

Fire Commission update paper

Purpose of report

For noting.

Summary

The report outlines issues of interest to the Commission not covered under the other items on the agenda.

Recommendation

Members to note the update.

Action

Officers to progress as appropriate.

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Fire Commission update paper

Warwickshire – Atherstone-on-Stour trial outcomes

1. Warwickshire Fire and Rescue Authority and CFOA jointly published a press release (below) on 30 May 2012, following the acquittal of three firefighters for manslaughter. Both organisations will be contacting the Home Secretary and Justice Secretary to request an inquiry into why the three were prosecuted.
2. There appears to be growing concern in the sector over prosecutions of emergency service workers. There is as strong feeling that such legal actions against firefighters are counter-productive and damaging.

PRESS RELEASE 30 May 2012

Call for Home Office investigation into Atherstone-on-Stour fire prosecutions

- 2.1 Warwickshire Fire and Rescue Service and the Chief Fire Officers Association are writing to the Home Secretary and to the Justice Secretary to seek a formal investigation into why three Warwickshire fire fighters were prosecuted for alleged manslaughter.
- 2.2 The decision follows the acquittal of all three men at Stafford Crown Court. Timothy Woodward, Paul Simmons and Adrian Ashley each faced four counts of manslaughter following the deaths of four of their colleagues at a warehouse fire in Atherstone-on-Stour, Warwickshire in 2007.
- 2.3 Graeme Smith, the Chief Fire Officer for Warwickshire Fire and Rescue Service, said, "I am very pleased that the case against our three Incident Commanders has so comprehensively collapsed. I expected nothing less. It is now clear that these cases should never have been brought to court. I am relieved that their ordeal is over but I also feel a sense of sorrow and remembrance for the four brave fire fighters who died at Atherstone-on-Stour in 2007. We will now be seeking assurances from ministers that prosecutions like this never happen again."
- 2.4 Mr Smith expressed anger at the fact that the arsonists responsible for the Atherstone fire and the deaths of four fighters had not been caught. "Let me be clear about this," he said. "There is clear evidence that the Atherstone fire was arson. The police clearly thought it was because in 2009 they arrested several people on suspicion of arson. And during this court hearing we have discovered that the independent report into the

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cause of the Atherstone fire also concluded that it was arson. So why have the arsonists not been apprehended? And why instead did three innocent fire officers find themselves in the dock of a British court?"

- 2.5 "Something went badly wrong with this case. It's time for some answers. I want some answers, the three Incident Commanders want some answers and the families of those who died deserve some answers too," said Mr Smith.
- 2.6 Speaking shortly after the case ended Lee Howell, the President of the Chief Fire Officers' Association said, "There are important national issues at stake here. Do we want fire officers who are inflexible and ultra-cautious or do we want fire officers who use their initiative, their experience and their common sense when dealing with fires such as the one at Atherstone-on-Stour? Currently fire fighters face a "no win" situation. If they "play it by the book" they can find themselves pilloried as time serving "jobsworths" but if they use their initiative they can find themselves in court facing the loss of their liberty and their reputation. I am seriously concerned that fire officers up and down the country will now be asking themselves... why on earth would I ever want to be an Incident Commander?"
- 2.7 Warwickshire Fire and Rescue and the Chief Fire Officers Association will be writing to the Home Secretary and the Justice Secretary in the next few days.

Strategic Resilience Board

3. The Strategic Resilience Board met for the first time on 31 May 2012. The LGA has been successful in acquiring two places on the Board and will hold the position of vice chair jointly with CFOA. The LGA's positions are held by Cllr Mark Healey and Cllr Jeremy Hilton and will be advised by London Fire Brigade Commissioner Ron Dobson.
4. The inaugural meeting provided an opportunity for the Board to consider an overview of national resilience risk and to commission a study of local resilience capacity. This study will report at the next meeting in October. LGA members raised the issue of Maritime Incident Response Group and this will be a substantive item at the next meeting.

Assurance statements

5. The Draft National Framework proposes that all Fire and Rescue Authorities should prepare annual assurance statements. We understand that the statements are expected to cover governance, financial and operational matters and that they

will need to be signed off through the Fire and Rescue Authorities' governance arrangements. The intention is that the statements will provide assurance to Ministers and communities. Both the LGA and CFOA have questioned the need for the assurance statements, given that all of the information is publicly available on Fire and Rescue Authorities' websites and elsewhere. We have also expressed doubt that the process of producing the assurance statements can provide any additional assurance to ministers over and above that provided through existing statutory arrangements. We are continuing to work with DCLG on this matter.

Finance Bill

6. On Thursday 17 May 2012, the Government published seven technical documents relating to the Local Government Finance Bill. These papers cover detailed aspects of the Business Rate Retention Scheme and the Localisation of Council Tax Support. The documents can be accessed at:
<http://www.communities.gov.uk/localgovernment/localgovernmentfinance/lgfinancebill/>
7. The Government's Statement on the papers can be accessed using the following link:
http://www.parliament.uk/documents/commons-vote-office/May_2012/17-05-12/2DCLG-Local-Government-Finance.pdf
8. The LGA released a briefing on these documents on 18 May 2012 which may be of interest of members. Please see http://www.local.gov.uk/web/guest/local-government-finance-bill/-/journal_content/56/10171/3572240/ARTICLE-TEMPLATE for the full briefing.

LGA Annual Conference

9. The LGA's annual conference is now only 11 days away. This year it will be taking place from 26 to 28 June 2012 at the International Convention Centre, Birmingham. So far 11 of Fire and Rescue Authorities have registered to attend. We are holding a session on the **future funding of fire services** at 8.00am on Thursday, 28 June 2012. The session is aimed at members and will build on the broad future funding model that will be discussed earlier in the week. It will be looking at future cost pressures and income and engender a discussion on future service models. Speakers will include Cllr John Livings (Chairman, East Sussex Fire Authority), Kieran Timmins (Merseyside Fire and Rescue) and Steve McGuirk (Greater Manchester Fire and Rescue).

10. If Fire and Rescue Authorities would like to send representatives please visit the conference website at <http://sites.idea.gov.uk/annual-conference-2012/>.

Fire Conference 2013

11. The dates for next year's event are confirmed as 12 – 13 March 2013 at the Hilton Metropole, Brighton.

Skill for Justice – payments

12. Payment for subscriptions for Skills for Justice go directly to West Sussex this year. Thanks to those who have made their payments. There are seven outstanding payments totalling nearly £35k. It would be appreciated if members could check with their Authorities if payments have been made.

CFOA Innovations Children & Young People Event 2012

13. CFOA are holding this one day event on Tuesday, 10 July 2012 at the Microsoft Campus, Thames Valley Park, Reading, RG6 1WG. The event follows on from their previous event on Breaking the Cycle of Negativity back in October 2011 which centred on the civil disturbances of August 2011. The day will focus on the National Citizen Service (NCS) from the Department of Education and existing and new CYP programmes. The keynote address will be delivered by Tim Loughton MP, the Parliamentary Under Secretary of State for Children and Families. To find out more about this event and to book please go to <http://www.cfoa.org.uk/12891>.