

NORTH WALES FIRE AND RESCUE AUTHORITY

Minutes of the Executive Panel meeting of North Wales Fire and Rescue Authority held on Thursday, 15th November 2007 at Fire and Rescue Service Headquarters, St. Asaph. Meeting commenced at 11am.

Present:

Councillor

Representing

T Roberts (Chairman)
E C George (Vice-Chairman)

Gwynedd Council
Wrexham County Borough Council

W E Jones (substitute)
J A MacLennan
J A Smith
D Barratt
E F Evans
W T Owen
G M Craddock
M Williams
W J Chorlton

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

Also present:

S A Smith (Chief Fire Officer and Chief Executive); I R Miller (Clerk and Monitoring Officer to the Authority); C Enness (Deputy Chief Fire Officer); C Hanks (Assistant Chief Fire Officer, Service Support); D Docx (Assistant Chief Officer, Finance and Procurement); S Forrest (Treasurer's Department Conwy County Borough Council); K Hughes (Senior Fire Safety Manager); G Brandrick (Service Development Manager); S Morris (Corporate Planning Manager); R Fairhead (Executive Support Manager); T Williams (Corporate Communications Manager); S Roberts (Head of Facilities Management) and Rh Evans (Member Liaison Officer).

PART I

1) Apologies

Councillor

Representing

J M Vaughan
S Frobisher
E Morgan Jones
K W Finch

Conwy County Borough Council
Denbighshire County Council
Gwynedd Council
Treasurer to the Authority

2) Notice of Urgent Matters

Members were informed by the Chairman that no items had been submitted to either him or the Clerk for consideration.

The Chairman reminded members that the Long Service Awards Ceremony was due to be held that evening and that the Emergency Services' Annual Carol Service would be held at St. Asaph Cathedral on Monday, 17th December 2007 at 7.30pm.

3) Minutes

The following minutes were submitted:

- i. Executive Panel meeting held on 24th September 2007

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

4) Matters Arising

No matters arose from the minutes.

The Chairman informed members that due to the information contained in the report, due to be presented as the next business item on the agenda, it was recommended that the discussion take place without the public or Press present. With members' agreement the Chairman varied the order of business so that business item 5 could be dealt with at the beginning of Part II business.

5) Proposals for Draft Budget 2008/09

See business item 13.

6) Approval of 2007/08 Improvement Plan

The Assistant Chief Officer (Finance and Procurement) introduced her report and the Authority's amended Improvement Plan 2007/08 (previously circulated). Members were reminded that the Authority had, at its meeting on 15th October 2007, resolved to defer the approval of the Improvement Plan in order to give members sufficient time to read the document and submit their comments and observations in time for the current meeting. At the same time as deferring the approval of the Plan the Authority had also delegated its powers in relation to its approval to the Executive Panel. Although no comments or observations had been received from members, officers had amended the draft Plan to reflect the Authority's decision in relation to the Risk Reduction Plan Action Plan 2008/09 at its last meeting. An additional appendix had been added which showed the figures reported in Section 2 as calculated Best Value Performance Indicators (BVPIs). Other minor presentational changes had also been made. Members were advised that the Wales Audit Office (WAO) had recently commenced its

audit of the Plan. To date they had only audited the figures contained in the Plan. In reply to a question from Councillor W E Jones the Assistant Chief Officer (Finance and Procurement) confirmed that, similar to local authorities, the Fire and Rescue Authority was also susceptible to fluctuating population figures, therefore the population figures used in the Plan were the widely recognised mid-year population estimates. It was:

***Resolved:* - to approve the draft Improvement Plan 2007/08 for adoption and publication.**

7) Consultation on the Performance Measurement Framework and Performance Indicators

