

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



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

**NOTE: THESE MINUTES ARE SUBJECT TO CONFIRMATION BY THE FIRE AUTHORITY AT ITS  
NEXT MEETING**

**COFNODION  
CYFARFOD YR AWDURDOD TAN**

Ystafell Caer,  
Pencadlys Y Gwasanaeth Tân Ac Achub, Caerfyddin  
**23 MEHEFIN 2014**

**MINUTES  
OF THE FIRE AUTHORITY MEETING**

The Caer Suite,  
Fire and Rescue Service Headquarters, Carmarthen  
**23 JUNE 2014**

**11.00 – 13:45**

**76% PRESENOLDEB/ATTENDANCE**

Presennol yn y Cyfarfod/Present at Meeting:

GADEIRYDD/ CHAIR:  
IS-GADEIRYDD/ DEPUTY CHAIR:

Councillor G Thomas  
Councillor W E Evans

AELODAU/MEMBERS:

Cyng/Cllrs: D Cole, R Llewellyn,  
L Frayling, T Hennegan, P James,  
A Lewis, S Paddison, R Rees-Evans,  
P Pritchard, R James, A Wilcox,  
D E Williams, J Curtice, J Dudley,  
C Higgins, T Wilcox, J Warman

YMDDIHEURIADAU/APOLOGIES:

Cyng/Cllrs: G Walker, W D Thomas,  
G Jones, C Lloyd

YN BRESENNOL /IN ATTENDANCE:

C Davies, D Daycock, D Masson, E  
Aitken, R Quin, C Margetts, C Jackson

## **1 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors G Walker, W D Thomas, C Lloyd and G Jones.

## **2 DECLARATIONS BY MEMBERS OF ANY PERSONAL OR PREJUDICIAL INTERESTS**

All Members present declared that they had a personal interest in matters relating to, or likely to affect their own Constituent Authority.

The Chair stated that the party political groups did not have the opportunity to meet prior to the start of this meeting and suggested that briefing meetings should start earlier. Councillor T Hennegan stated that the agenda for the meeting was too lengthy, making it difficult for Members to digest all the information risking overlooking vital information.

At this point the Chair asked the Authority to agree to adjourn the meeting in order for Members to discuss matters within their political party groups. This was agreed.

***Meeting reconvened at 11:15am***

## **3 CHAIR'S ANNOUNCEMENTS / PERSONAL MATTERS**

The Chair stated that there had been a request for the Fire Authority Meeting scheduled for the 15th December 2014 to start at 10:00am and requested all Members to record the time change accordingly.

The Chair informed Members that she had attended the official opening of the Llanelli Community Fire Station on the 5<sup>th</sup> June 2014 along with the Minister, Mrs Lesley Griffiths AM. The Chair stated that she was very impressed with the standard of work that had been achieved and the excellent accommodation provided for the firefighters.

The Chair informed Members that she had attended an interesting and informative WLGA Conference which took place in Llandudno on 19<sup>th</sup> June 2014, primarily based on the subject of the Williams report.

The Chair invited the Chief Fire Officer to comment on the two tragic incidents which had recently occurred. The Chief Fire Officer stated that the operational crews involved in the two recent tragic incidents were faced with some harrowing scenes and particularly difficult circumstances. The Chief Fire Officer commended the crews involved and thanked them for their professionalism, pride and expertise.

The Chair, on Members behalf, also wished to thank the crews involved. The Chair also extended sincere sympathies to the families of the persons involved in the tragic incidents.

**4. TO CONFIRM AND SIGN AS A TRUE RECORD THE MINUTES OF THE FIRE AUTHORITY MEETING HELD ON 10<sup>TH</sup> FEBRUARY 2014**

The minutes of the Fire Authority meeting held on 10th February 2014 were confirmed and approved as a true record of the proceedings.

Matters Arising

Councillor K Pearson referred to pages 16 and 17, item 20 of the minutes querying if the subject namely the Fire Control Feasibility Study would be open for debate within *Agenda Number 18 – To receive a verbal update on the Fire Control Project* at this Fire Authority meeting. Councillor Pearson raised concerns regarding the lack of consultation. The Chair stated that the matter had been on the agenda of the Extraordinary Meeting of the Fire Authority which was held on the 24<sup>th</sup> March 2014 where full debate had taken place on the matter and the issue had been resolved accordingly.

The Clerk informed that the redacted minutes of the Extraordinary Fire Authority meeting would be made available to Members and the full minutes would be presented to Members in camera at the next Fire Authority meeting for confirmation.

