

Note of last Fire Commission meeting

Title:	Fire Commission
Date:	Monday 10 July 2017
Venue:	South side, 5th Floor, Layden House, Turnmill Street, London, EC1M 5LG

Attendance

An attendance list is attached as **Appendix A** to this note

Item	Decisions and actions
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1	Welcome, apologies and declarations of interest
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There were no declarations of interest.

2	Nick Hurd MP - Minister of State for Policing and the Fire Service
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The Chair introduced the Minister of State for Policing and the Fire Service, Nick Hurd MP, who was appointed to this role on 12 June 2017.

The Minister thanked the LGA for the invitation to speak at the Fire Commission meeting, stating that this was a valuable opportunity to have a conversation with members and acknowledging that this was a challenging role. The Minister emphasised the need to work together in the coming weeks, months and years ahead following the tragic events at Grenfell Tower. He said that there was a demand for change following the fire and that there were many lessons to be learnt. The Minister felt that we did not need to wait for the public inquiry before enacting change and he called on local government to come forward to help inform a proportionate response in terms of regulation and compliance with regulation.

The Minister praised the outstanding response by the emergency services to the Grenfell Tower fire and said that the service should be proud of their response, as well as the number of lives which were saved. He noted that the fire service had the trust and respect of the public, but that there was a need to continually challenge the service to improve, and to recruit and retain the best work force.

On issues aside from Grenfell Tower, the Minister stated that the fire service had made substantial progress in recent months and that he had been impressed with how the National Fire Chief's Council under Chair Roy Wilsher's leadership had worked to support the reform agenda. The Minister provided an update on the reform agenda, referring specifically to three areas: accountability and transparency, efficiency and workforce reform.

On accountability, the Minister suggested that an announcement on a future inspectorate would be made imminently. He said that while inspection can be uncomfortable, it was a necessary means to challenge the fire service to get better. On legislation for different governance arrangements and the decision to allow Police

and Crime Commissioners (PCCs) to take on responsibility for fire and rescue in their area, the Minister said that authorities could have the argument about accountability but not obstruct the process. He said that it would need to be a locally led decision effectively, because it was for local areas to determine the best governance for them.

In terms of efficiency and collaboration, the Minister said that there were effective existing examples of collaboration between fire and rescue services and police forces, and he would like to see more of this. He said that there was an opportunity for more efficient procurement and he suggested that goods data would continue to be published to ensure that public money was spent smartly. On workforce reform, the Minister confirmed that the Home Office was undertaking a review of the national framework and that the LGA was a member of the core working group looking at this. He said that views would be sought to ensure that the new framework meets everyone's needs.

The Minister concluded by saying that he was keen to find common ground cross-party and that the Government remained committed to work with partners to enable and embed the kind of change that is needed to underpin a culture of continuous improvement.

In response to the Minister's speech, members made the following comments:

- Members paid tribute to the fire services involved in responding to the Grenfell Tower fire and said that it was clear that current regulations were not fit for purpose. A suggestion was made that while fire services were put in control of fire safety inspections across all high rise blocks, they should also control fire safety inspections in homes of multiple occupation (HMOs), care homes, hospitals and schools. It was noted, however, that fire services do not have the resources or capacity to take this level of responsibility without additional support from central government. Further clarity was needed about where power and responsibility lies in terms of building control and inspection, and a point was made about the need to talk to those involved to get a sense of what they have experienced first-hand.
- It was accepted that change needs to occur but many members raised concerns about wider funding issues, stating that fire services used to have more money for emergency planning but that this money had been reduced. Members said that more resources were needed to improve fire services and safety, and money needed to be used effectively. The Minister agreed with the need for effective emergency planning and noted that the Prime Minister had earlier made clear the need to review emergency response strategies in terms of capacity and capability.
- Members made a number of comments about fire fighter pay and made it clear to the Minister that they were calling for pay rises to be funded by new money rather than through cuts to existing services. The Minister accepted that firefighters need to be paid a fair wage but he said that public finances continue to be constrained so any decision on pay needed to be sustainable. Active negotiations on pay were still underway. A discussion was had about the role of the firefighter and the Minister said that he was enthusiastic about the expanded role of firefighters and the ability to do a broader range of work, while also stating that the service should not lose sight of their primary role.
- The Minister said that one aspect of the review of the fire service would look at whether it was clear enough where accountability lies, whether the rules were

clear enough and what happens when they are not complied with.

