

NORTH WALES FIRE AND RESCUE AUTHORITY

Minutes of the Executive Panel meeting of the North Wales Fire and Rescue Authority held on Monday 13th March 2006 at Fire and Rescue Service Headquarters, St. Asaph. Meeting commenced at 12.45pm.

Present:

Councillor

Representing

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

Gwynedd Council
Wrexham County Borough Council

J A MacLennan (substitute)
J M Vaughan
J A Smith
W T Owen
G M Craddock
E C George
J A Roberts

Conwy County Borough Council
Conwy County Borough Council
Denbighshire County Council
Gwynedd Council
Wrexham County Borough Council
Wrexham County Borough 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); C Enness (Deputy Chief Fire Officer); P S Claydon (Assistant Chief Fire Officer, Service Delivery); C Hanks (Assistant Chief Fire Officer, Service Support); P L Slee (Assistant Chief Officer, Corporate Services); S Morris (Corporate Planning Manager); W A Murphy (Senior Operations Manager); L Roberts (Fire Control Manager) P Davis (Fire Control Support Officer); K Roberts (Chief Officers' Advisory Team Support Officer); G Watson (Corporate Communications Manager); Councillor S Frobisher (North Wales Fire and Rescue Authority Member, present as an observer) and Rh Evans (Member Liaison Officer).

PART I

1) Apologies

Councillor

Representing

S C Jones
D Jones MBE
E Morgan Jones
D Barratt
E F Evans
W J Chorlton

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

K W Finch

Treasurer to the Authority

Prior to the commencement of business the Chairman read a card, received that morning, from Councillor S C Jones thanking members and officers for their good wishes and for the gift she had received during her stay in hospital. The Clerk informed members that he had recently called to see Councillor D Jones who, due to his own health and caring responsibilities, had been unable to attend committee meetings during the past few months.

Condolences were extended to Councillor J A Smith following the recent death of his mother.

The Chief Fire Officer introduced Mr Gareth Watson, who had recently taken up his post as the Service's Corporate Communications Manager, to members. Members welcomed Mr Watson and wished him well in his new post.

2) Notice of Urgent Matters

Members were informed by the Chairman that no items had been submitted to him or the Clerk for consideration.

3) Minutes

The following minutes were submitted:

- i. Executive Panel meeting held on 13th December 2005

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

4) Matters Arising

The following matter arose from the minutes:

Page 3 – Welsh Local Government Association's (WLGA) Fire Services Panel: In reply to a question the Chief Fire Officer advised that he had only recently received the draft minutes of the Panel's inaugural meeting, held on 25th November 2005. He undertook to circulate a copy of these minutes to Executive Panel members for information purposes.

5) Annual Audit Letter 2004/05

The Chairman welcomed Mr David Jones, Audit Manager, Wales Audit Office (WAO) to the meeting to give members a presentation on the Annual Audit Letter 2004/05. Copies of the Letter had been sent to members on 9th January 2006. Mr Jones explained that, under the Code of Audit Practice, it was a requirement that the more important matters arising from the agreed audit

programme had to be reported to members. Mr Jones proceeded to summarise the matters that had arisen during the 2004/05 audit year.

The Code of Audit Practice required the WAO to look at the Authority's Accounts, its arrangements for performance management and the financial aspects of its corporate governance functions. The WAO was satisfied that the Authority's core financial processes in relation to the main accounting system, budgetary control procedures and final accounts close down procedures, contained appropriate controls to ensure that financial records were free from material errors and that the information was completely and accurately reflected in the Statement of Accounts. Members were advised that the Authority had continued its excellent record of producing the financial statements well within the statutory deadlines. At the Authority meeting on 19th December 2005 the WAO had drawn members' attention to the Provisions retained by the Authority and in turn the Authority had resolved that it was content for the balances to remain. Subsequently, and in accordance with the statutory timetable the WAO had issued an unqualified opinion on the accounts on 22nd December 2005.