**5 TO RECEIVE AND CONSIDER THE MINUTES OF THE JOINT CONSULTATIVE FORUM HELD ON THE 10<sup>TH</sup> FEBRUARY 2014**

The minutes of the Joint Consultative Forum held on 10<sup>th</sup> February 2014 were considered and noted.

**6 TO RECEIVE AND CONSIDER THE MINUTES OF THE DEMOCRATIC SERVICES FORUM HELD ON THE 24<sup>TH</sup> FEBRUARY 2014**

The minutes of the Democratic Services Forum held on 24th February 2014 were confirmed and approved as a true record of the proceedings.

Matters Arising for the meeting held on the 24<sup>th</sup> February 2014

The Clerk referred to page 7, item 9 regarding visits to fire service premises and stated that a protocol had not been presented to the last Democratic Services Forum due to the new Chief Fire Officer wishing to have an input into this matter. Therefore this matter would be forwarded to the next Democratic Services Forum scheduled to take place on the 8<sup>th</sup> September 2014 for further consideration.

Councillor T Hennegan sought clarification on whether Members should seek permission in advance when visiting County Commanders. The Chief Fire Officer stated that he was content that Fire Authority Members continue to contact the County Commanders directly should they wish to visit fire service premises.

The Chair requested that the Scrutiny training session that was postponed earlier in the year be re-arranged as part of the Member development.

In response to a query from Councillor A Lewis, the Clerk / Monitoring Officer stated that in normal circumstances any amendments to the Constitution should be taken to the Democratic Services Forum and approved at Fire Authority Meetings. The Clerk / Monitoring Officer explained that should an urgent amendment be required, it would be necessary to take the amendment to full Fire Authority in the first instance and then to the Democratic Services Forum.

The Clerk / Monitoring Officer referred to page 9 regarding the Feasibility report on the Trading Arm of the Authority and stated that Officers were due to attend a Conference in London where good practice would be captured and incorporated into a feasibility report which would be taken to the next Fire Authority Meeting.

**7. TO RECEIVE AND CONSIDER THE MINUTES OF RESOURCE MANAGEMENT COMMITTEE HELD ON THE 07<sup>TH</sup> APRIL 2014**

The minutes of the Resource Management Committee held on 07<sup>th</sup> April 2014 were considered and noted.

**8. TO RECEIVE AND CONSIDER THE MINUTES OF PERFORMANCE AUDIT AND SCRUTINY COMMITTEE HELD ON THE 28<sup>TH</sup> APRIL 2014**

The minutes of the Performance Audit and Scrutiny Committee held on the 28<sup>th</sup> April 2014 were considered and noted.

The following amendments were identified which would be notified to the next meeting of the Performance Audit and Scrutiny Committee:

Item 4, Page 2, paragraph 3 should read Wales Audit Office audit, replacing *internal* audit.

Councillor J Dudley stated that her apologies were not recorded within the minutes and requested that this was amended.

**9. TO CONFIRM AND SIGN AS A TRUE RECORD THE MINUTES OF THE ANNUAL GENERAL MEETING HELD ON 4<sup>TH</sup> JUNE 2014**

The minutes of the Annual General Meeting held on 4<sup>th</sup> June 2014 were confirmed and approved as a true record of proceedings, subject to the following amendments:

Page 4, Performance Audit and Scrutiny Committee (15 Members):

<del>Conservative (1)</del> Change to read <b>Independent</b>	Phil Pritchard (Powys)
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Councillor J Curtice requested that the minutes be corrected to read Jan Curtice, replacing Janice Curtice.

## Matters Arising from the meeting held on the 4<sup>th</sup> June 2014

The Chair informed Members that there was difficulty in holding the scheduled Fire Authority meeting on the 29<sup>th</sup> September 2014 due to a meeting clash with the Minister on the same day. The Chair added that a revised date would be forwarded to Members shortly.

### **10. TO RECEIVE AND CONSIDER THE MINUTES OF THE SPECIAL RESOURCE MANAGEMENT COMMITTEE HELD ON THE 4<sup>TH</sup> JUNE 2014**

The minutes of the Special Meeting of the Resource Management Committee held on 4<sup>th</sup> June 2014 were considered and noted.

### **11. TO RECEIVE AND CONSIDER THE MINUTES OF THE SPECIAL PERFORMANCE AUDIT AND SCRUTINY COMMITTEE HELD ON THE 4<sup>TH</sup> JUNE 2014**

The minutes of the Special Meeting of the Performance Audit and Scrutiny Committee held on 4<sup>th</sup> June 2014 were considered and noted.

