

NORTH WALES FIRE AND RESCUE AUTHORITY

Minutes of the Executive Panel meeting of the North Wales Fire and Rescue Authority held on Wednesday 26th October 2005 at Fire and Rescue Service Headquarters, St. Asaph. Meeting commenced at 11.55am.

Present:

Councillor

Representing

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

Gwynedd Council
Wrexham County Borough Council

J M Vaughan
P C Evans JP (substitute)
D Jones MBE
D Barratt
E F Evans
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
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); K W Finch (Treasurer 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); S Forrest (Treasurer's Department Conwy County Borough Council); S Morris (Corporate Planning Manager); N Williams (Estates Manager); D Bond (Fleet Department Manager); R D Peacock (North Wales Fire and Rescue Authority Member, present as an observer) and Rh Evans (Member Liaison Officer).

PART I

1) Apologies

Councillor

Representing

S C Jones
J A Smith
E Morgan Jones
J A Roberts

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

C Hanks

Assistant Chief Fire Officer (Service Support)

2) Notice of Urgent Matters

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

3) Minutes

The following minutes were submitted:

- i. Executive Panel meeting held on 25th July 2005

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

4) Matters Arising

The following matters arose from the minutes:

Page 2, Item 5 – The Relationship between the Welsh Local Government Association (WLGA) and the Fire and Rescue Services in Wales: In reply to a question from Councillor E C George on the latest position regarding this matter, the Chairman advised that the report, considered by the Panel at its last meeting, had since been discussed by the other fire and rescue authorities in Wales. The results of the consultation were due to be reported to a Special Meeting of the WLGA Council, scheduled for 28th October 2005. Extracts from the Report submitted for discussion at the WLGA Council meeting were read out to members by the Chairman. He advised that the recommendation was for Council members to “endorse the points raised in [the] report particularly the establishment of a WLGA Fire Services’ Panel and the commencement of discussions on establishing a dedicated post on these issues.” The Chairman commented that he was hopeful that once the WLGA Council had endorsed the recommendation, the first meeting of the Fire Services’ Panel would follow soon after. Councillor George was of the view that it was imperative that this Panel was seen as the fire and rescue authorities’ vehicle of interaction with Government in Wales, in the same way as the Local Government Association’s (LGA) Fire Forum was seen as the authorities’ medium for interfacing with Government in England. Councillor P C Evans remarked that there seemed to an increasing attitude within the LGA not to include members from Wales in its discussions and meetings. It was therefore:

Resolved: - *that the Chairman request that the WLGA lobby the LGA not to marginalise members from Wales from its discussions and meetings in future.*

Road signs for Fire and Rescue Service Headquarters: Members enquired whether arrangements were in hand to erect signs on the A55 and the road that passed through the Business Park to direct visitors to the Headquarters site. The Chief Fire Officer advised that he had, for a long time, been pressing the authorities to allow signs to be erected. The Clerk advised that as the A55 was a trunk road it was the National Assembly’s responsibility to permit the erection of

signage. Ffordd Salesbury, on which the Headquarters was located, was still the responsibility of the Welsh Development Agency (WDA) and, until such time as it was adopted by the local authority, namely Denbighshire County Council, it could not grant permission for the erection of signage.

Councillor S C Jones: Members were informed that Councillor Sue Jones had recovered well following her recent bout of ill-health. Unfortunately, following a recent accident at home, she would be unable to attend meetings for a further few weeks, but she was maintaining a keen interest in the Authority's work.

Prior to transacting the next three items of business the Chairman read a letter from Mr Anthony Barrett, Wales Audit Office's (WAO) Appointed Auditor, explaining that the WAO had experienced difficulties in completing the audit of the Authority's accounts. In his letter Mr Barrett stressed that the difficulties related to operational matters within the WAO and that the delay had not been caused by any shortcomings on the part of Fire and Rescue Authority Officers. He apologised for the delay and the inconvenience caused. Members were assured that every step would be taken to ensure that a similar situation would not recur in future. The Statement of Accounts for 2004/05 would now be presented to the December 2005 meeting of the Authority for approval.

Mr David Jones, WAO Audit Manager, then addressed members explaining the reasons why the WAO had been unable to complete the work on the Statement of Accounts. He explained that it was normal practice, as part of the initial audit of the accounts, for him to highlight a number of areas in which he thought there was scope for improving the disclosures made in statements, and identify issues that required auditors to test, address and resolve. When undertaking the final audit of the accounts he realised that a number of these issues and potential amendments had not been communicated by WAO staff to the Authority's Treasurer and his staff. Mr Jones stressed that he did not anticipate that any substantial changes to the Statement of Accounts would be required. He was confident that the Treasurer would agree to the required amendments, but until all the issues had been fully explored he would not have fulfilled the requirements of the CIPFA Code of Audit Practice to complete the audit work. Mr Jones also apologised for the delay and assured members that everything possible was being done to conclude the work as soon as possible.

