

## **NORTH WALES FIRE AND RESCUE AUTHORITY**

Minutes of the meeting of North Wales Fire and Rescue Authority held on Monday 19<sup>th</sup> December 2011 at Wrexham Council Chamber, Guildhall, Wrexham. Meeting commenced at 10.30am.

### **PRESENT**

<b>Councillor</b>	<b>Representing</b>
S Frobisher (Chair)	Denbighshire County Council
A M Jones (Vice-Chair)	Anglesey County Council
D Barratt	Flintshire County Council
M Ll Davies	Denbighshire County Council
B Dunn	Flintshire County Council
G C Evans	Denbighshire County Council
P C Evans	Conwy County Borough Council
P Jeffares	Wrexham County Borough Council
E M Jones	Gwynedd Council
J A Kelly	Wrexham County Borough Council
D Mackie	Flintshire County Council
A Minshull	Flintshire County Council
J V Owen	Anglesey County Council
R E Parry	Conwy County Borough Council
T Roberts	Gwynedd Council
J R Skelland	Wrexham County Borough Council
M Thomas	Conwy County Borough Council
G O Williams	Gwynedd 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); C Hanks, P Claydon and R Simmons (Assistant Chief Fire Officers); G Brandrick (Senior Operations Manager); R Fairhead (Senior Training and Development Manager); G W Griffiths (Senior Fire Safety 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**

<b>Councillor</b>	<b>Representing</b>
L W Davies	Anglesey County Council
E C George	Wrexham County Borough Council
M Griffith	Gwynedd Council
G James	Flintshire County Council
D Kelly	Wrexham County Borough Council
N M Jones	Flintshire County Council
W T Owen	Gwynedd Council
W P Roberts	Conwy County Borough Council
A Tansley	Conwy County Borough Council

- 1 DECLARATIONS OF INTERESTS
  - 1.1 None.
- 2 NOTICE OF URGENT MATTERS
  - 2.1 There were no urgent matters.
- 3 MINUTES
  - 3.1 The minutes of the Fire and Rescue Authority meeting held on 17<sup>th</sup> October 2011 were submitted for approval.
  - 3.2 **RESOLVED to approve the minutes as a true and correct record of proceedings.**
- 4 MATTERS ARISING
  - 4.1 MIRG - ACFO Claydon confirmed that the MCA had ceased the Memorandum of Understanding with MIRG on 14<sup>th</sup> December and therefore, as agreed, North Wales Fire and Rescue Authority had withdrawn its provision.
  - 4.2 Safer Communities Regional Board update - the Clerk confirmed that the Minister will be looking at scrutiny arrangements for the Regional Board in the New Year.
- 5 CHAIR'S REPORT
  - 5.1 The Chair's report listed meetings and events attended by Cllr S Frobisher and Cllr A M Jones in their roles of Chair and Vice-Chair of North Wales Fire and Rescue Authority between 8<sup>th</sup> October and 15<sup>th</sup> December 2011.
  - 5.2 Cllr T Roberts asked for further information about the meeting held with Ieuan Wyn Jones AM. It was confirmed that a letter had been sent to all Assembly Ministers inviting them to make contact if they wanted a briefing on the budget situation; Ieuan Wyn Jones was the only AM who had requested a meeting to discuss the budget.
  - 5.2 **RESOLVED to note the information provided.**
- 6 DRAFT BUDGET 2012-13
  - 6.1 The Treasurer introduced the report which presented proposals to the Authority in respect of the draft budget for 2012-13, and the forecasts for 2013-14 and 2014-15. The report also contained information about the savings made during 2011-12. The Treasurer asked Members to note a typographical error in paragraph 6 - the budget in year 3 will be increased by 1%, not 0%.