At this point the Clerk / Monitoring Officer informed Members that the Fire Brigade's Union (FBU) had exercised their right under the Constitution to speak in relation to Agenda Item 18 – *To receive a verbal update on the Fire Control Project*. The Clerk / Monitoring Officer suggested that Members allow Mr Barrie Davies to speak after Agenda Item 11 and change the order of the Agenda by bringing Agenda Item 18 forward to Item 12. By a show of hands Members unanimously agreed to allow Mr B Davies, FBU to speak at this point and change the order of the agenda.

The Chair invited Mr Barrie Davies, FBU to speak for 3 minutes in relation to Agenda Item 18.

### **12. Formerly Agenda Item 18 TO RECEIVE A VERBAL UPDATE ON THE FIRE CONTROL PROJECT**

Mr Barrie Davies provided a verbal presentation to Members on behalf of the Fire Brigade's Union who were opposed to the closure of the Llangunnor based Fire Control.

The Director of Delivery thanked the Fire Brigades Union for taking an active role in the discussions that had taken place so far as part of the project.

The Director of Service Delivery provided a detailed update to Members on the projects progress supported by a presentation. The presentation included the following key task areas (KTA):-

## Governance – Finance and Legal

- KTA 1: Building
- KTA 2: Control Staff and Management Structure
- KTA 3: Command and Control IT System
- KTA 4: ICT Infrastructure (back office IT systems)
- KTA 5: Business Continuity
- KTA 6: FRS Operational Assurance

The Director of Delivery informed Members that the following Trade Union Regional consultation/negotiation meetings had taken place on a Bi-Monthly basis:

- FBU – 23<sup>rd</sup> April and 17<sup>th</sup> June
- GMB – 30<sup>th</sup> June
- FOA – 23<sup>rd</sup> June
- Unison – 30<sup>th</sup> June

Furthermore, the Director of Delivery stated that the following staff engagement had taken place on the project:

- Face to face meetings in South Wales Police, Mid and West Wales Fire and Rescue Service and also South Wales Fire and Rescue Service
- 1<sup>st</sup> July – Joint Services staff engagement seminar
- Full involvement in all KTA's enabling staff to shape their future

The Director of Delivery stated that communications had taken place via the following means:

- National Issues Committee progress report – 15<sup>th</sup> July 2014
- Fire Authority- Performance Audit and Scrutiny Committee - 21<sup>st</sup> July 2014
- Presentation to Ceredigion County Council – 18<sup>th</sup> June 2014
- Carmarthenshire County Council – 30<sup>th</sup> June 2014
- Monthly briefing notes
- Various correspondents with AM's & local community Councils/Groups
- Internal web pages to go live in July 2014.

The Chair thanked the Director of Delivery for the comprehensive update and stated that Councillor Llewellyn and herself as Chair and Vice Chair respectively were very involved with this project and had worked on it for lengthy period of time.

Councillor Warman queried, as a new Member, at what point did the public consultation start when the Public Service Centre was being formulated and also how widespread was that consultation? The Chief Fire Officer (CFO) stated that the project was not set out within the Service's Annual Improvement Plan or its improvement statements due to the timing of an opportunity to bid for an Invest-to-Save loan with the Welsh Government. Furthermore, the Service was not obliged to conduct a formal public engagement exercise as it was not set out within the Authority's Annual Improvement Plan.

However, the nature and funds which were available to support this project, along with the three Services in support of the Welsh Governments agenda of collaboration and more efficiencies drove the project forward.

The Director of Delivery stated that the language used in the projects context was important and emphasised that the Control centre was not closing, it was moving to Bridgend and working in partnership with South Wales Fire and Rescue Service.

In response to Councillor A Lewis, the Director of Delivery clarified that the savings provided in the presentation were for both Mid and West Wales Fire and Rescue Authority and South Wales Fire and Rescue Authority and that the savings would be allocated appropriately. Furthermore, the Director of Delivery stated that all Members would be welcome to attend the staff engagement day arranged for the 1<sup>st</sup> July 2014.

Councillor Llewellyn stated to Members that the Fire Authority was required to identify efficiencies for the future and that this project was an excellent opportunity to modernise the system in Bridgend. Furthermore, Councillor Llewellyn emphasised that it was important that the Public Service Centre would be a bilingual service and that it would not affect the Service provided to communities. Councillor Llewellyn added that he endorsed the project.

