

**Item 6**

## Note of decisions taken and actions required

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<b>Title:</b>	Fire Services Management Committee
<b>Date and time:</b>	Monday 23 January, 11.00am
<b>Venue:</b>	Smith Square Rooms 1 & 2 (Ground floor)

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### Attendance

Position	Councillor	Council
Chairman	Cllr Brian Coleman	London FEPA / Barnet LB
Vice chair	Cllr Sian Timoney	Bedfordshire & Luton FRA
Deputy chair	Cllr Jeremy Hilton	Gloucestershire FRS
Members	Cllr Mark Healey	Devon & Somerset FRS
	Cllr Kay Hammond	Surrey CC
	Cllr Maurice Heaster OBE	London FEPA / Wandsworth LB
	Cllr John Bell	Greater Manchester FRA
	Cllr Ann Holland	Essex FRS
	Cllr David Topping	Cheshire FA
	Cllr Navin Shah	London FEPA
	Cllr Julie Young	Essex FRS
	Cllr Keith Aspden	York City
	Cllr Ann Holland	Essex FRS
Substitutes	Cllr Les Byrom CBE	Merseyside FRA
	Cllr Paul Bryant	Royal Berkshire FRA
	Cllr David Rowlands also attended as an observer.	
Apologies	Cllr Christopher Newbury	Wiltshire FA
	Cllr John Joyce	Cheshire FA

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Cllr Nick Forbes

Tyne & Wear FA

Officers: Commissioner Ron Dobson, David Cartwright, James Dalglish (LFEPA); Helen Murray, Eamon Lally, Gill Gittins, Phil Bundy, Jasbir Jhas, Stephen Service (all LGA).

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Chairman Coleman welcomed Members and Officers to the meeting.

**1 National Framework Consultation**

Helen Murray, LGA Head of Programmes updated Members on progress to date for this item. Following talks with civil servants, Helen said that the consultation document was now shorter with a more localist flavour. She added that the LGA need to submit a response by 19 March.

Cllr Coleman reminded the Committee that any discussion should centre on the proposals in the consultation and the final draft would go to the FSMC in March for sign off.

Commissioner Ron Dobson said that several issues in the document needed clarity. These included: what risks would be required to be assessed by authorities out of their own area; what the assurance requirements were; and he also suggested that the proposed strategic resilience arrangements set out in a discussion paper should formally be part of the consultation.

On the proposed new Strategic Resilience Board, it was important to have elected Member presence, and that would mean that the National Resilience Board could focus on technical issues, which did not require the current Member attendance. On this point, Helen Murray said that John Hall had

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expressed his willingness to meet with her if there were any issues arising from the FSMC.

Cllr Jeremy Hilton emphasised that it was important to have separation between strategic policy and operational activity on resilience, and supported the new proposals, provided there is sufficient Member presence on the new Strategic Board, possibly the Vice Chair position.

Members noted DCLG's role in the Strategic Resilience Board. While they recognised this was an opportunity for CFOA and the LGA to hold the Government to account, Members agreed that DCLG need to provide the funding for the Board.

The Chairman drew Members' attention to paragraph 2.6 in the document which mentioned "inviting other locally elected members to sit on a scrutiny panel." Cllr Coleman said that it was unclear what this meant and asked for more detail.

The Committee was deeply concerned by the paper's proposal that authorities publish the results of any peer reviews or self assessments, saying this ran counter to the findings of the Peer Challenge Working Group. Members agreed that the principle of the peer challenge was voluntary and in the spirit of localism, providing a "critical friend" approach which allowed authorities to improve themselves in a supportive environment outside of the public domain. They cautioned that publishing results would take authorities back to the days of Audit Commission inspections and set the wrong tone for performance improvement.

Councillors emphasised that peer challenges were not designed to challenge areas of past performance or prescribe ways of working as indicated in Paragraph 4.3. A gap in capability would not necessarily be addressed by a peer challenge.

Members sought further clarity on what the role of CFRA was.

Members said that Paragraph 3.2 on the annual "statement of assurance" was not something included in localism bill. The Committee requested more detail on what was being proposed here.

On cost, Members said the budget spend from CLG had

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decreased significantly. They argued that authorities should be fully funded under new burdens principles for new changes outlined in the paper.

Members were unclear on how the new strategic body proposed would interrelate with the network of local resilience forum.

**Action**

Officers to draft a response taking account of Members' views. **LGA Officers**

**2 Update on European Union developments**

Jasbir Jhas, LGA Senior Advisor and Phil Bundy, LGA Employment Advisor introduced this item. Jasbir outlined 2 main developments of interest to the Committee: the legislative changes that the EU have proposed which could impact on local government and the working time directive.

On the legislative changes, Jasbir said that the LGA seek to lobby on any new laws introduced to ensure local authorities are protected.

On the working time directive, Jasbir said that the EU has agreed to review this and the LGA are currently at the social dialogue stage. Phil added that the LGA is looking to retain flexibility on compensatory rest periods and has engaged in negotiations with the social affairs committee. If these prove unsuccessful, the decision will be made through a formal legislative process. In order to build a strong lobbying case, FRAs were invited to work with the LGA on case studies demonstrating the impact of these proposed changes.

