

NORTH WALES FIRE AND RESCUE AUTHORITY

Minutes of the meeting of North Wales Fire and Rescue Authority held on Monday 15 June 2015 at Conwy County Borough Council Chamber, Conwy. Meeting commenced at 10.45am.

PRESENT

Councillor

M LI Davies (Chair)
P R Lewis (Deputy Chair)
L W Davies
R Davies
A I Dunbar
B Dunn
R J Dutton
A Evans
J G Evans
R O Jones
G Lowe
D Macrae
P Owen
W R Owen
W T Owen
R E Parry
Cllr M A Reece
W P Shotton
D Simmons
J R Skelland
Cllr A Tansley
W O Thomas
G Williams
R Wright

Representing

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

Also present:

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

APOLOGIES

Cllr H McGuill Flintshire County Council
Cllr D J Miles Conwy County Borough Council
Cllr D Taylor Wrexham County Borough Council

1 DECLARATIONS OF INTEREST

1.1 There were no declarations of interest.

2 MINUTES OF THE MEETING HELD ON 16 MARCH 2015

2.1 The minutes of the Fire and Rescue Authority meeting held on 16 March 2015 were submitted for approval.

2.2 **RESOLVED to approve the minutes as a true and correct record.**

3 MATTERS ARISING

3.1 Home fire safety checks – Cllr Shotton had recently had a home fire safety check undertaken at his property and paid tribute to the work of the practitioners who were considerate and well-mannered.

4 URGENT MATTERS

4.1 There were no urgent matters.

5 CHAIR'S REPORT

5.1 The report listed meetings and events attended by Cllr M Ll Davies and Cllr P R Lewis in their roles of Chair and Deputy Chair of North Wales Fire and Rescue Authority between March and June 2015.

5.2 Members noted the Phoenix visits and expressed their support for the Phoenix projects and the hard work of the team that works with the young people. The CFO informed members that although the community safety grant funding had been reduced, officers had been able to protect the funding for the Phoenix project for 2015-16.

5.3 Cllr R Wright had attended the official opening of Nefyn fire and police station and thanked everyone involved with the project; he felt that the new station was a credit to the Service and a welcome addition in the area.

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

6 FINANCIAL PERFORMANCE 2014-2015

6.1 The Treasurer presented the report which gave members an overview of the Authority's financial performance for 2014-15. It was noted that the Audit Committee had discussed the same report at its meeting and members had no observations or could find any major risks in the report and recommended that it be approved by the Authority.

6.2 Members were given the opportunity to ask questions about the report and in response to a Member's question about the pension provision, it was confirmed that the ill-health pension paid during the year had been funded from the revenue budget in order for the provision to be maintained for future use.

6.3 Members thanked the Treasurer and his team for the detailed report and felt that in light of the budget reduction, the Authority had done well to continue to deliver its services against the objectives set.

6.4 **RESOLVED to approve**

(i) £534,048 of the underspend be used for direct financing of capital expenditure;

(ii) the remaining underspend of £524,506 be transferred in to earmarked reserves;

(iii) the transfer from the capital reserve as detailed below:

Direct Financing Capital Expenditure –	£300,000
WDS Rural Vehicles (approved by FA Sept 15)	£234,048
Lease buyout and Equipment (approved by FA March 15)	
Contribution to reserves-	£300,000
Radio transitional Costs (approved by FA Dec 15)	£224,506
Cover the reduction in HFSC Grant (new)	
Underspend Total	£1,058,554
Capital Reserve to support fund capital programme	-£700,000

7 TREASURY MANAGEMENT ACTIVITY AND ACTUAL PRUDENTIAL INDICATORS 2014-15

7.1 The Treasurer introduced the report which is an annual requirement of the Authority's reporting procedures. The report detailed the treasury activity and the actual prudential indicators for 2014-2015 in accordance with the requirements of the Prudential Code.

7.2 The Authority had complied with all the relevant statutory and regulatory requirements which limit the levels of risk associated with its treasury management activities. Cllr Skelland as Chair of the Audit Committee confirmed that the committee had received a detailed presentation on the report at its last meeting and recommended that the Authority approved the report.

