

NORTH WALES FIRE AND RESCUE AUTHORITY

Minutes of the meeting of North Wales Fire and Rescue Authority held on Monday 16th June 2008 at County Hall, Ruthin. Meeting commenced at 11.40am.

Present:

Councillor

T Roberts (Chair)
S Frobisher (Vice-Chair)

P C Evans JP
R D Peacock
W P Roberts
A D Tansley
M Thomas
M Ll Davies
G C Evans
G Williams
D Barratt
B Dunn
A Minshull
M Griffith
B L Blackmore
R M Davies
T Evans
E C George
P Jeffares
L W Davies
A M Jones
J V Owen

Representing

Gwynedd Council
Denbighshire County Council

Conwy County Borough Council
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
Flintshire County Council
Flintshire County Council
Flintshire County Council
Gwynedd Council
Wrexham County Borough Council
Wrexham County Borough Council
Wrexham County Borough Council
Wrexham County Borough Council
Wrexham County Borough Council
Ynys Môn County Council
Ynys Môn County Council
Ynys Môn 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); C Hanks (Deputy Chief Fire Officer); P S Claydon (Assistant Chief Fire Officer, Operational Assurance); D Docx (Assistant Chief Officer, Resources); R Simmons (Assistant Chief Officer, Organisational and People Development); S Morris (Corporate Planning Manager); W A Murphy (Senior Operations Manager); R Fairhead (Senior Fire Safety Manager); G Brandrick (Training and Development Manager); S Forrest (Accountant, Treasurer's Department, Conwy County

Borough Council); D Mottram (Executive Support Manager) and Rh Evans (Member Liaison Officer).

PART I

1) Apologies

Councillor

Representing

G Hardcastle

Flintshire County Council

G James

Flintshire County Council

N Jones

Flintshire County Council

E Morgan Jones

Gwynedd Council

W T Owen

Gwynedd Council

G O Williams

Gwynedd Council

2) Notice of Urgent Matters

The Chairman advised that no items had been submitted to the Clerk for consideration.

3) Announcements

The Chairman:

- i. congratulated a number of members on being appointed to various civic and other roles with their constituent councils and on other bodies on which they served; and
- ii. congratulated Mr Ian David Bithell, Retained Duty Watch Manager at Wrexham Fire Station, on being awarded the MBE for his services to local government and the community in the Queen's Birthday Honours List.

The Chief Fire Officer informed members that the previous day, whilst responding to a road traffic collision in the Aberdyfi area, one of the Service's vehicles had been involved in an accident. Two members of the Service had been taken to hospital but had later been discharged. He advised that a joint investigation was currently underway between the Service and North Wales Police to ascertain the cause of the accident. Members joined officers in sending their best wishes for a full and speedy recovery to all those involved in the incident.

4) Minutes

The following minutes were submitted:

- i. Fire and Rescue Authority meeting held on 17th March 2008

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 6th March 2008

5) Matters Arising

No matters arose from the minutes submitted.

6) Chairman's Diary

The Chairman introduced the Member Liaison Officer's report (distributed at the meeting) which detailed the meetings and events attended by the Chairman during the period from 18th March 2008 until the date of the local authority elections on 1st May 2008. He explained that it was important for members to be aware of the work the Chairman undertook on the Authority's behalf and of the events attended by the Chairman. Councillor M LI Davies agreed with the Chairman's views and requested that in future the Chairman provides members with a short information report on the contents of important seminars and conferences attended by him, such as the recent seminar on the "Corporate Manslaughter and Homicide Act 2007". The Chairman agreed to this request. Members were also advised that the National Joint Council for Local Authority Fire and Rescue Services (NJC) had the previous week agreed to a 2.45% pay award for firefighters, payable from 1st July 2008. Members:

Resolved: - to note the information contained in the report and that the Chairman in future provides members with a brief summary of the information imparted at certain seminars and conferences which he attends

7) Joint Risk Assessment

The Chair welcomed Mr Rob Powell, Relationship Manager, with the Wales Audit Office (WAO) to the meeting to present members with the findings of the Joint Risk Assessment. Prior to commencing his presentation Mr Powell advised members that he worked in the capacity of the WAO's Relationship Manager with the three fire and rescue authorities in Wales and was therefore well placed to share good practices with each authority. With the aid of a PowerPoint presentation Mr Powell explained the contents of his report (previously circulated). He described the Wales Programme for Improvement cycle and how the Joint Risk Assessment fed into the Annual Improvement Plan and Risk Reduction Plan (RRP) Action Plan, the Regulatory Plan and how the outcomes and the process was continually monitored and reviewed.

