

NORTH WALES FIRE AND RESCUE AUTHORITY

Minutes of the meeting of North Wales Fire and Rescue Authority held on Monday 19th September 2005 at the Council Chamber, Ynys Môn County Council Headquarters, Llangefni. Meeting commenced at 10.30am.

Present:

Councillor

Representing

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

Gwynedd Council
Wrexham County Borough Council

P C Evans JP
J Vaughan
G C Evans
S Frobisher
J A Smith
E F Evans
J Ovens
C Shone
M Griffith
E Morgan Jones
W T Owen
G O Williams
N S Colbourne
G M Craddock
E C George
W J Chorlton
W T Roberts

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

Also present:

S A Smith (Chief Fire Officer and Chief Executive); I R Miller (Clerk and Monitoring Officer to the Authority); K W Finch (Treasurer to the Authority); 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); S Forrest (Treasurer's Department, Conwy County Borough Council) and Rh Evans (Member Liaison Officer).

PART I

1) Apologies

Councillor

S C Jones
W E Jones
R Peacock
D Jones MBE
D Barratt
D Clayton
R G Hampson
P M Shone
J A Roberts

Representing

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

2) Notice of Urgent Matters

The Chairman advised that the Chief Fire Officer had requested to make a statement concerning a tragic incident that had occurred over the weekend.

Llanddulas Tragedy: Members were informed by the Chief Fire Officer that the Service had been called to a fire at a chalet park in Llanddulas at approximately 6.20am on Sunday 18th September 2005. Crews were at the scene within ten minutes by which time the timber chalet was well alight. Tragically the occupant, a male in his forties, had already died. Early indications had ruled out any suspicious circumstances but the exact cause of the blaze was still under investigation.

3) Announcements

The Chairman announced that:

- i. The report and business case on the proposed co-located emergency services control room, which had been scheduled for presentation to the current meeting, had been delayed due to further work being required on the business case. Members were advised that if a decision was required on the matter before the December meeting he would call an extraordinary meeting for that purpose.
- ii. Councillor S C Jones was now recovering well at home. She was in good spirits and hoped to attend the official opening of the Service's new Headquarters on Thursday 22nd September 2005.
- iii. Mrs Edwina Hart MBE AM, the Welsh Assembly Government's (WAG) Minister for Social Justice and Regeneration, would be performing

the official opening ceremony of the Service's new HQ in St. Asaph on Thursday 22nd September 2005.

- iv. Congratulations were extended to the Assistant Chief Officer (Corporate Services), Mr Peter Slee and his wife, on celebrating their 35th wedding anniversary.
- v. Dates of future committee meetings: The Standards Committee would be meeting on Monday 10th October 2005 at 4pm at County Hall, Ruthin. The IRMP Working Group was scheduled to meet on Wednesday 26th October 2005 at the Fire and Rescue Service Headquarters, St. Asaph at 10am; the Executive Panel would hold its meeting immediately afterwards at approximately 11:30am. The Fire & Rescue Authority's next scheduled meeting would be on Monday 19th December 2005, at County Hall, Ruthin at 10:30am.
- vi. Other events: Monday 26th September – All Wales Fire & Rescue Authorities Members' Seminar at the Pavilion, Llandrindod Wells. Walesfire 2006 – Members were advised that, for the first time, the Walesfire Conference would be held in North Wales between 8th and 10th May 2006. The venue would be the North Wales Conference Centre in Llandudno. To ensure the event's success a strong representation from amongst the Authority's membership would be required. Invitations would also be extended to key officers and portfolio holders in the constituent authorities, in particular members and officers who were involved in community safety and areas of partnership and collaborative working.