7.3 **RESOLVED to approve the actual 2014-2015 prudential indicators.**

8 PROVISIONAL UNAUDITED PERFORMANCE KEY POINTS

- 8.1 The Corporate Planning Manager delivered a presentation on the provisional unaudited performance figures for 2014-15. This gave Members an early opportunity to see the Service's performance for the last financial year and it was noted that the information will be formally reported through the performance assessment which will be published by 31 October 2015. It was noted that the Executive Panel receives regular performance monitoring reports throughout the year.
- 8.2 There continues to be a reduction in the overall number of fires with about one third of them being deliberately ignited fires. 438 dwelling fires were attended in 2014-15 which corresponds to 1 fire for every 800 homes in North Wales; compared to 10 years ago when it was 1 fire for every 600 homes. From the 438 dwelling fires, a smoke alarm had activated in 286 incidents, and another 100 of the fires had occurred in dwellings where there were working smoke alarms but due to their proximity from the origin of the fire the alarm had not activated. In 52 of the dwelling fires, there was no smoke alarm present, however, this number has decreased over the years and when compared to the UK national average, 11.9% of dwellings where fires had occurred but were without a smoke alarm presents as a low figure. In terms of deaths and casualties due to fires, the figures remain low but it is apparent that the majority of injuries and deaths are likely to be caused due to dwelling fires. The reduction in these figures is considered attributable to the Authority's emphasis on prevention and home fire safety checks over recent years.
- 8.3 Compared to the previous year, there had been an increase in the number of false alarm calls, 3,218, this figure includes genuine false alarms, malicious false alarms and calls due to automatic fire alarms. Due to Control's call challenge policy, staff had been able to identify over 300 calls as being malicious and therefore saving an appliance from attending a non-incident. Calls due to automatic fire alarms from 1,250 non-domestic properties had been received and 722 from homes; it is expected that the Authority's new policy to deal with AFAs implemented as of 1 April 2015 will reduce the number of times appliances are sent to AFAs. Members will receive an update on the new AFA policy at the September meeting.
- 8.4 Members were given the opportunity to ask questions and thanked the Corporate Planning Manager for the presentation and were pleased with the Authority's performance despite the financial constraints.
- 8.5 **RESOLVED to note the presentation and information provided.**

9 ANNUAL REPORT OF BAD DEBTS WRITTEN OFF

9.1 At the request of the Authority, the Treasurer submits an annual report by the 30 June following the end of the financial year listing all the debts written off and stating the reasons for write off.

9.2 **RESOLVED to note that between 1 April 2014 and 31 March 2015, no bad debts were written off.**

10 FIREFIGHTERS PENSION SCHEMES DISCRETIONARY POLICY STATEMENT

10.1 The DCFO presented the report which informed Members of the requirement for the Authority to produce a firefighters pension discretionary policy statement. Members were also asked to approve the resolutions within the firefighters pension scheme discretionary policy statement and that decisions on behalf of the FRA will be delegated on a day-to-day basis to the Chief Fire Officer and Treasurer. It was noted that members of the Local Pension Board, Cllrs W T Owen, D Macrae, J R Skelland and B Dunn were unable to vote.

10.2 The firefighters' pension scheme orders require every employer to (i) issue a written policy statement on how it will exercise the various discretions provided by the scheme, (ii) keep it under review and (iii) revise it as necessary. The document meets these requirements and the organisation's decision on these.

10.3 In terms of "NFPS 2015 Scheme- Contributions during absence from work due to illness, injury, trade dispute or authorised absence (Regulation 111)", the DCFO informed members that this discretion had been discussed in detail by the Local Pension Board and it had been agreed that a consistent approach based on set criteria would be required.

10.4 **RESOLVED to approve each discretionary resolution within the Firefighters Pension Scheme Discretionary Policy Statement, as detailed below, and to delegate day-to-day decisions to the Chief Fire Officer and Treasurer.**

FPS (92), NFPS (2007) and NFPS 2015 Scheme Discretions and Regulations	Recommendations approved as follows:
<p>1. FPS (A) Rule B7 (5a) Increasing of commutation limit</p> <p>This proposal will allow employers the ability to permit those 1992 scheme members with less than 30 years' service and under age 55 years to commute the maximum of a quarter of their pension for a lump sum on retirement. Under the new provision, the employer would be liable for any additional cost which could be substantial should they exercise this discretion. A full business case would be</p>	<p>That the discretion be adopted, but individual proposals be examined on a case by case basis depending on the needs of the Service and agreed by the Chief Fire Officer on advice from the Treasurer.</p>

<p>needed demonstrating the economical, effective and efficient management of its functions with associated costs.</p>	
<p>2. FPS (1992) Rule K4 Withdrawal of a pension whilst employed by a fire and rescue authority (abatement)</p> <p>To amend the 1992 scheme to widen the employers discretion to abate a pension paid to a member who is reemployed in any role by any fire and rescue authority; and to require the employer that is paying the pension to pay into the pension fund the amount of pension that is paid that could have been subject to abatement under the scheme rules. The requirement for the employer to be liable for the costs where they do not exercise the discretion to abate a members' pension would apply to both the 1992, 2007 and RDS schemes.</p> <p>Amendment Order 2013 requires the employer to reimburse the pension fund in the instance where they do not exercise the discretion to abate a member's pension on re-employment.</p>	<p>That the discretion be adopted.</p>
<p>3. NFPS 2015 Scheme Delegation (Regulation 5 (2))</p> <p>The scheme manager must ensure that delegated powers are appropriate and current</p>	<p>That the discretion be applied.</p>
<p>4. NFPS 2015 Scheme – Employer initiated retirement (Regulation 62).</p> <p>An employer can determine that an active member age 55 or over but under age 60 who on the grounds of business efficiency is dismissed or has their employment terminated by mutual consent, can receive immediate payment of retirement pension without the early payment reduction.</p> <p>An employer may only use this discretion if the employer determines that a retirement pension awarded on this basis would assist the economical, effective and efficient management of its functions having taken into account of the costs likely to be incurred in the particular case. (Regulation 62 (1) and (2).</p>	<p>That the discretion be adopted, but individual proposals be examined on a case by case basis depending on the needs of the Service and agreed by the Chief Fire Officer on advice from the Treasurer.</p>

