

NORTH WALES FIRE AND RESCUE AUTHORITY

Minutes of the Executive Panel meeting of the North Wales Fire and Rescue Authority held on Thursday 18th May 2006 at Fire and Rescue Service Headquarters, St. Asaph. Meeting commenced at 12.15pm.

Present:

Councillor

Representing

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

Gwynedd Council
Wrexham County Borough Council

W E Jones (substitute)
R D Peacock (substitute)
J A Smith
D Barratt
E F Evans
E Morgan Jones
G M Craddock
E C George
W J Chorlton

Conwy County Borough Council
Conwy County Borough Council
Denbighshire County Council
Flintshire County Council
Flintshire 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); P L Slee (Assistant Chief Officer, Corporate Services); M P Halstead (Head of Audit and Procurement Services, Conwy County Borough Council); S Forrest (Accountant, Conwy County Borough Council); S Morris (Corporate Planning Manager); K Hughes (Senior Development Manager); D G Roberts (Senior Fire Safety Manager); L Roberts (Fire Control Manager); R Jones (Chief Officers' Advisory Team Support Officer); N Williams (Estates Manager) and Rh Evans (Member Liaison Officer).

PART I

1) Apologies

Councillor

Representing

S C Jones
J M Vaughan
D Jones MBE
J A Roberts

Conwy County Borough Council
Conwy County Borough Council
Denbighshire County Council
Ynys Môn County Council

K W Finch
C Hanks

Treasurer to the Authority
Assistant Chief Fire Officer (Service Support)

2) Notice of Urgent Matters

Members were informed by the Chairman that two items had been submitted for consideration:

Retained Firefighters' Union (RFU) – Councillor WJ Chorlton enquired whether the RFU had received official recognition as one of the staff representative bodies and whether they were consulted on all issues. In his reply the Deputy Chief Fire Officer referred Councillor Chorlton to a five point agreement approved by the Authority a few years earlier. This agreement permitted the RFU to meet with the Principal Officers twice a year. The Deputy Chief Fire Officer then proceeded to list the formal consultation groups that exist within North Wales Fire and Rescue Service and explained that the RFU did not sit on these groups or on the recently established joint consultative committee. Representatives from the managerial side and from the three recognised staff representative bodies served on the latter committee. This Committee had discussed whether the RFU should be invited to join, but the proposal had been rejected when last discussed.

International Safety Award – Deputy Chief Fire Officer Chris Enness informed the Panel that the British Safety Council had awarded North Wales Fire and Rescue Service its International Safety Award. This prestigious award, which is recognised worldwide, is awarded to organisations that demonstrate themselves to be proactive in health and safety management. Members congratulated the Service on receiving this recognition.

Warwick International - The Chairman read a letter from Mr Bob Ellis, Managing Director of Warwick International. In his letter Mr Ellis recorded his appreciation to the Service's personnel for responding to a fire at the company's premises at Mostyn in April 2006. Mr Ellis praised firefighters' skills and professionalism in dealing with the incident. The Chief Fire Officer, who had received a similar letter, advised the Panel that Mr Ellis had also telephoned him to thank the Service for its work. The Chairman and members requested that their congratulations and appreciation to all involved be placed on record. They also suggested that an article on the incident should be included in the "Informative" magazine.

3) Minutes

The following minutes were submitted:

- i. Executive Panel meeting held on 13th March 2006
- ii. Appointments Panel held on 17th March 2006

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

4) Matters Arising

No matters arose from the minutes submitted.

Members were informed by the Chief Fire Officer that Ms Dawn Docx, recently appointed to the post of Assistant Chief Officer (Finance and Procurement), would be commencing her employment with the Service on 19th June 2006.

5) Integrated Risk Management Plan – Third Year Action Plan

The Panel was informed by the Clerk that the Integrated Risk Management Plan (IRMP) Working Group had met earlier that morning to discuss the third year action plan following the Fire and Rescue Authority's resolution, at its meeting on 27th March 2006, to defer a decision on the adoption of the IRMP - Third Year Action Plan until June. The Clerk proceeded to explain that, following an in-depth discussion at the Working Group meeting, members had recommended to the Executive Panel that it should, in turn, recommend to the Fire and Rescue Authority that it adopts a 20 minute attendance standard for aerial appliances and consequently retain its four current appliances, but that the situation be reviewed in twelve months. Members also requested that the report presenting the amended third year Action Plan to the Authority should include details of the financial implications of the preparatory work that would be required in the near future in the lead up to the commissioning of a new aerial appliance. This information would assist the Authority to make an informed decision on whether or not to place an order for a replacement vehicle.

