

NORTH WALES FIRE AND RESCUE AUTHORITY

Minutes of the meeting of North Wales Fire and Rescue Authority held on Monday 18th March 2013 at Wrexham County Borough Council Chamber, Wrexham. Meeting commenced at 10.30am.

PRESENT

Councillor

A Morris Jones (Chair)
M LI Davies (Deputy Chair)
R J Davies
A I Dunbar
B Dunn
A Evans
J G Evans
J B Hughes
W I Hughes
P R Lewis
G Lowe
D A MacRae
H McGuill
D J Miles
P H Pemberton
J R Skelland
M A Reece
W O Thomas

Representing

Anglesey County Council
Denbighshire County Council
Denbighshire County Council
Flintshire County Council
Flintshire County Council
Wrexham County Borough Council
Anglesey County Council
Gwynedd Council
Anglesey County Council
Conwy County Borough Council
Wrexham County Borough Council
Conwy County Borough Council
Flintshire County Council
Conwy County Borough Council
Wrexham County Borough Council
Wrexham County Borough Council
Flintshire County Council
Flintshire County Council

Also present:

S A Smith (Chief Fire Officer and Chief Executive); C P Everett (Clerk and Monitoring Officer to the Authority); K W Finch (Treasurer to the Authority); D Docx (Deputy Chief Fire Officer); P Claydon and R Simmons (Assistant Chief Fire Officers); G Brandrick (Senior Fire Safety Manager); R Fairhead (Senior Operations Manager); G W Griffiths (Senior Training and Development Manager); S Morris (Corporate Planning Manager); T Williams (Corporate Communications Manager); S Forrest (Accountant, Treasurer's Department, Conwy County Borough Council); A Davies (Member Liaison Officer) and S Jones (Member Liaison Assistant).

APOLOGIES

Councillor

C Guy-Davies
C Hughes
A Jones
L A W Jones
P Owen
W R Owen
W T Owen
R E Parry
W P Shotton
A Tansley

Representing

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

1 DECLARATIONS OF INTEREST

1.1 In relation to the part II report on Wrexham fire and ambulance station project, the Clerk advised Members from Wrexham CBC to declare a personal interest which would enable them to partake in the discussion and vote. However, should the discussion turn to land Members from Wrexham CBC would need to declare a prejudicial interest.

1.2 **RESOLVED to note that Councillors A Evans, G Lowe, P Pemberton and J R Skelland declared a personal interest regarding agenda item 20.**

2 MINUTES OF THE MEETING HELD ON 17 DECEMBER 2012

2.1 The minutes of the Fire and Rescue Authority meeting held on 17 December 2012 were submitted for approval.

2.2 Cllr D J Miles asked for a correction to be made to paragraph 9.6 as he had not asked about purchasing a fourth ALP, his question had been about the response times.

2.3 **RESOLVED to approve the minutes as a true and correct record of proceedings subject to amending paragraph 9.6.**

3 MATTERS ARISING

3.1 13.2 Police and Crime Commissioner – the Chief Fire Officer informed Members that he and the Chair will be meeting with the Police and Crime Commissioner on 27th March 2013.

4 CHAIR'S REPORT

4.1 The Chair's report listed meetings and events attended by Cllr A M Jones and Cllr M LI Davies in their roles of Chair and Deputy Chair of North Wales Fire and Rescue Authority between January and March 2013.

4.2 **RESOLVED to note the information provided.**

5 SOCIAL MEDIA POLICY

5.1 The Clerk informed Members that the councils across North Wales are developing a standard social media policy which will be recommended to all North Wales' councils at their annual general meetings in May/June and the policy will also be presented to the Fire and Rescue Authority's annual meeting in June. The Clerk explained that the press had asked to use Twitter at the meeting and permission had been granted.