It was:

Resolved: - that

- i. a report be presented to the Authority's Executive Panel meeting on 26th October 2005 on the financial implications, and the options available, for the provision of overnight accommodation for fire and rescue authority members attending the "Walesfire 2006" Conference in Llandudno, between the 8th and 10th May 2006; and***
- ii. that members advise the Member Liaison Officer of the key councillors and officers from their constituent authorities that should be included on the invitation list for the "Walesfire 2006" Conference.***

4) Minutes

The following minutes were submitted:

- i. Fire and Rescue Authority meeting held on 20th June 2005

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

The following minutes were submitted for information purposes:

- ii. Standards Committee meeting held on 1st July 2005
- iii. Executive Panel meeting held on 25th July 2005

5) Matters Arising

The following matters arose from the minutes submitted:

Fire and Rescue Authority Meeting, 20th June 2005

Page 5: Chairman's Report – The Chief Fire Officer advised members that the concerns raised regarding local members not being informed of various events held within their local areas at which fire and rescue service personnel were either involved, or in attendance, had been addressed. Members were now routinely informed of events taking place within their localities.

Standards Committee Meeting, 1st July 2005

Page 2: Review of Model Code of Conduct, 3rd paragraph – Councillor W J Chorlton indicated that he disagreed with the Standards Committee's view that local standards committees should be given the power to conduct the initial investigation into complaints about member conduct. In his view all complaints should continue, in the first instance, to be directed to the Ombudsman to ensure impartiality. The Clerk advised Councillor Chorlton that the consultation on the Review, to which he was referring, had closed at the end of July. He referred Councillor Chorlton to the minutes of the Executive Panel's meeting of the 25th July 2005 at which the Panel had noted the Standards Committee's response and resolved not to submit any further observations or submit its own response.

Executive Panel Meeting, 25th July 2005

Pages 2 to 4: The relationship between the Welsh Local Government Association (WLGA) and the Fire and Rescue Services in Wales: Councillor E C George enquired whether the Authority had received a response to its comments on the WLGA's Director's discussion paper considered at the meeting. The Chief Fire Officer advised that no response had been received to date. The Chairman informed members that the WLGA's Co-ordinating Committee would be meeting in October and that he would raise the matter at that meeting. The Clerk suggested that it might be opportune for members to raise the issue with Mr Steve Thomas, the WLGA's Director, at the All-Wales Fire and Rescue Authorities Members' Seminar on 26th September 2005 as he would be one of the guest speakers.

6) Chairman's Report

The Chairman introduced his report (distributed at the meeting) which provided members with a brief update on the meetings and events attended by him, in his capacity as Chairman, since the Fire and Rescue Authority's last meeting on 20th June 2005. The Chairman detailed the various meetings and events listed in his

report. Members were advised that discussion had taken place at the National Joint Council for Local Authority Fire Brigades (NJC) meetings on various items including attacks on firefighters and regional control centres in England. Legislation was already in place in Scotland which made attacks on firefighters responding to emergency calls a criminal offence. A Private Members Bill was in the process of being presented to Parliament to make similar provisions in England. The Chairman informed the Authority that he intended to seek assurances from the Minister that similar legislation would be brought forward in Wales. On the issue of Regional Control Centres the Chairman advised that authorities in England, in the wake of the introduction of regional control rooms, were exploring possible redundancy schemes. Authorities in Wales, Scotland and Northern Ireland would not be considering similar schemes.

Andy Williams of Wrexham Fire Station was congratulated by the Chairman on the extremely impressive "Impact Roadshow" event he had arranged in conjunction with Wrexham County Borough Council.

Members were advised that, following a meeting between the Chairman, the Young Firefighters' Association (YFA) Coordinators and Mr John Cartwright of the Youth Training Association, progress was now being made with regards to establishing an inter-branch competition. The idea was that the competition would be held during a weekend away at a camp or similar establishment. It would include a number of activities as diverse as first-aid, hose reeling, tests on safety aspects and quizzes. The Chairman informed the Authority that an application had been submitted to the Welsh Assembly Government for funding with a view to employing a full-time YFA Coordinator. Mark Jones, the Service's Community Fire Safety Manager, was thanked for coordinating the arrangements for the meeting. A further meeting would be held in the near future.

In reply to a question, the Chairman and Chief Fire Officer advised members that the New Dimensions Seminar, held at the Fire Service College on the 6th September, which they had both attended had been an extremely worthwhile event. The equipment and scenarios demonstrated on the day had been impressive, and underlined the importance and the level of funding the UK Government was directing into this area of the Service's work. It was:

Resolved: - to note the information contained in the report.

