

**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
12 RHAGFYR 2016**

MINUTES

OF THE FIRE AUTHORITY MEETING

**The Caer Suite,
Fire and Rescue Service Headquarters, Carmarthen
12 DECEMBER 2016**

10.00 – 11:55

80% PRESENOLDEB/ATTENDANCE

Presennol yn y Cyfarfod/Present at Meeting:

GADEIRYDD/ CHAIR:	Councillor J Dudley
IS-GADEIRYDD/ DEPUTY CHAIR:	Councillor R Rees-Evans
AELODAU/MEMBERS:	Cyng/Cllrs: C Anderson, P Black, K Curry, S Davies, C Evans, W E Evans, L Frayling, J Hale, R Llewellyn, S Paddison, P Pritchard, R Rees-Evans, E Thomas, G Thomas, G Walker, J Warman, A Wilcox, E Williams
YMDDIHEURIADAU/APOLOGIES:	Cyng/Cllrs: J Curtice, P James, K Pearson
YN BRESENNOL /IN ATTENDANCE:	D Daycock, C Davies, M Crennell, R Quin, C Williams, R Thomas, I Cray, K Jones, M Harries, C Jackson, H Jones

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors J Curtice, P James and K Pearson.

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.

Councillor J A Hale declared a personal interest by way of membership of the UNISON Trade Union and notified the meeting that he had been granted a dispensation from the Standards Committee.

Councillor G Walker declared a personal interest by way of membership of the Fire Brigades Union.

Councillor G Thomas declared a personal interest in all matters relating to the Local Pension Board.

All Members declared a personal interest in Item 6 of the Agenda relating to the budget requirement for 2017/18.

The Clerk/Monitoring Officer referred to the senior salary recommendation of the Independent Remuneration Panel for Wales draft report and invited any Member who was certain of obtaining the position of Chair or Deputy Chair of the Fire Authority, or Chairs of Committees for the 2017/18 municipal period to consider whether they had a prejudicial interest in the matter.

All Members declared a personal interest in Item 7 of the Agenda relating to the Draft Annual Report of the Independent Remuneration Panel for Wales 2017/18.

3. CHAIR'S ANNOUNCEMENTS / PERSONAL MATTERS

The Chair welcomed all external observers to the meeting and reported that Mr Lawrence Larmond had given formal notification of his request to speak as a member of the public on Item 6 of the agenda, namely the joint budget report of the Chief Fire Officer and Director of Resources.

The Chair extended a warm welcome to Mr Hywel Jones, Chair of the Standards Committee, who was in attendance to present Item 8 of the agenda, namely the Standards Committee annual report for 2015/16.

The Chair reminded Members that this was the final Fire Authority meeting of 2016 and as such, a buffet lunch would be provided on conclusion of the meeting.

The Chair reminded Members that the Service's Annual Carol Service would be held that evening in St David's Church Neath and all Members were encouraged to attend.

Members were informed that Councillor W E Evans would be standing down as a Fire Authority Member on 16 February 2017. The Chair took the opportunity to express the Authority's gratitude for the sterling contribution made by Councillor W E Evans to the Fire Authority.

The Clerk / Monitoring Officer reported that the Chair had requested that an update be provided to Members on a particular matter under the relevant provisions of the Local Government Act 1972. Members were advised that the press and public be excluded from the meeting for the reason, that if they were present, it was 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 Paragraph 14, information relating to the financial or business affairs of any particular person (including the authority holding that information) and any subsequent potential legal disputes that could arise, and that it was in the public interest to do so.

RESOLUTION

It was RESOLVED that the press and public be excluded from the meeting pursuant to Section 100A (4) of the Local Government Act 1972 for the above reasons, and that it was in the public interest to do so.

All members of the public, and Mr H Jones, departed the meeting.

The Clerk / Monitoring Officer provided Members with an update on a matter in private session under the relevant provisions of the Local Government Act 1972.

