

**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
20 MAWRTH 2017**

MINUTES

OF THE FIRE AUTHORITY MEETING

**The Caer Suite,
Fire and Rescue Service Headquarters, Carmarthen
20 MARCH 2017**

10.00 – 11:36

64% PRESENOLDEB/ATTENDANCE

Presennol yn y Cyfarfod/Present at Meeting:

Cadeirydd/ Chair:

Councillor J Dudley

Is-Gadeirydd/ Deputy Chair:

Councillor R Rees-Evans

Aelodau/Members:

Cyng/Cllrs: P Black, K Curry, J
Curtice, S Davies, L Frayling, R
Llewellyn, S Paddison, K Pearson, P
Pritchard, E Thomas, G Thomas, J
Warman, A Wilcox, E Williams

Ymddiheuriadau/Apologies:

Cyng/Cllrs: C Anderson, C Evans, W
Evans, J Hale, T Hennegan, P James,
G Walker, J Williams

Yn Bresennol /In Attendance:

D Daycock, C Davies, M Crennell, R
Quin, K Jones, C Williams, R Thomas,
I Cray, M Harries, C Jackson, M Jones
(Wales Audit Office), A Butler (Wales
Audit Office)

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors C Anderson, C Evans, W Evans, J Hale, T Hennegan, P James, G Walker and J Williams.

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.

All Members declared a personal interest in Item 5 of the Agenda relating to the Annual Report of the Independent Remuneration Panel for Wales 2017/18.

Councillor R Rees-Evans declared a prejudicial interest in Item 9 of the Agenda relating to Biennial Chairs.

3. CHAIR'S ANNOUNCEMENTS / PERSONAL MATTERS

The Chair extended a warm welcome to Mr Mark Jones of the Wales Audit Office who was in attendance to present Item 6 of the Agenda, namely the Statement of Accounts for the Financial Year Ended 31 March 2016.

The Chair and Deputy Chair were pleased to report that Councillor P James was recuperating well following his recent operation. Members extended their best wishes to Councillor James for a speedy recovery.

4. TO CONFIRM AND SIGN AS A TRUE RECORD THE MINUTES OF THE FIRE AUTHORITY MEETING HELD ON 6 FEBRUARY 2017

The minutes of the Fire Authority meeting held on 6 February 2017 were approved as a true record of proceedings. There were no matters arising.

5. TO RECEIVE AND NOTE THE ANNUAL REPORT OF THE INDEPENDENT REMUNERATION FOR WALES 2017/18

The Clerk / Monitoring Officer presented the annual report of the Independent Remuneration Panel for Wales (IRPW) which set out its determinations on the payment of remuneration and allowances to Members and Co-opted Members of Fire and Rescue Authorities for the 2017/18 municipal year.

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, made payable from the date of the Authority's Annual General Meeting.

The Clerk / Monitoring Officer explained that an annual Schedule of Member Remuneration setting out the specific payments that the Authority intended to make to Members and Co-opted Members in accordance with the levels of remuneration and

allowances determined by the IRPW was also required to be published no later than the 30th September.

RESOLUTION

It was RESOLVED:

- 1. That the IRPW's determinations in relation to Members' allowances and remuneration, for the 2017/18 municipal year be noted.***
- 2. That delegated authority be given to the Clerk / Monitoring Officer to update the Schedule of Member Remuneration within the Authority's Constitution and to make any necessary amendments to the 2017/18 Schedule from time to time during the municipal year in order to reflect any changes in membership of the Authority or Committees, or as a result of any Supplementary Reports issued by the Independent Remuneration Panel for Wales.***

6. TO RECEIVE A VERBAL UPDATE REGARDING THE STATEMENT OF ACCOUNTS FOR THE FINANCIAL YEAR ENDED 31 MARCH 2016

The Chief Fire Officer referred to the correspondence issued by the Wales Audit Office regarding the audit of the 2015/16 financial statement which had been circulated to Members immediately prior to the meeting and explained that whilst Mr M Jones would speak fully regarding the letter, members should be aware that two sentences had been redacted due to a technicality relating to the signing of the accounts. Members expressed their disappointment in receiving a redacted version of the letter at short notice and the Chief Fire Officer duly clarified that the redacted element of the correspondence was purely for ease of presentation due to a difference in interpretation of legislation between the Service and the Wales Audit Office.

Mr M Jones of the Wales Audit Office spoke regarding the letter, and reported that the Service had submitted its revised financial statements to the Wales Audit Office on 2 March 2017. In considering the recommencement of the audit, Mr M Jones emphasised the importance of retaining the same audit team to ensure good continuity of knowledge, and to ensure that the audit would not be compromised by using auditors who were unfamiliar with the matters that had arisen around the 2015/16 audit. It was explained that, due to current staff commitments, the Wales Audit Office aimed to conclude its audit by the end of May 2017 and accordingly, the Statement of Accounts would be considered at a meeting of the Fire Authority in the summer/autumn 2017. Mr M Jones further reported that the Wales Audit Office would liaise with the Service regarding the timetable for the preparation and audit of the 2016/17 financial statements once all matters had been concluded for 2015/16.

