which had been deferred at the Authority's its meeting on 20th June 2005 to this Executive Panel. The report sought members' views on the future relationship between the Fire and Rescue Authority and the Welsh Local Government Association (WLGA). A discussion paper, prepared by Mr Steve Thomas, the Director of the WLGA, had been attached to the report for members'

consideration. All fire and rescue authorities in Wales would be considering the report in due course.

Panel members welcomed the WLGA's proposals for the development of future relationships between the Association and the three fire and rescue authorities in Wales. The Panel was of the view that, following the devolution of responsibility for fire and rescue to the National Assembly for Wales, authorities now fitted in well with the local government family in Wales. As fire and rescue authorities relied on the local authorities within their areas for funding they were therefore an integral part of the local government framework in Wales. In the light of future budgetary pressures it was vital that fire and rescue authorities reinforced and built upon their relationships with the unitary authorities in Wales and the WLGA seemed to be the most appropriate route by which to facilitate this process.

Members agreed with the proposal in the report that the WLGA should have a more formal link into the Wales Fire and Rescue Services' Forum but the Panel was also of the view that another Forum/Panel, or a mechanism of some kind, should be established for the purpose of exploring policy issues and areas of common concern for all three authorities. The membership of this Forum/Panel should comprise of an equal number of representatives from each of the three fire and rescue authorities in Wales. The Forum/Panel could also serve as a link between the authorities and the Wales Fire Services' Forum (WFSF) and any tripartite (WFSF/WLGA/Ministerial) body. If such a Forum/Panel was to be established it could prove to be a valuable two-way communication tool between the WFSF/tripartite body and the individual authorities for the purpose of relaying viewpoints, raising concerns and the notification of decisions.

The Panel also welcomed the Association's proposal to discuss with the authorities the level of support currently offered by the Association to fire and rescue authorities and was of the view that future support should be in the form of a dedicated fire and rescue policy officer rather than on a secondment basis from one of the fire and rescue authorities. It was:

Resolved: -

- i. to note the report, compiled by the Director of the WLGA, and that a letter be sent to the WLGA indicating the Authority's willingness to enter into active dialogue on the issues raised in the report with a view to developing future relationships;***
- ii. that the WLGA should consider appointing a dedicated fire and rescue policy officer to support fire and rescue authorities; and***
- iii. that the WLGA be asked to assist with the establishment of a Welsh Fire and Rescue Authorities Forum/Panel, whose membership would comprise of an equal number of representatives from the three fire and rescue authorities in Wales, and whose remit would include the exploration of policy issues and areas of common concern to all authorities. This Forum/Panel would also***

serve as a communication forum between the individual authorities and the Wales Fire Services' Forum, the tripartite body and vice versa.

6) Performance Information

Shân Morris, the Service's Corporate Planning Manager, introduced the report (previously circulated) which provided members with information relating to the performance indicators used by North Wales Fire and Rescue Service. Under its revised terms of reference the Executive Panel now had powers delegated to it to undertake performance monitoring on the Authority's behalf. The Corporate Planning Manager explained that, in May 2005, a letter had been received from the National Assembly proposing that a quarterly retrospective monitoring report be presented to the appropriate committee of the Authority. She then proceeded to give the Panel historical and background information on performance monitoring including definitions of the terminology used before giving members a comprehensive overview of the range of statutory and non-statutory indicators against which the Authority was required to measure itself. Members were advised that the Authority was performing well in reducing the number of primary fires but was experiencing large fluctuations in the number of secondary fires. It was evident from the available data that Community Fire Safety (CFS) and arson reduction strategies were beginning to pay dividends. The Authority was making steady progress in keeping people safe and achieving this at a lower cost per head to the local population than the other two authorities in Wales. Prior to answering members' questions on the various indicators the Corporate Planning Manager advised that there was an error shown in Appendix 1 of the report in respect of the final performance indicator, BVPI 150. The provisional figure for 2004-05 in the PI on "Expenditure per head of population" should have shown (£24,968,000) £37.22 and not (£27,951,864) £41.67. She apologised for this error. The Panel:

Resolved: - to note the contents of the report

Councillor E F Evans joined the meeting at this juncture.

