

**AWDURDOD TÂN AC ACHUB CANOLBARTH A GORLLEWIN  
CYMRU**



**MID AND WEST WALES FIRE AND RESCUE AUTHORITY**

**COFNODION  
CYFARFOD CYFFREDINOL BLNYDDOL YR AWDURDOD**

**GANOLFAN GYNADLEDDA  
PENCADLYS Y GWASANAETH TÂN AC ACHUB,  
CAERFYRDDIN**

**Dydd Mercher 11 Mehefin 2008**

**MINUTES  
OF THE AUTHORITY ANNUAL GENERAL MEETING**

**THE CONFERENCE CENTRE  
FIRE AND RESCUE SERVICE HEADQUARTERS,  
CARMARTHEN**

**Wednesday 11 June 2008**

**11.45am – 1.15pm**

**PRESENOLDEB/ATTENDANCE**

**Presennol yn y Cyfarfod/Present at Meeting:**

**CADEIRYDD/CHAIRMAN:** C J Crowley

**IS-GADEIRYDD/VICE CHAIRMAN:** T E Evans

**AELODAU/MEMBERS:** Cyng/Cllrs: D Davies, J J J Davies,  
J Dinham, J Dudley, D Fellows,  
J Holmes, P James, R Lewis,  
P Llewellyn, R Llewellyn, J Newbury,  
C Morgan, G Phillips, C Philpott,  
R Smith, F Torrens, M Williams,

**YMDDIHEURIADAU/APOLOGIES:** Cyng/Cllrs: T Devichand, A Jopling,  
G Seabourne, D Thomas, T Tudor

## 1 DECLARATION BY MEMBERS OF ANY PERSONAL INTERESTS

None were declared.

## 2 PERSONAL MATTERS/CHAIR'S ANNOUNCEMENTS

Councillor Crowley extended a very warm welcome to the new Members of the Fire Authority and paid tribute to those Members who, for a variety of reasons, had not returned following the local elections. These were Councillors Allen-Mirehouse, Becton, Prothero, Harries and Theophilus and it was agreed that the Clerk would write to thank them for their contribution to the Authority. It was noted that those Members who had indicated that would not be standing in the Local Elections had previously received suitable letters of thanks, namely Cllr R James, F Jones, J Thompson, P Spender and C Waller.

## 3 ELECTION OF CHAIRMAN FOR THE MUNICIPAL YEAR 2008/2009

Councillor C J Crowley was proposed and duly seconded. There were no other nominations.

Upon being put to the vote,

***It was RESOLVED that Councillor C J Crowley be elected Chairman of the Fire and Rescue Authority for the ensuing year 2008/2009.***

In response, Councillor Crowley thanked Members for their continued support.

## 4 ELECTION OF VICE CHAIRMAN FOR THE MUNICIPAL YEAR 2008/2009

Councillor T E Evans was nominated and duly seconded. There were no other nominations.

Upon being put to a vote

***It was RESOLVED that Councillor T E Evans be elected Vice Chairman of the Fire and Rescue Authority for the ensuing year 2008/2009.***

Councillor Evans thanked Members for their confidence in him and offered the Chairman his full support during his term of office.

## 5 TO RECEIVE A REPORT ON THE AMENDMENT OF STANDING ORDERS (A.P.R. 1.1)

The Clerk presented a report to the Authority on the mechanism for the determination of the number of Members to be appointed by the constituent authorities to sit on the Fire and Rescue Authority.

Members were informed that the Mid and West Wales Fire and Rescue Authority was established under the terms of "The Mid and West Wales Fire Services (Combination Scheme) Order 1995", Such Oder provided under paragraphs 11 and 12 the methodology for the determination of the number of

Members namely that *“that each constituent authority shall.....appoint such number of representatives.....as is proportionate to the number of local government electors in its area in relation to the number of such electors in each of the other constituent authorities’ areas”*.

The Clerk informed Members that having taken the latest data on the number of local government electors, it became evident that for the authority membership to remain at 23 would not be representative of the movement / shift in the number of local government electors that had happened across the six constituent authorities.

With the Annual General Meeting only a matter of weeks away and the constituent authorities needing to know the number of representatives to appoint, to do nothing was not an option as to retain the level of membership at 23 would not have been a true reflection of the proportionality of local government electors across the constituent authorities. A careful review of all the options available was undertaken.