Mr Powell explained that this year's Joint Risk Assessment had focused on two aspects of the Authority's work. The operational risk assessment undertaken by the Peer Assessment Team had concentrated on the Authority's preparedness for major disruptive events, such as flooding, whilst the WAO who was responsible

for the non-operational assessment, had looked at the structures in place to support the delivery of the Authority's priorities.

Members were advised that the operational assessment had identified progress and improvements in a number of areas. It had also highlighted key risks in relation to the high number of fire deaths, risk analysis, spate conditions and operational policies. Some areas of significant risk had also come to light during the course of the non-operational assessment, these mainly centred around the need to develop and deliver a clear direction to address the operational, financial and organisational challenges which the Authority was likely to encounter over the coming years. The WAO's assessment had concluded that the Authority had made progress in a number of non-operational areas including communications, public relations, partnership working, preparations for Members' Charter accreditation, performance management, corporate health and towards accreditation under the 'Green Dragon' environmental scheme. Its assessment had also concluded that the Authority had room to improve in relation to member engagement and scrutiny and with plans to support its overall vision. Mr Powell advised members that a copy of the Risk Assessment Template would be made available to them upon request.

On the issue of operational intelligence, in response to a question from Councillor M LI Davies, the Chief Fire Officer advised that the Service was aware of the types of hazardous materials stored at the majority of industrial premises but that it was domestic properties, particularly private garages and workshops, that were the cause of most concern to the Service. There was no way of knowing what types or quantities of hazardous materials that were stored in these types of premises. The three Welsh fire and rescue services were currently working with officials in the Welsh Assembly Government (WAG) to try and address this problem.

Resolved: - to note the contents of the report

8) A Review of Scrutiny Arrangements within Fire and Rescue Authorities in Wales – North Wales Fire and Rescue Authority

Mr Rob Powell introduced the WAO's report which presented members with a number of recommendations in the wake of a recent review undertaken of scrutiny arrangements within the fire and rescue authorities in Wales. In conjunction with the report on the WAO's findings in relation to North Wales Fire and Rescue Authority Mr Powell also presented the WAO's good practice report on scrutiny and member engagement in the three Welsh fire and rescue authorities. Copies of both reports had been circulated to members beforehand. Mr Powell explained that the previous year's Joint Risk Assessment had highlighted the fact that the Fire and Rescue Authority's internal governance arrangements did not reflect those of its constituent councils. Therefore, with officers' permission, the WAO had undertaken a study of the governance arrangements of all fire and rescue authorities in Wales. Having

studied the arrangements in the three authorities the WAO had concluded that each authority had tailored its own individual approach to internal scrutiny and member engagement. Whilst different approaches were commendable the principles of good governance and the scrutiny of decision making should remain the same across all authorities, be they fire and rescue authorities or local authorities.

As part of the review the WAO had distributed a questionnaire to all North Wales Fire and Rescue Authority members and Principal Officers. Whilst all Principal Officers had responded to the questionnaire the number of members who had responded was extremely disappointing and therefore members' views had, in the main, been gauged from those who had participated in the focus group. Mr Powell advised that the WAO had concluded that a lack of clarity existed in relation to decision making and there was therefore a clear need to establish separate scrutiny arrangements. These arrangements could take the form of an audit committee, the membership of which should not include members who served on the Executive Panel. The WAO was also recommending that the Authority undertook a fundamental constitutional review and Mr Powell had been pleased with the Authority's decision at the Annual Meeting earlier that day to progress with such a review.

Mr Powell informed the Authority that representatives from the WAO would be addressing members at the All-Wales Fire and Rescue Authorities Members' Conference on 15th September 2008 on the subject of Member Engagement and Scrutiny.

Replying to questions Mr Powell confirmed that the Authority could periodically benefit from drawing on local authorities' scrutiny experience or call upon local authorities' assistance when scrutinising certain policies or functions. The Clerk advised the Authority that he supported the concept of scrutiny, particularly the establishment of an audit committee and should proportionate an effective scrutiny arrangement which could be an extension of the audit committee role and/or selected appointed scrutiny task and finish groups. Members:

Resolved: - to consider

- i. reviewing the size, operation and composition of the Executive Panel;***
- ii. developing a separate Audit Committee which would include those members who were not members of the Executive Panel;***
- iii. creating 'Task and Finish' groups to examine particular issues/decisions and whose members could either report to the Executive Panel or directly to the Fire and Rescue Authority; and***
- iv. whether the Fire and Rescue Authority could draw on local authority scrutiny support where appropriate***