7) Progress in Relation to Best Value

The Deputy Chief Fire Officer introduced the report (previously circulated) informing members of the progress in relation to Best Value. As the Executive Panel had recently assumed the Authority's functions in relation to Best Value, under sections 3 to 6 of the Local Government Act 1999, the Deputy Chief Fire Officer briefed members on the history and background of Best Value. He then proceeded to update the Panel on the current position regarding the Wales Programme for Improvement (WPI), the performance and assessment framework that would apply to fire and rescue authorities in Wales, and advised members that the Welsh Assembly Government still anticipated that the WPI for fire and rescue authorities would commence on 1st April 2006; although consultations on a number of the core elements, including the WPI guidance and the draft BVPIs,

were yet to be published. In response to a question from Councillor E C George the Chief Fire Officer advised that the Wales Audit Office (WAO) had not given any indication that it intended to recommend the use of the "traffic light" system as the method by which to measure authorities' achievements against various indicators. He advised that he would be reluctant to apply this method unless it was a statutory requirement. It was:

Resolved: - to note the report

8) North Wales Fire and Rescue Authority's Welsh Language Scheme for 2005 - 2010

The Assistant Chief Fire Officer (Service Support) introduced the report and draft scheme (previously circulated) with a view to seeking members' approval for the Authority's draft revised Welsh Language Scheme for the period 2005 to 2010. He explained that upon receiving the Panel's approval the draft Scheme would be submitted to the Welsh Language Board for their comments and approval. Members:

Resolved: - to approve the Authority's Revised Draft Welsh Language Scheme for the period 2005 to 2010 for submission to the Welsh Language Board and that a copy of the Draft Scheme be sent to all Fire and Rescue Authority members for information.

9) Efficiency Savings

The Assistant Chief Officer (Corporate Services) introduced the report (previously circulated) requesting members to consider the 1% efficiency savings required in the Authority's 2005/06 budget. He reminded members that the Panel had, at its last meeting, identified the retained pay provision budget head as the area that was most likely to lend itself to achieve the majority of the required £294,123 efficiency savings. The Panel was advised by the Assistant Chief Officer (Corporate Services) that the annex to the report gave an analysis of the different areas of expenditure within the retained pay budget for 2005/06, including the anticipated savings. It was:

Resolved: -

- i. that the required efficiency savings of £294,123 be identified from the budget for retained pay as detailed in appendix A to the report; and***
- ii that the Chief Fire Officer reports to the next meeting of the Executive Panel on the progress in meeting the efficiency target in the retained budget and other budget efficiencies that may be identified***

10) The Review of the Model Code of Conduct

The Deputy Monitoring Officer introduced the Clerk's report (previously circulated) which asked the Panel to consider whether it wished to respond, on

the Authority's behalf, to the Assembly Government's consultation paper and draft legislation on the Review of the Model Code of Conduct. The Authority's Standards Committee had considered the Review at its meeting on 1st July 2005 and a copy of its response was annexed to the report for members' information. Following a discussion the Panel:

Resolved: - to note the Standards Committee's response to the consultation on the Review of the Model Code of Conduct and that, on behalf of the Fire and Rescue Authority, it did not wish to add any further observations or submit a separate response to the consultation

11) Better Governance for Wales

The Deputy Monitoring Officer introduced the Clerk's report (previously circulated) which asked the Panel to consider the UK Government's White Paper on proposed reforms to the devolution settlement. She explained that some of the changes proposed in the White Paper, relating to the way Government Bills were currently drafted in areas of devolved responsibilities, had already been implemented even though the consultation period had not yet expired. The implementation of these changes did not require amendments to the Government of Wales Act 1998. The Panel was advised by the Deputy Monitoring Officer that none of the proposals would have a direct impact on the Authority and that the report listed the main proposals and detailed other proposed changes that would be of interest to the Authority. Members:

Resolved: - to note the report

12) Extensions of Sick Pay

The Chief Fire Officer introduced his report (previously circulated) informing members of the decisions taken by him following consultation with the Chairman in respect of the granting of extensions of sick pay. Members:

Resolved: - to note the report

13) Urgent Matters

Minister's Letter – "Deferring Elements of IRMP Activity": A copy of the Minister for Social Justice and Regeneration's letter to the Chairman, dated 18 July 2005, had been circulated to all members at the meeting of the IRMP Working Group held immediately prior to the current meeting. In her letter the Minister was requesting that "fire and rescue authorities consider the deferral of any consideration of future proposals which would result in a permanent re-allocation of resources. The deferral would be until such time as the National Assembly has indicated its intentions regarding any revisions to the guidance." At the IRMP Working Group the Chief Fire Officer had explained that he had, earlier that morning, spoken to Assembly officials who had assured him that the letter was not intended to seek to constrain authorities' decisions on their IRMPs.