On the proposals in relation to the Emergency Tenders (ETs) the Working Group was recommending that they be approved as drafted in the Action Plan, with the additional stipulation that the upgrade of frontline appliances be undertaken having given due regard to local risks, such as major trunk roads, proximity of the nearest general hospital etc. In relation to the proposal pertaining to dual role appliances, the recommendation was to approve the proposal as detailed in the draft Action Plan. At this point members indicated that, in the longer term, these types of vehicles should be introduced at other locations across North Wales where a need for such an appliance is identified. Efforts should therefore be made to secure the necessary funding to enable this to be realised. The recommendation regarding the remainder of the proposals contained in the draft Action Plan was to approve as drafted. Members:

Resolved: - *to recommend to the Fire and Rescue Authority at its meeting on 19th June 2006: that the draft Third Year Action Plan be approved as drafted pending the inclusion of the following amendments:*

- i. that a 20 minute attendance time be set for aerial appliances and, as a result, that the current four appliances be retained, with the position to be reviewed in twelve months;*
- ii. to upgrade all hydraulic rescue equipment carried on front line appliances. This upgrade to be undertaken on a risk assessed basis.*

- When this upgrade is fully completed it will be followed by the removal of two Emergency Tenders (ETs), with the remaining two ETs being upgraded to become Special Rescue Units (SRUs); and*
- iii. that six specifically designed dual role appliances be introduced into the Service with a further four appliances being modified to become dual role appliances. These appliances to be strategically located across North Wales as per the recommendations in the Third Year Action Plan. In addition, enquiries to be made on the availability of financial resources that would, in the long term, enable the Authority, based on risk, to extend the provision of dual role appliances to other stations within the area.*

6) Risk Reduction Plan

The Chief Fire Officer reminded members that the Fire and Rescue Authority, at its meeting on 27th March 2006, had delegated to the Executive Panel the task of preparing a draft Risk Reduction Plan (RRP). A copy of the draft RRP had been circulated to members along with a report detailing all the relevant background information and the Plan's aims and expectations, which were in line with the Welsh Assembly Government's (WAG) Guidance. The Plan encompassed areas of community and corporate risks. As the WAG's Guidance had only been published on 21st March 2006, and due to the stipulated methodology for publication and consultation on RRP's, the assessment and analytical work which should have been undertaken over a number of months had been condensed to a matter of a few weeks. Due to the tight time schedule, and in order to allow sufficient time for the consultation process on the draft RRP for 2007/08, the Authority's autumn meeting had now been rescheduled for 23rd October 2006.

Assistant Chief Fire Officer Paul Claydon explained the presentational format of the draft RRP's to members and detailed its contents. He explained that although the RRP requirements were similar to those of the IRMP, there was an additional requirement under risk reduction planning which related to the assessment of corporate risks.

Following a lengthy discussion on the draft Plan and its contents, Panel members requested that the following amendments be incorporated into the document prior to its submission to the WAG for the informal discussion on the Authority's proposals, and its subsequent presentation to the Fire and Rescue Authority for approval to go out for public consultation:

- i. Correction of various drafting/typographical errors and all acronyms to be explained.
- ii. Page 9 – a more appropriate term than Community Safety (CS) to be chosen when renaming the Community Fire Safety (CFS) function to aid the public to clearly distinguish between the Service's community safety functions and the wider community safety functions of the Police, local government and other stakeholders.

- iii. Page 11 – for clarity and consistency purposes the wording of the first two full paragraphs to be reviewed.
- iv. Page 12 – in addition to the emphasis on the importance of smoke alarm installation, a reference should also be included in this section on the benefits of installing sprinkler systems in domestic and commercial properties. This reference should include a statement that the Authority will actively seek to promote the installation of such systems at every available opportunity.
- v. Page 15 – in addition to the reference to Dangerpoint, mention should also be made to the recently acquired multi-purpose educational vehicle.
- vi. Page 21 – a reference to be incorporated into the section on Environmental Impact of the additional risks that exist at Sites of Special Scientific Interest (SSSI) due to Government legislation prohibiting controlled burning. The level of undergrowth in these areas now represented an additional risk to firefighters, rural dwellers and the general public. In addition they pose an external fire risk to properties in rural areas, and would need highlighting as part of the community fire safety initiative for rural properties.
- vii. Page 28 – in the last paragraph of the first section of this page a caveat to be included that the Authority would not exclude the option of levying a charge for the provision of certain services in the future.
- viii. Page 35 – first paragraph to include a reference that member development will be progressed on an all-Wales basis as well as on a local basis.

During the discussion on the draft RRP the Panel was advised that officers had recently written to the Minister for Social Justice and Regeneration pressing the case for the installation of sprinkler systems to become mandatory in new build schools and schools that were refurbished. In her reply the Minister had stated that she was currently in consultation with the Minister for Education and Lifelong Learning on this particular issue. In reply to a question on whether officers had identified the possible effects of water shortages as part of the subject area on Environmental Impact, the Chief Fire Officer informed the Panel that he had commissioned a review into the problem of transporting sufficient supplies of water to isolated areas where a local supply may be very limited. Assistant Chief Fire Officer Paul Claydon informed members that a group had recently been established within the Service to look at how automatic fire alarms could be better managed. The terms of reference for this group were currently being drafted.