9) Approval of the Risk Reduction Plan Draft 2009/10 Action Plan for Public Consultation

The Assistant Chief Officer (Resources) introduced her report (previously circulated) which presented members with the Risk Reduction Plan (RRP) draft Action Plan for 2009/10. She explained that officers were seeking members' approval to consult with the public on the Plan's proposals. The Chief Fire Officer advised members that, due to the statutory requirement to develop a RRP within a set timescale, the previous Authority had taken the decision to develop the proposals prior to the local authority elections otherwise the 'new' Authority would have been tasked with initiating and developing proposals for the draft Plan within an extremely restricted timeframe. The Assistant Chief Officer (Resources) then detailed the four proposals contained in the draft Action Plan.

12.20pm: Councillor W P Roberts joined the meeting at this juncture

Responding to members' questions officers advised that the intention behind the first proposal was not to reduce the number of operational officers but to make more efficient use of their time and expertise. The previous Authority had decided that the method by which the Service currently crewed its special appliances was not particularly cost effective and that, instead of 'losing' 12 operational posts and replacing them with the required number of local government support staff to deliver the Authority's aspirations of 30K home fire safety checks (HFSCs) per annum, it would be better to transfer these operational personnel into the Community Fire Safety (CFS) team to assist with the delivery of HFSCs. Although these personnel would be performing non-operational duties their operational competencies would be maintained so that their assistance could be called upon during busy periods or spate conditions. The Service's Training and Development Manager reassured members that the necessary steps had been taken to ensure that a certain number of personnel stationed at fire stations where special appliances were based had been provided with the necessary training to enable them to operate these appliances. Members requested that a frequently asked questions (FAQs) sheet be prepared and made available to the public alongside the draft Action Plan to assist them in understanding the issues in the draft Plan. Councillor A M Jones questioned the inclusion of the first two proposals in the draft Action Plan for public consultation. In his view these proposals related to operational decisions which should be entrusted to officers to take based on their own professional knowledge and judgement, rather than to strategic decisions on which members should decide.

12.25pm: Councillor M Griffith left the meeting at this juncture

Councillor E C George suggested that due to the amount of work entailed with proposal 4 that the Authority should consider commencing the preparatory work on this proposal immediately. All members agreed with this suggestion. It was:

Resolved: -

- i. to note the contents of the report and approve the draft Risk Reduction Plan Action Plan 2009/10 for public consultation;***
- ii. that a list of Frequently Asked Questions be prepared and made available to the public alongside the draft Action Plan;***
- iii. that preparatory work in relation to proposal 4 be commenced immediately; and***
- iv. in the meantime, to proceed to initiate an informal discussion on the proposals through officials at the Welsh Assembly Government***

10) Consultation on the Draft National Framework 2008/11

The Chief Fire Officer introduced his report (previously circulated) seeking members' approval for a letter of response, a draft of which was attached to the report, to be submitted to the Welsh Assembly Government (WAG) as part of the formal consultation process on the Draft National Framework for Fire and Rescue Services 2008-2011. He explained that the draft Framework document had raised a number of issues and concerns, all of which were highlighted in the draft response presented to members. The Chief Fire Officer proceeded to inform members that officers had liaised closely with their counterparts in the other Welsh fire and rescue authorities with a view to ensuring that all three authorities raised similar issues and in a bid to emphasise the widespread concerns in relation to certain proposals. Councillor M LI Davies congratulated officers on an extremely precise and well drafted response. Members:

Resolved: - to endorse the letter of response to the consultation on the Draft National Framework 2008/11 as drafted for submission to the Welsh Assembly Government

11) Draft Statement of Accounts 2007/08

The Treasurer introduced his report (previously circulated) seeking members, in accordance with the provision of the Accounts and Audit (Wales) Regulations 2005, to approve North Wales Fire and Rescue Service's draft Statement of Accounts for 2007-08. He thanked the Authority's Accountant for preparing the accounts to an extremely tight deadline and advised members that, pending any changes the Authority's auditors requested, the final accounts would be presented for approval before the end of September 2008. In the past auditors had only requested that a few presentational amendments be made which did not in any way alter the overall accounts.

The Treasurer proceeded to detail the contents of the Statement of Accounts and advised that the Authority had recorded an underspend of £6,377 at the end of the financial year. This was mostly attributable to greater income generation due to higher interest rates on investments and additional income being received towards Emergency Planning. These sources of additional

income had proved useful to fund overspends in other areas of the Service's budget.