- Members called on the Minister to support a drive for sprinklers in buildings. Members were clear that this was not a panacea and that other fire suppression measures need to be used in conjunction with sprinklers but that good regulations and sprinkler systems go a long way to promote public safety. It was suggested that the cost of sprinklers did not outweigh the benefits of having them and that we stood to risk more lives by not ensuring that homes, schools, offices and hospitals had them fitted either when new ones were built, or retrospectively. The Minister agreed that sprinklers were not a catch-all solution but that a conversation needed to be had about whether any progress was made since the Government wrote to all authorities in 2013 asking them to consider a coroner's recommendation to retrofit sprinkler systems wherever possible.
- The response of volunteers to the Grenfell Tower fire was praised but it was noted that the response was somewhat overwhelming and unorganised. A conversation was had about the need for volunteers and public protection partners to work together to ensure their response to incidents was coordinated and effective.

Decision

The Fire Commission **noted** the Minister's speech.

3 Grenfell Tower

The Chair introduced Dany Cotton, the London Fire Brigade Commissioner, and Phil Loach, Vice Chair of the National Fire Chiefs Council (NFCC), and noted that efforts were being made to hold a joint meeting between the lead members of the Fire Services Management Committee, Safer and Stronger Communities and Environment, Economy, Housing and Transport boards, as well as the NFCC to discuss fire suppression methods following Grenfell.

Dany Cotton spoke to members about her involvement in the Grenfell Tower fire and noted that many of the firefighters who responded had never witnessed previous incidents of this scale, complexity and horror. She gave thanks to all who had supported the London Fire Brigade following these events and she acknowledged that the long-term psychological impact on the firefighters involved would be significant.

The Commissioner outlined some of the challenges the fire crews faced as events were unfolding, including the number of residents still inside the building, the complexity of receiving so many emergency calls from people both inside and outside the building, the reaction of the public in the local area and concerns about the structure of the building. It was suggested that this would have a considerable impact on London and that fire services were battling continuously with carrying out fire safety inspections and reassuring the public.

The Commissioner noted that local authorities had been quick to fix some problems but she was concerned about a knee jerk response to remove cladding from buildings as it can be perfectly safe on many buildings. She said that more needed to be done about fire prevention inside buildings but that the coordinated response so far had been helpful. There had been some frustration, however, over stories reported in the

media which could not be responded to as events would be subject to a public inquiry. The Commissioner noted that a number of unfair comments had been made which harm the fire service but they could not be challenged in the circumstances. The Commissioner was clear that the important thing was to stay united in order to provide a consistent response to such reports.

The Vice Chair of the NFCC, Phil Loach, echoed members' praise for Dany Cotton and wanted his thanks recorded. He said that the NFCC had provided support in engaging with government departments in the wake of the fire and he noted that a key aspect of this had been dealing with local authorities carrying out safety inspections. Mr Loach said that this work had been underpinned by the Chair, Roy Wilsher's, leadership but also supported by contemporary expertise within the NFCC. He said that Chief Fire Officers and technical experts had underpinned the support effort.

Following these statements, members made the following comments:

- Members gave praise to the role the Commissioner, her firefighters and support staff had following the fire, and made clear that we should recognise the risks they take in the name of public safety.
- It was agreed that improvements needed to be made and that a clear commitment from both the LGA and the NFCC that they would work together to make unified calls on the Government would be welcome. Members felt that this was a time to listen to professional advice on how to improve and to ensure that change comes from the bottom up rather than having it imposed from the top down.
- On sprinklers, members asked whether they should be compulsory in high rise buildings and whether having any additional equipment could have helped tackle the blaze at Grenfell Tower. Members noted that the National Fire Sprinklers Association and the NFCC had already released a joint statement on their use and had already collated evidence about their benefits. The Chair told members that the LGA Chairman, Lord Porter, had recently said that this would be one of the biggest issues for the LGA, and that we would need to look at local government's capacity to deal with major incidents.
- A member suggested that there was an opportunity through the planning system to ensure that the last word on community protection should be with the fire service. It was suggested that the planning system has advantage over the building inspectorate because it is a transparent process. Consideration was given to the possibility of making it compulsory to seek advice or views from the fire service before a planning application can be approved. Concerns were raised in response to this comment about capacity and resources. If this was approved, fire services would need additional members of staff and it was noted that attracting trained engineers to the fire service could be very difficult.
- Members asked the Commissioner for her views on the use of equipment from neighbouring authorities and whether there were any contingency plans in place for services to request support from them. The Commissioner said that there had been conversations about establishing a register of assets so that services were aware of what neighbouring authorities in the way of equipment. She said that the cost of equipment means authorities would not be able to have their own stock of all equipment so there was a clear need to share equipment where possible. In terms of specialist skills, the Commissioner said there was a need to look at ongoing training requirements and ensuring that

where authorities have specialist skills and assets, they should share.