Councillor P James stated that he had supported the projected based on the collaboration between blue light services along with the savings of £1m per annum for the tax payer. However, he had concerns regarding the Police building the property and the possible escalating costs. Councillor James queried if the Estates Department from the Mid and West Wales Fire and Rescue Service would also be involved to ensure that the budget was adhered to.

The Director of Delivery informed Members that he had every confidence that the Police would manage the construction phase on the Authority's behalf and reassured Members that the governance and the legal team would deal with any slippages should they occur.

In response to a further query from Councillor James, the Director of Delivery stated for clarity that the savings contained within the business case were £1m. This included staff, IT, back office equipment and command and control systems, which would be introduced.

Councillor C Higgins informed Members that this matter was raised as a motion at the Carmarthenshire County Council meeting, which he attended along with Councillor J Williams. Councillor Higgins added that he felt the Authority should have done more engagement with the local authorities in the early stages of the project which had resulted in the negative response that was currently being experienced. However, Councillor Higgins stated that he welcomed the project going forward and that it was very positive.

Councillor Higgins further informed Members of some of the concerns that were raised at the Carmarthenshire County Council Meeting, which had been addressed within the presentation by the Director of Service Delivery.

As the Councillor of Llangunmor, Councillor E Williams wished to echo Councillor Higgins' comments but strongly opposed the move to Bridgend as it was not within the Mid and West Wales Fire and Rescue Authority area and felt that the wrong site was chosen.

Councillor J Williams stated that the Officers presentation was excellent, however, it was unfortunate that best practice was not adhered to with regard to consultation, resulting in a perception of secrecy.

In response to the queries received from Members, the CFO informed Members that the Authority had access to an Invest-to-Save loan and that it was a requirement of the Welsh Government that blue light services collaborate more.

The CFO stated that the Authority had no statutory responsibility to widely consult on the project, however, assurance was given that the Fire Authority had followed due process in agreeing the decision. This was confirmed by the letters recently distributed from the Clerk/Monitoring Officer outlining the decision making process along with the voting in support from Fire Authority Members of the project.

The CFO informed Members that changes would impact upon the Service but reassured Members that changes to the Welsh Language Act would be incorporated into the fire control programme.

In response to Councillor Hennegan's query the Clerk / Monitoring Officer confirmed that there was a specific provision within the Constitution which stated that 'Citizens can be expected to be consulted, depending on the nature of the matter to be considered'. However, the Clerk / Monitoring Officer stated that it was his understanding that there was no statutory obligation for the Authority to consult in relation to this matter. Furthermore, Members were reminded that the Welsh Government, South Wales Police or South Wales Fire and Rescue Service did not carry out a consultation process on this matter, however, it was acknowledged that lessons could be learned and that the programme would build in as much consultation as can be realistically achieved throughout the project.

The CFO concluded by stating that there were discussions currently ongoing with Welsh Ambulance Service Trust regarding the potential prospect of them joining the project, however, there was nothing to report as yet.

## **RESOLUTION**

***It was RESOLVED that Members note the verbal update and presentation.***

At this point Councillor J Dudley requested to move Agenda item 14 next. This was agreed.



**13. Formerly Agenda Item No 14  
TO RECEIVE THE WELSH LANGUAGE MONITORING REPORT 2014**

The Temporary Head of Corporate Communications and Democratic Services (CCDS) presented the Welsh Language Monitoring Report 2014 to Members and stated the Service was committed to treating the Welsh and English languages on an equal basis. The Welsh Language Scheme 2010 - 2013 sets out how the Service would deliver this commitment. The Service continued to work towards the Welsh Language Scheme 2010-2013 as the Welsh Language Commissioner was in the process of consulting with Local Authorities on proposed new standards for the Welsh Language.

Furthermore, while the consultation was ongoing, the Commissioner had advised that organisations should continue with their arrangements of improving performance in accordance with their current Welsh Language Schemes. The Commissioner was scheduled to begin consultation with the three Fire and Rescue Services in Wales in September 2014.

The Temporary Head of CCDS informed Members that the Monitoring Report outlined the progress made by Mid and West Wales Fire and Rescue Service during the period 1<sup>st</sup> April 2013 to 31<sup>st</sup> March 2014 in delivering services in accordance with its Welsh Language Scheme. The report showed that the Service had made considerable progress in its drive towards improving its bilingual services and the profile of the Welsh language within the Service.