Its purpose was to seek assurances that the Authority would not consider or implement fundamental changes, similar to the ones proposed by Mid and West Wales Fire Authority, until the Assembly had published its own IRMP guidance. No indication was given in the letter of when the Guidance was expected to be published for consultation. Members were of the view that the Authority should seek clarification on the terminology used in the letter, and in particular for a definition of the phrase "permanent re-allocation of resources" before it agreed to consider the Minister's request for a deferral, as the letter seemed to be an attempt to fetter their discretion on IRMP issues. Members were conscious of their statutory duties and their responsibilities under Best Value legislation and therefore felt that if they agreed to the Minister's request they might find themselves in conflict with legislation. The Panel:

***Resolved:* - to instruct the Clerk to the Authority to write, on the Authority's behalf, to the Minister requesting clarification of the terminology used in her letter dated 18th July 2005, and in particular that a clear definition be provided of the phrase "permanent re-allocation of resources", prior to the Authority giving consideration to her request for a deferral**

14) Date(s) of future meetings

Some members requested that the Panel refrain from holding all meetings on a Monday. Therefore, following a discussion it was:

***Resolved:* - to hold the next Integrated Risk Management Plan (IRMP) Working Group and Executive Panel meetings on Wednesday 26th October 2005. The IRMP Working Group to meet at 10.00am followed by a meeting of the Executive Panel at approximately 11.30am; both meetings to be held at Fire and Rescue Service's Headquarters, St. Asaph.**

The Chairman informed members that it was recommended that the remainder of the business items on the agenda be discussed without the public or Press present. It was:

***Resolved:* - pursuant to Section 100A(4) of the Local Government Act, 1972 that the Press and Public be excluded from the meeting during consideration of the following items of business because it was likely that there would be disclosed to them exempt information as defined in Paragraphs 1, 8, 9 and 10 of Part I of Schedule 12A of the Local Government Act, 1972.**

PART II

15) Update on Capital Projects

The Assistant Chief Fire Officer (Service Support) introduced the report (previously circulated) updating members on the Property Department's capital programme. Members were informed that Councillor J A Smith had accepted an invitation to sit on the working group that had been tasked with developing

and progressing the project to adapt Rhyl Fire Station into a 'community fire station'.

In reply to a question regarding the extra expenditure incurred on the new Headquarters site at St. Asaph, the Estates Manager advised that although the error on the original 'Heads of Terms' document which had resulted in an incorrect amount being quoted for the fitting out costs had been the developer's, legal opinion had confirmed that he was acting within his rights in rectifying the error and requesting the revised amount payable. Members were informed by the Deputy Monitoring Officer that recent case law had shown that the Authority could face legal proceedings if it did not pay and that, in all probability, the Authority would lose the case and be liable for the developer's costs. In reply to another question as to the Authority's position, in the light of the added costs, in relation to the other tenders submitted for the new Headquarters project, members were reminded that no tendering process had taken place for this particular project as the Authority had entered into a ten year lease agreement with the developer.

In reply to other questions, members were informed that the remodelling work scheduled for Flint fire station was for the provision of facilities for female firefighters. On the issue of permanent accommodation for the Wrexham County Safety Office the Panel was advised that discussions were underway and that a meeting had been scheduled for July, this was subsequently cancelled; arrangements were now in hand for it to be held at the end of August.

Resolved: - to note the contents of the report

16) Access Road to St. Asaph Fire Station

The Assistant Chief Fire Officer (Service Support) introduced the report (previously circulated) informing members of the intention to collaborate with Denbighshire County Council to have the private access road to St. Asaph Fire Station and the adjoining library adopted as a public highway. Prior to a discussion taking place on this item of business Denbighshire County Council representatives, Councillors D Jones and J A Smith, declared an interest and withdrew from the meeting. The Assistant Chief Fire Officer (Service Support) advised members that all the information, including the financial implications, was contained in the report. In reply to members' questions Officers advised that it would be to the Authority's benefit to dispose of the site as it would then no longer be liable to pay for the public liability insurance for the road, the liability would transfer to Denbighshire County Council. If the Authority agreed to equally share the costs for road markings with the Council it would be taking all necessary steps to safeguard a free passageway for appliances to leave and enter the fire station. It was:

Resolved: - to note –

- i. that North Wales Fire and Rescue Authority, in partnership with Denbighshire County Council, would invest the contribution from the***

- owners of The Plough Hotel towards the upgrade and adoption of the roadway and the necessary road markings, the works being undertaken and controlled by Denbighshire County Council on behalf of all concerned; and**
- ii. that North Wales Fire and Rescue Authority, in partnership with Denbighshire County Council, would share the estimated cost for road markings**

At this juncture Councillors D Jones and J A Smith re-joined the meeting.

17) Telephony Issues

The Assistant Chief Fire Officer (Service Support) introduced the confidential report (previously circulated) advising members on the issues concerning the installation of Internet Protocol (IP) Telephony. He proceeded to detail the information contained in the report and both he and the Chief Fire Officer answered members' questions accordingly. Councillor D Jones was of the view that issues of this nature should always be raised with the Chairman or Senior Officers in the first instance and not at public meetings. Councillor W J Chorlton requested that, in future, the Chairman and Executive Panel be informed of any major issues that arise. Members:

Resolved: - to note the contents of the report

Meeting concluded at 2.35pm.

The above minutes, pending any inclusions shown, are approved as a true and correct record of proceedings.

Signed: T Roberts

Dated: 26 October, 2005