RESOLUTION

It was RESOLVED that the update be noted.

The open session resumed and all members of the public, and Mr H Jones, re-joined the meeting.

4. TO CONFIRM AND SIGN AS A TRUE RECORD THE MINUTES OF THE FIRE AUTHORITY MEETING HELD ON 19 SEPTEMBER 2016.

The minutes of the Fire Authority meeting held on 19 September 2016 were approved as a true record of proceedings, subject to the following amendment:

Page 2, Item 3, Paragraph 2 – typographical error to be corrected to 'Wales Audit Office'.

There were no matters arising from the meeting.

5. TO CONFIRM AND SIGN AS A TRUE RECORD THE MINUTES OF THE EXTRAORDINARY GENERAL MEETING OF THE FIRE AUTHORITY HELD ON 29 SEPTEMBER 2016

The minutes of the Extraordinary General Meeting of the Fire Authority held on 29 September 2016 were approved as a true record of proceedings, subject to the following amendment:

Page 2, Item 1, Paragraph 1 – Councillor R Rees-Evans to be recorded on the list of apologies.

There were no matters arising from the meeting.

6. TO RECEIVE AND APPROVE THE JOINT REPORT OF THE CHIEF FIRE OFFICER AND THE DIRECTOR OF RESOURCES ON THE BUDGET REQUIREMENT FOR THE FINANCIAL YEAR 2017/18

A request made by Mr L Larmond to speak, as a member of the public, on conclusion of the report presented by the Chief Fire Officer was sanctioned, in accordance with Article 3 of the Authority's Constitution.

The Chief Fire Officer (CFO) presented the report on the budget requirement for the 2017/18 financial year. This had been developed during the Corporate Budget Planning days held in April, June and September 2016, with Members directing officers to develop two options for the budget level for 2017/18 for Members' consideration. The Resource Management Committee had debated the matter in detail and, at its meeting on 14 November 2016, had recommended to the Fire Authority that a budget increase of 2.8% for 2017/18 be approved.

Members were provided with the background to the budget requirement in the context of the National position and it was reported that the Provisional Settlement announcement for 2017/18 was 0.5% on average, which equated to an average of 0.1% increase for the Constituent Authorities within the Mid and West Wales area.

Members were provided with an overview of the substantial real cash efficiencies made over the last 10 years from a combination of operational and corporate initiatives, which had resulted in savings of £9.0million (20%) of the budget. Such efficiencies had resulted in a reduction in staffing numbers on stations by 27% and middle/senior manager posts by 34%.

Members were reminded that the Service was a risk based organisation, and not demand-led, therefore sufficient resources were essential in order to maintain an appropriate response capability and to continue the positive preventative work of the organisation.

Furthermore, the CFO explained that due to the interdependent relationship between response to, and prevention of fires and emergencies, any further erosion of the budget would compromise service delivery and prohibit diversification activities, which would place a greater burden on Constituent Authority services such as, for example, housing

and social services.

Reference was made by the CFO to the current running cost of the Service, which equated to 13p per day, £4 per month or £48 per year, which in his view, represented excellent value for money.

Members were provided with a breakdown of the level of reserves, which had been revised from £9.0 million to £8.6 million, together with the details of the projects which the reserves had been committed to. In addition, an overview of the additional burdens, as set out in Appendix C of the report, in terms of the Apprenticeship Levy, Pensions, Insurance and new recruit training costings was provided to Members.

The Chief Fire Officer confirmed that discussions were ongoing with the Welsh Government in respect of securing continued grant funding for the Firelink/Airwave communications system and Emergency Services Mobile Communications Programme (ESMCP) and it was acknowledged that should this funding mechanism cease to continue, a significant financial burden would be placed on the Fire and Rescue Authority.

An overview of the validation factors was provided to Members and it was reported that there had been little change in terms of population statistics. Furthermore, Members were reminded of the requirement to provide an estimation of its net expenses for 2017/18 year to its Constituent Unitary Authorities by 31 December 2016, before determining the final budget by 15 February 2017.