7) Pensions Review

Prior to the commencement of this item of business Councillor W J Chorlton declared an interest as a retired firefighter in receipt of a pension from the fund. Councillor Chorlton was advised by the Clerk that his declaration would be noted but that he would not be barred from participating in the discussion as the report related to future pension liabilities and not to the payment of current pensions.

The Treasurer introduced his report (previously circulated) which gave members the annual update on the Authority's Pension Provision. He explained that the report was self-explanatory but that the situation had been complicated slightly by the fact that the Office of the Deputy Prime Minister (ODPM) had already issued for consultation proposals for a new Firefighters' Pension Scheme in England. The Scheme in England would come into force in April 2006. The Welsh Assembly Government (WAG) had yet to consult on any similar proposals. Members were advised by the Clerk that the delay in consulting on any proposals and the fact that it had not undertaken a data capturing exercise meant that the Assembly had missed the opportunity to legislate for a new pension scheme to come into force in Wales from April 2006. The earliest date on which a new scheme could be brought into force would now be April 2007. Members were reminded by the Clerk that the Pension Scheme was the latest in a long list of consultations which fire and rescue authorities were waiting for the Assembly to publish. The delay in issuing consultations was a point on which the Authority had constantly lobbied. Delays in consulting meant that fire and rescue authorities in Wales seemed to be falling further and further behind their counterparts in England in a number of key areas. Recently the ODPM had issued for consultation the amendments required to the current pension scheme in order to reflect the changes that would be brought about, amongst other legislative changes, by the enactment on 5th December 2005 of the Civil Partnership Act 2004. No indication had been received on when the WAG was likely to consult on the required amendments. The Clerk suggested to members that it might be worthwhile to raise the pension issue at the All-Wales Fire and Rescue Authorities Members' Seminar on 26th September 2005.

During a recent meeting of the Fire and Rescue Liaison Group the Minister had indicated that the Assembly Government was looking at introducing the new Pension Scheme from April 2007. The Clerk advised the Authority that delaying the scheme by twelve months would mean that fire and rescue authorities in Wales might be at a financial disadvantage in comparison to authorities in England. Retained firefighters in Wales would also be at a disadvantage as they would be unable to access the Pension Scheme at the same time as their colleagues in England. Members requested that a letter be sent to the WAG's Minister for Social Justice and Regeneration, copied to all North Wales Assembly Members and the staff representative bodies, registering the Authority's concerns regarding the delay in introducing changes to the pension scheme similar to those proposed by the ODPM in England, and requesting that the Assembly Government consults forthwith on the changes required to the existing pension scheme to take account of the Civil Partnership Act 2004 and other legislative changes.

In reply to a question from Councillor W J Chorlton on whether a report had been presented to the Authority detailing the proposed new pension scheme, the Chief Fire Officer advised that no report had been submitted as all the proposals to date related to the scheme in England. No proposals had yet been

put forward for the scheme in Wales although it was anticipated that it would mirror the new Firefighters' Pension Scheme in England. Councillor E C George reminded members that the proposals now being consulted on in England had been in the public domain since 2003 when a proposed new pension scheme was first announced. Councillor Chorlton requested that, for information purposes, a report be presented to the Executive Panel's meeting on 26th October 2005 detailing the ODPM's proposals for the new Firefighters' Pension Scheme in England. It was:

Resolved: -

- i. that no contribution to the Pensions Provision be made in 2006/07;***
- ii. that payments to the Pension Provision re-commence in 2007/08 if the Pension Scheme funding remains in the current format;***
- iii. that a letter be sent to the WAG's Minister for Social Justice and Regeneration, copied to all North Wales Assembly Members and the staff representative bodies, registering the Authority's concerns on the delay encountered in introducing changes to the pension scheme similar to those proposed by the ODPM in England, and requesting that the Assembly Government consults forthwith on the changes required to the existing pension scheme to take account of the Civil Partnership Act 2004 and to reflect any other legislative changes; and***
- iv. that a report be submitted to the Executive Panel's meeting on 26th October 2005 detailing the ODPM's proposals for the new Firefighters' Pension Scheme in England.***