The Assistant Chief Officer (Finance and Procurement) introduced her report (previously circulated) relating to the Welsh Assembly Government's (WAG) consultation on the proposed Performance Measurement Framework and Performance Indicators for Fire and Rescue Authorities in Wales. Attached to the report for members' information was a copy of the consultation document, along with a draft response for their consideration. The Assistant Chief Officer (Finance and Procurement) detailed the contents of the proposed draft response and highlighted the issues that were of particular concern to the Authority. Members:

***Resolved:* - to approve the draft response in Appendix 1 and authorised the Assistant Chief Officer (Finance and Procurement) to submit the response on the Authority's behalf to the Fire and Rescue Services Branch before the 20th December 2007 deadline.**

8) Pensions Review

In the Treasurer's absence the Authority's Accountant introduced his report (previously circulated) which detailed the current position in relation to the financing arrangements for the new Firefighters' Pension Scheme. She explained that the report also considered the impact of the new pension scheme on the Authority's Pension Provision. In addition, it detailed the estimated outturn figures for the Pensions Account for 2007/08 and the estimated figure for the WAG Top Up Grant. The report also explained the reconciliation of the Top Up Grant differences and gave a breakdown of the pension charges against the revenue account. Members present at the Informal Authority meeting on 5th November had been given a comprehensive presentation on the new pension scheme and its impact on the Authority's finances.

In reply to a question from Councillor J A MacLennan on whether the Authority was confident of recouping the additional income to the Pension Fund Account from the WAG, the Assistant Chief Officer (Finance and Procurement) advised that it was difficult at such an early stage in the negotiations to predict the outcome. She proceeded to explain that she would prefer to see the three Welsh fire and rescue authorities collaborating in their attempt to recoup the

additional income to their respective Pension Fund Accounts to cover the additional charges incurred by each authority, by submitting a joint bid to the WAG.

In reply to another question relating to the £1m which the Authority had repaid from its Pension Provision to the constituent authorities, the Accountant confirmed that this money had been earmarked to alleviate anticipated budgetary pressures due to the high number of Commutation Payments that would become payable over the next few years because of the number of operational personnel that would be eligible for retirement. Now that the Authority was no longer responsible for funding Commutation Payments it could not retain this money and had therefore taken the correct course of action in returning it to the constituent councils. It was:

Resolved: -

- i. that North Wales Fire and Rescue Service should now negotiate with the Welsh Assembly Government to recoup some of the £426k additional income to the Pension Fund Account which has come from additional charges to the North Wales Fire and Rescue Service budget;***
- ii. agree to meet the cost of the additional pension charges in 2007/08 from the Pension Provision (currently estimated at £290k); and***
- iii. retain the balance of the Pension Provision to mitigate the risk of future Ill-Health charges.***

9) Performance Monitoring

The Assistant Chief Officer (Finance and Procurement) introduced her report and the standard monitoring report detailing the Authority's performance against the set Performance Indicators (PIs) for the period from 1st April to 30th September 2007 (previously circulated).

Members were advised that it was pleasing to report that, overall, to date this year, apart from accidental fires in dwellings, the number of primary and secondary fires had decreased. Officers were currently investigating whether there was a correlation between the increase in the number of accidental fires in dwellings and the Service's increased community fire safety profile. It may be that, in response to safety messages communicated by the Service, more fires were now being reported. It was also encouraging to report that there had been fewer primary and secondary deliberate fires recorded than in the previous year. This reduction may be a signal that the Arson Reduction Team's (ART) work over the past few years was beginning to pay dividends. Officers informed the Panel that the WAG had recently announced its intention to continue to fund the three ARTs in Wales for a further period of three years. It was also pleasing to report that, to date this year, fewer people had lost their lives in accidental dwelling fires than during the same period last year.

Unfortunately, the number of injuries sustained in accidental dwelling fires was again on the increase.