In relation to the financial aspects of corporate governance the WAO had concluded that the Authority had appropriate arrangements in place relating to the legality of significant financial transactions, internal financial control (including Internal Audit) and standards of financial conduct, fraud and corruption. The Authority had also taken a positive and responsible attitude to the flexibilities introduced by the Prudential Code.

On the Performance Management aspect of the Authority's work, the Best Value Performance Plan (BVPP) had been published by 30th September 2005 and a test check of the reported performance indicators (PIs) included in the BVPP had showed them to be correctly stated. In relation to the Authority's use of resources, overviews had been conducted on the arrangements in place for Human Resources, Asset Management and Partnership Working. These reviews had concluded that Officers were aware of the importance of the development of strategy documents that linked each of these activities to the organisational objectives and that they were actively working on these strategies.

On the issue of the verification of the current year's Integrated Risk Management Plan, Mr Jones informed members that he could not offer any further information or advice until such time as the Welsh Assembly Government (WAG) published its intentions in relation to IRMP/Risk Reduction Planning and the Wales Programme for Improvement (WPI) for fire and rescue authorities, including the verification processes for these programmes. In the same way as Authority officials had held discussions with Assembly officials on these issues, WAO officials had also been in discussions with civil servants. The Clerk reminded the Panel that the Assembly Government's delay in publishing guidance and legislation in relation to the new Firefighters' Pension Scheme and other pension related legislation was also hindering the financial aspect of the Authority's work.

Mr Jones thanked the Authority's members and Officers for their cooperation throughout the current audit year and during the years he had been the Audit Commission/WAO Audit Manager responsible for North Wales Fire and Rescue Authority. Prior to concluding his presentation Mr Jones presented Mr Matthew Edwards to members, Mr Edwards would be taking over the role of the WAO's Audit Manager with responsibility for the Authority.

The Chairman thanked Mr Jones for his presentation and for answering members questions and thanked both Mr Jones and Mr Edwards for attending. Members:

Resolved: - *to receive and note the Annual Audit Letter for 2004/05*

6) Integrated Risk Management Plan – Third Year Action Plan

The Clerk informed the Panel that the IRMP Working Group had recommended, at its meeting, earlier that morning, that the Executive Panel should defer formulating its recommendations to the Fire and Rescue Authority in relation to the adoption of the IRMP – Third Year Action Plan until the WAG's Risk Reduction Planning (RRP) Guidance had been published. It was therefore:

Resolved: -

- i. to note the responses to the consultation, and*
- ii. to refrain from formulating recommendations to the Authority on the IRMP Third Year Action Plan pending the publication of the WAG's Risk Reduction Planning Guidance on 21st March 2006;*
- iii. following the publication of the RRP Guidance that a meeting of the IRMP Working Group be convened at 10.30am on Monday 27th March 2006 with a view to formulating the Working Group's recommendations to the Fire and Rescue Authority on the IRMP Third Year Action Plan; and*
- iv. due to the Working Group's meeting being held at 10.30am on Monday 27th March 2006 that the Authority's meeting on the same day would now commence at 12 noon.*

7) Efficiency Savings

The Assistant Chief Officer (Corporate Services) introduced his report (previously circulated) updating members on the progress made in meeting the efficiency savings in the retained pay budget. He explained that the report was self explanatory and that Appendix A to the report detailed the various areas of the retained pay budget including the areas that were showing an underspend and the ones that were likely to show an overspend before the end of the financial year.

Councillor E C George enquired whether the Authority would be required to set up a provision to alleviate budgetary pressures in the wake of the recent ruling by the Law Lords - which had upheld the Fire Brigades Union's (FBU) appeal that

the Retained Firefighters and Part-Time Workers (Prevention of Less Favourable Treatment) Regulations 2000 should apply to personnel working the retained duty system (RDS). The Assistant Chief Officer (Corporate Services) advised that the interpretation of the Law Lords ruling was still unclear. They had instructed that the claim should return to the Employment Tribunal for it to give further consideration to the issues based on the guidance given by the House of Lords. The ruling had the potential of giving staff working the RDS the same conditions of service as wholtime firefighters including the same rate of pay, pension, sick pay and annual leave rights. It was possible that these rights could be backdated to 1st July 2000 but, as no clear details were yet available, Officers were unable to calculate the full financial implications of the ruling for the Authority at this point in time. Members were reminded that the Authority currently held a Pension Provision and, dependent on the funding arrangements for future pension entitlements, it may be able to utilise this Provision to alleviate the budgetary implications of this ruling. It was:

Resolved: - to note the report.