8) Provisional Outturn 2005/06

The Treasurer introduced his report (previously circulated) updating members on the Authority's estimated provisional outturn figure for the 2005/06 financial year. He explained that the report was self-explanatory and that it was difficult this early in a financial year to project the overall end of year outturn figure. Councillor W J Chorlton reminded members of his constituent authority's viewpoint on how to deal with any end of year underspend. Members:

Resolved: - ***to note that the outturn estimate was based on current levels of activity and that the situation could change, and that consideration of how to deal with the underspend be given at the next meeting of the Fire and Rescue Authority when an updated outturn figure would be available.***

9) Treasury Management

The Treasurer introduced his Treasury Management and Prudential Indicators report (previously circulated). He explained that the Authority was required to regularly monitor the prudential indicators and report and approve any significant changes to the Treasury Management Strategy and Annual Plan in

order to comply with the requirements of the CIPFA Code of Practice on Treasury Management. The changes required were as detailed in the report. Members:

Resolved: - to approve the amended Prudential Indicators and the proposed new limits on fixed and variable rate borrowing.

10) Delegation of Powers in Relation to the approval of the Statement of Accounts 2004/05

The Treasurer introduced his report (previously circulated) seeking the Authority to delegate its responsibility for the approval of the 2004/05 Statement of Accounts and receiving the accompanying report from the Wales Audit Office (WAO) to its Executive Panel. It was:

Resolved: - to delegate responsibility for the approval of the Statement of Accounts 2004/05 to the Executive Panel and for the Executive Panel to receive the accompanying report from the WAO

11) Review of the Operation of the New Shift System on Day-Crewed Stations

The Assistant Chief Fire Officer (Service Delivery) introduced his report (previously circulated) updating members on the review of the new shift times worked at day crewing stations. Members agreed that, as reported, the change in the shift times seemed to be working well. As a result the Service was reaping the benefits of the change with more calls being received during the period that personnel were present on station. In reply to a question on the savings generated by the operation of the new system the Chief Fire Officer advised that it was anticipated that the original projection of £75k, quoted in the Authority's Integrated Risk Management Plan (IRMP), may be exceeded. The Chief Fire Officer agreed to a request from Councillor E C George that a report be submitted to the Authority's December meeting on the savings achieved by operating the new shift system, but that he would also expand the report to include the service delivery improvements attained as a result of operating the new system.

On the issue of the number of false alarms from automatic fire detection apparatus received by the Service the Chief Fire Officer advised that this particular area had been exercising the minds of the IRMP Working Group since its formation. Officers had concluded that the Chief Fire Officers' Association (CFOA) protocol on how to deal with these types of calls, which were a drain on valuable resources and money, was not robust enough. A more robust policy would be presented to the IRMP Working Group shortly for consideration.

The Deputy Chief Fire Officer gave a summary of the issues discussed at the meeting with the staff of day-crewed stations. He also advised that the Senior Fire Safety Officer was in the process of writing to the constituent authorities'

directors of education/lifelong learning to seek assurances that fire safety education would be given adequate time on schools curricula. It was:

Resolved: - to note the contents of the report and that a report be presented to the Authority's December 2005 meeting detailing the savings generated and the service delivery improvements achieved as a result of implementing the new shift system on day-crewed stations.

Councillor W J Chorlton's request that the order of business be varied in order that the item on "Insurance Provision for Firefighting at or Beneath the Sea" was discussed before the item on "Best Value Performance Plan 2005/06", was granted by the Chairman on the grounds that Councillor Chorlton had to leave the meeting early.