Mr L Larmond, speaking as a member of the public, then outlined his concerns regarding the risks posed to his family, which he felt had increased during the last 5 years, due to changes in crewing arrangements which had reduced the number of operational staff initially responding to incidents with 4 riders. The financial pressures of the Fire Authority during times of austerity was recognised, however Mr Larmond expressed concern that his family was receiving a lower level of service compared with other geographical areas covered by the organisation. Furthermore, concerns were raised by Mr Larmond in respect of the resilience arrangements of the shift arrangements should the employees decide to opt out of working the new system.

The Deputy Chief Fire Officer confirmed that a written response would be provided to Mr Larmond, however reassurance was provided that the efficiency savings achieved during the previous 5 years to date had not impacted on service delivery. In respect of ridership levels, the Deputy Chief Fire Officer confirmed that an arrangement was in place with the Trade Union which outlined a commitment to ensure at least 9 operational staff were mobilised to safety critical incidents.

In response to a query from Councillor W E Evans, the Chief Fire Officer confirmed that discussions were ongoing with HMRC in respect of reclaiming the VAT monies outstanding.

Councillor P Black noted his disappointment that figures for the current year were not provided in Appendix A, thereby making scrutiny of the report difficult. The Interim Head of Finance confirmed that the report would be updated to include the figures for

2016/17 and issued to Members accordingly. It was also clarified that the figures outlined in Appendix A were net of VAT.

Councillor S Paddison reported that the budget had been deliberated extensively within the Resource Management Committee, who had unanimously resolved to recommend a budget increase of 2.8% and therefore, all Members were urged to endorse this recommendation. Councillor Paddison further emphasised that the budget increase of 2.8% had been recommended as it would have no impact on service delivery, therefore citizens could be reassured that a safe fire and rescue provision for 2017/18.

RESOLUTION

It was RESOLVED that

- A. For 2017/18, a net budget of £45,585,840 be approved, with £150,000 falling on reserves and £45,435,840 falling on the Constituent Authorities (an increase of 2.8%) (Appendix A);***
- B. The Capital Programme attached at Appendix B be approved, leading to the capital financing charges shown as additional in Appendix A;***
- C. The additions laid out in Appendix C be approved;***
- D. The vehicle replacement programme attached at Appendix D be approved.***

7. TO RECEIVE AND APPROVE A DRAFT REPORT OF THE INDEPENDENT REMUNERATION PANEL FOR WALES 2017/18

The Clerk / Monitoring Officer presented a report to Members which summarised the findings contained within the draft annual report of the Independent Remuneration Panel for Wales 2017/18, regarding Members' allowances and remuneration.

It was reported to Members that the IRPW had determined that there was to be an increase of £15.00 on the basic salary for Members of Fire and Rescue Authorities, which would equate to £1,715 per basic salary, made payable from the date of the Authority's Annual General Meeting.

The Clerk / Monitoring Officer also reported that the Resource Management Committee, at its meeting on 14 November 2016, had resolved to reinstate a senior salary for the Deputy Chair of the Authority and to re-introduce a senior salary for the Chairs of Committees to reflect the additional workload and responsibilities allocated to those roles.

The Clerk / Monitoring Officer advised Members that should the Authority resolve to adopt senior salaries for committee Chairs and/or the Deputy Chair of the Fire Authority, this would incur an additional cost of £3,700 per senior salary, for 2017/18. Councillor S Paddison clarified that the stance of the Labour Group was to maintain the status quo whereby the Authority should continue with its previous determination not to

pay senior salaries for Committee Chairs or the Deputy Chair of the Fire Authority.

Councillor G Walker expressed the view that the increase to the basic salary was very modest and as such, suggested that it be relinquished by the Fire Authority.