Members were informed that the Service had recently undertaken a gap analysis of its current Welsh Language delivery against that required by the proposed new standards. Priorities for 2014/15 would be identified following formal consultation on the new standards in September 2014. The Service's current commitment was to provide a bilingual service to the public, however, the main theme within the Standards was that employees could undertake their duties using their language of choice therefore, requiring the Service to review the internal policies and procedures, in order to ensure they are available bilingually.

Councillor Llewellyn stated that there was an acceptance that the Authorities are required to make efficiencies, however, he stated that the opportunity to communicate via the medium of Welsh would be gratefully received. Councillor Llewellyn took the opportunity to congratulate the Deputy Chief Fire Officer and Temporary Head of CCDS who were instrumental in development of the Welsh Language matters.

Councillor A Lewis commended the Service for their efforts to provide a bilingual service, however, she felt that the cost of producing documentation via the medium of Welsh to Members who do not speak Welsh was a waste of paper. Councillor Lewis suggested a logical approach was to deliver documentation via the medium of Welsh only upon request.

Councillor Higgins wished to inform Members that the Census results in 2011 had highlighted a fall in Welsh speakers of 10% in Carmarthenshire and that had reduced it to a minority language of 49%.

The Committee was informed that a Council Commission Working Group had been set up and tasked to produce some radical proposals to increase Welsh speaking within Carmarthenshire. Councillor Higgins highlighted that it could be beneficial for the Service to interact with the group to develop working practice between public sector organisations.

The Chair moved the report to be sent to the Commissioner by the 30<sup>th</sup> June 2014 which was seconded.

## **RESOLUTION**

***It was RESOLVED that Members approve the Welsh Language monitoring report for 2013/14.***

At this point Councillor R Llewellyn and Councillor J Dudley left the meeting.

### **14. Formerly Agenda Item 12 TO RECEIVE THE WELSH GOVERNMENT'S FIRE AND RESCUE SERVICES IN WALES REPORT 2013**

The Chief Fire Officer (CFO) stated that during 2013 Welsh Government Officials commenced a review of the three Welsh Fire and Rescue Authorities and service performance known as the Fire and Rescue Service Wales Project Report 2013.

The CFO informed Members that the full report was produced and distributed to Members on the 5 June 2014 by e-mail. The CFO stated that the full report was issued to the Chairs on 20th December 2013. Members were informed that Mrs Lesley Griffiths, the Minister for Local Government and Government Business announced at the Chairs and Chiefs meeting held on 27th January 2014, and confirmed in the following meeting held on the 19<sup>th</sup> May, that the Welsh Government were looking to introduce the recommendations 1-9 of the report and that recommendations 10 – 12 would be moved into the Williams Commission review implementation plan.

The CFO reported that the 3 Chief Fire Officer's in Wales have registered some concern due to the confusion regarding the confidentiality status which as a result meant that the review had not been circulated wider than the 3 Chief Fire Officer's back in January 2014. The Chief Fire Officer stated that he had informed the Minister that he was unable to provide a comment until the Fire Authority had sight of the review.

In addition, the Welsh Government had requested, via a letter dated the 10th June 2014, that the Chairs of the three Fire and Rescue Authorities support a Welsh Government official led Programme Board with the Chief Fire Officers representing each Authority, to "oversee and drive forward the first nine recommendations".

The CFO stated that he believed that recommendations 1-9 could be progressed through the work of the National Issues Committee (NIC) and that an additional Programme Board would not be necessary to introduce the recommendations. However, if the Welsh Government were insistent on the Programme Board then, subject to the Authority's agreement the Chief Fire Officer would of course represent the Authority accordingly.

The CFO stated that he would welcome Members comments and guidance in relation to the report.

The Chair stated that she had not had sight of the report prior to the e-mail and had since read the report thoroughly. The Chair endorsed the CFO's recommendation that the recommendations could be introduced through the work of the NIC, however, again agreed with the CFO that he should represent the Authority on the Programme Board should it be necessary.

Councillor Higgins proposed the recommendation as follows:

*That the Chair write to the Local Government Minister stating that the Authority do not consider that items 1-9 in the report need a separate Officer Led programme board, as the issues can be dealt with by the National Issues Committee. Councillor Higgins also proposed that if an Officer Led programme board was to be set up, that the Authority be represented by the Chief Fire Officer*

Upon being put, the amendment to the recommendation was carried and became the substantive motion.