Members were informed by the Treasurer that he would, for clarity purposes, probably agree to some of the changes but not necessarily to all of them. As he needed to study each of the issues raised by the WAO he was of the view that the Panel could not proceed with the next three items of business as the "Letter of Representation" may need to be amended to reflect the issues raised. Mr Jones assured the Treasurer that the issues were, in the main, presentational issues; if any substantial issues would have come to light he would have needed to report them to the Authority. The deficiency lay with the WAO for not having communicated the issues in full to the Treasurer's Department.

Mr Jones agreed to Councillor WJ Chorlton's request that a list of the issues identified be submitted to members with the 2004/05 Statement of Accounts when it was presented to the Authority's December meeting. It was:

Resolved – to

- i. note the contents of the letter from the WAO's Appointed Auditor and the Audit Manager's statement;*
- ii. that discussion on business items 5, 6 and 7 be deferred until the next meeting of the Fire and Rescue Authority on 19th December 2005; and*
- iii. that the WAO was to provide a list of the issues identified and that had resulted in the delay of the audit of the Statement of Accounts being finalised, for circulation to members with the final accounts for December's Authority meeting.*

5) Letter of Representation

This item of business was deferred until the next Authority meeting.

6) Communication concerning Financial Statements to those charged with Governance

This item of business was deferred until the next Authority meeting.

7) Approval of the Statement of Accounts for 2004/05

This item of business was deferred until the next Authority meeting.

8) Integrated Risk Management Plan – Third Year Action Plan

Prior to Assistant Chief Fire Officer (Service Delivery) Paul Claydon introducing his report (previously circulated) which informed members of the requirements of the third year Integrated Risk Management Plan (IRMP) and the suggested areas for development and further exploration prior to submission to the Fire and Rescue Authority for approval, the Clerk read out extracts from a letter received from the Welsh Assembly Government's (WAG) Minister for Social Justice and Regeneration. The Minister's letter was in response to the clarification sought by the Panel at its last meeting, on the phrase "deferring elements of IRMP activity". In her response the Minister explained that she had "no desire, nor is it appropriate that the Assembly should become involved in the day-to-day decisions of fire and rescue authorities" but that she was "specifically seeking [the authority's] agreement not to implement any recommendations which result in changes to the Duty Systems within individual fire stations until such time as our IRMP guidance and associated standards are available". The Panel was reminded by the Clerk that the Authority had a statutory obligation under various pieces of legislation to provide an efficient public service of the highest quality that protected and responded to the needs of the community it served. The Assembly Government's delay in issuing the draft IRMP Guidance for consultation

and in bringing forward legislation in a number of areas, which had already been legislated on in England, could have an adverse effect on the Authority's ability to set its budget for the next financial year. If the Guidance was not published for consultation before the end of the current calendar year it would impact on fire and rescue authorities' budget setting process for 2006/07.

Councillor E C George was of the view that the Authority should make representations to WAG Ministers stressing the budgetary problems it faced due to the Assembly's delay in publishing consultations and because of the cost implications, which were outside the 2003 Pay Agreement, of implementing the Integrated Personal Development System (IPDS). He requested that the Authority should make a bid for additional funding towards financing the latter. Similar funding had been offered by the Assembly to local authorities to alleviate the impact of the Job Evaluation exercise.

The Treasurer suggested that, as the provisional Revenue Support Grant (RSG) settlement for local authorities was due to be announced for consultation on 1st November, it may be appropriate for Officers to submit comments on the constituent authorities' settlements from a Fire and Rescue Authority perspective.