The Clerk informed Members that after due consideration in accordance with the specific resolution of the Authority on the 4<sup>th</sup> February 2008 that *“from the 5<sup>th</sup> May 2008 up until the date of the authority’s Annual General Meeting, the Authority delegates to the Chief Fire Officer, in consultation with the Clerk and the Director of Finance & Procurement, the power to act on behalf of the Authority and its Standing Committees, subject to such power being exercised in accordance with Part 3 of the Constitution i.e. Authority and Financial Procedure Rules”* and having consulted with the Chief Fire Officer (Designate) and taken specialist external legal advice, a pragmatic solution to the issue in making a decision to increase the number of Members to 25 was achieved i.e. an increase for both Powys and Swansea of 1 member each.

An option considered was to reduce the membership to 22 i.e. a reduction of one member for Carmarthenshire. However Officers felt that both Members and their respective constituent authorities would react unfavourably to such a course of action particularly as such a decision was made under delegated powers.

The Clerk reported that there was ongoing correspondence with Pembrokeshire County Council who were querying both the methodology and the process involved in the decision to increase the Authority’s membership from 23 to 25 members. Hopefully such fears had been allayed in a letter that was sent to Pembrokeshire the previous day.

The Clerk stressed that the Authority had the opportunity now to review the membership and consult with the constituent authorities if this was felt to be appropriate. If this was the wish of Members a meeting of the Modernisation Group could be convened as soon as practicable and who would report back to the Authority in due course.

Cllr R Lewis commented that the increase in the number of Members was required to reflect the changing demographic structure and stressed the

importance of local authorities / communities being adequately represented by Members.

Cllr M Williams in endorsing the comments of Cllr R Lewis commended Officers for taking a common sense approach

In response to a question from Cllr P James as to whether the number of members could spiral out of control unless a cap was in place, the Clerk responded that the Combination Order provided the number of members should not be greater than 25 with the caveat that where the minimum number of members resulting from the calculation would be greater than 25 then that number would prevail. The Clerk agreed that a limit, if practicable, was a sensible way forward.

Cllr C Morgan made reference to the demographic changes which had taken place over the past few years and endorsed the action taken as he would not wish any Authority to loose seats on the Fire Authority

## **RESOLUTION**

**It was unanimously RESOLVED that:**

- the action of Officers be fully endorsed
- Standing Orders be amended accordingly to reflect the increase in the number of members from 23 to 25

## **6 TO APPROVE THE COMPOSITION OF THE AUTHORITY'S COMMITTEES AND TO APPOINT MEMBERS TO SERVE UPON THEM**

The Authority were requested to approve the composition and appointment of members to Committees and Working Groups for the 2008/09 Municipal Year.

### ***RESOLUTION***

***It was RESOLVED that the Membership and composition of the Authority's Committees and Working Groups be agreed as follows:***

#### **Resources (15)**

Councillors: C Morgan, G Seabourne, T Devichand, R Smith, F Torrens, D Fellows, G Thomas, D Davies, M Williams, J Newbury, D Thomas, J Dudley, J J J Davies, T E Evans, J Dinham

#### **Personnel (10)**

Councillors: C Crowley, P Llewellyn, A Jopling, T Devichand, C Morgan, C Philpott, J Holmes, R Llewellyn, M Williams, P James

## **Performance, Review and Audit (10)**

Councillors: R Lewis, C Morgan, P Llewellyn, T Tudor, G Phillips, C Philpott, J Holmes, J J J Davies, P James, J Dudley

### **Standards Committee**

Members noted that Councillor JJJ Davies was currently serving his second term which ran to the 9<sup>th</sup> December 2009, whilst both Councillor G Seabourne and P James' current term of appointment ran to the 7<sup>th</sup> July 2008 but could be extended for a further term of 4 years beyond that.

It was RESOLVED that:-

Councillor JJJ Davies' term of office continue to 9<sup>th</sup> December 2009, and that the terms of office of both Councillor G Seabourne and P James be extended to the 7<sup>th</sup> July 2012.

### **Modernisation Working Group (8)**

Councillor C J Crowley (Chair of the Authority)  
Councillor T E Evans (Vice Chair of the Authority)  
Councillor R Llewellyn (Carmarthenshire)  
Councillor P James (Ceredigion)  
Councillor C Philpott (Swansea)  
Councillor J Dudley (Neath Port Talbot)  
Councillor P Llewellyn (Pembrokeshire)  
Councillor M Williams (Powys)

### **RRP Working Group (6)**

Councillor J J J Davies (Carmarthenshire)  
Councillor P James (Ceredigion)  
Nomination to be provided after meeting (Swansea)  
Councillor C Crowley (Neath Port Talbot)  
Councillor P Llewellyn (Pembrokeshire)  
Councillor M Williams (Powys)

It was noted that an Industrial Relations Committee had been set up to deal with specific issues that arose in relation to industrial relations issues in 2002 / 2003. As the Committee had not had cause to meet in the interim, it was agreed that nominations be not sought at the moment and it would only be reconstituted should the need arise in the future.