12.50pm: Councillor A D Tansley joined the meeting at this juncture

Replying to members' questions the Treasurer advised that, following the introduction of the Firefighters Pension Scheme 2007 and the setting up of the Pension Fund Account along with the fact that the WAG now funded any shortfall between contributions received and benefits payable, Financial Reporting Standard (FRS) 17 was no longer the cause of concern to the Authority it had been in the past. In relation to the amount of stock held the Chief Fire Officer advised that the Authority, in a bid to realise efficiencies, had reduced the amount of stock it held. Replying to other questions the Deputy Chief Fire Officer informed members that a number of factors had contributed to lower expenditure on publicity during 2007/08 than in the previous year. These included a reduced number of staff vacancies requiring recruitment adverts in the press and the fact that all press releases issued by the Service now included a reference to the HFSC freephone number which therefore meant that less money was being spent on advertising this service. Also in 2006/07 the publication of the Chief Fire Officer's Task Group report had incurred additional expenditure. The Deputy Chief Fire Officer confirmed to members that the number of vehicles used by the Service had increased in comparison to the previous year, this was due to the method by which the Authority now delivered its services to the community. As the Authority had aspired to deliver 30K HFSC per year across the North Wales area this consequently necessitated a greater number of vehicles to be available to deliver this service.

In response to a question from Councillor E C George the Assistant Chief Officer (Resources) advised that no provision had been set aside for equal pay claims by local government staff as, although the Authority was to consider a report on Job Evaluation later on the current meeting's agenda, the Authority had considered equal pay provisions a few years ago. The job evaluation exercise currently being proposed related to a refresher evaluation, something that should be undertaken on a regular basis. The staff representative bodies had already agreed that any changes to pay scales following the evaluation exercise should come into effect from 1st April 2009, with any staff whose pay reduced as a result of the evaluation process receiving pay protection for three years. By a majority members:

Resolved: - to approve the draft Statement of Accounts for the financial year ended 31st March 2008

Councillor J V Owen requested that it be recorded that he abstained from voting on the above recommendation.

12) Treasury Management

In line with the Authority's reporting procedures the Treasurer introduced his annual treasury report (previously circulated) which detailed the Authority's treasury activity during the 2007-08 financial year. He explained that the report, in accordance with the requirements of the Prudential Code, also included the actual Prudential Indicators for the same period. The contents of the report were detailed to members and the Treasurer explained that he did not have any particular concerns about the figures contained in it. He also advised members that, for the purposes of attracting better rates of interest on investments and for borrowing, the Authority's money was pooled together with Conwy County Borough Council's money. Because both organisations finances were easily identifiable the Authority's auditors had approved this practice. It was:

Resolved: - to:

- i. approve the actual 2007-08 Prudential Indicators; and***
- ii. note the report on the Treasury Management activities for 2007-08***

13) Annual Reports on Bad Debts Written Off

The Treasurer introduced his report (previously circulated) which informed members of the bad debts of under £5K which had been written off as irrecoverable between 1st April 2007 and 31st March 2008. He explained the background to the report and that a total of five debts under £5,000 had been written-off during the above period. For transparency purposes details of the debts were shown on the appendix to the report. Members:

Resolved: - to note the contents of the report

14) Code of Conduct

The Clerk introduced his report and the new model code of conduct for members and co-opted members of the Authority as issued by the WAG on 21st April 2008 (previously circulated). He explained that he was seeking members to approve the adoption of the model code of conduct as the Authority's new code of conduct to replace the code it had previously adopted. He advised members that they needed to be familiar with the requirements of the code and drew their attention to paragraph 5 of his report which highlighted the additional responsibilities placed on members under the new code. The Clerk suggested to members that in order to avoid duplication they may wish to sign a declaration permitting their own councils to share with the Fire and Rescue Authority those interests which they had declared to them. He also reminded members that in future they would be required to declare any additional interests received to their own authorities and to the Fire and Rescue Authority within 28 days of their receipt. Members were also advised to bear in mind when serving on their home authorities to declare any interests they may have in relation to the Fire and Rescue Authority. The same principle would also apply to members in relation to declaring council interests when serving on the Fire and Rescue Authority. It was:

Resolved: -

- i. to adopt the new model code of conduct for members and co-opted members and that all members be required to sign a declaration that they will abide by the new code;***
- ii. that members sign a declaration to permit their home authorities to share with the Fire and Rescue Authority any interests which they have shared with them; and***
- iii. that the threshold for the registration of any gifts, hospitality, material benefits or advantages received be set at £25***