Although, generally, the statistics relating to all false alarms were encouraging, it was disappointing to report that the number of false alarms received from automatic fire alarm (AFA) systems was showing an increase on the previous year's figure. In response to a question from the Vice-Chairman officers advised the Panel that a new Authority policy, which classed certain establishments as 'persistent offenders', meant that these 'offenders' would not receive a response based on their risk unless the alarm activation was followed up by a 999 call. It will be interesting to analyse and monitor whether those organisations and establishments will respond by improving their system maintenance. The Chief Fire Officer advised members that Oxfordshire Fire and Rescue Service, which had an extremely robust policy in this area, had been particularly successful in reducing these types of unwanted calls which were a drain on valuable resources.

The Assistant Chief Officer (Finance and Procurement) drew members' attention to another positive statistic, which recorded that 61% of the dwellings which the Service had attended in response to a fire call had working smoke alarms fitted. This percentage was significantly higher than the 46% ownership figure recorded only 18 months earlier. Due to the success of the Authority's home fire safety check (HFSC) campaign the Vice-Chairman suggested that it may be advisable for new PIs to be introduced to record the number of requests for HFSCs received in each quarter, the number processed within the set 28 day turnaround period and the number still outstanding after 28 days. Officers concurred with this view and suggested that having local performance indicators (LPis) for this area of work may also assist County Safety Managers (CSMs) in managing their workloads.

The Assistant Chief Officer (Finance and Procurement) apologised for the non-availability of the figures relating to sickness absences for the second quarter of the reporting year. She reassured members that up to date figures would be available when presenting the next report. In relation to the Authority's performance in paying undisputed invoices for commercial goods within 30 days members were informed that, despite staff shortages, the Authority was showing a marked improvement in this area compared to the same period the previous year. Councillor E F Evans requested that officers re-check the trend-line for the 3 year average shown on the graph relating to this PI to ensure that its position in relation to December was correct. Members:

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

10) Extensions of Sick Pay

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

Resolved: - to note the report.

11) Urgent Matters

None.

12) Date(s) of future meetings

The Chairman advised members that he was of the view, in light of the WAG's announcement on the provisional Revenue Support Grant (RSG) settlement for Welsh local authorities for 2008/09 and the estimated settlements for subsequent years, that the proposals to be presented under the next business item merited further discussion by the full membership of the Authority. He felt that this was particularly important in view of the fact that the Authority was expected to set its budget for 2008/09 at its meeting on 17th December 2007. It was:

Resolved: - that an Extraordinary meeting of the Fire and Rescue Authority be held at 10am on Tuesday, 11th December 2007, to discuss the proposals for inclusion in the draft budget to be submitted to the Fire and Rescue Authority on 17th December 2007.

A decision on the date of the next scheduled meeting for the Executive Panel was deferred until the Extraordinary Fire and Rescue meeting on 11th December 2007.

The Chairman informed members that it was recommended that the remaining items of business on the meeting's agenda be discussed without the public or Press present. It was:

Resolved: - pursuant to Section 100A(4) of the Local Government Act, 1972 that the Press and Public be excluded from the meeting during consideration of the following items of business because it was likely that there would be disclosed to them exempt information as defined in Paragraphs 1, 8, 9 and 10 of Part I of Schedule 12A of the Local Government Act, 1972.

PART II

The following report had been classed as exempt from disclosure under paragraphs 14 and 15 of Schedule 12A to the Local Government Act 1972.

13) Proposals for Draft Budget 2008/09 (previously business item 5)

The Assistant Chief Officer (Finance and Procurement) introduced her report (previously circulated) which provided members with additional information regarding the financial pressures highlighted to those present at the Informal Fire and Rescue Authority meeting held on 5th November 2007. She explained that

the report also presented the Panel with possible options for inclusion in the draft Budget for 2008/09 and the potential outcomes of these proposals.