5.2 **RESOLVED to note the update provided.**

6 PROVISIONAL OUTTURN 2012-2013

- 6.1 The Treasurer introduced the report and advised Members that the estimated underspend for the current financial year was £31,787. The report detailed the variances to the budget and the Treasurer explained that Members were asked to agree, in principle, that a contribution from the underspend be allocated to reserves to deal with potential costs of the Wrexham project which would be discussed in more detail under the part II report.
- 6.2 In response to Cllr Dunbar's question about income and the sale of vehicles that had come to the end of their serviceable life, it was clarified that fire appliances are broken down and scrapped, as per advice received, to ensure that they are not sold on and used for other purposes. The light fleet vehicles are disposed of through auctions.
- 6.3 Cllr Skelland asked about the increase of £19,000 in audit fees, Members were advised that further detail about this matter would be provided during the discussion of the part II report.
- 6.4 **RESOLVED to note the estimated underspend of £31,787 and agree in principle to allocate money to reserves as detailed above.**

7 STRATEGIC EQUALITY PLAN ANNUAL REPORT

- 7.1 Members were asked to approve the Strategic Equality Plan annual report produced in response to the requirements of the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011. The annual report sets out the Authority's on-going commitment to ensuring respect and fairness for the residents, elected members, staff members and all visitors to the North Wales area.
- 7.2 ACFO Simmons introduced the report and explained that the annual report related to the period 1st April 2011 through to 31st October 2012 which preceded the legislation requirements. The annual report had been produced in accordance with WLGA guidance on the information that should be reported in the first report. Although not a requirement for the report, the Authority's annual report also includes information about progress to date in achieving the equality objectives.
- 7.3 Cllr McGuill asked what would happen if a staff member on the retained duty system was injured whilst on duty or off duty and was unable to continue with operational duties. ACFO Simmons explained that the disability would be assessed and advice taken from the occupational health department to determine adjustments needed to help them continue in their employment. If after a period of time including rehabilitation, the individual was considered unfit for operational duty, the Service would look for other opportunities available for redeployment. If there were no suitable options, ill-health retirement would be considered, however, certain criteria would have to be met to qualify for this option. It was also noted that even at the recruitment stage, if a candidate has a disability, the Service will endeavour to accommodate it and potential applicants will not necessarily be precluded from the recruitment process.

7.4 Cllr Pemberton was concerned at the number of staff from ethnic minority backgrounds and was concerned that the Authority would be perceived as being prejudiced. ACFO Simmons assured Members that during recruitment campaigns, the Service participated in proactive initiatives to try to encourage more applicants that are representative of the diverse community in North Wales. Cllr Lowe commented that he was satisfied that there was nothing to suggest any prejudice and thanked officers for their work.

7.5 **RESOLVED to note the contents of the Strategic Equality Plan Annual Report 2011-2012 and approve its publication on the Service's website.**

8 PAY POLICY STATEMENT

8.1 The Deputy Chief Fire Officer introduced the report which sought approval for the pay policy statement for 2013/14.

8.2 It was noted that the Authority is required to produce a statement on an annual basis under Section 38(1) of the Localism Act 2011; it must set out the Authority's policies for the financial year relating to the remuneration of its chief officers, its lowest paid employees and relationship between remuneration of its chief officers and those employees who are not chief officers.

8.3 Cllr Dunbar asked about the Authority's policy on allowing chief officers to be re-engaged following voluntary retirement, and queried whether existing officers should be recruited to such posts rather than retired personnel being re-employed. The Chief Fire Officer explained that the Authority's policy on this issue applies to all operational staff and it had been agreed by the Authority several years ago to prevent the Service from losing experienced personnel officers at a relatively young age having completed their pensionable service. The CFO reiterated that this was a policy applicable post-retirement and not post-redundancy.

8.4 The Clerk informed Members that the senior pay review discussed at the last meeting will be completed and presented to the June meeting.

8.5 **RESOLVED to approve the pay policy statement for the coming financial year 2013/14.**

9 AMENDMENTS TO MEMBERS' SCHEDULE OF REMUNERATION 2012

9.1 The report asked Members to approve amendments to the Authority's Schedule of Remuneration following consideration by the Independent Remuneration Panel for Wales (IRPW).