15) Amendments to Standing Orders

The Clerk introduced his report and appendix (previously circulated) which presented recommendations in relation to amendments to the Authority's Standing Orders. The amendments were intended to ensure that the Authority's Standing Orders correctly reflected changes made to the composition of the Standards Committee and other minor changes, mainly updating references to legislation. The Clerk detailed the background to the changes and explained that the amendments had been proposed and seconded at the Authority's meeting in March and, in line with the Standing Orders' own requirements, the debate on them was deferred until the current meeting. Members:

Resolved: - to approve the amendments to its Standing Orders as drafted in the annex to the report

16) Presentation on the Annual Return Figures

This item of business was deferred until the Authority's meeting in October 2008.

17) Job Evaluation

The Assistant Chief Officer (Resources) introduced her and the Assistant Chief Officer (Organisational and People Development's) joint report informing members of the need to undertake a job evaluation exercise. She proceeded to explain that this exercise would involve evaluating the jobs of all Fire and Rescue Service personnel who were employed under Green Book Conditions of Service – the Service's support staff. It was:

Resolved: - to note the reasons why it was important to undertake the job evaluation exercise and that any financial implications would be reported to members as soon as they become available

18) A Presentation on the Authority's Training and Development Arrangements

This item of business was deferred until the Authority's meeting in October 2008.

19) Member Development Programme 2008/09

The Member Liaison Officer introduced her report (previously circulated) which informed members of the arrangements for the delivery of the proposed members' development programme for 2008/09. She explained that contrary to the information in the report the presentation on the Authority's Training and Development Arrangements would now be held in October, otherwise all the details in the report were correct. Councillor M LI Davies requested that, dependent on the venues for full Authority meetings, the commencement time and length of the pre-Authority meeting training session take into consideration the distances and the travel time members required to arrive at the venue to participate in the sessions. It was:

Resolved: -

- i. to hold member development/training sessions immediately prior to meetings of the full Fire and Rescue Authority;***
- ii. to note and approve the proposed member training programme for 2008/09 as detailed in Appendix 1 to the report; and***
- iii. following an analysis of the responses to the training needs questionnaire, to authorise the Member Support and Development and Community Safety Champions Working Group to draw-up a Member Development Programme***

20) Complaints and Letters of Appreciation

The Deputy Chief Fire Officer introduced the annual report (previously circulated) informing and updating members on the number of complaints and expressions of appreciation received from the public during the period between April 2007 and March 2008. He explained that although it was not always pleasing to receive complaints it did give the Service the opportunity to redress shortfalls or bad practices. It was positive to report that fewer complaints had been received during the past year in comparison to the previous year. The fact that the number of complaints received and substantiated in relation to personnel's driving was lower than the previous year may be attributable to the joint working initiative which existed with North Wales Police in relation to driver training. Councillor M LI Davies congratulated the Service on the volume of expressions of appreciation received and he requested that members be informed of the CFS Educationalists' programme of school visits for 2008/09. Members:

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

21) Informative

The Deputy Chief Fire Officer presented the Authority with the latest issue of the 'Informative' magazine. He commended the Corporate Communications Department for its outstanding work on this publication and stressed that, in addition to drawing attention to personnel's work on behalf of the Service, the magazine also highlighted the vast amount of charity work which regularly took place across the area. Members:

Resolved: - to accept the publication

22) Urgent Matters

None.

Members adjourned for lunch at 1.20pm and reconvened for the remaining item of business at 1.50pm.

The Chairman informed members that it was recommended that the remaining item 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 item of business because it was likely that there would be disclosed to them exempt information as defined in Paragraphs 12 to 14 of Part 4 of Schedule 12A to the Local Government Act, 1972

PART II

At this juncture Councillor Frobisher took the chair for the items to exclude the press and public and to hear the appeal.

The following report had been excluded from disclosure under paragraphs 12 to 14 of Schedule 12A to the Local Government Act 1972.

23) Personnel Matter

Members heard an appeal concerning a confidential personnel matter. In line with the Authority's policy, only those members who were not present at the meeting at which the original decision had been taken were present to hear the appeal. The appeal was conducted according to the procedure recommended by the Clerk with members having been provided with copies of all the relevant documentation beforehand. The appellant and the respondent were both in attendance to present their cases and to answer members' questions. Both withdrew from the meeting room whilst members' deliberated. Following an in-depth discussion members:

Resolved: - that the appeal be upheld.

The meeting concluded at 2.30pm.

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

Signed:

Dated