The Chief Fire Officer stressed that members were not expected to formulate a recommendation, or to reach a decision, at the current meeting on the proposals that should be included in the 2008/09 draft budget. Rather, members were being asked to give careful consideration to which proposals may be included in the draft budget, bearing in mind the extremely tight RSG settlement announced for local authorities in North Wales. The increases in the RSG awarded to each council varied between 1.1% and 2.5%, giving an average increase of 1.88% across the North Wales region, compared to an all Wales average of 2.3%. The Panel was informed by the Clerk that the Authority was permitted to set the level of contributions required from the constituent authorities at whatever level it felt was necessary in order to deliver its services, but he also reminded members that, like local authorities, the Fire and Rescue Authority should be prudent and astute when setting its budget and make every effort to avoid burdensome increases, as even those authorities who had been awarded above average RSG settlements would be struggling to meet all their obligations over the coming year.

Members present at the Informal Fire and Rescue Authority meeting on 5th November 2007 had been briefed on the financial pressures and difficult decisions that lay ahead as the Authority attempted to strike a balance between balancing its finances and improving its service delivery. Officers proceeded to detail the budgetary pressures which the Authority faced and which were listed in the report. They also drew members' attention to the possible consequences of not meeting these pressures and of not delivering the aspirations which the Authority had set out in its Risk Reduction Plan (RRP) Action Plan for 2008/09. These pressures ranged from the unavoidable costs brought about by national decisions and central government directives, such as pay awards, Continued Professional Development (CPD) and Retained Duty System (RDS) pension contributions, to local pressures relating to capital financing and the cost and extent of additional community safety work. Options on areas where efficiency savings may be realised and utilised to counteract the pressures were also presented to members. These areas included supplies, the crewing of special appliances and retained call out fees. Estimated figures were given in relation to the pressures listed and on the savings which may be realised. Members discussed at length the proposals contained in the report. They ruled out at the present time revisiting decisions on service levels the Authority had taken in recent months, although they could be looked at again as part of the RRP process. They agreed to enquire with their own authorities the level of increase that would be deemed to be acceptable in the current financial climate and report the outcome of their enquiries to the Extraordinary Meeting on 11th December 2007. It was:

Resolved: - that a report be presented to the Extraordinary Fire and Rescue Authority meeting on 11th December containing:

- i. the following information from the report discussed at the current meeting: Options 1 and 2 relating to the Pay Awards; Option 1 relating to Continuous Professional Development; details relating to the Retained Duty System's (RDS) Pension Scheme; details of Capital Financing pressures (including further detailed information on the scheduled remodelling works to be carried out at five fire stations, contracts for which should not be let in the meantime); all three options relating to community safety along with a cost breakdown for each of these options and details of the number of home fire safety checks (HFSCs) completed by stations this year including the category of employee which had delivered these checks; and the three areas earmarked as possible areas where 'savings' may be realised;**
- ii. details of the total number of support staff employed by the Authority, including a breakdown of the number employed within each department, along with details of any efficiencies that may be realised if particular areas of work were outsourced;**
- iii. details of the number of lease cars hired by the Authority, the roles of personnel who drive lease cars, the work they undertake when using lease cars and the number of vans owned/leased by the Authority and their use;**
- iv. the draft report also to indicate the level of service which the Authority could provide with a 3% increase in its overall budget; and**
- v. a list of the provisional contributions that would be levied on each constituent authority, these increases to be shown in both percentage and monetary terms.**

The remainder of the reports submitted under Part II business had been classed as exempt from disclosure under paragraph 14 of Schedule 12A to the Local Government Act 1972.

13a) Update on Statutory Appointments and Service Level Agreements

The Chief Fire Officer introduced his report (previously circulated) which detailed the review undertaken of the statutory appointments and the service level agreements, the contracts for which were due to expire on 31st March 2008. He proceeded to explain to members the duties, roles and functions of both statutory appointments of Clerk/Monitoring Officer and Treasurer to the Authority. The Chief Fire Officer advised the Panel that in his view, since the Authority's establishment, the current practice of appointing both statutory officers from outside the Service had worked well. This practice gave the Authority and the Service reliable and invaluable independent advice and assisted in marking a clear division of responsibility between the Authority and the Service.