Jasbir concluded that the LGA works with a range of MEPs to ensure it retains a strong influence in Europe.

Members welcomed the LGA's efforts to exert its influence in this area, but noted that some of the EU contacts mentioned in the report had now changed roles. They asked Officers to ensure their contact information was up to date.

Members emphasised that if the work time directive goes ahead as currently proposed it would have a very serious impact on

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the sector's workforce, particularly in relation to Retained Firefighters.

Cllr Coleman noted that the LGA has a European and International Board and proposed a range of actions to ensure that the Committee's interest and support was registered.

**Action**

Chair to write to E&I Board Chair highlighting the importance of the WTD as a lobbying priority and maintaining the opt out. **Cllr Coleman / LGA Officers**

Cross party letter from FSMC to leading UK MEPs on the Employment and Social Affairs Committee (should be despatched in March). **LGA Officers**

FSMC to directly lobby MEPs (briefing to be provided during the summer and MEP invited to an FSMC meeting). **LGA Officers**

FRA case study involvement in WTD report which will be developed depending on the outcome of the social dialogue negotiations. Note for delegate packs at the Fire Conference. **LGA Officers**

**3 Retained Firefighters' Pensions**

Cllr Maurice Heaster, the Committee's representative on pension issues gave Members a brief summary of work to date. He said that the decision on this issue had potentially significant financial implications for large authorities with retained fire officers.

Cllr Coleman said he would write to Ministers and email FRA Chairs to highlight the issue, as it was important that any lobbying was done now rather than later.

Members asked for clarification over the difference between the "special" membership pension scheme and the others. Cllr Coleman said that under special membership, officers would effectively be joining the 2006 scheme but paying for the benefits of the 1992 scheme (the 1992 scheme is now closed so this option is no longer available).

On numbers likely to join the special membership scheme, Cllr

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Coleman said this was currently unknown. He said that as nothing had been agreed at this stage, it would be inappropriate to do an information gathering exercise, but FAs should be alerted that the issue could arise in the near future.

**Action**

Letter to be sent to DCLG and email to Fire Chairs on the potential financial impact of retained fire officers' pensions on authorities.

**Cllr Coleman /  
LGA Officers**

**4 Local Government Finance Reform**

LGA Senior Advisor Eamon Lally updated Members on this item. He said that much work remains to be done to ensure all FAs sign up to the scheme. The LGA remains unhappy with the level of set aside proposed by the Government. On the process of reviewing the reforms, the LGA believes that FAs should be in a position to request a review if circumstances change locally. The proposals are set to come into effect in 2013/14.

Members agreed that the financial position of different authorities was a complex issue. Some said that they would like to see how authorities are individually affected and feed this into the debate. At present, the sector will not know the impact on individual authorities until after changes come into force.

Helen Murray said that the issue was about consensus on principles rather than details at this stage. She argued that the LGA needs to focus on issues which FAs can agree on, such as the amendment recently tabled on set aside.

**Action**

Officers to progress, taking into account Members' comments.

**LGA Officers**

**5 Olympics and Paralympics 2012 update**

Commissioner Dobson informed the Committee that there were no significant issues left to be dealt with from a national fire and rescue perspective. Many decisions would take place at local level, including event planning which was the responsibility of

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the Local Resilience Forum.

**6 Industrial Relations**

Gill Gittins and Cllr Heaster provided an update to Members on the latest developments in industrial relations which was noted by the committee.

**7 Sprinklers Working Group**

Cllr Coleman asked for it to be noted that the working group was not dealing with the issue of sprinklers per se, but with the best way forward to ensure the matter was addressed.

**8 FSMC update paper**

On FiReControl, Cllr Hilton said that a short report on DCLG proposals at the next FSMC would be useful to enable Members to see whether there was a pattern for the awarding of grant payments.

**Action**

Officers to report on DCLG grant payment announcements at the next FSMC.

**LGA Officers**

**9 AOB Item: Fire Service College**

David Cartwright as Chairman of the Fire Service College Working Group presented the issue of shared ownership of the college and since this had the potential to delay the sale of the College asked Members to recommend to Ministers a simple set of legal guarantees to protect the FRA interest in the College.

Commissioner Dobson said that the proposal of a 10% stakeholder share had been muted by DCLG in December as it was felt that involving the Fire Service in the ownership arrangements in this way might prove more attractive to potential buyers. However, Members agreed that more straightforward guarantees such as covenants were sufficient.

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***Decision***

Members agreed that the priority was to secure investment in the College and that long and complex negotiations involving legal teams in FRAs was not a sensible way forward. They therefore rejected the proposed 10% ownership stake in favour of a quick and simple sale.

**Actions**

Officers to register the views of the FSMC with CLG.

**LGA Officers**

**Date of next meeting: Monday 19 March 2012, Blandford Suite, Bournemouth  
Highcliff Marriott Hotel**