- 6.2 Members were informed that presentation of the Budget in Best Value format, the Treasury Management Annual Strategy and the Prudential Indicators had not been included due to time constraints and will be presented at a later date.
- 6.3 It was noted that the Authority had achieved its agreed savings target of £802,000 for year 1 and a comprehensive report had been provided to the Executive Panel meeting on 21<sup>st</sup> November. The budget for 2012/13, the second year of the agreed three year strategy, was to be reduced by 0.5% (£815,000 savings target).
- 6.4 At the Authority meeting on 17<sup>th</sup> October, Members had agreed to reduce the expenditure to deliver fire cover and a corresponding reduction in the level of support, which would save over £1million. Negotiations between officers and the representative bodies were progressing well, and a number of meetings had already taken place. Due to the tight timescale, the new arrangements may not be ready for introduction on 1<sup>st</sup> April 2012, however, it was anticipated that there would be an underspend for 2011/12 which could be used to fund short term transitional costs as part of the introduction of a rostering system in 2012/13.
- 6.5 The Treasurer explained that, following consultation with the constituent authorities, their contributions from 2012/13 would be based on the projected estimate of population for the current year rather than on the basis of a mid-year population estimates produced by the Registrar General for the preceding year. This was in line with the Welsh Government's procedures.
- 6.6 In case of any changes or difficulties with the budget process, an additional meeting of the Authority had been arranged for 6<sup>th</sup> February 2012, in order to ensure that it could be finalised by the deadline of 15<sup>th</sup> February 2012. Cllr M Ll Davies asked that this date be included in the resolution.
- 6.7 **RESOLVED to**
- (i) approve the draft budget for 2012/13;**
  - (ii) confirm the strategy to be followed to achieve the savings in 2012/13 and 2013/14;**
  - (iii) note the budget position for 2014/15;**
  - (iv) advise constituent authorities of the provisional contributions required for 2012/13;**
  - (v) approve the draft capital programme for 2012/13 and associated methods of financing;**
  - (vi) convene a further meeting of the Fire and Rescue Authority, to be held on 6<sup>th</sup> February, if any changes transpire before 15<sup>th</sup> February 2012.**

## 7 PROVISIONAL OUTTURN 2011-12

- 7.1 The Treasurer informed Members of the estimated provisional outturn for the financial year 2011-2012. The estimated underspend of £484,298 is small compared to the £32million budget and it is recommended that underspends be used to fund short term transitional costs as part of the introduction of a rostering system in 2012-13.

7.2 It was noted that there were indications that there would be a net underspend on pay; Members had previously noted the £450,000 saving on firefighters - wholetime budget and it was likely to be achieved due to retirements and no wholetime recruitment. The estimated underspend on retained firefighters was fairly modest at £99,000. Members were reminded that the provisional outturn was based on current activity levels which are relatively low but if there were a number of major incidents over the next three months then the underspend could easily translate into an overspend.

7.3 **RESOLVED to agree that, if required, underspends could be used to fund short term transitional costs as part of the introduction of a rostering system in 2012-13.**

## 8 HSE CORRESPONDENCE

8.1 ACFO Claydon introduced the report which informed Members of recent correspondence sent to the Health & Safety Executive (HSE). Members were reminded that a HSE inspection was undertaken in December 2009 and it had been agreed that the Service would proactively inform the HSE of the measures taken to address recommendations made in their report.

8.2 An action plan to address the resulting recommendations of the HSE was submitted to the Executive Panel meeting in May 2010. It was noted that there had been no response to the Service's action plan from the HSE to date. Cllr Dunn and other Members were concerned that the HSE had not had the courtesy to respond or acknowledge the correspondence sent to them.

8.3 Cllr M LI Davies praised, and thanked, the officers for the continued good work done on health and safety within the Service. The Vice-Chair reiterated the comments and thanked officers for being so proactive in this area of work.

8.4 **RESOLVED to note the report and the progress the Service has made in addressing the HSE's recommendations as outlined in the letter attached to the report.**

## 9 BUSINESS CONTINUITY MANAGEMENT UPDATE FOLLOWING INDUSTRIAL ACTION 30TH NOVEMBER 2011

9.1 ACFO Simmons presented the report which detailed the preparation for, and the impact of, the recent industrial action in response to public sector pension reform. Having received notification from unions that industrial action was planned for 30<sup>th</sup> November, the Chief Fire Officer instigated a series of meetings of the Business Continuity Management Planning Group. However, confirmation was received shortly after that the FBU had decided not to participate in the strike action, therefore, predominantly confining the impact to the Service's support functions.

9.2 ACFO Simmons confirmed that business continuity management arrangements for major disruption to business processes had been comprehensively tested and any learning points from the series of meetings held had been incorporated into the Service's plans.