8) Performance Monitoring

The Assistant Chief Fire Officer (Service Delivery) introduced his report (previously circulated) providing members with information relating to the Service's performance against various performance indicators (PIs) during the first nine months of the 2005/06 reporting year. He explained that the report was self-explanatory and if members wished to see the more detailed data, Officers would be able to provide the information on request.

Councillor J M Vaughan was of the view that the wording of the Best Value Performance Indicators (BVPIs) relating to sickness absences read extremely negatively and implied that all staff had lost a specified number of days/shifts to sickness. Officers advised that the wording was in accordance with Best Value guidance in respect of PIs, but undertook to amend the wording in future reports to reflect the fact that the PI showed the average number of days/shifts lost per member of staff. It was also agreed that information on short term and long term sickness absences would be detailed separately in future. The Deputy Chief Fire Officer informed members that the Service's policies in relation to managing sickness absences had recently been reviewed. As a result a new policy was due to be introduced in April. A change in the structure of the Occupational Health provision had been introduced with the intention of supporting personnel whilst they were off sick and assisting their return to work. The Chief Fire Officer confirmed that, wherever possible, personnel that were not yet fit enough to return to their former roles, mainly on the operational side, were encouraged to undertake light duties as soon as possible.

In relation to the funding available for fitting smoke alarms Assistant Chief Fire Officer Claydon advised that the Authority had been fortunate in attracting money for such initiatives from the WAG. He proceeded to explain that in the aftermath of a dwelling fire other dwellings in that particular area would be

targeted and home fire safety checks would be undertaken as a matter of urgency. During these checks smoke alarms would be fitted or batteries/units replaced if they were found to be defective. Building Regulations required all new houses that were built to be fitted with hard-wired smoke alarms. Members were advised that despite the Authority's efforts to reduce the number of false alarms from automatic fire detection apparatus (AFAs), rather than falling, the number of these types of calls was higher than during the same period last year. AFA calls from domestic properties were also now included in the calculations, although the majority of the repeated calls were received from non-domestic properties. These repeat AFA calls were a drain on the Authority's resources, hence the proposal in the Authority's IRMP – Third Year Action Plan "to introduce a charging scheme based on the cost to the Service of attending persistent and repeated false alarms to AFAs". The establishment of such a scheme was dependent on the National Assembly introducing the relevant legislation that would permit the Authority to include levying a charge for attending repeated false alarm calls in its Scheme of Charges.

Panel members requested that their gratitude to the firefighters who rescued a child from a house fire in Wrexham be placed on record: It was:

Resolved: -

- i to note the contents of the performance monitoring report;*
- ii. that future Performance Monitoring reports detail short term and long term sickness absences as separate items; and*
- iii. that the wording of the information on sickness absences be amended from "on average, every member of staff has lost..." to "the average number of days/shifts lost to sickness per member of staff..."*

9) Commemorating North Wales Fire and Rescue Authority's Tenth Anniversary

The Assistant Chief Officer (Corporate Services) introduced his report (previously circulated) informing members of the options available for commemorating North Wales Fire and Rescue Authority's Tenth Anniversary. He reminded members that the Panel, at its meeting on 26th October 2005, had agreed in principle to the concept of marking the Authority's tenth anniversary. In line with the Panel's request, detailed costings had been obtained on various options for marking the anniversary.