Assistant Chief Fire Officer Claydon then proceeded to explain to members who were absent from the IRMP Working Group meeting that the Group had been presented with a number of areas which were suitable for inclusion in the Authority's third year IRMP Action Plan. These areas included implementation of the recommendations that had resulted from the Special Appliance Review, charging for attending repeat false alarm calls from automatic fire detection apparatus, the trialling of co-responding schemes, community fire safety initiatives for rural properties, automatic location provision, easy access performance monitoring and an in-depth review of the operational manager provision. Members were informed that the IRMP Working Group had recommended that a further meeting of the Group, followed by a meeting of the Executive Panel, be arranged for Tuesday 13th December 2005 with a view to discussing the final contents of the IRMP third year action plan for presentation to the Fire and Rescue Authority meeting on 19th December for approval for consultation. By then the draft IRMP Guidance should also have been published for consultation. Officers reminded all Executive Panel members that they were, by virtue of being members of the Panel, also members of the IRMP Working Group. It was:

Resolved: -

- i. to note the contents of the report and the subject areas for inclusion in the Draft 3rd year IRMP Action Plan pending the inclusion of the recommended attendance times standard for aerial appliances, for presentation to the IRMP Working Group/Executive Panel meeting on 13th December 2005;*
- ii. that the Authority undertakes a comprehensive IRMP for 2006/07;*
- iii. that letters be sent to the Minister for Social Justice and Regeneration and the Minister for Finance, Local Government and Public Services stressing the*

importance of publishing the draft IRMP Guidance for consultation before the end of 2005 in order that fire and rescue authorities may plan ahead for the 2006/07 financial year. Representations to be made to both Ministers emphasising that the Assembly Government's delay in publishing draft guidance and legislation was impeding the Authority's budget setting process and affecting members' choices and decisions; and

- iv. following the announcement of the local authorities' provisional Revenue Support Grant (RSG) settlement for consultation, representations to be made to the Minister for Finance, Local Government and Public Services on the budgetary pressures faced by fire and rescue authorities as a result of the financial settlements for its constituent authorities. Enquires also to be made with the Minister on whether fire and rescue authorities could draw down a proportion of the funding made available to local authorities to alleviate the budgetary impact of Job Evaluation, for the purposes of reducing the anticipated budgetary pressures of the IPDS rank to role assimilation.*

9) Consultation on Fire and Rescue Services (Charges and Emergencies) (Wales) Order 2005

The Clerk introduced his report (previously circulated) and a draft response, distributed at the meeting, with a view to seeking the Panel's agreement on the terms of its submission, to the WAG's consultation on the "Fire and Rescue Services (Charging and Emergencies)(Wales) Order 2005". The Clerk informed the Panel that the long awaited publication of this consultation document was a prime example of the delays experienced by the fire and rescue authorities and which had been highlighted under the preceding item of business. He proceeded to detail the contents of his report and draft response, and answered members' questions accordingly. Members were advised that the recommendations contained in the draft response regarding services for which charges could be levied were options for inclusion in the legislation. Provided that the options were contained on the face of the Order, individual authorities, when deciding on their own charging schemes, would be able to determine which services they would levy charges for providing and the scale of any charges. The Clerk advised the Panel that the consultation document and draft order replicated the Order that came into force in England on 1st October 2004.

Councillor E C George was of the view that the Wales Fire and Rescue Services' Liaison Group should draw the Minister's attention to the civil servants' lack of urgency in introducing draft legislation for consultation, and to the fact that when draft orders were eventually published that the quality of the drafting left much to be desired. The Chief Fire Officer and the Chairman informed members that these failings were constantly being brought to the Minister's attention. It was:

Resolved: - *that the response to the WAG's consultation on the "Fire and Rescue Services (Charges and Emergencies) (Wales) Order 2005" be submitted as drafted.*

10) Proposed Restructure of Police Forces and Authorities

The Clerk introduced his report (previously circulated) and the draft response, distributed at the meeting, with a view to seeking the Panel's agreement on a response to the letter received from the Clerk to the National Assembly for Wales' Social Justice and Regeneration Committee inviting the Authority to submit comments on the policies and programmes of any future structural arrangements for the police services in Wales.

Prior to the discussion on this item of business the Chairman informed the Panel that Welsh Chief Fire Officers had been invited to address, and be questioned by, members of the Assembly's Social Justice and Regeneration (SJR) Committee on their views on this particular subject the previous week. The Chairmen of the three fire and rescue authorities had sent a joint letter to the Clerk of the Committee strongly opposing this approach and consequently no Chief Officer attended the SJR Committee meeting.