Councillor J Warman recognised that a balance was required, taking cognisance of the continued financial constraints on local government, and notwithstanding the requirement to attract high calibre candidates to undertake local governance through their elected roles.

Councillor W Evans proposed an amendment to recommendation 2 which read

“That the recommendation be split as follows:

2a) That the Fire Authority pays a senior salary to the Deputy Chair of the Fire Authority ;

2b) That the Fire Authority pays senior salaries to Committee Chairs.”

Upon being put, the amendment was lost.

The substantive motion set out at Recommendation 2 was considered. Upon being put, the recommendation was lost.

RESOLUTION

It was RESOLVED that

- 1. The IRPW’s draft determinations in relation to members’ allowances and remuneration, for implementation in the 2017/18 municipal year be noted;***
- 2. That the Fire Authority does not adopt a senior salary for the Deputy Chair of the Authroity at this time;***
- 3. That the Fire Authority does not adopt senior salaries for committee chairs at this time.***

8. TO RECEIVE AND NOTE THE STANDARDS COMMITTEE ANNUAL REPORT 2015/16

The Chair of the Standards Committee, Mr H Jones provided Members with a synopsis of the Standards Committee's composition, remit and the work undertaken during the reporting period. Mr H Jones stated that it was pleasing to note that no complaints had been made against Members in respect of their role as members of the Fire and Rescue Authority. Accordingly, no matters had been referred to the Committee for investigation or decision.

Mr H Jones reported that the Standards Committee members were also kept abreast of good practice arising throughout Wales in the important areas of standards and probity via attendance at the Wales Standards Committee Conference.

Mr H Jones took the opportunity to pay tribute to Councillor R Llewellyn who had stood down from the Standards Committee in June 2016, and had played a pivotal role in overseeing, maintaining and strengthening high standards of conduct in public office. Mr H Jones also expressed his gratitude to Councillor W Evans, who would be standing down as a Member of the Fire Authority, for his contribution to the Standards Committee during his term of office and wished him well in his future endeavours.

Councillor R Llewellyn thanked the Chair of the Standards Committee for exemplary leadership and support provided to the Standards Committee.

RESOLUTION

It was RESOLVED that the Standards Committee Annual Report 2015/16 be noted.

9. TO RECEIVE AND NOTE A REPORT ON THE WELSH GOVERNMENT CONSULTATION ON FLOODING

The Corporate Head of Service Delivery presented the report which outlined the Welsh Government Consultation on Proposals to Introduce a Statutory Duty on Fire and Rescue Authorities in Wales to respond to Flooding and Other Water-Related Emergencies under section 9 of the Fire and Rescue Services Act 2004.

Members were reminded that although the Authority had no statutory duty to respond to flooding and other water related incidents, a range of assets, made available by way of grant funding, were strategically located across the Service area.

The Corporate Head of Service Delivery drew Members' attention to the draft consultation document set out at Appendix B of the report and consideration was given to the draft consultation response which would be submitted to Welsh Government by 22 December 2016.

Upon consideration of question 6 of the draft consultation response, Members felt that the Fire and Rescue Service should be allocated as the strategic lead for multi-agency

response to flooding and water rescue incidents and requested that the draft response be strengthened in this regard.

In respect of question 9 of the draft consultation response, Members emphasised that the Welsh Government needed to provide a clear indication as to the level of funding that would be provided to enable the Authority to undertake the proposed statutory function. Assurances were therefore sought that the Welsh Government would continue with its current provision of resources. The Chief Fire Officer confirmed that Welsh Government had advised that no additional funding was available in respect of flooding and water related incidents, however it was expected that the National Resilience Grant funding would be maintained for 2017/18. Furthermore, Members were assured that discussions were ongoing between the three Welsh Fire and Rescue Services and the Welsh Government in respect of grant funding.

Members were supportive of the draft response in terms of the role of the Fire and Rescue Service in undertaking preventative educational advice for water incidents.

