

**NORTH WALES FIRE AUTHORITY**

These are the minutes of the North Wales Fire Authority's meeting held on Monday 19<sup>th</sup> July 2004 at the Council Chamber, Denbighshire County Council Offices, Ruthin. Meeting commenced at 11:10am

**Present:**

Councillor

Representing

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

Gwynedd Council  
Wrexham County Borough Council

P C Evans JP  
S C Jones  
W E Jones  
J Vaughan  
S Frobisher  
D Hannam  
N Hugh-Jones  
D Jones MBE  
J B Attridge (substitute)  
R G Hampson  
G A Jones (substitute)  
C Shone  
M Griffith  
E Morgan Jones  
W T Owen  
G O Williams  
G M Craddock  
E C George  
W J Chorlton  
W T Roberts

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

**Also present:**

S A Smith (Chief Fire Officer and Chief Executive); I R Miller (Clerk and Monitoring Officer to the Authority); K W Finch (Treasurer to the Authority); C Enness (Deputy Chief Fire Officer); C Hanks (Assistant Chief Fire Officer, Service Support); P S Claydon (Assistant Chief Fire Officer, Service Delivery); P L Slee (Assistant Chief Officer, Corporate Services), S Morris (Projects Officer); S Forrest (Treasurer's Department, Conwy County Borough Council) and Rh Evans (Member Liaison Officer).

## **PART I**

### **1) Apologies**

#### Councillor

D D Millar  
D Barratt  
E F Evans  
J Ovens  
N Colbourne  
P M Shone  
J A Roberts

#### Representing

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

### **2) Notice of Urgent Matters**

The Chairman advised that no items had been submitted to the Clerk for consideration. Councillor W J Chorlton requested that the Authority be given an update on the current situation regarding the negotiations on the pay and conditions of service agreement between the employers and the Fire Brigades' Union (FBU). The Chairman informed members that, due to the confidential nature of the information that would be revealed to them, he was of the view that the update should be given under Part II business.

### **3) Chairman's Announcements**

- i. Members were informed that Deputy Chief Fire Officer Peter Coles had officially retired on 18<sup>th</sup> July 2004. The Chairman had conveyed the Authority's best wishes to Mr Coles during his retirement dinner on 18<sup>th</sup> June 2004 and presented him with a glass decanter as a token of the Authority's appreciation of his service and work
- ii. A warm welcome was extended to the new Deputy Chief Fire Officer, Mr Chris Enness, who had taken up post on 12<sup>th</sup> July and was attending his first meeting of the Fire Authority. Mr Enness, who was previously employed by Essex County Fire and Rescue Service, was introduced to members who wished him well in his new post.
- iii. Congratulations were extended to Councillor J A Roberts on his recent election as Chairman of Ynys Môn County Council for 2004/05
- iv. The Chairman advised that it was his intention in future to prepare and distribute a report to all members detailing his engagements since the previous Authority meeting. The report would include any national conferences and meetings he had attended and include an update on events and developments
- v. Members were informed that two seminars had been arranged with a view to introducing and informing both past and new members on the current issues and future developments facing the fire service. The first seminar had been arranged for Thursday 2<sup>nd</sup> September 2004 for members of all Welsh fire

authorities and would be held at Llandrindod Wells. The other seminar would be specifically for members of the North Wales Fire Authority and was scheduled for Wednesday 29<sup>th</sup> September 2004 at Fire & Rescue Service Headquarters, Rhyl. Further information on both events would be circulated to members in due course

- vi. The Best Value Committee was due to hold its next meeting on Thursday 26<sup>th</sup> August 2004 at Fire & Rescue Service Headquarters, Rhyl at 10:30am

#### **4) Minutes**

The following minutes were submitted:

- i. Fire Authority meeting held on 15<sup>th</sup> March 2004

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

The following minutes were submitted for information purposes:

- ii. Executive Panel meeting held on 19<sup>th</sup> March 2004
- iii. Executive Panel meeting held on 22<sup>nd</sup> April 2004
- iv. Best Value Committee held on 13<sup>th</sup> May 2004
- v. Executive Panel meeting held on 20<sup>th</sup> May 2004
- vi. Appointments Panel held on 4<sup>th</sup> June 2004

#### **5) Matters Arising**

The following matters arose from the minutes submitted:

**Fire Authority and Executive Panel meetings (Allowances for members of Fire Authorities):** In reply to an enquiry from Councillor W J Chorlton on the current position regarding the introduction of a scheme of allowances for fire authority members, the Chairman advised that a delegation from the Authority had met with the Welsh Assembly Government's (WAG) Minister for Finance, Local Government and Public Services, Ms Sue Essex AM, at Llandudno on 29<sup>th</sup> April 2004. During the meeting they had discussed the delay in implementing the scheme and a number of other issues contained within the draft regulations on which the Authority had misgivings. A further meeting had been held in Cardiff between the Minister and members of the Wales Fire Services' Forum at which the dissatisfaction and disillusionment with the way the whole issue had been managed was emphasised to the Minister. The Chairman thanked the Clerk for accompanying members to both meetings and for his continued support on the issue. It had since transpired that, although the Minister had indicated that the Regulations would be approved prior to the Assembly's summer recess, it would now be October before they would be submitted to a plenary session of the Assembly for approval. In view of this recent development the Chairman had decided to write to the Minister, with a copy to the First Minister, to register his extreme disappointment; he read out his letter to members. Some members

were of the view that the Authority should write to the Office of the Deputy Prime Minister (ODPM) and the Local Government Association (LGA) to complain about the unreasonable delay on the Assembly's part in dealing with this issue. The Clerk advised that powers over such issues were already within the National Assembly for Wales' (NAfW) remit and therefore the payment of the allowances was not dependent upon the Fire and Rescue Services Bill receiving Royal Assent. He suggested to members that it might be worthwhile to ask local Assembly Members and the new leader of the Welsh Local Government Association (WLGA) for assistance in this matter. Members agreed and:

***Resolved: - that a copy of the Chairman's letter to the Minister, dated 6<sup>th</sup> July 2004, be sent to all local Assembly Members and to the new Leader of the WLGA requesting their assistance in pursuing the matter***

**Executive Panel minutes 22<sup>nd</sup> April and 24<sup>th</sup> May 2004 (Fire and Rescue Services Bill):** The Clerk advised that everything had gone quiet following the Committee stage of the Bill in the House of Lords until the previous week when the report stage had been conducted. The third reading of the Bill in the Upper House had been scheduled for the following day. Members were informed by the Clerk that if no objections or amendments were received the Bill would be passed back to the House of Commons; if it cleared the last stage at the Commons without being referred back to the Lords it could receive Royal Assent before the end of the week and the start of the parliamentary summer recess. The Clerk detailed a number of the points on which Peers had been tabling amendments on the Authority's behalf, these included opposing giving the Assembly powers to appoint fire authority members. Peers had also lobbied for fire authority members' allowances, once they became payable, to be made pensionable in the same way as allowances paid to county and county borough councillors. The Government had refused to consider such a provision under this Bill, but said that it could be considered under different legislation that might follow a review this autumn. The Clerk also informed members that he had drafted an amendment for Peers to table during the third reading of the Bill the following day. The amendment necessitated that the Partnership Council be consulted prior to the Assembly appointing any members to serve on Welsh fire authorities. The Clerk advised members that he was not confident of success on all the issues lobbied upon but, nevertheless, felt that it would be a courteous gesture if the Chairman wrote to all the Peers who had acted on behalf of the Authority to thank them for their efforts.

The Chairman thanked the Clerk for all the work he had undertaken on the Bill, in lobbying Peers, attending the House in person to brief Lord's members, preparation of speaking notes for House of Lords members and for regularly briefing him on the progress of the Bill. He also conveyed the appreciation of the other two Welsh fire authorities to him for undertaking the lobbying process on behalf of all Welsh fire authorities. Members:

**Resolved: - that the Chairman write to all the Peers who had assisted the Authority during the Bill's passage through the House of Lords to express the Authority's gratitude to them for their time and effort on its behalf**

**Fire Authority and Executive Panel Meetings (Former Llanfairfechan Fire Station):**

In reply to a question, the Chief Fire Officer advised that there had been no further major developments regarding the site of the former Llanfairfechan Fire Station.

