

# Fire Services Management Committee

## Agenda

Monday 19 March 2012  
4.00pm

Blandford Suite  
Bournemouth Highcliff Marriott Hotel  
St. Michael's Road  
West Cliff  
Bournemouth  
BH2 5DU

**To:** Members of the Fire Services Management Committee  
**cc:** Named officers for briefing purposes

## **Fire Services Management Committee**

19 March 2012

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The next **Fire Services Management Committee** meeting will be held on **Monday 19 March 2012** at **4.00pm**, in the Blandford Suite, Bournemouth Highcliff Marriott Hotel, St Michael's Road, Bournemouth BH2 5DU. Refreshments will be provided from 3.30pm.

If you plan to stay in Bournemouth after the meeting and do not wish to dine in the hotel, there are a wide range of local restaurants to choose from. Three recommendations from Dorset Fire Authority which are located within the vicinity of the hotel are:

The Crab (seafood restaurant), Exeter Road, BH2 5AJ  
Tel: 01202 203601 <http://crabatbournemouth.com/>

The Mandarin (Chinese restaurant), 194 -198 Old Christchurch Road, BH1 1PD  
Tel: 01202 290681 <http://www.themandarin.net/>

Urban Reef (restaurant with sea view), The Overstrand, BH5 1BN  
Tel: 01202 443960 <http://www.urbanreef.com/>

### **Apologies**

Please notify your political group office (see contact telephone numbers below) if you are unable to attend this meeting, so that a substitute can be arranged and catering numbers adjusted, if necessary.

<b>Labour:</b>	Aicha Less: 020 7664 3263 email: <a href="mailto:aicha.less@local.gov.uk">aicha.less@local.gov.uk</a>
<b>Conservative:</b>	Luke Taylor: 020 7664 3264 email: <a href="mailto:luke.taylor@local.gov.uk">luke.taylor@local.gov.uk</a>
<b>Liberal Democrat:</b>	Evelyn Mark: 020 7664 3235 email: <a href="mailto:libdem@local.gov.uk">libdem@local.gov.uk</a>
<b>Independent:</b>	Group Office: 020 7664 3224 email: <a href="mailto:independent.group@local.gov.uk">independent.group@local.gov.uk</a>

### **Attendance Sheet**

Please ensure that you sign the attendance register, which will be available in the meeting room. It is the only record of your presence at the meeting.

### **Location**

A map showing the location of the Bournemouth Highcliff Marriott Hotel is printed on the back cover.

### **Contact**

Stephen Service (Tel: 020 7664 3194, email: [stephen.service@local.gov.uk](mailto:stephen.service@local.gov.uk) )

### **Carers' Allowance**

As part of the LGA Members' Allowances Scheme, a Carers' Allowance of up to £6.08 per hour is available to cover the cost of dependents (i.e. children, elderly people or people with disabilities) incurred as a result of attending this meeting.

### **Further information**

For all other information on the venue, please refer to the Fire Conference pages on the LGA website: <http://www.local.gov.uk/web/guest/events/>

## Fire Services Management Committee - Membership 2011/12

Councillor	Authority
<b>Conservative (7)</b>	
Brian Coleman <b>[Chairman]</b>	London FEPA / Barnet LB
Mark Healey	Devon & Somerset FRS
Kay Hammond	Surrey CC
Maurice Heaster OBE	London FEPA
John Bell	Greater Manchester FRA
Ann Holland	Essex FRS
David Topping	Cheshire FA
<b>Substitutes:</b>	
Richard Tracey	LFEPA
Paul Bryant	Royal Berkshire FRA
Andre Gonzalez de Savage	Northamptonshire CC
<b>Labour (5)</b>	
Sian Timoney <b>[Vice Chair]</b>	Bedfordshire & Luton FRA
Nick Forbes	Tyne & Wear FA
John Joyce	Cheshire FA
Navin Shah	London FEPA
Julie Young	Essex CC
<b>Substitutes:</b>	
Les Byrom CBE	Merseyside FRA
<b>Liberal Democrat (2)</b>	
Jeremy Hilton <b>[Deputy Chair]</b>	Gloucestershire CC
Keith Aspden	York City
<b>Substitutes:</b>	
Roger Price	Hampshire CC
Terry Stacy MBE JP	London FEPA
<b>Independent (1)</b>	
Christopher Newbury <b>[Deputy Chair]</b>	Wiltshire Fire Authority