## **6 TO APPROVE THE FIRE AUTHORITY'S STANDING CONFERENCES, AND AGREE THE REPRESENTATION AT, AND NOMINATION FOR EACH CONFERENCE**

Consideration was given to the current schedule of Authority Standing

Conferences together with the representation which had been agreed for 2007/08.

During the course of their consideration, Members were asked to consider or reaffirm the existing policy in respect of representation.

## **RESOLUTION**

***It was RESOLVED that***

***i) Members reaffirm the existing policy in respect of representation, against the backcloth of a final decision on representation being made once the programme for such conferences had been received and their relevance in the context of a devolved service evaluated.***

***ii) The attendance of the Chair of Resources at the CIPFA Conference on 17<sup>th</sup> – 19<sup>th</sup> June 2008 be approved as being of particular relevance to his role within the Fire Authority.***

## **7 TO CONFIRM APPOINTMENTS OF MEMBERS TO OUTSIDE BODIES**

Members were aware that the Authority was represented on a variety of outside bodies and noted that in relation to some of these bodies that interim arrangements could be put forward pending the finalisation of the National Framework for Wales. It was proposed that in view of these circumstances that the Chair and /or Vice Chair represent the Fire Authority on any urgent matters if the need arose in the interim, together with the specific appointments:

- WLGA Council - Chair
- WLGA Fire Forum – Chair/Vice Chair
- All Wales Programme Board - Chair
- Ministerial Fire and Rescue Liaison Group – Chair
- LGA Fire Forum - The Chief Fire Officer referred to the LGA Fire Forum and indicated that a WLGA Fire Committee had recently been formed which had links with the Forum. Consideration was therefore given as to whether an Authority representative on the LGA Fire Forum was necessary and it was agreed that a nomination not be made until such time as the National Framework for Wales had been finalised. (If a nomination was required then this would be Cllr. J Holmes)
  
- LGA Representative to the General Assembly - Cllr D Fellows
- Joint Council for Wales - Chair of Personnel
- Wales Fire & Rescue Advisory Committee - TBC - (Welsh FRA Chair undertakes this role on a rotational basis)

It was noted that nominations to the following bodies were proposed by the Wales Fire Services Forum and in view of changes related to the pending finalisation of the National Framework for Wales, it was proposed that the Chair and /or Vice Chair represent the Fire Authority if the urgent need arose:

- Partnership Council
- WLGA Co-ordinating Committee
- NJC for Local Authority's Fire & Rescue Services

The Authority was also represented on other outside bodies which were not directly linked to the ongoing review of the National Framework, and nominations for 2008/09 were agreed as:

- LGA Rural Commission : No representation
- Ceredigion Community Safety Partnership : Cllr P James

## **RESOLUTION**

***It was RESOLVED that the above nominations, together with the interim arrangements be approved pending the review of the National framework.***

## **9 TO APPROVE THE SCHEDULE OF MEETINGS FOR 2007-2009**

Consideration was given to the schedule of meetings for 2008-2009 which set out the dates for the Fire and Rescue Authority and its Committees.

## **RESOLUTION**

***It was RESOLVED that the following list of meetings for 2008 – 2009 be approved:***

### **SCHEDULE OF MEETINGS 2008-2009**

#### **FIRE AUTHORITY**

11 June 2008 (AGM)  
30 June 2008  
22 September 2008  
27 October 2008  
1 December 2008  
2 February 2009  
11 May 2009

#### **RESOURCES**

14 July 2008  
29 September 2008  
10 November 2008  
12 January 2009  
20 April 2009

<b>PERSONNEL</b>	21 July 2008 20 October 2008 19 January 2009 9 March 2009
<b>PERFORMANCE, REVIEW AND AUDIT COMMITTEE</b>	28 July 2008 6 October 2008 17 November 2008 16 February 2009 27 April 2009
<b>STANDARDS</b>	13 October 2008 13 April 2009
<b>MODERNISATION</b>	24 November 2008 15 March 2009

**10 TO RECEIVE A REPORT ON THE LOCAL AUTHORITIES (ALLOWANCES FOR MEMBERS) (WALES) REGULATIONS 2007**

The Clerk presented a report informing Members of the provisions of The Local Authorities (Allowances for Members) (Wales) Regulations 2007 in relation to Fire & Rescue Authorities in which approval was sought for consequential amendments to the Authority's "Scheme for the Payment of Members' Allowances"

The Regulations had been drawn to reflect the outcome of a consultation process carried out in 2007 with a central theme of the creation of a new body, called the Independent Remuneration Panel for Wales, which would regulate upper limits for Members' allowances and levels of increase in allowances across local government in Wales. The Panel also had an advisory role in respect of allowances and Member's pensions. It was noted that the Panel's initial report was expected on or before 31<sup>st</sup> July 2008.