- Members said that having the Minister there to speak was helpful and that a further meeting should be arranged to discuss this issue for a longer amount of time. The Chair reminded members that attempts were being made to arrange a joint meeting between the FSMC, SSCB and EEHT lead members and that discussions would be had about the possibility of additional meetings in the future.

Decision

Fire Commission members **noted** the reports given by Dany Cotton and Phil Loach.

Action

Officers to arrange joint meeting with other boards' lead members.

4 Workforce paper

Cllr Nick Chard introduced this item and gave thanks to the members and officers who had contributed their time and expertise to this agenda.

The main item for discussion was the NJC Employees' pay claim. Cllr Chard reminded members that the NJC covers England, Scotland, Wales and Northern Ireland and discussion had subsequently taken place with all four employer stakeholders. As agreed, all FRS Chairs and CFOs had then been invited to attend one of three consultation meetings in Birmingham, Manchester and London. He noted that there appeared to be a difference in mood between meetings given two followed the fire at Grenfell Tower but there had been general consensus in all meetings that employees should be paid more, in the context of broadening the role of the firefighter. Securing continuation of the work being undertaken through the NJC trials was therefore also a major issue.

Cllr Chard explained that in developing an offer in response to the claim employer representatives had looked at a 1 per cent offer for 1/1/2017 but, mindful of the views at the consultation meetings as well, felt strongly that it would be necessary and appropriate to show a firm commitment at the outset of negotiations to increased salary levels. An additional non-consolidated 1 per cent was considered recognising the difficulties in doing so. This was discussed as part of the negotiation and it was very clear that such an approach would not be worth pursuing. The offer therefore, as set out in the report, was a simple 2 per cent at this time and a commitment to a further 3 per cent on 1/4/2018 subject to a deal having been agreed and government funding to cover the cost. Increases in the subsequent 2/3 years would be discussed as part of the deal. The FBU is currently consulting its membership on the offer as a whole, albeit that its Executive Council has indicated it believes the package is not acceptable. Cllr Chard confirmed that they expected to hear back from the FBU on or shortly after 24 July. He said that there were no intentions to change the existing offer and reminded members that the offer was conditional on the Employees' Side continuing its support for the emergency medical response (EMR) trials.

Members made the following comments:

- Members noted that alongside the 2 per cent pay increase offer was the offer of a further 3 per cent increase, though Cllr Chard explained this was a conditional

offer subject to the government agreeing to commit additional funding and a permanent deal being in place to broaden the role of the firefighter. There was recognition that members want to see better paid firefighters but that the additional 3 per cent increase needed to come from the government, alongside a longer-term broad agreement to ensure work such as that undertaken through the EMR trials continues now and on a permanent basis in the future.

- Members felt that the LGA needed to lobby hard to support the National employers call for funding. Some members felt that the main focus of these negotiations should be the transformation of the role and that getting caught up in discussions about the removal of the pay cap could reduce the chances of receiving support from the government.
- A point was raised about how to separate discussions about pay increase from affordability. Comments were made about whether the government should provide more funding in the way of a grant or if they should allow FRAs to raise more tax locally in order to afford pay increases. Cllr Chard noted that this would be a helpful idea but reminded members that not all authorities were combined. Any proposals would need to ensure a workable solution for all authorities.

Decision

The Fire Commission **noted** the update paper.

Action

Officers to progress as appropriate.

5 Fire Commission update paper

The Chair introduced the Fire Commission update paper and asked for comments:

- A discussion was had about the business case assessments for Police and Crime Commissioners (PCCs) taking over responsibility for fire services. The Minister said that the decision would be led locally but this was contrary to the details given in the update paper. The Chair suggested that the LGA policy was that if it would be a locally agreed decision, there must be a panel set up to look at the business case. LGA Adviser, Charles Loft, confirmed that an updated set of proposals had been sent to the LGA and that this would be forwarded to lead members with some commentary.