Members expressed a view that, due to the high concentration of migrant workers in some areas of North Wales, the availability of fire safety information leaflets in languages apart from Welsh and English would become increasingly more important in future. Officers advised that as the Service was about to embark on a skills audit of all its personnel, they should shortly be in a position to report back to the Authority on staff's linguistic skills. In the past the Service had relied on the Office of the Deputy Prime Minister (ODPM) for the provision of leaflets in other languages. Neighbouring fire and rescue services were known to

have published leaflets in a number of languages. Enquiries could be made with these Services to see if North Wales Fire and Rescue Service could benefit from the work already undertaken.

Regarding the review that was currently underway into the most appropriate method of paying personnel working the Retained Duty System (RDS), a question was raised as to whether any revised payment method would apply to wholetime personnel working the day crewed system that also respond as retained personnel outside of their normal shift times. Councillor W J Chorlton was of the view that any revised payment methodology should be extended to these personnel. The Chief Fire Officer explained the implications of this on both the RDS personnel and the differences that exist for the Day-Crewed personnel.

Councillor E C George enquired whether the Authority had been consulted on the proposed NHS hospitals' reorganisation in North Wales, as he was of the view that it was important that the Authority submitted a response to the consultation. The Panel:

Resolved: - pending

- i. the inclusion of any amendments or modifications required in the light of the amendments approved to the IRMP Third Year Action Plan;*
- ii. the correction of various drafting and typographical errors and the inclusion of explanations for all acronyms used;*
- iii. the incorporation of the amendments listed above into the document;*

to send a copy of North Wales Fire and Rescue Authority's Draft Risk Reduction Plan to WAG, as per the published Guidance, to enable an informal discussion to be held with the Assembly Government on the Authority's proposals prior to its submission to the Fire and Rescue Authority; and to recommend to the Fire and Rescue Authority, at its meeting on 19th June 2006, that the draft Risk Reduction Plan be approved for public consultation. In addition, a visit be arranged for all Fire and Rescue Authority members to the Dangerpoint facility and that arrangements be made for the multi-purpose educational vehicle to be available for members' inspection during the visit.

7) Amendments to Financial Regulations and Contract Standing Orders

Ms Sandra Forrest from the Treasurer's Department introduced Mr Mike Halstead (Head of Audit and Procurement Services, Conwy County Borough Council) to members. In the Treasurer's absence, Mr Halstead presented his report (previously circulated) and explained that, in the light of legislation changes, local authorities in Wales were continuously reviewing their financial regulations and standing orders relating to contracts. Presently Conwy County Borough Council was undertaking such a review and, as North Wales Fire and Rescue Authority's Financial Regulations and Contract Standing Orders were based on Conwy Council's regulations, its regulations would also be amended in due course. When finalised, the amended version of the regulations and standing

orders would be presented to the Authority for approval. In the interim, and in order to accommodate the imminent merger of the Service's Estates Department with North Wales Police's Facilities Management Department, two consequential amendments were required to the Authority's Financial Regulations and Contract Standing Orders. These amendments would be incorporated into the revised Financial Regulations and Contract Standing Orders in due course. In reply to a question from Councillor E C George on whether the Authority could enter into agreements with any of the constituent authorities with a view to securing a more competitive price in areas such as purchasing energy, Mr Nigel Williams, the Service's Estates Manager, advised that the Authority was already a member of the local authority consortium to which Councillor George was alluding. It was:

Resolved: -

- i. that all contracts carried out in the name of North Wales Fire and Rescue Service by the new Estates Department would be subject to the current Financial Regulations and Contract Standing Orders; and*
- ii. that any contracts undertaken as part of the collaborative arrangement are deemed to be outside the scope of North Wales Fire Rescue Service's current Financial Standing Orders and Contract Standing Orders*

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 2005/06 reporting period. He explained that the report was self-explanatory and informed members that, if they wished, the data used to compile the report could be made available for inspection. The Panel's attention was drawn to a number of areas that had shown a significant improvement in the Authority's performance during the reporting year. One of these areas was the number of primary fires, these had reduced by 4.8%; with the number of fires attended by the Service showing a decrease of 26% on the 2001 figure.

In reply to a question from Councillor John Smith, the Chief Fire Officer and other officers detailed a number of cases where successful prosecutions had taken place in relation to deliberate fires. Members were advised that securing a successful prosecution in the aftermath of a deliberate fire required evidence of a very high calibre. Although officers may be satisfied that a fire had been deliberately ignited, there may not be enough evidence to bring about a successful prosecution. In addition, officers would not always be aware of the extent of the Police's success in securing prosecutions in all cases.