RESOLUTION

It was RESOLVED that the consultation response detailed in Appendix B (Questions 1-9) of the report be approved, subject to the amendments outlined above, for submission to Welsh Government.

10. TO RECEIVE AND APPROVE A REPORT ON THE FIREFIGHTERS' PENSION SCHEME 2015 – DISCRETIONS POLICY

The Corporate Head of Operational Support and Improvement reported that the Authority was required to confirm how it would apply certain employer discretions in relation to the Firefighters' Pension Scheme Regulations (Wales) 2015 and other pension related regulations in the form of a discretions policy statement.

Attention was drawn to Appendix A of the report which provided a draft Discretions Policy statement in relation to the exercise of a number of discretions under the Firefighters' Pension Scheme Regulations (Wales) 2015, which would be reviewed on an annual basis.

Members considered the discretions outlined within the policy, namely in respect of delegation of the responsibility for the management and administration of the firefighters' pensions schemes to the Chief Fire Officer [Regulation 14 (2)], Continual Professional Development payments being treated as pensionable pay [Regulation 26 (1) (d)] and absence from scheme employment requiring payment of Member and Employer Contributions [Regulation 120 (2), (3) and (4)].

RESOLUTION

It was RESOLVED that the discretions policy at Appendix A be approved.

11. TO RECEIVE AND APPROVE A REPORT ON THE APPOINTMENT OF A SERVICE CHAPLAIN TO THE SWANSEA AREA

The Corporate Head of Resources provided a synopsis of the valuable work undertaken by the Service Chaplains, on a volunteer basis, across the Service area.

It was reported that Reverend Canon Jonathan B Davies had recently stepped down as Chaplain for the Swansea and Neath Port Talbot areas following his recent appointment as the Archdeacon of Gower. Members were pleased to note that Reverend Canon Illtyd Protheroe had kindly offered to extend his services to cover the counties of Swansea and Neath Port Talbot in addition to the Carmarthenshire, Ceredigion and Pembrokeshire areas already covered.

Councillor W Evans extended his appreciation for the valuable work undertaken by the Service Chaplains and for the support provided by Reverend Canon Illtyd Protheroe during his chairmanship on the Fire Authority. These comments were echoed by the Chair and Councillor S Paddison, who were pleased to note that the Chaplaincy service was provided for everybody without exception, regardless of religious persuasions or denomination.

RESOLUTION

It was RESOLVED that

- 1. The report be noted;*
- 2. The extended services of Reverend Canon Illtyd Protheroe to cover the Swansea and Neath Port Talbot county command areas be approved.*

12. TO RESOLVE 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 AND PARAGRAPH 18, INFORMATION RELATING TO ANY ACTION TAKEN OR TO BE TAKEN IN CONNECTION WITH THE PREVENTION, INVESTIGATION OR PROSECUTION OF CRIME.

RESOLUTION

It was RESOLVED that the press and public be excluded from the meeting pursuant to Section 100A (4) of the Local Government Act 1972 for the above reasons, and that it was in the public interest to do so.

All members of the public and Mr H Jones departed the meeting at this point.

13. TO RECEIVE AND NOTE A REPORT ON THE REDUCTION IN INCIDENT RESPONSE UNIT PROVISION ACROSS WALES.

The Director of Operational Support and Improvement presented a report to Members on the reduction in Incident Response Unit provision across Wales.

RESOLUTION

It was RESOLVED that the recommendations outlined in the report be noted.

R Quin, R Thomas, I Cray and M Harries departed the meeting at this point.

14. TO RECEIVE AND APPROVE A REPORT ON THE RE-EMPLOYMENT OF A RETIRED FIREFIGHTER

The Corporate Head of Operational Support and Improvement presented a report to Members on the re-employment of a retired firefighter.

RESOLUTION

It was RESOLVED that the Fire Authority approved the recommendations outlined in the report.

Exclusion of the press and public lifted – Members of the press and public were now free to re-join the meeting.

15. 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 11:55.