Decision

The Fire Commission **noted** the report.

Action

Officers to forward updated proposals on PCCs to Fire Services Management Committee lead members.

6 Notes from the previous meeting

Decision

The Fire Commission **agreed** the notes of the previous meeting held on 14 October 2016.

Appendix A -Attendance

Position/Role	Councillor	Authority
Chairman Vice-Chairman Deputy-chairman	Cllr Jeremy Hilton	Gloucestershire County Council
Members	Cllr David Acton	Greater Manchester Fire and Rescue Authority
	Cllr Colleen Atkins MBE	Bedfordshire Combined Fire Authority
	Cllr Alistair Auty	Royal Berkshire Fire Authority
	Cllr John Bell	Greater Manchester Fire and Rescue Authority
	Cllr John Briggs	Humberside Fire Authority
	Cllr Andy Brown	Nottinghamshire County Council
	Cllr Linda Burgess	Barnsley Metropolitan Borough Council
	Cllr Les Byrom CBE	Merseyside Fire and Rescue Authority
	Cllr Christopher Carter	Hampshire Fire and Rescue Authority
	Cllr Eric Carter	Telford and Wrekin Council
	Cllr Nick Chard	Kent and Medway Fire and Rescue Authority
	Cllr John Edwards	West Midlands Fire and Rescue Authority
	Cllr Vic Ellery	Devon and Somerset Fire and Rescue Authority
	Cllr Brian Greenslade	Devon and Somerset Fire and Rescue Authority
	Cllr Peter Harrand	West Yorkshire Fire and Rescue Authority
	Cllr Anthony Hedley	Essex Fire Authority
	Cllr Matthew Hicks	Suffolk County Council
	Cllr Ann Holland	Essex Fire Authority
	Cllr Judith Hughes	West Yorkshire Fire and Rescue Authority
	Cllr Mohammed Idrees	West Midlands Fire and Rescue Authority
	Cllr Thomas Judge	Greater Manchester Fire and Rescue Authority
	Cllr Mark Kiddle Morris	Norfolk County Council
	Cllr Rebecca Knox	Dorset and Wiltshire Fire and Rescue Service
	Cllr Nigel Moor	Gloucestershire County Council
	Cllr Stef Nelson	Cheshire Fire Authority
	Cllr Roger Phillips	Herefordshire Council
	Cllr Roger Price	Hampshire Fire and Rescue Authority
	Cllr Leigh Redman	Devon and Somerset Fire and Rescue Authority
	Cllr Roger Reed	Buckinghamshire and Milton Keynes Fire Authority
	Cllr Howard Roberts	Warwickshire County Council
	Cllr Bob Rudd	Cheshire Fire & Rescue Service
	Cllr Andre Gonzalez de Savage	Northamptonshire Fire Authority
	Cllr Colin Spence	Suffolk County Council
	Cllr Carol Theobald	East Sussex Fire Authority
	Ms Fiona Twycross	London Fire and Emergency Planning Authority (LFEPA)
	Cllr Thomas Wright	Tyne and Wear Fire and Rescue Authority

Apologies

Mr Gareth Bacon	London Fire and Emergency Planning Authority (LFEPA)
Cllr Brian Grocock	Nottinghamshire and City of Nottingham Fire and Rescue Authority
Cllr Susan Hall	London Fire and Emergency Planning Authority (LFEPA)
Cllr Judith Heathcoat	Oxfordshire County Council
Cllr Terry Hone	Hertfordshire County Council
Cllr Peter Jackson	Northumberland Council
Cllr Mehboob Khan	London Fire and Emergency Planning Authority (LFEPA)
Cllr David O'Toole	Lancashire Combined Fire Authority
Cllr Zoe Patrick	Oxfordshire County Council
Cllr Rowland Rees-Evans	Ceredigion County Council
Cllr John Robinson JP	County Durham and Darlington Fire & Rescue Authority
Cllr Nicholas Rushton	Leicester, Leicestershire & Rutland Combined Fire Authority
Cllr Kerry Smith	South Wales Fire Authority
Cllr Val Smith	Cumbria County Council
Cllr Janet Willis	Lincolnshire County Council
Cllr Nick Worth	