<p>5. NFPS 2015 Scheme - Pensionable pay (Regulation 17). The scheme manager has discretion to determine if continual professional development payments are to be treated as pensionable pay. (Regulation 17 (1)(d)).</p> <p>Previously CPD payments were treated as pensionable and included in benefit awards as Additional Pension Benefits</p>	<p>That the discretion be adopted. In the interest of fairness and consistency CPD payments will continue to be pensionable.</p>
<p>6. NFPS 2015 Scheme- Contributions during absence from work due to illness, injury, trade dispute or authorised absence (Regulation 111).</p> <p>Where an active member is absent from scheme employment because of illness or injury and not entitled to receive pensionable pay, or because of trade dispute or authorised unpaid absence, they may pay member contributions; if they do, the scheme manager may require that they should also pay the employer contributions. (Regulation 111(2), (3) and (4)).</p>	<p>Each case will be considered on its own merits following full consideration of all financial and service delivery implications.</p>
<p>7. Request for acceptance of a transfer payment (Regulation 141). This applies to all schemes.</p> <p>There is a time limit of one year from becoming an active member in which a person can request a transfer payment from a non-occupational pension scheme. The scheme manager has the discretion to extend this period.</p>	<p>It is not the policy of the Authority to consider extending the time limit for a transfer in of previous pension rights to proceed after twelve months of joining unless:</p> <p>(i) the scheme member has requested that investigations commence within the twelve month time limit, or</p> <p>(ii) if there is reason to believe that the individual would not have known of the need to request an investigation into potential transfer in or previous pension rights within the twelve month time limit, and the HR and/or pension files support this. Only in exceptional circumstances will a longer period be allowed so long as there is no known reason or prospect of the employee having access to their pension rights within the next 12 months.</p>

11 STRATEGIC RISK MANAGEMENT

11.1 Members were asked to approve new arrangements for overseeing and managing strategic risks to the Authority, including a definition of strategic risk for adoption by the Authority. The DCFO explained that the Executive Panel had considered the report and its members had recommended that the definition of strategic risk and the arrangements detailed in the report submitted to the Authority be approved.

11.2 **RESOLVED to approve**

- (i) **the suggested definition of strategic risk as “an event that, should it occur, would impact on the achievement of the Authority’s planned outcomes and/or the delivery of its core functions”;** and
- (ii) **the arrangements for the overview and management of strategic risks facing the Authority**

12 ANNUAL GOVERNANCE STATEMENT

12.1 The DCFO presented the annual governance statement to members for approval. The Audit Committee had received information on each principle contained in the statement and recommended that the statement be approved by the Authority. It was noted that the action plan contained in the statement will be implemented in the coming months.

12.2 **RESOLVED to approve the content of the annual governance statement for 2014-15 and note that it will be presented as part of the statement of accounts for 2014-15.**

13 COMPLAINTS AND LETTERS OF APPRECIATION

13.1 ACFO Simmons presented the report which informed Members of the number of complaints and letters of appreciation received from the public for the period 1 April 2014 to 31 March 2015.

13.2 Complaints are recorded as those issues brought to the attention of the Service when members of staff are participating in or carrying out the legitimate business of North Wales Fire and Rescue Service. It was noted that having investigated the 20 complaints received, 10 were upheld. In the same period 61 letters, cards, e-mails, Twitter and Facebook messages were received expressing appreciation and satisfaction with the Service.

13.3 **RESOLVED to note the number of complaints and expressions of appreciation received.**

14 MINUTES OF MEETINGS

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

- Executive Panel meeting held on 11 May 2015
- Audit Committee meeting held on 1 June 2015.

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

PART II - Pursuant to Section 100A (4) of the Local Government Act, 1972, the press and public were asked to leave the meeting during consideration of the following item(s) of business because it is likely that there would be disclosed to them exempt information as defined in Paragraph(s) 12 to 18 of Part 4 of Schedule 12A of the Local Government Act 1972.

15 CAPITAL PROGRAMME 2015-16

15.1 The DCFO presented the report which updated Members on the current status of North Wales Fire and Rescue Service's capital programme for its estate.

15.2 Members noted the ongoing work on Wrexham fire and ambulance station which is expected to open in April 2016. Nefyn fire and police station is now operational and the building of Tywyn fire and police station will commence shortly. In response to a question on the rebuild of Deeside fire and ambulance station it was confirmed that there had been some delays but it is still anticipated to be complete by November 2015 and will be on budget.

15.3 It is anticipated that once these building works have been completed, the Authority will then move to a maintenance phase for all its buildings. Planned maintenance and minor works are also ongoing at various stations.

15.4 **RESOLVED to note the contents of the report.**

16 INDUSTRIAL ACTION UPDATE

16.1 The CFO informed members that there had been no developments in recent months.

16.2 **RESOLVED to note the update.**