In response to a query, Mr M Jones provided his interpretation of the Accounts and Audit Regulations 2014 which in his view, required the Statement of Accounts to be signed as a true and fair view by the Responsible Finance Officer within relevant Local Government body, prior to certification from the Auditor. Mr. Jones' interpretation of the Regulations was that accordingly the Interim Head of Finance for the Fire Authority

would be required to re-sign the Accounts recently submitted to WAO prior to his Team conducting the Audit. In response to this, the Interim Head of Finance set out her view of the process, and her precise interpretation of the Accounts and Audit (Wales) Regulations 2014, Part 4, Paragraphs 10 (1) and (2) inclusive which in her view, did not provide that the Accounts submitted in July 2016 required signature again, and that final signature should wait until after the Audit had been concluded. Accordingly, the Interim Head of Finance stated that, under the precise wording of the Regulations, WAO were required to undertake the Audit, and then prior to submission the Fire Authority, inform her of any material changes, or otherwise, prior to submission to the Fire Authority for signing by the herself, as Interim Section 151 Officer and the Chair of Authority. This view was accepted by Members.

Reference was made to the forthcoming Local Elections in May 2017 whereby a number of Members expressed their disappointment that the issues relating to the 2015/16 Statement of Accounts would therefore not be resolved by the current Fire Authority before the election. The Chief Fire Officer acknowledged Members' sentiments in this regard and explained whilst every effort had been made by the Service and Wales Audit Office to conclude matters prior to the Local Government Elections in May 2017, it had not been possible to do so for the reasons provided.

Mr M Jones and Ms A Butler departed the meeting at this point (10.30).

RESOLUTION:

It was RESOLVED that the verbal update regarding the Statement of Accounts for the financial year ended 31 March 2016 be noted.

7. TO RECEIVE AND NOTE A REPORT ON THE JOINT PUBLIC SERVICE CENTRE PROJECT (JPSCP)

The Chief Fire Officer provided an overview of the progress made in relation to the Joint Public Service Centre Project (JPSCP) since its launch in April 2014.

The Chief Fire Officer was pleased to report completion of the building work which provided a high quality working environment for members of staff. However, frustrations remained with Capita (contract providers for the control system) who had advised that they were unable to achieve the February 2017 go live date due to their failure to deliver the software requirements as specified within the contract. Members were informed that a Site Acceptance Test (SAT) re-run was planned to take place in March 2017 and, if the required standards were met, the revised go live date would be within the first two weeks of May 2017.

Members were assured that staff engagement was a key feature of the project and employees were kept apprised of progress by way of site visits, monthly newsletters and regular update meetings.

The Chief Fire Officer reported that the Authority would not release any payment to Capita until the contractual standards had been met and Members were reassured that the Authority would not accept a sub-standard product in this regard. Members were

informed that the Authority had negotiated compensation from Capita in the form of additional enhanced hardware and software packages to offset the delays between July 2016 and February 2017. Furthermore, given that the project had been further delayed beyond February 2017, it was reported that the Authority would be seeking financial compensation for the costs incurred. The Chief Fire Officer addressed a number of Members' queries in relation to procurement, costings, timescales, staffing and project board representation.

Members expressed their disappointment with Capita who Members felt had not provided sufficient resources to the project which had resulted in significant delays to the go live date. However, notwithstanding frustrations relating to the software providers, it was acknowledged that the end product would provide a market-leading, multi-agency collaborative software solution.

RESOLUTION:

It was RESOLVED that progress of the Joint Public Service Centre Project be noted.

8. TO RECEIVE AND NOTE A VERBAL UPDATE ON THE CONSULTATION RESPONSE TO THE WELSH GOVERNMENT'S WHITE PAPER 'REFORMING LOCAL GOVERNMENT: RESILIENT AND RENEWED'

The Chief Fire Officer reported that the White Paper Consultation entitled 'Reforming Local Government: Resilient and Renewed' outlined the Welsh Government's statement of intent about the future of local government in Wales. Members were informed that the consultation period would close on 11 April 2017 and accordingly, guidance was sought from Members with a view to shaping a response from the Authority. The Chief Fire Officer drew attention to the salient points outlined within the consultation document and particular attention was paid to the proposals to introduce 'joint governance committees', which would require decisions to be made for the benefit of the region and involve the pooling of budgets; broadly similar to the operating arrangements for fire and rescue authorities.

Consideration was given to section 4.3 of the document which highlighted the improved performance of Fire and Rescue Services in terms of reduced number of fires and fire casualties since 2004. It was noted that amendments to Fire and Rescue Authorities' governance and funding arrangements were proposed within the document, in addition to proposals to introduce an alternative Performance Framework for Fire and Rescue Authorities which would repeal the Local Government Measure 2009.

