

9 June, 2015

LLANELLI RURAL COUNCIL

Minute Nos: 73 – 81

At a **COUNCIL** Meeting of the Llanelli Rural Council held at the Council Chamber, Vauxhall Buildings, Vauxhall, Llanelli, on Tuesday, 9 June, 2015, at 6.00 p.m.

Present: Cllr. S. M. Donoghue (Vice Chairman in the (Chair))

Cllrs.

F. Akhtar	H. J. Evans
T. Bowen	M. L. Evans
L. J. Butler	S. N. Lewis
S. M. Caiach	A. G. Morgan
D. M. Cundy	J. S. Phillips
S. L. Davies	C. A. Rees
T. Devichand	A. J. Rogers
W. V. Thomas	

73. APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs. L. A. Beer, M. V. Davies, R. E. Evans, T. J. Jones and G. H. Wooldridge.

74. MEMBERS' DECLARATIONS OF INTEREST

No declarations of interest were made.

75. CHAIRMAN'S ANNOUNCEMENT

The Chairman welcomed Mr Darren Rees to the meeting who had just taken up post as the Council's Community Development Officer. Members wished him well in his new role.

76. MID AND WEST WALES FIRE AND RESCUE AUTHORITY

Further to Minute No. 393 (10 February, 2015), the Chairman welcomed to the meeting Mr Andrew Hearne, Fire Brigade Union and Mr Adrian Hughes, Retained Fire Fighters Union.

The Chairman invited the representatives to deliver their briefing about the new rostering pattern at Llanelli Fire Station in order to assess what impact the changes to the work pattern had on the front line service to the public.

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Mr Hearne gave a brief introduction and informed Members that the Fire Brigade Union's (FBU) current position on Self Rostered Crewing (SRC) had not changed from the day it was implemented. The FBU was firmly opposed to this system which saw Fire Fighters work in excess of 84 hours a week consecutively. The FBU believed that this did not only pose a threat to Fire Fighters but also the public because this arrangement did not conform to the Working Time Regulations 1998.

Mr Hearne went on to say the NHS published a very interesting document in 2014, titled 'The Implementation of the Working Time Directive and its Impact on NHS Professionals'. It described the adverse impact to patients and indeed NHS workers themselves, when they would remain in the hospital to provide on-call cover at night after they had carried out their normal days' work, only for them to return to work in the morning and see this cycle repeat itself for days at a time. This was very much the same as how SRC operated in Llanelli. Fortunately, within the NHS this practice had now ended, it was considered illegal and contrary to the Working Time Regulations 1998 and yet this practice had now found itself operating within the Fire Service. It took many failures in patient care for this to be addressed and highlighted by the NHS. The FBU sincerely hoped that it didn't take a Fire Fighter or a member of the public to be injured or worse before this issue was dealt with by the Service once and for all.

In terms of statistics and performance at the station, for the period of April 2014 and April 2015 the FBU had been made aware that there was an 11.6% increase in accidental dwelling fires. A similar trend was seen in Pontardawe, another SRC station in 2012 to 2013, they experienced an increase of 33% in dwelling fires – this was whilst community safety output, specifically home fire safety checks had dropped by 66%. The FBU would be monitoring this particular issue and would be requesting additional data to see if this was a common theme within the SRC system.

Equally important was the issue of jobs, there were now 15 fewer jobs available to the young people in the community of Llanelli. Mr Hearne commented that it was disappointing that many young people who may have wished to aspire to become a Fire Fighter in Llanelli would find it that much more difficult to do so. Inherently, this situation had been brought about by the reduction in funding by the Welsh Government. The Fire Service in Mid and West Wales and indeed Wales represented a fraction of the Welsh budget settlement, and overall provided a first class service, yet cuts continued year after year. The message to the Welsh Government needed to be clear that any more cuts to the budget for fire would compromise public and Fire Fighter safety. The FBU hoped that in the future it would be able to negotiate a more sensible working pattern for the fire station at Llanelli which better supported the communities in Llanelli and the Fire Fighters that work it.

Mr Hughes then took his turn to address Members. He thanked Members for the invitation to the meeting and stated the SRC at Llanelli Fire Station were happy within their work, their shift pattern and generally happy with the set up at the fire station. There had been financial pressure because of the cuts being made by the Welsh Government but Llanelli Fire Station had already introduced the changes by making the improvements and the savings had been re-directed into safety posts. Mr Hughes commented that the changes brought about by introducing SRC arrangements in Llanelli realised annual savings of £300,000 to £400,000. Response times were on a par or slightly better than the former work pattern. The savings achieved had been invested into community safety initiatives aiding the prevention of fire and call rates had fallen as a result. He stated the crew at Llanelli felt they were able to do more

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work and had volunteered to take on co-responder duties, this entailed backing up the ambulance service and it enhanced the level of protection. The SRC provided a stable working environment which guaranteed turn out times, was robust, reliable and protected the public of Llanelli. The SRC had separate sleeping/living quarters in the station in order to accommodate the crew and this did not delay the turn out times when dealing with call outs.