The content of the draft response was detailed to the Panel by the Clerk who then answered members' questions. He reminded members that if the Home Office's recommendations for the police service, detailed in the report "Closing the Gap", were applied, North Wales Police would disappear as a separate entity. A number of members were of the view that policing in North Wales had more in common with the police service in the North West of England than in the rest of Wales. Therefore if services were to be amalgamated, and as crime did not recognise political boundaries, it would be more practical operationally for the North Wales force to amalgamate with the Cheshire Constabulary. Members were advised by the Clerk that such an amalgamation would not be possible as the police service would then be governed by a police authority that would be required to obtain its funding from the Welsh Assembly Government and the UK Government which operated different local government funding arrangements. Councillor E C George agreed that North Wales had more in common with the North West of England but was of the view that if changes had to be made it would be more practical for police services' boundaries in Wales to be aligned with those of the fire and rescue services. Currently North Wales Fire and Rescue Service and North Wales Police were the only emergency services which shared a co-terminous boundary. Having a co-terminous boundary for the Police and Fire and Rescue Service in North Wales, both of which also covered the same area as the six local authorities, had proved to be an asset for all authorities concerned in terms of collaborative working and for the delivery of community safety work via the various partnerships.

The Chief Fire Officer advised the Panel that it seemed that the Home Office had invited the WAG to comment on the recommendations published in the "Closing the Gap" report and that the WAG, as part of its information gathering for responding, had invited a broad base of organisations in Wales to submit their views. He was of the view that co-terminous boundaries with the fire and rescue authorities should be supported although, in the long term, this could prove to be a double-edged sword for fire and rescue authorities. Members:

Resolved: - *that a response to be sent to the Assembly's Social Justice and Regeneration Committee's consultation on the "Restructuring of Constabulary" as drafted.*

11) Accommodation Provision for Authority Members Attending Walesfire 2006

The Treasurer advised the Panel that, following a request received during September's Fire and Rescue Authority meeting, a cost analysis had been undertaken of the estimated budgetary impact of providing accommodation for members wishing to attend the Walesfire 2006 conference in Llandudno. The Conference was scheduled to be held between 8th and 10th May 2006. The Treasurer explained that, based on the assumption that the maximum number of members attending the conference and requiring overnight accommodation for the duration of the conference would be 25 members (the remaining members were deemed to live within reasonable commuting distances to the venue) the total cost including travelling expenses and delegate fees (for 28 members) and two nights accommodation (for 25 members), would be approximately £6,720. If 28 members were to travel to the conference each day the total cost, including travelling expenses and delegate fees would be approximately £4,420. The Treasurer advised that the cost of whichever option members favoured would have to be built into the 2006/07 budget as part of the Members' Conference Fees and Members' Allowance Scheme allocation.

Members were reminded by the Chief Fire Officer that next year's Conference was the first one ever to be held outside of Tenby. As this signified a major shift in policy on behalf of the organisers it was imperative that there would be a strong representation from amongst the membership of North Wales Fire and Rescue Authority at the Conference. It was:

Resolved: - *to*

- i. note the budgetary implications of members' attendance at Walesfire 2006; and*
- ii. due to the importance of the event and the fact that a strong representation from amongst Authority membership was crucial to the success of the event, that provision be made within the Authority's budget for 2006/07 to fund members' delegate fees, travelling expenses and the provision of accommodation for two nights, at the Conference.*

12) Budget Variations – Fleet Department

The Assistant Chief Officer (Corporate Services), in the absence of the Assistant Chief Fire Officer (Service Support), introduced the report seeking members' approval for adjustments to the Fleet Capital Budget for 2005/06. He detailed the reasons behind the changes required to the original specifications and advised that the underspend, identified as being available to finance the

increases in expenditure, were the result of savings made by collaborating with the other fire and rescue services in Wales on procurement. It was:

Resolved: - *to approve the proposed increases in expenditure on the road traffic collision training vehicle and the driver training vehicle by using existing funds from the identified underspend.*

13) Commemorating North Wales Fire and Rescue Authority's Tenth Anniversary

The Assistant Chief Officer (Corporate Services) introduced his report (previously circulated) which sought members' views on the most appropriate manner by which to commemorate the Authority's tenth anniversary. A number of members agreed with the concept of marking the Authority's tenth anniversary but stressed that due to budgetary pressures the costs of any commemorative events or publications had to be kept to a minimum. Following a discussion on a number of options the Panel:

Resolved: - *that enquires be made and reported back to the Executive Panel/Authority on the possibility of hosting a reception at Walesfire 2006 to mark the Authority's tenth anniversary, and the publication of a booklet detailing the Authority's achievements during the ten years.*

14) Budgetary Pressures of Rank to Role Assimilation

The Assistant Chief Officer (Corporate Services) introduced his report (previously circulated) advising members of the impact that the rank to role assimilation was likely to have on next year's budget setting process. He detailed all the information contained in the report prior to answering members' questions. In reply to a question from Councillor E C George, the Chief Fire Officer informed the Panel that the figures quoted in the report related to the worst case scenario. He also advised members that clarification was still awaited as to whether the increases in salaries would have to be backdated to November 2003. If that was the case he was of the view that the Government would expect authorities to fund any such increases from efficiencies generated through the modernisation process. It was:

Resolved: - *to note the contents of the report.*

Councillor J M Vaughan left the meeting at this juncture.