**15 Member Steering Committee**

## Fire Service Management Committee Attendance 2011-2012

<b>Councillors</b>	<b>16.09.11</b>	<b>17.11.11</b>	<b>23.1.12</b>	<b>19.3.12</b>	<b>14.5.12</b>	<b>16.7.12</b>
<b>Conservative Group</b>						
Brian Coleman	Yes	Yes	Yes			
Mark Healey	Yes	Yes	Yes			
Kay Hammond	Yes	Yes	Yes			
Maurice Heaster	Yes	Yes	Yes			
John Bell	Yes	Yes	Yes			
Ann Holland	Yes	No	Yes			
David Topping	Yes	Yes	Yes			
<b>Labour Group</b>						
Sian Timoney	Yes	Yes	Yes			
John Joyce	Yes	Yes	No			
Navin Shah	Yes	Yes	Yes			
Julie Young	Yes	Yes	Yes			
Nick Forbes	N/a	Yes	No			
<b>Lib Dem Group</b>						
Jeremy Hilton	Yes	Yes	Yes			
Keith Aspden	No	Yes	Yes			
<b>Independent</b>						
Christopher Newbury	Yes	Yes	No			
<b>Substitutes</b>						
Terry Stacy	Yes					
Les Byrom	Yes	Yes	Yes			
Paul Bryant		Yes	Yes			

## Agenda

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### **Fire Services Management Committee**

Monday 19 March 2012

4.00pm

Blandford Suite, Highcliff Marriott Hotel, Bournemouth

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#### **For discussion**

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#### **For information**

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**Date of Next Meeting:** Monday, 14 May 2012, 11.00am, Local Government House, London



**Item 1**

## **National Framework Consultation response**

### **Purpose of report**

For discussion and direction.

### **Summary**

This report sets out the draft response from FSMC to the consultation on the National Framework.

### **Recommendation**

Members to consider and agree a response to the consultation on the National Framework.

### **Action**

Officers to take forward decisions.

**Contact officer:** Eamon Lally  
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**E-mail:** [eamon.lally@local.gov.uk](mailto:eamon.lally@local.gov.uk)





**Item 1**

## **Response to Consultation on National Framework**

### **Background**

1. The Department for Communities and Local Government (DCLG) published its consultation on the Fire and Rescue Service National Framework for England in December 2011. The Framework sets out the Government's priorities and objectives for fire and rescue authorities in England. The Framework is produced under section 21 of the Fire and Rescue Services Act 2004.
2. FSMC considered the proposed new National Framework at its meeting on 23 January 2012 and subsequently the Fire Commission considered the issues at its meeting on 17 February. The issues raised by FSMC and the Fire Commission form the draft response are set out in **Appendix A**.
3. The Framework is set out under three broad headings: Safer communities; Accountable to communities; and Assurance.
4. The Government's priorities for fire authorities, as set out in the Framework, are to:
  - 4.1 Identify and assess the full range of fire and rescue related risks their areas face, make provision for prevention and protection activities and respond to incidents appropriately
  - 4.2 Work in partnership with their communities and a wide range of partners locally and nationally to deliver their service; and
  - 4.3 Be accountable to communities for the service they provide.
5. DCLG require consultation responses by 19 March 2012.
6. Separately, the Department for Communities and Local Government and the Chief Fire Officers Association have also written to all fire authorities seeking comments on proposals for strategic governance arrangements for fire and rescue national resilience. These proposals need to be considered in conjunction with the proposed National Framework. DCLG have asked for comments on the proposals for national resilience strategic governance arrangements by 16 March 2012.

**Item 1**

**Conclusion and next steps**

7. The closing date for the consultation is 19 March 2012. We have negotiated a short extension to take account of any comments arising from the FSMC meeting.

**Financial Implications**

8. There are no immediate financial implications arising from this report.

**Item 1**

**Appendix A**

**LGA's Fire Services Management Committee's response to the Fire  
National Framework Consultation**

**Introduction**

1. The Local Government Association (LGA) is a voluntary membership body and our member authorities cover every part of England and Wales. Together they represent over 50 million people and spend around £113 billion a year on local services. They include county councils, metropolitan district councils, English unitary authorities, London boroughs and shire district councils, along with fire authorities, police authorities, national park authorities and passenger transport authorities.
2. The Fire Services Management Committee represents, as an LGA body, the views and concerns of the fire community in relation to the fire services modernisation agenda. It ensures that local circumstances have a voice in the national context.

**Our response**

3. The Fire Services Management Committee welcomes the opportunity to comment on the proposals for the new National Framework and the strategic governance arrangements for national resilience.
4. The LGA has contributed to the development of the National Framework and considerable progress has been made in capturing the new relationship between central government and fire authorities. Although the general direction is positive in our view, there is still scope to reduce the level of direction and requirements.
5. We welcome the remarks made by the Fire Minister Bob Neill MP, in the foreword to the draft National Framework, in particular the recognition that "the best thing central government can do to improve the services provided by fire and rescue authorities and the professionals they employ is not to micro manage from the centre, but to provide an overall strategic direction and support, to empower and encourage them but not to interfere in the way in which they serve their communities".
6. We also welcome the Government's strong statement on its own responsibility for national resilience.
7. However, there are a number of areas where FSMC would like to see clarification and/or amendment.