## **RESOLUTION**

***It was RESOLVED that:-***

- 1) The Chair write to the Local Government Minister stating that the Authority do not consider that items 1-9 in the report need a separate Officer Led programme board, as the issues could be dealt with by the National Issues Committee.
- 2) If an Officer Led programme board is set up, that the Authority be represented by the Chief Fire Officer.
- 3) Members note the role and direction of the National Issues Committee's workstreams and forward work programme.

**15. Formerly Agenda Item 13  
TO RECEIVE A REPORT ON DOMESTIC SPRINKLER ACTIVATIONS WITHIN MID  
AND WEST WALES**

The Director of Risk presented a report on domestic sprinkler activations within Mid and West Wales. Members were informed that over the past year the Service had attended a number of incidents where an Ultraguard Fire Suppression System had been activated and subsequently extinguished a potentially life threatening fire within a domestic dwelling.

Members were informed that Service personnel currently install the fire suppression systems within the homes of highly vulnerable people and in total there were 13 fitted throughout the Service area with a further 4 awaiting installation, which were referred to the Service by other agencies.

The Director of Risk stated that the Ultraguard Fire Suppression Systems were currently funded by the Welsh Government at an average cost of £2000, however, the costs can vary depending on quantity ordered.

In response to Councillor A Lewis' query, the Director of Risk informed Members that the systems location within each property was determined by a thorough risk assessment.

**RESOLUTION**

***It was RESOLVED that the Fire Authority note the value of this equipment in providing protection to some of the most vulnerable members of our communities and continue to support the work of the Service's community safety teams***

**16. Formerly Agenda Item 15  
TO RECEIVE A REPORT ON THE AMMENDMENTS TO CONTRACT STANDING  
ORDERS**

The Chair stated that this report had been presented to the Democratic Services Forum held on the 16<sup>th</sup> June 2014.

The Director of Resources highlighted that the report contained fundamental changes to Contract Standing Orders' which would also result in changes to the Constitution.

The report recommended a number of amendments to be made to the Authority's Contract Standing Orders set out in Appendix 1 to the report, which arose as a consequence of establishing the Wales Fire and Rescue Procurement Service as approved by the National Issues Committee on the 28th January 2014.

The Director of Resources informed Members that the amendments would result in a standardised Contract Standing Order for both Mid and West and South Wales Fire and Rescue Services and that a summary of the main changes was included within Appendix 2 to the report.

Members were also informed that a new Procurement Procedural Guide had been developed to accompany the new Contract Standing Orders, which was set out in Appendix 3 to the report.

The Director of Resources then explained the key changes within Appendix 2 and 3 of the report.

Councillor K Pearson gave reference to Appendix 3, section 6.4 sentence which read 'Staff who persistently breach procurement rules will be liable to disciplinary action and also for the cost of the goods or services purchased.' Councillor Pearson queried the term persistently. The Clerk / Monitoring Officer explained that it was a question of fact depending on the exact circumstances, and that indeed a one off breach could warrant disciplinary action. However, it was agreed that the wording be tightened up to ensure that it was clear.

The Clerk stated that the Appendix 3 should clearly state on the front that the document was a 'Guide' and that the rules were more prescriptive.

## **RESOLUTION**

***It was RESOLVED that the amended Contract Standing Orders as detailed at Appendix 1 to the report be approved for use by the Wales Fire and Rescue Procurement Service along with the Procurement Procedural Guide in Appendix 3.***

### **17. Formerly Agenda Item 16 TO RECEIVE A REPORT ON LOCAL GOVERNMENT PENSION SCHEME 2014 AND NEW FIREFIGHTERS' PENSION SCHEME 2007 – DISCRETIONARY FUNCTIONS**

The Clerk informed Members that the recommendations whilst recommendation I remained the same, recommendations ii and iii were amended as follows:-

- i. That the Policy Statement on employer discretions under the LGPS as recommended in Appendix 1 be approved – **remained unchanged.**
- ii. That the existing pension transfer arrangements for Members of the New Firefighters Pension Scheme (NFPS) be revised to enable transfers after three years membership of the NFPS, in circumstances whereby On-call Firefighters secure permanent fulltime roles.

The option to do so should only be allowed for a period of 1 year following appointment to a permanent fulltime role.

- iii. Existing members of the NFPS who have until now been unable to avail themselves of this opportunity should now be able to do so.

The intention to exercise this option should be notified in writing to the Authority within 6 months of the 1<sup>st</sup> July 2014. Members were provided with a copy of the amended recommendations.