9.2 The Schedule had been approved by Members at the June 2012 meeting and published thereafter. In December 2012, the IRPW had conducted a detailed analysis of all 'relevant authorities' schedules of member remuneration for 2012-13 and requested that the Authority's be amended.

9.3 **RESOLVED to approve the additions to the Authority's Schedule of Remuneration as follows:**

- (i) **that a statement confirming 'the maximum limit of Senior Salaries set for the Authority has not been exceeded' be added to Appendix 1;**
- (ii) **that a mileage claim rate of 24p per mile for a motor cycle be added to the schedule under Appendix 3; and**
- (iii) **a new section 20 is added to the Schedule that includes the following declarations:**
 - **a statement of the basic responsibility of a councillor is in place**
 - **role descriptors of senior salary office holders are in place**
 - **records are kept of councillor attendance**
 - **annual reports are prepared by councillors, and published on the council website.**

10 IMPROVEMENT AND RISK REDUCTION PLAN 2013-14

10.1 The draft Improvement and Risk Reduction Plan 2013-14 was presented to Members for approval prior to publication. Fire and Rescue Authorities in Wales are required to prepare, publicly consult on and publish an Improvement Plan for each financial year.

10.2 Following the consultation on the proposed improvement objectives, the Executive Panel had considered the responses received and approved the production of a final draft of the Plan for approval by the full Authority.

10.3 **RESOLVED to approve the final draft of the Improvement Plan 2013-14 for publication on the Authority's website before the end of March 2013.**

11 PRUDENTIAL INDICATORS, TREASURY MANAGEMENT STRATEGY, INVESTMENT STRATEGY AND MINIMUM REVENUE PROVISION POLICY

11.1 Members were presented with the Prudential Indicators, Treasury Management Strategy, Investment Strategy and Minimum Revenue Provision (MRP) Policy for 2013/14. The Treasurer explained that the Audit Committee has delegated power to review these documents in finer detail and this had been done at its meeting on 28th January 2013. At that meeting, Members had asked about the reason for the projected increase in capital expenditure between 2013/14 and 2014/15, and as a result further information about the capital programme and its affordability had been included in the report to the Authority.

11.2 In response to a question about the downgrading of UK's AAA rating, it was confirmed that additional headroom has been built into the budget to manage payments should interest rates rise. Members noted that should interest rates rise by 1% then an additional budget of £100,000 would be required for 2013/14 and were asked to approve a transfer of £100,000 from General Reserve to an earmarked reserve specifically to cover possible interest rate rises. It was also confirmed that the ambulance part of the station at Deeside had been purchased using revenue funding.

- 11.3 **RESOLVED to**
(i) approve the Prudential Indicators, Treasury Management Strategy for 2013/14, Investment Strategy and Minimum Revenue Provision Policy;
(ii) transfer £100,000 from the General Reserve into an Interest Reserve.
- 12 REVIEW OF MONITORING OFFICER STATUTORY APPOINTMENT AND SERVICE LEVEL AGREEMENT

Colin Everett left the room whilst discussion of this report took place.

- 12.1 The Chief Fire Officer introduced the report which sought approval to renew the service level agreement for the provision of clerk, monitoring officer, constitutional advice and other services to the North Wales Fire and Rescue Authority. Members were informed that the role of a clerk had been provided through an agreement with one of the local authorities since its inception.
- 12.2 The agreement with Flintshire County Council expired in March 2012 but it had been agreed to extend the agreement for a period of one year due to the local authority elections and the subsequent new Authority. A review had been undertaken of the statutory appointment to identify whether the services could be provided in another way, but the recommendation to the Authority was to renew the service level agreement with Flintshire County Council. Members noted that the fee for the arrangement had been renegotiated and reduced to £11,000 per year.
- 12.3 Cllr Skelland asked whether collaboration with the other fire and rescue authorities in Wales had been considered. The CFO explained that the Combination Order requires the Authority to have an independent monitoring officer. Although sharing an officer with the other two FRAs has been considered it is problematic because of the travel distance between the three fire and rescue services and that the other two FRAs also tend to meet on the same dates as North Wales FRA's meetings.
- 12.4 **RESOLVED to approve the renewal of the current service level agreement with Flintshire County Council for the provision of clerk, monitoring officer, constitutional advice and other services to the North Wales Fire and Rescue Authority.**