Members were advised that the Treasurer had indicated his interest in continuing in the role, whilst Conwy County Borough Council had expressed an interest in continuing to provide financial and payroll services to the Authority via a service level agreement. Regrettably, the Clerk/Monitoring Officer had informed the

Authority that he would not be expressing an interest in continuing in the role. A copy of his letter to the Chief Fire Officer, stating his reasons for not continuing in the role, was appended to the report. The Vice-Chairman thanked the Clerk for his services and assiduous work on the Authority's behalf over the past six years.

Denbighshire County Council had also indicated that it would not be expressing an interest in continuing with the provision of legal services to the Authority from April 2008. To date no other constituent authority had expressed an interest in providing either the services of the Clerk/Monitoring Officer or legal services to the Authority, although an official response was still awaited from one of the unitary authorities.

The Authority's pension services, for both local government and operational personnel, were currently provided by Flintshire County Council. As the Service's support staff were members of the Clwyd Pension Fund, administered by Flintshire County Council, it would not be possible for the Authority to seek another provider to administer both pension schemes.

Replying to a question the Chief Fire Officer informed members of the costs of each of the current statutory appointments and service level agreements. He also advised that the terms and costs of each appointment and service level agreement would need to be re-negotiated ahead of the appointments being approved by the Authority. The Vice-Chairman was of the view that since the Executive Panel's remit now included audit matters, following further work by the Chief Fire Officer in sourcing alternative providers for the role of Clerk/Monitoring Officer and legal services and the re-negotiation of the terms and conditions of the other statutory appointment and service level agreements, his proposals should be submitted to the Executive Panel for it to formulate a recommendation in relation to the appointments for submission to the Fire and Rescue Authority. Members:

Resolved: - that

- i. in light of Ian Miller's letter, and in the absence of any expressions of interest from the other unitary authorities, to authorise the Chief Fire Officer to seek and propose an alternative source for the provision of Clerk/Monitoring Officer and Legal Services;***
- ii. subject to successful re-negotiation of the terms of the service level agreement, the statutory appointment of Treasurer and Financial service level agreement remain with Conwy County Borough Council;***
- iii. the Pension Provision service level agreement remains with Flintshire County Council; and***
- iv. following the completion of the above procedures that the Chief Fire Officer presents his proposals in relation to the these functions and service level agreements to the Executive Panel for it to formulate a recommendation in relation to the appointments for the Fire and Rescue Authority's ratification.***

13) Capital Programme 2007/08 Update

Prior to the commencement of this item of business Wrexham County Borough Council representatives were reminded by the Clerk of the need for them to declare an interest in the item relating to the relocation of Wrexham Fire Station. Although no vote would be taken on the matter at the current meeting Wrexham County Borough councillors would not be permitted to take part in any decision on the matter. Councillors G M Craddock, E C George and M Williams duly declared an interest and withdrew from the discussion. In reply to enquires whether Flintshire or Ynys Môn representatives would need to follow the same procedure in relation to the proposals relating to Deeside and Llangefni fire stations, following clarification of the issues pertaining to these two projects the Clerk advised that as there was no local authority involvement representatives from these local authorities were not required to declare an interest.

The Assistant Chief Fire Officer (Service Support) introduced his report (previously circulated) updating members on the Facilities Management Department's capital programme for 2007/08. Some of the projects listed in the report had already been discussed as part of the business item on the 'Proposals for Draft Budget 2008/09', during which members' questions had been answered by the Assistant Chief Fire Officer (Service Support) and the Head of Facilities Management Department. The Assistant Chief Fire Officer (Service Support) explained a number of issues relating to some of the major projects listed in his report and advised of the progress to date on these projects. Members:

Resolved: - to note the contents of the report.

Meeting concluded at 1.20pm.