

Notes of Decisions Taken and Actions Required

Fire Services Management Committee

23 November 2009

at Local Government House, London

Present

Chairman:	Cllr Brian Coleman (LFEPA / LB Barnet) (Conservative)
Vice Chair:	Cllr Fred Walker (Greater Manchester FRA) (Labour)
Deputy Chair:	Cllr Paul Shannon (Greater Manchester FRA) (Liberal Democrat); Cllr Christopher Newbury (Wiltshire and Swindon Fire Authority) (Independent Group)
Conservative:	Cllr Richard Hobbs (Warwickshire CC); Cllr Tony Arbour (LFEPA / LB Richmond); Cllr James Pearson (Greater Manchester FRA); Cllr Paul Bryant (Royal Berkshire CFA); Cllr Kay Hammond (Surrey CC); Cllr Tony Ward (West Midlands FRA)
Labour:	Cllr Mehboob Khan (West Yorkshire FCDA); Cllr Navin Shah (London FEPA); Cllr Brenda Forster (Cleveland FRA)
Liberal Democrat:	Cllr Jeremy Hilton (Gloucestershire FRS); Cllr Roger Price (Hampshire FRA)
Apologies:	Cllr Bertha Joseph (LFEPA / LB Brent)
In attendance:	Commissioner Ron Dobson (LFEPA); Dave Webb (CFO Leicestershire); Sir Ken Knight (CLG) (items 3 and 5 only); Nick Collins (Audit Commission) (item 1 only); Roger Hargreaves (CLG) (item 2 only); Helen Murray, Trish O'Flynn, Clive Harris and Paul Johnston (LGA)

The Chairman welcomed Commissioner Ron Dobson, LFEPA, to the meeting as the Committee's Principal Advisor for 2009 / 2010.

1. Comprehensive Area Assessment – early findings

The Committee welcomed Nick Collins, Audit Commission, to the meeting.

Nick gave a brief presentation on the Comprehensive Area Assessment (CAA). In his presentation, Nick outlined the key difference between the CAA and the CPA, the system it had replaced. Nick informed Members of the early results of the CAA, adding that one of the early findings was the excellent work done by many Fire and Rescue Services and that work needed to be done to ensure increased visibility of this good work.

Nick stated that Fire and Rescue Authorities were doing well in comparison with other types of Authorities, including on use of resources, noting that Authorities benefitted from positive, “can-do” cultures, achieved well against key indicators, and enjoyed a high level of public satisfaction with the service they provided.

Nick outlined potential areas for FRAs to focus in the future, stating that there was work to do on sharing of best practice amongst Authorities, and on ensuring that FRAs better represented the communities that they served. The future work that the Audit Commission would concentrate on were also outlined, and these work streams included driving value for money, marketing the role of fire in partnerships and addressing environmental impact.

Members thanked Nick for his presentation. The following points were raised:

- Members agreed that partnership working and promoting the Fire and Rescue Service were key areas for FRAs, but that this should not detract from the Authorities’ main focus being on delivering a comprehensive and effective fire and rescue service. Members argued that Authorities, and the CAA, needed to look at which partnerships were delivering focussed and innovative results and review those which were not.
- Members enquired on the amount of time given to Authorities to appeal the results of the first CAA. Nick responded that this was a concern that had been raised at other fora and that he would feed this back.
- Members felt that Nick’s presentation had highlighted some variation in the assessment scores of FRAs, and that sharing of best practice would help in addressing those variations. Members added that the LGA Group would have a role in sharing of best practice between FRAs and from other parts of the public sector
- Members felt that the CAA was overly focussed on processes rather than outcomes. Nick responded that there was some further work to do to ensure that the assessment process was more outcome-focussed.
- Members expressed concern over the regulatory burden imposed by various inspection regimes, and enquired whether there would be a ‘lighter touch’ for high performing Authorities. Nick responded that the Audit Commission would continue to work closely with weaker Authorities to improve performance, and would seek to minimise regulatory burden on Authorities.
- Commissioner Ron Dobson stated that Chief Officers shared Members’ concern on regulatory burdens and how they affect different types of authorities and added that there was a role for FRAs to play in promoting fire and rescue services and in sharing good practice.

Decision

The Committee agreed that lead Members would agree a response to the “Freedom to Lead” consultation.

Action

Officers to prepare a draft response for Lead Members’ consideration. **Trish**

O'Flynn

2. FiReControl – alternative options

The Committee received a presentation from Roger Hargreaves, Department of Communities and Local Government. Roger indicated that the pace of technical work was satisfactory and that equipment was being delivered across the country. Some difficulties had been reported with the equipment thus far delivered. Roger added that there had been senior level engagement between the Government and EADS to assure progress with the timetable and EADS had offered positive assurances on this.

Roger noted that a Select Committee inquiry would be taking place on FiReControl, with evidence for the Committee sought by early January 2010. Members enquired over the remit of the Committee, with officers responding that the Select Committee had been established following concerns over delays in programme delivery, but that the Committee had a remit to look at any aspect of the programme.

Following Roger's presentation, Members raised concern over the commercial decisions taken by EADS in relation to its sub-contractors. Roger confirmed that this issue would be progressed in the near future and reiterated that EADS had offered strong assurances on its ability to deliver on time.