13 ESTABLISHMENT OF ARMED FORCES COMMUNITY COVENANTS

- 13.1 The Deputy Chief Fire Officer introduced the report which asked Members to confirm approval for the Authority to sign up to the Armed Forces Community Covenants for Ynys Môn County Council and for Wrexham County Borough Council.
- 13.2 The DCFO explained that the previous Minister for Local Government and Communities, Carl Sargeant, had encouraged all local authorities and their partners, which includes North Wales Fire and Rescue Authority, to create community covenants with the Armed Forces Community.

- 13.3 The covenants will ensure that former members of the Armed Forces will not suffer any disadvantage because of their previous roles and will encourage the approach of fair treatment. Although the covenants are voluntary, the other four local authorities in North Wales are in the process of drawing up their covenants and these could be presented to the Authority at a later date for confirmation. Cllr Lewis proposed that the Authority approve, en bloc, all covenants and this was agreed.
- 13.4 **RESOLVED to**
- (i) **confirm agreement for North Wales Fire and Rescue Authority to sign up, as a recognised partner, to the Armed Forces Community Covenants for Ynys Môn County Council and Wrexham County Borough Council;**
 - (ii) **approve that North Wales Fire and Rescue Authority sign up, as a recognised partner, to the Armed Forces Community Covenants, when they are in place, for the other local authorities namely Conwy, Denbighshire, Flintshire and Gwynedd.**

At this juncture, the Chair informed Members that he had written to the new and former Ministers, Lesley Griffiths AM and Carl Sargeant AM following the Welsh Government's Cabinet reshuffle.

14 STANDARDS COMMITTEE'S ANNUAL REPORT TO THE FIRE AND RESCUE AUTHORITY

- 14.1 The report was presented to ask Members to note and approve the annual report from the Standards Committee.
- 14.2 The Clerk confirmed that there had been no issues of concern with regard to members of the Authority during the year; therefore no matters had been referred to the committee for investigation or decision. However, training had been provided to the members on how to deal with a member complaint should one arise.

14.3 **RESOLVED to note the Standards Committee's annual report.**

15 APPOINTMENT PROCESS FOR THE POST OF ASSISTANT CHIEF FIRE OFFICER

- 15.1 The Chief Fire Officer presented the report which advised Members of the arrangements for the recruitment to the vacant post of Assistant Chief Fire Officer.
- 15.2 Cllr Lewis asked for an explanation of why the post needed to be filled. The CFO was reluctant to provide an explanation in a public meeting due to it being a personnel matter, and the Clerk advised that the report be moved into part II of the meeting.

15.3 **RESOLVED to move the report into part II of the meeting.**

16 MINUTES FOR INFORMATION

16.1 The minutes of the following meetings were submitted for information:

- Audit Committee meeting held on 28th January
- Executive Panel meeting held on 4th February.

16.2 **RESOLVED to note the minutes for information.**

Before the meeting was moved into part II, the Chair informed the meeting that Cllr W I Hughes will be standing down before the impending local authority election at Ynys Môn County Council. The Chair thanked Cllr Hughes for his support to the Fire and Rescue Authority.

The Chair then asked the Clerk to explain why the meeting was being moved into part II. On the Wrexham fire and ambulance project report, the Clerk reiterated that commercial issues including land transaction were likely to be discussed. Agenda item 17 had been moved into part II due to the personnel implications.

17 WREXHAM FIRE AND AMBULANCE PROJECT

17.1 The report was presented to seek a decision from Members on whether to continue or withdraw from the proposed joint fire and ambulance station development in Wrexham.