15) The Proposed New Firefighters' Pension Scheme for England

Prior to the commencement of this item of business Councillor W J Chorlton enquired whether, as a retired firefighter in receipt of a pension, he should declare a pecuniary interest. He was informed by the Clerk that he could participate in the discussion on this item of business as it referred to the new pension scheme from which he, as an existing pensioner, would not benefit.

The Assistant Chief Officer (Corporate Services) then introduced his report and appendices (previously circulated), informing members of the proposed New Firefighters' Pension Scheme for England. He explained to members a number of issues contained within the report and appendices, including the framework to the new scheme which had been issued jointly by the Office of the Deputy Prime Minister (ODPM) and the devolved administrations in the UK. The Clerk advised the Panel that a formal consultation on the proposals for the new scheme in Wales were still awaited from the Assembly. Although it was anticipated that the new scheme in Wales would not differ from the new Scheme scheduled to be introduced in England in April 2006, the Minister had already made it known that the new Scheme in Wales would not be in place until April 2007. Members:

Resolved: - *to note the contents of the report.*

16) Efficiency Savings

The Assistant Chief Officer (Corporate Services) introduced his report (previously circulated) updating members on the progress made in meeting the 1% efficiency savings required in the Authority's 2005/06 budget from the retained pay budget. He detailed the contents of the report and advised members that, if the current trend continued, the Authority could be looking at an underspend in this particular area by the end of the financial year. Members were also advised that this situation could change if a sustained period of adverse weather conditions was experienced during the winter months. It was:

Resolved: - *to note the progress to date and that a further progress report be submitted to the Executive Panel's next meeting in January 2006.*

17) Performance Monitoring

The Assistant Chief Fire Officer (Service Delivery) introduced his report (previously circulated) which provided members with information relating to the Service's performance against various performance indicators during the first quarter of the 2005/06 reporting year. He explained that the report was self-explanatory and that any significant changes which had occurred between the end of the reporting period and the end of August were highlighted in the "Stop Press" boxes. The Panel:

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

Members were reminded by the Chief Fire Officer that he had reported on a 'fire death' which had occurred in mid September to the Authority at its last meeting. Unfortunately another death, which had been classed as a 'fire death', had recently been reported to him by the Coroner. He proceeded to detail to members the unusual circumstances surrounding the latest fatality and the reasons why it was presently being classed as a fire death. Members were

advised by the Chief Fire Officer that Officers would be liaising with the Coroner's Office and would, in due course, be attending the inquest.

Councillor M Williams left the meeting at this juncture.

18) Extensions of Sick Pay

The Chief Fire Officer introduced his report (previously circulated) informing members of the decisions taken by him following consultation with the Chairman in respect of the granting of extensions of sick pay. Members:

Resolved: - to note the report

19) Urgent Matters

None.

20) Date(s) of future meetings

Panel members were of the view that it was important, due to the budgetary implications of the contents of the Authority's IRMP Third Year Action Plan and the pending publication of the draft IRMP Guidance for consultation, that a meeting of the IRMP Working Group and the Executive Panel was held ahead of the next Fire and Rescue Authority meeting. It was therefore:

Resolved: - to hold the next Integrated Risk Management Plan (IRMP) Working Group meeting on Tuesday 13th December 2005 at 10am, followed immediately by a meeting of the Executive Panel; both meetings to be held at Fire and Rescue Service's Headquarters, St. Asaph.

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 1, 8, 9 and 10 of Part I of Schedule 12A of the Local Government Act, 1972.

PART II

21) Update on Capital Projects

On behalf of the Assistant Chief Fire Officer (Service Support) the Assistant Chief Officer (Corporate Services) introduced the report (previously circulated) updating members on the Property Department's capital programme. Members were advised that the report before them was the standard information report

and that Mr Nigel Williams, the Service's Estates Manager, was in attendance and willing to answer members' questions. In response to a question Mr Williams clarified the position regarding the ongoing negotiations in relation to Llandudno Fire Station. It was:

Resolved: - to note the contents of the report

Meeting concluded at 1.50pm.

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

Signed: T Roberts

Dated: 13 December, 2005