The Director of Resources presented the report to Members and highlighted that it referred to two separate pension schemes, namely, the Local Government Pension Scheme (LGPS) 2014 and New Firefighters' Pension Scheme 2007 in relation to discretionary functions.

The Director explained to Members that the Authority was required to confirm how it would apply certain employer discretions in relation to the LGPS and other pension related regulations. Furthermore, as a new scheme came into force on 1 April 2014 it was necessary to determine new and review existing discretions to ensure that they complied with the changes and continued to meet the Authority's business needs.

Members were informed that it was appropriate to consider what compensation, if any, be awarded on early termination of employment through redundancy or on efficiency grounds, and that it was likely to be for at least one of the following reasons:

- Compensation for loss of employment
- Compensation for loss of pension rights
- To encourage volunteers for early retirement to assist with change management

The above management tools were used in the recent budget exercise with regard to the LGPS. Furthermore, consideration was given to ensure that they worked effectively, and provided a balance between flexibility and consistency taking into account business need whilst reflecting the current arrangements.

The Director of Resources stated that the current LGPS discretions included compensatory awards for early retirement, bumped redundancy, pay in lieu of notice, augmentation, and flexible retirement. Members were informed that the full list of discretions along with new discretionary functions were included within Appendix 1 of the report.

Members were informed that under the National Firefighters Pension Scheme (NFPS) discretions, the Service had the ability to exercise a discretion whereby members of the scheme could transfer existing pension entitlements into the scheme after the specified 12 month period. The Service has capped this at 'within 3 years of becoming a scheme member'. Furthermore, Members were informed that whilst the discretions benefited existing scheme members, there was an anomalous situation in the event that an On-call firefighter secured a permanent full-time role. In such situations, an On-call firefighter would be able to join the NFPS upon commencement of employment, but was unlikely to transfer an existing pension provision into the scheme if they had generous occupational pension arrangements with their primary employer.

Accordingly should this firefighter subsequently secure a permanent role as a full-time firefighter there would be no opportunity to transfer the previous occupational pension value into the NFPS if the scheme member had been employed for more than 3 years and joined the NFPS upon commencement, thus placing the firefighter at a disadvantage in achieving maximum pension benefits at retirement.

Councillor T Hennegan enquired if the Trade Unions had been consulted on this matter.

At this point the Clerk/Monitoring stated that all the Officers in attendance should declare a personal interest in this matter as potential beneficiaries of the Firefighters Pension Scheme and the Local Government Pension Scheme. The Clerk stated that it was unlikely that Officers would have a prejudicial interest, as the discretions were just that, and did not this stage apply to individual officers. Nevertheless, it was prudent for Officers to declare a personal interest in this situation. If Members were satisfied that there was no direct benefit to the Officers in this situation, the Officers could remain to present the report.

The Clerk stated that he would enquire with the Wales Audit Office to gain certainty regarding declarations on this matter, however, in the meantime Officers should declare an interest.

Councillor P Pritchard proposed that the recommendation be moved, which was seconded.

***It was RESOLVED that Members were content for Officers to remain to present and speak to the report.***

In response to Councillor Hennegan's query, the Corporate Head of People and Organisation Development stated that the two Trade Unions who's Members would be affected by the LGPS were Unison and GMB, which consequently, would be consulted upon if the changes to the policies were approved by of the Fire Authority.

## **RESOLUTION**

***It was RESOLVED that:***

- i. The Policy Statement on employer discretions under the LGPS as recommended in Appendix 1 be approved.***
- ii. The existing pension transfer arrangements for members of the NFPS be revised to enable transfers after three years membership of the NFPS, in circumstances whereby on-call firefighters secure permanent fulltime roles, and that the option to do so should only be allowed for a period of 1 year following appointment to a permanent fulltime role.***
- iii. Existing members of the NFPS who have until now been unable to avail themselves of the opportunity should now be able to do so, but that their intention to exercise this option should be notified, in writing to the***

***Authority within 6 months of the 1<sup>st</sup> July 2014.***

**18. *Formerly Agenda Item 17***  
**TO RECEIVE A REPORT ON THE PUBLIC SERVICE PENSION ACT 2013**

The Director of Resources presented the report on the Public Service Act 2013 and stated that that the Public Service Pensions Act 2013 came into effect in April 2013 and set out the governance arrangements for public service pension Schemes. Furthermore, under the Act, individual Fire and Rescue Authority's (FRA's) would be responsible for governance arrangements relating to The Public Service (Firefighters) Pensions (Wales) Regulations 2014 and as a consequence of this Fire and Rescue Authority were required to set up a Local Pension Board.