In response to the paper presented to the Board, Members raised the following points:

- Members expressed concern that the paper implied that the fourth option misrepresented Conservative party policy. Officers responded that no political point was intended within the report.
- Members were disappointed that the report did not set out more clearly how the potential alternative options listed would meet the need for national resilience. Similar concerns were raised over a lack of full detail set out within each option. Officers responded that the report was based on information currently available and that more detail could be provided once that became publicly available. Members noted that Fire and Rescue Authorities had been consulted in the preparation of the report.
- Discussions were held over Fire Link, and what, if any, crossover there would be between this programme and FiReControl. Members emphasised that Fire and Rescue Authorities should not carry any financial burden for Fire Link or any decision made to cancel the FiReControl project.
- Dave Webb added that Chief Fire Officers had expressed increasing concern over the ability of EADS to deliver on the FiReControl project, and that concern was similarly held on the possible implications of any fresh decisions over sub-contractors.
- Members noted that public safety, firefighter safety and resilience should form the Committee's key priorities for any scheme.

The Chairman stated that an additional meeting of the Forum was not merited at this stage to discuss FiReControl.

The Chairman encouraged submissions from FRAs and Regional Management Boards to the Select Committee, and asked that officers press strongly for the LGA to give oral evidence to the Committee.

Decisions

- The Committee agreed to share its current position on FiReControl, incorporating those discussions held at the meeting, with Fire and Rescue Authorities.
- The Committee agreed that further work be undertaken to provide further detail on those options set out in the report when information was publicly available.

Action

Officers to circulate the Committee's position, incorporating comments from the meeting, to FRA Chairs and Chief Officers. **Trish O'Flynn**

Officers to establish key dates for the Select Committee and to press for the LGA to give oral evidence to the Committee. **Trish O'Flynn**

3. Update on Flood and Water Management Bill

Trish O'Flynn introduced the report, stating that it outlined the key issues for FRAs within the Flood and Water Management Bill published in November 2009.

Sir Ken Knight, the Government's Chief Fire and Rescue Adviser, updated Members on the actions taken in response to flooding in Cumbria.

Members discussed the implications of a statutory duty on Fire and Rescue Authorities to carry out flood rescue. Members felt that such a duty might place an unreasonable burden on Authorities as well as leading to duplication of roles amongst partners, and that effective partnership working was crucial in combating flood risk.

Decision

The Committee agreed that its position on Flood Rescue remain as per Appendix 1 to the report.

4. LGA Fire Conference 2010

The Chairman asked that the programme be referred back to Lead Members for their views.

The Chairman asked about the LGA's policy should the conference fall within the purdah period prior to the general election.

Action

Officers to liaise with Committee Lead Members on the conference programme specifics and the position should the conference fall within the general election purdah period. **Clive Harris/Rebecca Rossini**

Officers to confirm details of the FSMC meeting in March 2010. **Paul Johnston**

5. Emerging findings from the Camberwell fire

Sir Ken Knight outlined the latest developments relating to the Camberwell fire, stating that the joint Police and HSE inquiry was ongoing and that the investigation would be finalised by mid-2010.

The following points were raised following Sir Ken's presentation:

- Commissioner Ron Dobson added that Chief Officers shared concern over the competence of the "responsible person" undertaking fire risk assessment, and suggested that the Government establish a competency framework for such persons. Ron reiterated the importance of ensuring fire risk was reflected adequately within corporate risk registers.
- Members felt that the response to the Lakanal House tragedy represented a unique opportunity to raise awareness of fire risk and to ensure that this was on the political agenda.
- Members enquired as to what consideration should be given to sprinkler systems. Sir Ken responded on this building regulations required sprinkler systems to be installed in all new-build properties, but that many buildings of older stock did not have such systems installed.
- Sir Ken added that the Regulatory Reform (Fire Safety) Order 2005 had proven to be a useful tool in minimising fire risk.

Decision

Members invited Sir Ken Knight to attend the next Fire Services Forum in February 2010.

Action

Officers to liaise with Sir Ken regarding his availability for the Forum. **Clive Harris**

6. Other business update

The update report was noted.

Cllr Fred Walker updated Members on the ill-health pensions scheme for firefighters and advised colleagues of the burden to the pension scheme if additional pensionable payments are made.

The following appointments to outside bodies were confirmed by the Committee:

- LGA Inland Flood Risk Management Group – Cllr Kay Hammond (Surrey)
- Fire Protection Association Council – Cllr Anthony Headley (Essex)
- Arson Control Forum – Cllr Roger Price (Hampshire FRA)
- Centre for Leadership Stakeholder Panel / Programme Board – Brigadier Robert Hall (Wiltshire)

The Committee agreed that those Members appointed on outside bodies who are not FSMC members would report back on their activity on respective outside bodies through an annual report submitted to the Committee at the end of the meeting cycle.

Action

- Officers to circulate ill-health guidance to FRA Chairs and Chief Officers.
Paul Johnston
- Officers to draft confirmation letters to Members appointed on outside bodies, setting out details of the appointment. **Paul Johnston**

7. Note of the last meeting

The note of the last meeting was agreed as a correct record.