In reply to other questions, the Chief Fire Officer and the Deputy Chief Fire Officer confirmed that, although the Service's performance against the indicators relating to sickness absences seemed disappointing and above target, they actually represented a significant improvement against the previous year's

performance. It was hoped that the revised Occupational Health Service contract, the introduction of the Service's new Attendance Management Policy and the non-smoking policy, along with the work in relation to the application for the corporate health award would all assist the Authority in future as it strived to further improve its performance in this area. It was:

Resolved: - to note the contents of the performance monitoring report.

9) Update on the Wales Programme for Improvement for Fire and Rescue Authorities

The Assistant Chief Fire Officer (Service Delivery) introduced his report (previously circulated) presenting members with a progress report on the development of the Wales Programme for Improvement (WPI) for fire and rescue authorities. He explained that all the details available to date were contained in the report. The Panel:

Resolved: - to note the progress being made by the Assembly in producing a draft for consultation on the WPI-FRA guidance.

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.

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

12) Co-responding – update on National situation

Panel members received a verbal update from the Deputy Chief Fire Officer on issues pertaining to legal action being taken in the High Court by two fire and rescue authorities in relation to co-responding, and in particular to the contractual arrangements of the 2003 Pay and Conditions of Service Agreement. A request had been received for the Authority to make a financial contribution via the National Joint Council for Fire and Rescue Authorities (NJC) towards the legal costs of the litigating authorities. Officers advised that, initially, a decision had been taken not to contribute towards the legal fees, but since then the NJC had once again approached the Authority with a similar request. In reply to members' questions officers advised that the other fire and rescue authorities in Wales had contributed to the fund. It was also pointed out that the Fire and Rescue National Framework for Wales was explicit about the Assembly Government's expectations for fire and rescue authorities in Wales to provide a co-responding service. Councillor E C George, seconded by Councillor E F Evans, proposed that the Authority should contribute the requested amount towards the legal costs of the two authorities concerned. They were of the view that as the Agreement itself was a national agreement, the outcome of the legal proceedings would have nationwide repercussions. Councillor W J Chorlton tabled an amendment to the proposal that the Authority should not contribute towards the financial costs. The amendment was seconded by Councillor J A Smith. On being put to the vote, both the amendment and the proposal received an identical number of votes. The Clerk then invited the Chairman to consider using his casting vote. Before utilising his casting vote the Chair sought the Clerk's advice on his right, as a member of the NJC, to vote on the matter. The Clerk advised that this matter did not constitute a personal interest for the Chairman, as the matter under consideration was whether the Authority should contribute towards the legal costs of two member authorities of the NJC and not (for example) the funding arrangements of the NJC itself. The Chairman exercised his casting vote in favour of the proposal, therefore it was:

Resolved: - that North Wales Fire and Rescue Authority forward the requested amount to the NJC as its contribution towards the legal costs of two NJC member authorities involved in a High Court action on the issue of Co-responding.

13) Remodel of Flint Fire Station

In the absence of the Assistant Chief Fire Officer (Service Support), the Chief Fire Officer introduced the report (previously circulated) which sought members' approval to exceed the budget provision for the remodelling works scheduled for Flint fire station. Members were advised that the report contained all the relevant information and that Mr Nigel Williams, the Service's Estates Manager, was in attendance and would answer any questions. It was:

Resolved: - to authorise the Chief Fire Officer to accept the second lowest tender and expend the anticipated amount of £121,500 for this project and that the additional expenditure would be funded from under spends within the Property Capital Budget.

14) Update on Capital Projects

The Chief Fire Officer introduced the Assistant Chief Fire Officer's (Service Support) report, previously circulated, which presented members with the latest information in respect of the Property Department's capital programme. He explained that, due to commercial sensitivities, the report was transacted under Part II business. It was:

Resolved: - to note the contents of the report

15) Update on the relationship between the Welsh Local Government Association (WLGA) and the Fire and Rescue Services in Wales

Members were advised by the Chairman that further discussions had taken place between him and Mr Steve Thomas, the Director of the WLGA. Mr Thomas agreed with North Wales Fire and Rescue Authority's view on the issue of the number of representatives each fire and rescue authority should have on the WLGA's Fire Services' Panel - that the final decision on the matter should lie with the Association. The WLGA's Coordinating Committee was now due discuss the matter at its next meeting. The recommendation that would go forward to the Co-ordinating Committee would be that each fire and rescue authority should have five representatives on the WLGA Fire Services' Panel. The Chairman undertook to report the Coordinating Committee's decision to the Authority.

Meeting concluded at 1.40pm.

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

Signed: T Roberts

Dated: 21 September, 2006