Members were advised that the costs for the three options listed in the report were: a lunchtime reception for 78 people at the St. George's Hotel, Llandudno during the Walesfire 2006 Conference, dependent upon the menu ordered, would vary between £1036 and £1933; whereas the cost of publishing a commemorative booklet celebrating the Authority's achievements during its ten year period, dependent on the number of pages, would vary between £900 and £1,300 for 150 copies. Utilising the evening reception on the opening night of the Walesfire 2006 Conference for the purpose of this celebration was another

option, the cost of this reception currently stood at £10 a head. If the Authority were to decide on this option it would have to involve Atal Tân Cymru in the event and it would also make the event open to all delegates attending the Conference. This may increase the price and had the potential to detract from it being a special occasion for North Wales Fire and Rescue Authority.

In reply to members' questions, the Chief Fire Officer confirmed that Officers would seek sponsorship towards the cost of the publication. Mr Kevin Roberts, Chief Officers Advisory Team (COAT) Support Officer, advised members that enquires had been made with the other fire and rescue authorities in Wales on the number of members likely to be attending the Conference. Mid and West Wales Fire and Rescue Authority were anticipating sending approximately 4 to 6 members to the Conference, whilst South Wales Fire and Rescue Authority had not responded to the request. Following a discussion it was:

Resolved: - to note the report and

- i that a commemorative booklet detailing the Authority's achievements over the past ten years be published for distribution to all past and present members and officers; and***
- ii that a 10th Anniversary celebration lunch be arranged for past and current members and officers to mark the Authority's tenth anniversary.***

10) Extensions of Sick Pay

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

Resolved: - to note the report

11) Urgent Matters

None.

12) Date(s) of future meetings

Following a discussion members:

Resolved: - to hold the next Executive Panel meeting at 10am on Tuesday 23rd May 2006 at Fire and Rescue Service's Headquarters, St. Asaph.

Councillors J M Vaughan and J A MacLennan informed the Panel that, due to other commitments/arrangements, they would be unavailable to attend the meeting on that day.

The Panel suspended its meeting for lunch at 1.35pm and reconvened at 2.05pm

Councillor J A Roberts left the meeting at this juncture.

The Chairman informed members that it was recommended that the remaining items of business on the meeting's 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

13) Update on the Tri-Service Emergency Control Project

The Chief Fire Officer updated members on the latest position regarding the Tri-Service Control Project. He explained that the Board of the Welsh Ambulance Services NHS Trust had met on 25th January 2006 to discuss the Tri-Service Control Project and had resolved not to proceed with their involvement in the Project. Subsequently, the Ambulance Services' Acting Chief Executive had written to the Chief Fire Officer informing him of the Trust's decision.

Since the Ambulance Services Trust's decision not to proceed with the project there had been senior personnel changes in the Ambulance Service. An announcement had been made the previous week regarding the appointment of both an interim Chief Executive and Director of Operations for the Service. These changes in management may present a new opportunity for the Ambulance Trust to revisit its decision not to proceed with their involvement in the Project. The Minister for Social Justice and Regeneration, during meetings with the Chief Fire Officer and the Chairman to discuss the Project, had made it clear that she was a keen advocate of the Project.

The Chief Fire Officer advised the Panel that work undertaken in the civil contingencies field and through the North Wales Resilience Board had highlighted advantages for the Authority to relocate its Control Room to St. Asaph Business Park. The Authority's need to proceed with the relocation would probably be reinforced by a letter the Chief Fire Officer was expecting to receive from the Environment Agency. He also advised that Officers were continuing their work on the Authority's business case regardless of whether or not the Ambulance Service would be part of the Project.

In reply to a question from Councillor E C George the Chief Fire Officer advised that, contrary to the popular belief that the majority of calls transferred to the Fire and Rescue Service from the other emergency services came from the Ambulance Service, evidence showed that approximately 76% of the calls were actually transferred from the Police Service. The Panel:

Resolved: - to note the information provided.