General discussion ensued and a number of questions were posed by Members during which representatives were invited to comment more about the SRC work pattern. Members were concerned that fire fighters were working long hours without a day off. They believed it would affect their family life and also being tired would put public lives and themselves in danger. It was important that the fire fighters had a balance of family life and working life and that their lives were not put in jeopardy: safety was paramount. Members felt it was appropriate to lobby Welsh Government in order to protect the service.

Members referred to the working time directive and the claim that crews could spend up to five days in the station without being allowed to leave. Mr Hughes replied stating the crew worked a combination of positive hours and stand down hours. During periods of stand down fire fighters were permitted to leave the station but were issued with pagers. However, Mr Hearne interjected and stated fire fighters were tired on duty and having to stay in the station for long periods was impacting upon family life. Mr Hughes confirmed that it was a management issue not to have excessive duty periods. Fire fighters had elected to work longer shifts in order to bank hours to take more time off. This had amounted to as much as four to six days off in lieu.

Mr Hughes stated that the five days working was exceptional and was a one off. The fire fighters were in charge of the self rostering system. He encouraged Members to visit Llanelli Fire Station to see for themselves how the new system was working and to speak to the fire fighters.

Mr Hearne commented that the previous fire fighters that were based at Llanelli Fire Station before the new system was in place were not prepared to work the new rota system and were displaced to other fire stations. This resulted in the job vacancies being offered to the retained fire fighters. Making the transition from part time fire fighters to whole time fire fighters was very difficult. He could understand why they had volunteered to take up the new roles and that it was difficult in such instances not to follow managerial requirements surrounding the operation of the service. The situation needed to be carefully scrutinised; he was aware of some fire fighters working in excess of 96 hours per week and they were in charge of key large equipment. Members concurred that given levels of unemployment people took what jobs they could get and were unlikely to turn down work.

Mr Hearne confirmed some of the savings that had been re-invested into the Llanelli Fire Station had created community safety posts. Mr Hearne stated that there was concern however that more cuts would be made in the future and this would have a detrimental effect on the public of Llanelli. He agreed that support was required from the Council to lobby the Welsh Government.

Mr Hearne confirmed that it was reassuring that there was a new ethos in the Fire Authority to work with the Unions. This was positive. In response to a question about the amount of savings achieved and how could the Council offer support in order to help Unions negotiate a better shift system. Mr Hughes stated it was important to focus on health and safety.

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Sometimes nobody would take ownership unless there was a serious incident which led to an investigation. Mr Hearne felt there needed to be a national position to reverse the system. This had happened in some other parts of the UK. He referred to a test case (Norman V Cheshire) and pensionable earnings. If this was upheld and applied across the service this would have a profound impact on savings achieved thus far. There was no easy answer to finding an ideal solution.

During discussion of the above, Cllrs. T. Bowen and L. J. Butler left the meeting

Members then referred to Llanelli being prone to flood and enquired about the fire station having the necessary resource and support. If crews had to be called in from outside of Llanelli how would this impact upon the rostering pattern. By way of response both union representatives confirmed it was a question of resilience. Mr Hearne stated Llanelli was a very busy station and had a full mix of incidents to contend with. Mr Hughes referred to the ability to pull in crews from other fire stations both locally and from across other counties. He referred to the flooding event in Aberystwyth a few years ago and the strategy adopted for effectively dealing with rescue operations. As an aside for demonstrating support for Llanelli fire station, he suggested that when writing to the Welsh Government, Members may wish to call upon Government to implement a statutory duty on the fire and rescue service to respond to major flooding to match Scotland and Northern Ireland which already had this duty in place.

Attention then turned to the public of Llanelli. If fire fighters were working long hours would the public of Llanelli be at risk? Members enquired whether there had been any health and safety near miss incidents because the feedback from official reports and statistics all seemed positive. Mr Hearne felt SRC did pose a risk and stated the incidence of accidental dwelling fires had increased. However, he would need to evaluate official figures before commenting on management claims. Mr Hughes however disagreed with Mr Hearne confirming residents were not at risk. He confirmed Llanelli communities continued to enjoy the same level of protection as they did three or four years ago.

Members then enquired about the future and the risk that further budget cuts might have on the service and Llanelli fire station. They expressed concern that further cuts might have a detrimental impact on the number of crew placements at Llanelli. Members were keen to retain a first class service and it was important to support the present complement of local fire fighters. Mr Hughes welcomed the Council's support and he welcomed Members to visit the station to speak to the crew to ascertain their points of view on the service arrangements. At the juncture, Members also felt the need to show positive support by formally writing to the Fire Authority over the general management and safety of the station.

In terms of the current configuration and the immediate future of Llanelli fire station both union representatives concurred that given the changes that had already taken place it was unlikely that Llanelli would be revisited by the Fire Authority with the expectation of making further budget savings. They referred to the Authority's risk reduction plans: there were no actions impacting upon Llanelli. Nevertheless, Members felt the situation required careful monitoring and stated they would appreciate if both union representatives could return to a future meeting to update the Council with their perspective on service arrangements.

During discussion of the above, Cllrs. S. L. Davies, T. Devichand, S. N. Lewis and A. J. Rogers left the meeting.