12) Insurance Provision for Firefighting at or Beneath the Sea

The Assistant Chief Fire Officer (Service Delivery) introduced his report (previously circulated) detailing to members the Authority's insurance provision relating to the Service's marine firefighting capability. He explained that the report had been submitted in response to a request received at June's Fire and Rescue Authority meeting. Councillor W J Chorlton stated that he accepted the report as things stood at present but stated that he had concerns about the phrase "appropriate adjustments dependent on the circumstances". The Assistant Chief Officer (Corporate Services) explained that under the current Firefighters' Pension Scheme an abatement of compensation due would be made in lieu of benefit payments received from the Scheme. The ODPM had recently issued for consultation details of the new Firefighters' Pension Scheme in England and amendments required to the current scheme to reflect legislative changes. The Assembly Government was expected to consult shortly on a similar new pension scheme for Wales and on the amendments required to the current scheme to reflect legislative changes. It was anticipated that compensation recoveries would be included in these consultations. The Chairman advised that he would also raise the matter at the NJC. Members:

Resolved: - to note the contents of the report and that the current arrangements regarding marine insurance provision within North Wales continues, until a nationally set agreement is reached, at which point the matter would be reviewed.

Councillor W J Chorlton left the meeting at this juncture.

13) Best Value Performance Plan 2005/06

The Assistant Chief Fire Officer (Service Delivery) introduced his report (previously circulated) which, in the absence of statutory guidance and in order to comply with Section 6 of the Local Government Act 1999, presented members with a draft document for adoption as the Authority's informal Best Value Performance

Plan (BVPP) for 2005/06. Councillor M Griffith enquired whether the approved document would be available bilingually. She was assured by the Service's Corporate Planning Manager that the Welsh version of the BVPP was nearly ready, and that the Service's Welsh Language Policy did permit for draft documents to be presented in English only. Once a draft document received the Authority's approval it then had to be made available in both languages.

In reply to a question on when the Authority would be given the opportunity to discuss the draft Welsh Language Scheme, Councillor Griffith was informed by the Clerk that the Authority's Executive Panel had approved the draft Scheme for submission to the Welsh Language Board at its meeting on 25th July 2005. It was:

Resolved: - to approve the draft document annexed to the report as the Authority's informal Best Value Performance Plan for 2005/06.

14) Corporate Risk Management Strategy

The Assistant Chief Fire Officer (Service Delivery) introduced his report (previously circulated) which presented the Service's Draft Corporate Risk Management Strategy to members. Members' attention was drawn to the organisation's responsibilities at both member and officer level. In reply to a question as why the policy statement made reference to fire and not to rescue, although the latter was now a statutory duty, Assistant Chief Fire Officer Claydon advised that this was purely interpretational and that rescue would be included under the definition of fire. It was:

Resolved: - to note the contents of the report and endorse the policy

15) Informative

The Chief Fire Officer presented the Authority with the current issue of the 'Informative' magazine. He apologised for the typographical errors contained in the publication and advised members that these issues had already been taken up with the publisher. It was:

Resolved: - to accept the publication

16) Urgent Matters

Statement already made under business item number 2.

Councillor W T Roberts left the meeting at this juncture.

The Chairman informed members that it was recommended that the remaining business item 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 item 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

17) Review of the Commercial Fire Safety Unit

The Chief Fire Officer introduced the report (previously circulated) which informed members of the outcome of the review recently undertaken of the Commercial Fire Safety Unit and the options for its future. Assistant Chief Fire Officer (Service Delivery) Paul Claydon explained that the Unit had, since its formation, only shown an operating surplus during one financial year. He then detailed the information contained in the report including the unit's progress against its remit, the additional considerations, and the audit and review that had taken place, before explaining in full the four options which had been presented for members' consideration.

Councillor W T Roberts rejoined the meeting at this juncture.

Councillor E C George commented that when the Commercial Fire Safety Unit was established in April 2000 community fire safety issues were not at the forefront of the Government or the fire authorities' priorities at that time. Since then the agenda had moved on and fire safety was now one of the fundamental duties expected of the modern fire and rescue service. Members agreed and it was:

Resolved: - that the Commercial Fire Safety Unit be operated as a non-business venture and its assets, staff and services absorbed into the Service's Community Fire Safety function. Any income generated would be used to offset its costs with any surplus costs being met by the Service from within its budget.

The Chief Fire Officer thanked members for their decision on this matter.

The meeting concluded at 12 noon.

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

Signed: T Roberts

Dated: 19 December, 2005