**6) Statement of Accounts 2003/04**

The Treasurer, in accordance with the provision of the Accounts and Audit Regulations 1996, presented members with the Statement of Accounts for North Wales Fire Service for the 2003/04 financial year (previously circulated). He explained that subject to no significant changes being made to the Statement of Accounts between the current meeting and the Auditor's approval, the Accounts would be published. If, on the other hand, the Auditor had any major reservations regarding the Statement, as presented, it would be reported directly to the Authority. The Treasurer proceeded to explain that the accounts were illustrating a higher underspend than originally anticipated. His advice for the Authority was to set-aside the surplus for the time being in case it was requested to repay any transitional funding it received; although to date no such funding had been received. The Chief Fire Officer explained that it was still unclear as to whether the Authority would actually receive any such funding. The Treasurer answered members' questions on various aspects of the accounts during which he confirmed that by applying for transitional funding the Authority had been able to reduce the contribution requested from the constituent authorities, for the 2004/05 fiscal year, by £382, 381. It was then:

**Resolved: -to approve the Statements of Accounts for the financial year ended 31<sup>st</sup> March 2004**

**7) Summary of Internal Audit Activity for 2003/04 and the draft Internal Audit Plan for 2004/05**

The Treasurer introduced his report (previously circulated) summarising the Internal Audit work for 2003/04 and the draft Internal Audit Plan for 2004/05. He detailed various points contained in the report and explained that the actual number of audit days utilised to undertake the work had been slightly higher than originally planned but that such an occurrence happened quite frequently. Fewer audit days had been set-aside for the internal audit work for 2004/05 due to a new strategy that meant that future audits would be undertaken on a risk assessment basis. Members:

**Resolved: - to note the summary of Internal Audit work for 2003/04 and approve the Draft Internal Audit Plan for 2004/05**

## **8) Treasury Management**

The Treasurer introduced his report (previously circulated) and explained that, following the Authority's decision at its December 2003 meeting to adopt the Chartered Institute of Public Finance and Accounting (CIPFA) Code of Practice on Treasury Management, he was required to report the previous year's treasury activities and any changes in Treasury Management legislation to the Authority. The Treasurer explained that the treasury management function dealt with the Authority's cash balances before proceeding to highlight a number of issues contained in his report and requesting that the Authority, following advice Conwy County Borough Council had received from their Treasury Management Consultants, approve a revised list of investment counterparties as listed in the appendix to the report. It was:

**Resolved: - to**

- i. note the report on the Treasury Management activities for 2003/04; and***
- ii. approve the amended list of counterparties as contained in the appendix to the report***

## **9) Delegation of Powers to the Chief Fire Officer**

The Clerk introduced his report (previously circulated) with a view to seeking the Authority's agreement to a revision of the delegations to the Chief Fire Officer. He proceeded to explain that the existing delegations, which had built up over time in a haphazard method, required revising in the light of the modernisation of the Fire and Rescue Service. Recent developments such as the repeal of Section 19 of the Fire Services Act 1947 and the approval of the Integrated Risk Management Plan (IRMP), along with the forthcoming enactment of the Fire and Rescue Services Bill meant that now seemed to be a suitable time to revise these delegations. The Clerk advised that the Executive Panel had discussed the proposed delegations at its meeting on 22<sup>nd</sup> April 2004 and had recommended that the Authority approve the revised delegations as set out in the appendix to the report. Members:

**Resolved: - to approve the revisions to the delegations of power to the Chief Fire Officer as listed in the appendix to the report**

## **10) Public Opinion Survey Results**

The Chief Fire Officer introduced his report (previously circulated) which provided members with information regarding the findings of the public opinion survey conducted between October 2003 and January 2004 into the public's satisfaction with the way the Authority operated. The Chairman remarked that it was encouraging to see that the public had such a positive view of the Authority's bilingual policy and community fire safety strategy. Other members were encouraged by the views expressed in relation to equality issues. The Chief

Fire Officer concurred with members' sentiments that the Authority should not be seen be complacent following such positive results and should continue to advocate fire safety issues, especially in the light of some of the findings which seemed to indicate a decrease in the awareness of some areas relating to home fire safety. It was:

**Resolved: - to note the observations made and the main findings of the public satisfaction survey 2003/04**

### **11) Complaints and Letters of Appreciation**

The Chief Fire Officer introduced his report (previously circulated) to inform and update members in respect of the number of complaints and letters of appreciation received from the general public. Of the 26 complaints received, 16 had been substantiated. During the same period a total of 48 letters of appreciation had also been received. The Chief Fire Officer explained that the report, submitted annually, categorised and summarised the different types of letters received for members' information. In reply to a question from the Vice-Chairman as to whether the Authority encountered any specific problems in relation to emergency vehicles exceeding the prescribed speed limits when responding to emergency calls, the Chief Fire Officer informed members that the Authority had local procedures in place with the Police to deal with such incidents as and when they occurred. The Authority:

**Resolved: - to note the number of letters of complaints and appreciation received**

### **12) "Informative"**

The Chief Fire Officer introduced his report and the current issue of the 'Informative' magazine (previously circulated) to members. He apologised for a number of errors which had appeared in the Welsh version and assured members that steps were being taken to ensure that such errors would not be repeated in future editions. It was:

**Resolved: - to accept the publication**

### **13) Urgent Matters**

Discussion on the item submitted was to be held under Part II business.

#### 14) Dates of future meetings

The Chairman informed members that, in accordance with the Authority's Standing Orders, the dates for future meetings of the Fire Authority would be Monday 20<sup>th</sup> September 2004, Monday 20<sup>th</sup> December 2004, Monday 21<sup>st</sup> March 2005 and Monday 20<sup>th</sup> June 2005; the latter being the Annual Meeting. All meetings would commence at 10:30am. Details of the venues for the meetings would be sent to members as soon as they were available. He also advised that the Executive Panel would meet in either late August, or early September. Once the date and venue had been confirmed Executive Panel members would be notified.

Members were then informed by the Chairman that it was recommended that the remainder of the business items on the agenda be discussed without the public or the 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 information as defined in Paragraphs 1, 8, 9 and 10 of Schedule 12A of the Local Government Act, 1972***

#### **PART II**

#### 13) Urgent Matters

**Pay and Conditions of Service Agreement:** For the benefit of new Authority members the Chief Fire Officer gave a synopsis of the dispute and the Pay and Conditions of Service Agreement. He proceeded to inform the Authority that the second phase of the Audit Commission's verification audit on the progress of North Wales Fire Authority, in relation to the Agreement, had been completed recently. The preliminary findings were favourable and indicated that the Authority had made further progress. The Commission's findings would, in due course, be reported to the Executive Panel. Members were informed by the Chief Fire Officer that the FBU, at its recall conference the previous month, had withdrawn from the Agreement and had undertaken to ballot its members for discontinuous industrial action if an agreement could not be brokered through the Trade Unions Congress (TUC) by 30<sup>th</sup> July 2004. The only subject on which an agreement could not be reached was on the issue of "stand down time". Members were then briefed on the latest information received regarding the employers' intended response to any official or unofficial industrial action. Both the Chief Fire Officer and the Clerk answered members questions on the issues raised. A question was raised as to whether the same procedure should be adopted to deal with press and media enquiries relating to any dispute, as was utilised during the previous dispute. The majority of members were in favour of adopting the same procedure. It was therefore:



***Resolved: - that all press and media enquiries relating to the Authority's view and response to any industrial action should be referred to the Chairman or Vice-Chairman to respond on the Authority's behalf***

The Chairman undertook to bring up certain matters raised by members during the discussion when he next attended a meeting of the National Employers. Members felt that, since they no longer had a representative from the Authority on any national body, they were not given important information on matters such as negotiations. As the WLGA Council was scheduled to meet the following Friday members were of the view that a collective agreement should be sought with the other fire authorities in Wales in order that a representative from each Fire Authority served on at least one of the national bodies. It was therefore:

***Resolved: - that representations should be made that the Chairman of North Wales Fire Authority be nominated to serve on either, or all, of the following representative bodies: WLGA's Co-ordinating Committee; the Partnership Council and as the Welsh representative on the Employers' Organisation***

#### **15) Tenders**

The Chief Fire Officer introduced his report (previously circulated) informing members of the decisions taken by him and confirmed by the Chairman relating to the approval of tenders. He explained that the report contained all relevant details regarding the tenders received for the 'Fire Kit Management System' and the 'Computerised Human Resource/Training System'. Both accepted tenders were within the budget provision and were the lowest submitted to specification. Members:

***Resolved: - to confirm the delegated actions of the Chairman and the Chief Fire Officer in accepting both tenders***

Meeting concluded at 12:40pm

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

**Signed:** I Roberts

**Dated:** 20 September, 2004