14) Facilities Management

The Assistant Chief Fire Officer (Service Support) introduced his confidential report (previously circulated) informing the Panel of a proposed merger between North Wales Fire and Rescue Service's Estates Department and North Wales Police's Facilities Management Department. He explained that in addition to detailing the background of the current North Wales Fire and Rescue Service's Estates Department the report also included the reasons why greater collaboration was required between the three emergency services. The report also detailed the proposed management structure of the Service Executive Board and Strategic Management Board, the proposed areas of estate rationalisation between the emergency services in North Wales and the implications the new structure would have for all the Services involved. It also contained the options available for the future operation of estates/facilities management functions of the Fire and Rescue Service and the Police Service for members' consideration, and included detailed costings for all options listed along with the personnel issues that would require to be addressed. Assistant Chief Fire Officer Hanks explained that the Ambulance Service was still considering the benefits to its Service of the rationalisation programme. The benefits to the Police and Fire and Rescue Service were easier to assess due the fact that both Services, presently, shared the same territorial borders. Although North Wales Police may be required to restructure into an All-Wales Force in the near future its view was that "there will remain a commitment to provide comprehensive facilities and environment management for the police estate in the North of Wales and a collaboration with the Fire and Rescue Service is considered the most effective and efficient method of delivery". Assistant Chief Fire Officer Hanks advised members that if the Panel agreed to the recommendations in the report the intention would be for the Authority to enter into a 5 year Service Level Agreement with North Wales Police for the provision of a Facilities Management Service.

The Clerk advised that if this arrangement was to be undertaken under a 5 year Service Level Agreement, which could easily be transferred over to the new Police structure, it would strengthen the Police Service's case for having separate support functions arrangements for the North Wales area. The rationalisation of the estates/facilities management functions of the different emergency services also complied with the principles of Best Value. Councillor E C George agreed with this view.

Councillor J M Vaughan registered her opposition to the formation of an All-Wales Police Service and informed the Panel that she could not therefore support the proposed merger as in effect she would be condoning the amalgamation of the Welsh police forces. On being put to the vote it was:

Resolved: - to

- i approve, in principle, the proposed collaboration in Facilities Management to merge both police and fire estates departments;*
- ii subject to the above recommendation, that further meetings be held with the Treasurer to examine any consequential effects on Financial Regulations, Service Level Agreements and Contract Standing Orders; and*
- iii that the agreed timetable for implementation is 1st June 2006.*

Councillor J M Vaughan requested that it be placed on record that she voted against the above resolution.

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 the report before them was the standard information report and that all relevant information had been included in the report and appendix. Members were shown the concept plans for the proposed Community Fire Station at Rhyl and Assistant Chief Fire Officer Hanks undertook to give members a presentation on the final proposals once the quantity surveyor's report was available. The Chief Fire Officer emphasised to members that the budget figure shown for this project in the report was purely for the planning stages of the project and did not represent the total cost of the remodelling exercise.

Assistant Chief Fire Officer Hanks answered the Vice-Chairman's questions on issues surrounding the possible relocation of Wrexham Fire Station. It was:

Resolved: - *to note the contents of the report*

16) Update on the relationship between the WLGA and the Fire and Rescue Services in Wales

The Chief Fire Officer presented a verbal update to the Panel on the current situation on the progress made in establishing a Welsh Local Government Association (WLGA) Fire and Rescue Services Panel. Members were informed that although the Director of the WLGA did not have any issues with North Wales Fire and Rescue Authority's request that the membership of this new Panel should include the chair, vice-Chair and four other elected representatives from each of the three fire and rescue authorities, the elected representatives from the other fire and rescue authorities seemed to be of the view that the membership should be restricted to the chair and vice-chair of each authority. The Chairman undertook to raise the issue again with the Director of the WLGA when the Co-ordinating Committee, which had already endorsed North Wales Fire and Rescue Authority's proposal, met at Llandrindod Wells on 31st March 2006.

Resolved: - *to note the information on the progress to date.*

Meeting concluded at 2.45pm.

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

Signed: T Roberts

Dated: 18 May, 2006