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

## 10 ADMINISTRATIVE REVIEW

10.1 ACFO Hanks presented the report which advised Members of the revised arrangements for the provision of administrative support within North Wales Fire and Rescue Service. Following the introduction of the officer structure it was considered important that each function within the Service received the right level of administrative support. Two pilot schemes had been in place for 5 months and had worked well.

10.2 The new arrangements had been explained to the administrative staff, with one to one meetings with the HR manager available for those with any concerns. It is anticipated that the new arrangements will be introduced with effect from 1<sup>st</sup> April 2012.

10.3 The Vice-Chair thanked officers for the work, and felt it was important that the right support structure was in place for RDS managers and across the Service as a whole.

10.4 **RESOLVED to note the revised arrangements for the provision of administrative support.**

## 11 DISCRETIONARY PENSION POLICY

11.1 The report was presented to recommend an amendment to a policy originally determined in 1998 in the light of consequential amendments to the governing regulations which occurred in 1997.

11.2 Cllr Dunn declared a personal interest in the report as the chair of the Clwyd Pension Fund.

11.3 Following a request from an employee to retire early and to have early access to his pension, Clwyd Pension Service had suggested that the discretionary policy should be reviewed and updated; therefore Members were asked to approve the new discretionary policy in the terms set out in Appendix B to the report. It was noted that there was no financial consequence to the Authority.

11.4 It was noted that the additional decision-making process related to the Chief and Deputy Chief Fire Officers' posts had been added to take account of other changes in pension rules whereby the postholders could be members of the LGPS. A 'waiting period' of 30 days was required before any decision under the discretionary policy could become effective.

11.5 **RESOLVED to approve the discretionary policy set out in Appendix B in respect of Section 30 of The Local Government Pension (Benefits, Membership and Contributions) Regulations 2007. Cllr B Dunn abstained.**

## 12 WELSH LANGUAGE MONITORING REPORT FEEDBACK

12.1 ACFO Hanks presented the report which informed Members of feedback received from the Welsh Language Board in relation to the Welsh Language Scheme Monitoring Report 2010-11.

12.2 **RESOLVED to note the progress made in relation to the Welsh Language Scheme and the assurance given to ensuring that the Service continues to monitor progress in this area.**

## 13 DATES OF MEETINGS 2012

13.1 Members were asked to note the dates of meetings for 2012. It was agreed to add the provisional date of 6<sup>th</sup> February, as agreed during the budget discussion to the list of dates.

13.2 The Chief Fire Officer suggested it may be an opportune time to consider changing the October Authority meeting back to a date in September. The date had originally been changed from September to October because of the need to approve the RRP/Improvement Plan before the Welsh Government's deadline date of 31<sup>st</sup> October but it was anticipated that, following consultation with the three Welsh FRAs, the Welsh Government would be changing the submission date to later in the year.

13.3 **RESOLVED to:**

(i) **note the dates of meetings for 2012 as follows:**

- **Authority meetings - 6<sup>th</sup> February, Denbighshire (provisional date set in case any budget issues transpire); 19<sup>th</sup> March, Gwynedd; 18<sup>th</sup> June, Anglesey; 15<sup>th</sup> October, Flintshire; 17<sup>th</sup> December, Conwy;**
- **Executive Panel meetings - 6<sup>th</sup> February, 16<sup>th</sup> July, 17<sup>th</sup> September, 19<sup>th</sup> November;**
- **Audit Committee meetings - 30<sup>th</sup> January and 24<sup>th</sup> September;**

(ii) **consider, once confirmation has been received from the Welsh Government regarding the submission date of the RRP/Improvement Plan, moving the October Authority meeting back to September.**

## 14 MINUTES OF MEETINGS

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

- Audit Committee meeting held on 26<sup>th</sup> September
- Executive Panel meeting held on 21<sup>st</sup> November.

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

## PART II REPORTS

### 15 DISCRETIONAL COMPENSATION FOR THE EARLY TERMINATION OF EMPLOYMENT

15.1 The Deputy Chief Fire Officer presented the report which sought approval to introduce a locally developed policy on the exercise of discretionary powers in respect of compensation for the early termination of employment for

members of the Firefighters' Pension Scheme 1992 and the New Firefighters' Pension Scheme, or those employees eligible to join such schemes.