The Director of Resources guided and advised Members on the steps required to form a Local Pension Board to satisfy the requirements of the Act.

The Director stated that Members were required to appoint one senior Member (at Chair or Deputy Chair level) to sit on the Shadow Scheme Advisory Board for Wales which would be supported by Officer representatives from Human Resource and Finance. Furthermore, a minimum of four Members were required to sit on Local Pension Board for Mid and West Wales Fire and Rescue Authority.

Reference was given to Appendix A which set out the governance structure and also Appendix B of the report which provided the Terms of Reference for the Local Pension Board.

The Chair suggested that two Members from each political group should be appointed and this was accepted by Members.

Councillor T Hennegan requested that this matter be discussed within their respective groups to identify specific Members, and the decision forwarded to Officers.

Councillor P James announced that the Coalition Alliance party had already had the opportunity to decide two Members namely, Councillor W Evans and Councillor E Williams.

**RESOLUTION**

***It was RESOLVED:***

- i. That Fire Authority approve the set-up of a Local Pension Board with the draft Terms of Reference attached at Appendix B.***
- ii. That Fire Authority appoint one Member to the Shadow Scheme Advisory Board for Wales, and a further four Members to the Local Pension Board for Mid and West Wales Fire and Rescue Authority.***



*iii. That Fire Authority note the governance structure set out at Appendix A.*

**19** *Formerly Agenda Item 18*

**IT WAS RESOLVED, THAT PURSUANT TO SECTION 100A (4) OF THE LOCAL GOVERNMENT ACT 1972, THAT THE PRESS AND PUBLIC BE EXCLUDED FROM THE MEETING FOR THE REASON, THAT IF THEY WERE PRESENT, IT IS LIKELY THAT THERE WOULD BE DISCLOSURE TO THEM OF EXEMPT INFORMATION WITHIN THE DESCRIPTION OF SCHEDULE 12A TO THE LOCAL GOVERNMENT ACT 1972, NAMELY PARAGRAPH 12, INFORMATION RELATING TO A PARTICULAR INDIVIDUAL AND PARAGRAPH 14, INFORMATION RELATING TO THE FINANCIAL OR BUSINESS AFFAIRS OF ANY PARTICULAR PERSON (INCLUDING THE AUTHORITY HOLDING THAT INFORMATION), AND THAT IT WAS IN THE PUBLIC INTEREST TO DO SO.**

**20** *Formerly Agenda Item 19*

**TO RECEIVE A REPORT ON THE ABERTYSTWYTH RE-DEVELOPMENT PROJECT**

The Director of Resources presented a report on the Aberystwyth re-development project and as explained that the Authority had previously agreed to place £1m in the capital budget for the re-development of Aberystwyth Fire Station. However, as the projected cost of the development had increased, the Authority now needed to approve additional funding for the Aberystwyth project in order to complete the project, and pursue negotiations with the Maritime and Coastguard Agency (MCA) with a view to them occupying the new facility.

The Director of Resources further informed Members that the indicative costs for specific accommodation requirements had increased to £1,475,000. However, the additional cost could approximately £350,000 of the £1,475,000 total cost was attributed to the MCA. This debt would be recovered by means of a lease agreement. It was recommended that the Fire Authority to increase the Capital budget to accommodate the MCA, provided an agreement to repay the additional cost was entered into, to enable the project to proceed.

It was emphasised that to date, no agreement had yet been made with the MCA.

In response to a query from Councillor Rees-Evans the Director of Resources clarified that a 20year lease would be required.

Councillor P James informed Members that the MCA were very proactive and covered a large expanse of coastline, furthermore the MCA currently operate from a shed, and felt that this project would present an ideal location for them.

## RESOLUTION

*It was RESOLVED that:*

- 1. Members approve additional funding to complete the project and to enable the Authority to pursue negotiations with the Maritime and Coastguard Agency, for their share, thereby increasing the projected capital scheme costs to a total of £1,475,000 and*
  - 2. Members note the projected increase in the MAWWFRA share of the capital costs (from £1,000,000 to £1,125,000)*
21. **ANY OTHER ITEMS OF BUSINESS THAT BY REASON OF SPECIAL CIRCUMSTANCES, THE CHAIR DECIDES SHOULD BE CONSIDERED AS A MATTER OF URGENCY PURSUANT TO SECTION 100(B)(4) OF THE LOCAL GOVERNMENT ACT 1972**

There were no items of urgent business.

Meeting closed 13:45