The Regulations amended The Local Authorities (Allowances for Members of Fire Authorities) (Wales) Regulations 2004 and provided:



- a requirement for fire and rescue authorities to set a time limit for the receipt of travel and subsistence claims (Paragraph 9.2 of the Authority's Scheme for the Payment of Members' Allowances already covers this)
- in addition to the present statutory requirement to publish the total amount of basic and special responsibility allowances paid to members in each financial year, authorities were required to publish the total amount of care, travel and subsistence allowances paid to members during any financial year. (As a matter of good practice this requirement was already carried out by the Authority)
- for the correction of minor drafting errors in the 2004 Regulations
- for the introduction of the power for Fire Authorities to decide if they wish to pay a co-optees' allowance to non-elected members with voting rights e.g. independent members of the Standards Committee. The publication requirements would also apply to recipients of the co-optees' allowances.

Councillor Torrens queried whether the Remuneration Panel could consider an increase in the Authority's mileage allowance and was informed that this decision was outside of the Authority's remit, being based on the amount set for Assembly members.

## **RESOLUTION**

### ***It was RESOLVED***

- 1. That members note the enactment of the Local Authorities (allowance for Members) (Wales) regulations 2007 and the provisions of the Regulations in relation to fire and rescue authorities.***
- 2. That the Authority gives consideration to the level of co-optees' allowance to be paid to independent members of its Standards Committee at the relevant time***
- 3. That the Authority approves the consequential amendments to the Authority's Scheme for the Payment of Members' Allowances as detailed in the report***

## **11 TO RECEIVE A REPORT ON THE INTERIM MANAGEMENT ARRANGEMENTS**

The Chief Fire Officer presented a paper which set out the proposed senior management changes following the retirement of CFO Mackay. His retirement co-incided with the commencement of a new Fire Authority, half of the membership having changed with some 12 new members being elected onto an Authority of 25. The proposed changes would introduce temporary arrangements for a twelve month period with a view to fine tuning the final permanent arrangements to be made effective in the summer of 2009. As permanent appointments at this level were usually made by the Authority, this temporary period was also designed to enable the newly elected Fire Authority to effectively play its part in the appointments process for the permanent structure. The proposed temporary arrangements were cost neutral and were containable within current budgets.

## RESOLUTION

### *It was RESOLVED that*

The interim management measures be approved

#### **12 TO RECEIVE A REPORT ON THE CONSULTATION ON THE DRAFT FIRE AND RESCUE NATIONAL MANAGEMENT FRAMEWORK 08/09 – 10/11**

The Chief Fire Officer reported that in March 2008 the Assembly had published the Draft Fire and Rescue National Framework 08/09 – 10/11 for consultation with a closing date of 20<sup>th</sup> June 2008.

A response to the consultation had been drafted, and was presented for consideration by Members. It was noted that although many policy steers contained within the document were welcomed, concerns had been expressed about the proposed arrangements relating to the engagement and involvement of Members.

Since the response had been drafted, correspondence had been received from the Minister indicating his intention to maintain regular quarterly meetings with Chairs and Chief Fire Officers and to extend an invitation to the WLGA to also attend these meetings. This correspondence in essence addressed the majority of the concerns regarding governance and Member engagement with the Minister in relation to fire policy matters raised in the submission to WAG.

Members expressed concerns about the timing of the framework document, given that it crossed over the period of Local elections and the membership of the new Fire Authority.

A number of Members believed that the timing was wrong for the Authority to comment comprehensively on the Framework during this period of change and suggested that an extension of time be called for in order to allow further consultation.

Other Members, however, were concerned that if a response was not sent by 20<sup>th</sup> June, then the Authority's views would not be counted.

The Deputy Chief Fire Officer suggested articulating these views within a strong covering letter with the caveat that this was an interim response with a further response pending when the new Authority Members had had the opportunity to provide comments.

## RESOLUTION

*It was RESOLVED that*

*A strong covering letter be prepared to accompany the response with the caveat that this was an interim view only and that a further response would be sent when the new Authority Members had an opportunity to consider the consultation paper in detail and provide comments thereon.*

## RETIREMENT OF CHIEF FIRE OFFICER

The Chair informed Members that this was the last meeting that Chief Fire Officer D Mackay would be attending prior to his retirement later in the week. The Chair paid tribute to the professionalism and commitment provided by Mr Mackay not only during his time as Chief Fire Officer but also previously as Deputy.

He referred to the challenges that the Authority had faced in that period and how Mr Mackay had successfully steered the Authority during a period of significant change. Members endorsed the comments of the Chair and wished Mr Mackay a long and healthy retirement.