- 15.2 The Deputy Chief Fire Officer gave Members an update about the meetings held with the representative bodies which had been very positive; it had now been agreed to develop a roster specifically for North Wales Fire and Rescue Service.
- 15.3 It was reiterated that compulsory redundancies were being avoided as much as possible and other alternatives were being explored, including voluntary redundancy. The report provided to the Authority did not include any figures as Members were being asked to support the concept, in principle, of having a local agreement on voluntary redundancy. If agreed, further work will be required prior to another report being presented to the Authority for approval.
- 15.4 The Vice-Chair commented that it was sad that redundancies were being considered, however, he felt it was morally important to be able to offer the best possible package to those who may consider requesting voluntary redundancy. Other Members agreed, and Cllr M Thomas supported enhancing the voluntary redundancy scheme. Cllr T Roberts congratulated officers for the ongoing work being done on this difficult task.
- 15.5 **RESOLVED to agree, in principle, to a locally agreed redundancy payment for voluntary redundancy for those employees who are members of the FPS or NFPS or those employees eligible to join such schemes. Cllr P C Evans abstained.**
- 16 FIRE AND RESCUE AUTHORITIES IN WALES: STRATEGIC OUTLINE CASE AND DISCUSSION DOCUMENT
- 16.1 The Chief Fire Officer introduced the report which was intended to promote discussion amongst Members about the current and future governance and structure arrangements across Wales. The report also advised Members of the Chief Fire Officer's recommendation for delivering further efficiencies in a pan-Wales context.
- 16.2 Following the South Wales CFO's announcement of his intention to retire, a meeting of the Chairs and Chief Fire Officers of the three FRAs in Wales had been held to discuss the implication of Mr Marles' retirement. Particular attention was given to the experiences of local authorities in Wales in their progress towards delivering the agenda set out by the Simpson Review. A further consideration was the Welsh Government's future legislative programme which it is understood will bring forward legislation enabling the Minister to compel local authorities in Wales to share senior officers and chief executives.
- 16.3 As a result of these discussions, the Chief Fire Officers were tasked by the three Chairs to develop an options paper which would consider all the relevant issues and stimulate discussion and debate among members in each of the three FRAs. A copy of the report had been provided to all Members.

- 16.4 The conclusion of the report was that the most promising option was an enhanced three authority model, aligned to the Welsh Government's stated preferred structure option for partnership working. The key enhancement would be the formation of a National Issues Committee for Fire and Resilience, created and dedicated to the furtherance of collaboration, which would drive out further inefficiencies and ensure consistency of approach across Wales.
- 16.5 Members were concerned at the suggestion that Fire and Rescue Authorities in Wales may decrease in number. Cllr P C Evans thanked officers for the report; he agreed with the sentiments of the report and considered it important that the three FRAs remain independent to ensure that there is local influence and this was reiterated by other Members.
- 16.6 Cllr M Thomas felt that Cardiff, again, wanted to take control; Cllr Thomas considered there to be more collaborative work ongoing in North Wales than in many other authorities and that the Authority and Service were being managed well. He felt that any savings would be minimal due to the transportation issues between north and south Wales.
- 16.7 Cllr M LI Davies agreed with the comments made and hoped that the Welsh Government would take note of the report and that the idea would not be taken forward in order to change for the sake of changing. Cllr Mackie agreed and considered centralisation to be undesirable as most of the functions would end up in the south. The Vice-Chair added that devolution was to be welcomed but that it was important that the power is across Wales and not solely in Cardiff.
- 16.8 All Members were supportive of the collaborative working across the three FRAs and considered it to have been very successful over the years, but felt it important that the three Services continued to provide a local service suited to the needs of their areas.
- 16.9 **RESOLVED to**
- (i) note the Strategic Outline Case and Discussion Document;**
  - (ii) note and endorse the preferred option of the three Chief Fire Officers;**
  - (iii) authorise, subject to the agreement of the other FRAs in Wales, that the Chair of the Authority, in consultation with the Chief Fire Officer, Clerk and Treasurer pursue the formation of a National Issues Committee with both Mid and West and South Wales FRAs.**