17.2 The Chief Fire Officer introduced the report and explained that Members would need to decide on a course of action to deal with the issues raised in the report. The CFO paid tribute to Stephen Roberts and Liz Bryan for all their work on the project to date.

17.3 ACFO Claydon reminded Members of the background to the project, that in 2005 the Chiefs of North Wales Fire and Rescue Service, North Wales Police and the Welsh Ambulance Service Trust had recognised the potential for collaboration on each Service's long term estates strategy. At that time, WAST was looking to develop a 'superstation' in the Wrexham area and as NWP and NWFRS were also considering new facilities in the area, therefore preparatory work was commenced into the feasibility of having a joint station between the three emergency services. Following an internal review the NWP decided to withdraw from the project and the NWFRS and WAST had proceeded to working towards having a joint fire and ambulance station.

17.4 In addition to the report submitted, Members had been provided with copies of correspondence between WAST and NWFRS officers and also extracts of the Flood Consequence Assessment report on the Croesnewydd site.

17.5 The latest position was that the Executive Panel had discussed the project at its meeting on 4th February and Members had resolved to recommend to the full Authority meeting that:

- (i) the Authority withdraws from the project unless it is able to bring it within budget and able to deliver a station which meets the Authority's

- needs within a definitive period and commences work on a viable alternative, namely a redevelopment of the Bradley Road site or any other additional suitable site available in the Wrexham area;
- (ii) an external auditor is appointed to undertake an audit of the project to date.
- 17.6 It was noted that the intention was for the audit to be commenced imminently.
- 17.7 The Treasurer informed Members about his concerns on the cost of the project and gave advice about the balance of risks to be considered on the various options available and that it was important that the Authority demonstrated that it had worked its way through a proper thought process to reach a balanced conclusion and decision.
- 17.8 The Clerk reiterated the Treasurer's comments and concerns about the risks involved with the project. The Clerk advised that an audit report would be advantageous and also suggested requesting a meeting with relevant Welsh Government Ministers to discuss the cost as it was a collaboration project.
- 17.9 Having had a full discussion, with Members having the opportunity to ask questions and receive clarification on various matters it was
- 17.10 **RESOLVED to withdraw from the WAST collaboration project and pursue the option of a viable alternative, namely a redevelopment of the Bradley Road site or any suitable alternative in the Wrexham area whilst recognising the abortive fees that would be incurred as per section 27 of this report and the potential reputational risk of withdrawing from the project. This is subject to the findings of the Wales Audit Office's report into the project to date, which the Members expect to see completed without any delay, and any response from the relevant Welsh Government Ministers to the request from the Chief Fire Officer for discussions on the future of this project.**

At this juncture, all NWFRS officers present left the meeting except for the Chief Fire Officer, Deputy Chief Fire Officer and the Member Liaison Officer.

18 APPOINTMENT PROCESS FOR THE POST OF ASSISTANT CHIEF FIRE OFFICER

- 18.1 Earlier in the meeting Cllr Lewis had requested an explanation as to why the vacant post of Assistant Chief Fire Officer needed to be filled. The Chief Fire Officer gave Members an explanation based on personnel matters and Members agreed that it would not have been appropriate for the explanation to be given in part I.
- 18.2 **RESOLVED to**
- (i) **approve the proposed process as outlined below:**
- **advertisements to be placed by end of March 2013**
 - **closing date for applications 20th April 2013**
 - **shortlisting and invitation to attend initial interview end of April**
 - **officers interview early May - date yet to be confirmed**
 - **members panel early May - date yet to be confirmed**

- **confirmation of appointment at the Fire and Rescue Authority meeting on the 17th June 2013.**
- (ii) confirm that the following members will join the Chair and Deputy Chair on the appointments committee:**
- Flintshire - Cllr H McGill;**
 - Conwy – Cllr D Miles;**
 - Wrexham and Gwynedd representatives to be confirmed.**