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The Clerk then summarised the list of action points emanating from the discussion and the Chairman thanked the representatives for attending the meeting. Following which they withdrew from the meeting, and it was

RESOLVED that:

1. The information received from the Fire Brigade Union and Retained Fire Fighters Union be noted.
2. A general letter of support be sent to Mr Leighton Andrews, Public Services Minister, Welsh Government calling for no further funding cuts to the Mid and West Wales Fire and Rescue Service's annual budget.
3. A general letter be sent to senior management at the Mid and West Wales Fire and Rescue Service setting out Members' views and concerns over the current crewing arrangements at Llanelli Fire Station amid concerns over the hours being worked and the potential detrimental impact on front line services and public safety.
4. Senior management representatives of the Fire and Rescue Services be invited to attend a future Council meeting following public consultation of the service's next draft annual improvement plan, the purpose being to discuss the future retention and safeguarding of key services being delivered from Llanelli Fire Station.

77. CONFIRMATION OF MINUTES

RESOLVED that the following Minutes (copies of which had been previously circulated to Members) be confirmed and signed as a true record of proceedings:

Adjourned Meeting	12 May, 2015
Adjourned Annual Meeting	14 May, 2015
Finance and General Purposes Committee	14 May, 2015
Recreation and Welfare Committee	14 May, 2015
Planning and Liaison Committee	14 May, 2015
Policy and Resources Committee	14 May, 2015
Civic and Ceremonial Committee	14 May, 2015
Community Development Grants Panel	14 May, 2015
Learning and Development Consultative Committee	14 May, 2015
Council	14 May, 2015
Planning and Liaison Committee	18 May, 2015
Recreation and Welfare Committee	19 May, 2015
Policy and Resources Committee	20 May, 2015
Special Council	21 May, 2015
Planning and Liaison Committee	8 June, 2015

**78. MATTERS ARISING
CODE OF CONDUCT TRAINING**

Further to Minute No. 38(2), the Clerk informed Members that he had attended the Code of Conduct training session held on 4 June, 2015, at County Hall, Carmarthen. The training session was very informative and he confirmed he was in the process of making the necessary

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arrangements with the Acting Deputy Monitoring Officer, Carmarthenshire County Council for a similar training session to be held at the Rural Council offices for the benefit of Members.

RESOLVED that the information be noted.

79. MATTERS REPORTED

RESOLVED that the schedule of matters reported be noted.

80. LLANELLI JOINT BURIAL AUTHORITY

Members received the following Minutes of a meeting of the Llanelli Joint Burial Authority held on 8 April, 2015:

“At the Meeting of the Llanelli Joint Burial Authority held at Vauxhall Buildings, Vauxhall, Llanelli, on Wednesday, 8 April, 2015 at 4:00 pm.

Present: M. V. Davies (Chairman)

Cllrs.

F. Akhtar
T. Bowen
L. J. Butler

R. M. Davies
P. J. Edmunds
V. J. Johns

C. J. Reed, MBE

99. APOLOGIES FOR ABSENCE

No apologies for absence were received.

100. MEMBERS' DECLARATIONS OF INTEREST

No declarations of interest were made.

101. CONFIRMATION OF MINUTES

RESOLVED that the following minutes (copies of which had been previously circulated) be confirmed and signed as a true record of proceedings:

Ordinary Meeting

-

11 March 2015

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102. INCOME AND EXPENDITURE REPORTS

RESOLVED that the income and expenditure report for February 2015 and the provisional report for March 2015 be noted.

103. SCHEDULE OF PAYMENTS

Consideration was given to the schedule of payments for March 2015, which revealed expenditure for the month amounted to £27,862.50.

RESOLVED that the information be noted.

104. PUBLIC BODIES (ADMISSION TO MEETINGS) ACT, 1960

RESOLVED that in view of the confidential nature of the business to be transacted the following matter be considered in private and that the power of exclusion of the public under Section 1(2) of the Public Bodies (Admission to Meetings) Act, 1960 be exercised.

105. CEMETERY LAND ENCROACHMENT

Further to Minute No. 62 Members were provided with a progress report on legal matters associated with the land encroachment. Members were keen to resolve the matter as quickly as possible and to that end it was

RESOLVED that the Cemetery Manager correspond with the legal department, Carmarthenshire County Council to progress engagement of legal counsel at the earliest opportunity.

FURTHER RESOLVED that this issue be regularly reported to committee and for the purposes of the committee's May meeting a copy of the most recent legal correspondence shall be annotated on the agenda together with a timeline of actions for resolving the matter.

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The meeting concluded at 4:25 pm”
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RESOLVED that the Minutes be noted.

81. LETTERS OF APPRECIATION

RESOLVED that the letters of appreciation for the Council's assistance received from the following, be noted with pleasure:

- (1) Bobath Children's Therapy Centre Wales;
- (2) Cruse Bereavement Care;
- (3) Felinfoel Family Centre; and

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- (4) Montgomeryshire National Eisteddfod 2015.

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The Meeting concluded at 7.10 p.m.

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