Councillor S Paddison expressed the view that the current operating arrangements for Fire and Rescue Authorities demonstrated best practice. Councillor K Pearson endorsed these sentiments, but felt that the Welsh Government should also revise the funding arrangements for Fire and Rescue Authorities and should be responsible for ensuring that sufficient funding was provided to allow Fire and Rescue Authorities to operate efficiently.

Councillor R Rees-Evans reported that he understood that it was the Welsh

Government's intention to undertake a further consultation in due course as to the new governance, funding and performance management arrangements for Fire and Rescue Authorities.

RESOLUTION:

It was RESOLVED that the verbal update on the consultation response to the Welsh Government's White Paper 'Reforming Local Government: Resilient and Renewed' be noted AND

That the CFO to draft a response on behalf of the Fire Authority in order to comment upon this consultation, although a more detailed response would be developed once a Fire Service specific White Paper is published later in the year.

9. TO RECEIVE AND APPROVE A REPORT ON AMENDMENTS TO THE FIRE AUTHORITY CONSTITUTION – BIENNIAL CHAIRS

Councillor R Rees-Evans declared a prejudicial interest and departed the meeting at this point.

The Clerk / Monitoring Officer presented a report to Members regarding a possible amendment to the Constitution relating to the term of office of Chairs of the Fire Authority. It was reported that the Chair of the Authority had requested for Members to consider extending the duration of the term of office for the Chair of the Fire Authority, to a biennial rotation to allow sufficient time for the Chair to be embedded into the role and which would also provide a degree of consistency and stability to the Authority. Members were reminded that it was a legal requirement to elect a Chair on an annual basis, therefore any decisions made would not be binding on the new Fire Authority from 2017 onwards, who would have the authority to resolve to amend the Constitution as they deemed appropriate.

Members were informed that the Chairs of both North and South Wales Fire and Rescue Authorities had remained the same for a number of years.

The Clerk / Monitoring Officer reported that the matter had been discussed at the Democratic Services Forum on 10 October 2016 who had recommended that a report regarding amendments to the Fire Authority Constitution regarding biennial Chairs to be considered at a later date, following the outcome of the Local Government elections 2017.

The Chair appraised Members of the significant workload of a Chair of the Fire Authority, in particular following the introduction of the Well-being of Future Generations (Wales) Act 2015, Public Service Boards, Local Pension Boards, National Issues Committee meetings and Welsh Local Government Association Meetings, which provided a substantially increased workload. The Chair therefore felt that it would be more beneficial for a two year term in order to allow additional time to understand the complexities and commitments assigned to the role of the Chair of the Fire Authority, and provide further continuity in this regard.

Councillors R Llewellyn and G Thomas referred to their tenure as Chairs of the Fire Authority and updated Members on the significant level of commitment associated with the role.

The Chief Fire Officer outlined the challenges associated with an annual change of Chairs and expressed the view that a two year tenure would support the strategic issues ongoing within the Service.

Some Members noted their support for a biennial term of office for the role of Chair whereas others expressed concerns relating to the resultant 12-year rotation period which was considered too lengthy. Concerns were also raised that a newly appointed Member of the Fire Authority could be made Chair, with no previous experience or understanding of the Fire Authority.

Councillor E Williams proposed an amendment, which was seconded, which read:

‘That the decision on the proposed amendment to the constitution in relation to Biennial Chairs should be made following the Local Government Elections 2017’.

Upon being put, the amendment was lost.

The substantive motion was considered. Upon being put, the recommendation was carried.

RESOLUTION:

It was RESOLVED that

- 1. Article 5.1 of the Constitution be amended to state that the Chair and Deputy Chair's Term of Office be changed to a two-year period commencing in 2017, with the Deputy Chair following the Chair into Office. Each Chair and Deputy Chair to be selected by rotation from each Constituent Authority over a twelve-year period and nominations from each Authority to normally be in accordance with the seniority in terms of years served as a Councillor with the Fire Authority, as follows:***

***2017/19 - Ceredigion
2019/21 – Swansea
2021/23 – Carmarthenshire
2023/25 – Powys
2025/27 – Pembrokeshire
2027/29 – Neath and Port Talbot***

- 2. The Monitoring Officer amends the Constitution accordingly.***

Councillor R-Rees Evans re-joined the meeting at this point.

10. EXCLUSION OF THE PRESS AND PUBLIC

RESOLUTION

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

Paragraph 14: information relating to the financial or business affairs of any particular person (including the Authority holding that information).

11. TO RECEIVE A REPORT ON THE ABSENCE OF AN INDIVIDUAL

The Clerk / Monitoring Officer presented a report on the absence of an individual, in line with the provisions of the Local Government Act 1972 and Article 2 of the Authority's Constitution.

Members considered the circumstances surrounding the individual's absence and agreed to an extended period of absence of up to a further six months.

RESOLUTION

It was RESOLVED that the extended absence of the Councillor be approved for a period of up to six months.

Exclusion of the press and public lifted – open session resumed.

12. 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 11:36.