**Item 1**

*Resilience and risk*

8. Fire authorities are very comfortable with the requirements of collaboration and intra and inter operability. However there is a concern in the sector that the basis for the risk analysis set out in the proposed National Framework is drawn very broadly, particularly as it relates to risks outside an authority's geographic borders (paragraph 1.3 in the consultation document). Greater clarity is required on the expected scope of the risk assessment. The assessment of risk should be based on all reasonable fire authority risks.

*Strategic governance arrangements*

9. The supplementary letter from DCLG and CFOA sets out a proposal for the new strategic governance arrangements for national resilience. The governance arrangements are a very significant issue and should be incorporated into the National Framework document, and consultation, rather than being the subject of a separate process. On that basis we are commenting on the strategic governance arrangements as part of this consultation response.
10. We recognise the need for a strategic body to oversee national resilience issues. The current National Resilience Forum does excellent work, but it does not perform a strategic role. However, in establishing a strategic body it is essential that it has formal membership (rather than visitation rights) from across Whitehall, so that resilience can be considered at a strategic level across all category 1 and 2 responders.
11. It is very important that the strategic governance body has elected member involvement and we would like to see greater representation from FSMC.

*Scrutiny*

12. Fire authorities, and more generally local government, has been, and is, open to scrutiny. There is no single model of scrutiny and so it is to be welcomed that the proposed National Framework is not prescriptive on this matter. Each fire authority comes to its own arrangement on scrutiny and, as the new National Framework implies, it for local communities to judge the appropriateness of those arrangements. However, local government is not complacent on this matter and the LGA will continue to support authorities on this issue as required.

**Item 1**

*Improvement support*

13. There appears to be a fundamental misunderstanding of the concept of improvement support within the proposed new National Framework. Peer supported improvement programmes, such as the LGA's well respected peer review and challenge programmes, are primarily forward looking. They are an aid to unlocking future potential rather than an audit process or a form of intervention (see paragraph 4.3 of the proposed new National Framework). The peer review process has always been voluntary and will remain so. The LGA has always encouraged councils and fire authorities to publish the peer reports, but this has been, and should remain, a decision for individual authorities. Paragraph 2.9 of the proposed new National Framework should be amended so that the requirement to publish peer reviews and self-assessments is removed.

*Annual statement of assurance*

14. The requirement for an annual statement of assurance (paragraph 3.2 of the proposed new National Framework) needs further clarification. There could be merit in this proposal if it means a consolidation of existing reporting requirements and a reduction in the burden of reporting. However, if the requirement is for an additional publication over and above existing reports such as annual financial reports then this must be seen as duplicative and unnecessary. We ask that DCLG clarify its expectation about the annual assurance statement in advance of any decisions on this proposed requirement. In any event we do not think that a template is required as this should be left to individual fire authorities.

**Conclusion**

15. Overall our view is that this is a much improved National Framework and this has been achieved through the engagement with the fire sector. The comments in this response should be seen in that context.
16. We would welcome working with you further on the detail of the new National Framework in the coming weeks.



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**Item 2**

## **Next Generation Telemetry Frequency Issues**

### **Purpose of report**

For discussion.

### **Summary**

In December 2010, the Government directed Ofcom to begin preparations for the commercial sale of mobile spectrum bands (800MHz and 2.6GHz), which is expected to be used to deliver the next generation of mobile broadband services. This report sets out possible telemetry frequency issues for the Fire Service and what measures that the Government intend to take to mitigate the risks.

### **Recommendation**

Members are asked to note this report and discuss its implications for the Fire Service.

### **Action**

Officers to reflect Members' comments in taking this issue forward.

**Contact officer:** Commissioner Ron Dobson CBE / Helen Murray  
**Position:** Commissioner, LFEPA / Head of Programme, LGA  
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**E-mail:** [helen.murray@local.gov.uk](mailto:helen.murray@local.gov.uk)





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**Item 2**

## **Telemetry Frequency Issues**

### **Background**

1. In December 2010, the Government directed Ofcom to begin preparations for the commercial sale of mobile spectrum bands (800MHz and 2.6GHz). It is expected that this spectrum will be used to deliver the next generation of mobile broadband services, using fourth generation (4G) mobile technologies such as LTE and WiMAX. These mobile broadband services might have speeds approaching today's fixed broadband services, with coverage significantly better than existing 3G services. Once completed, this exercise would represent the largest single contract in the UK of internationally harmonised mobile spectrum.
2. The government see the award of this spectrum as vital to the UK's economic and social growth. It will enable mobile operators to meet the significant growth in demand for mobile data. This is being fuelled by growth in the take up of smart phones and tablets, offering services such as video streaming, social networking and mobile gaming, as well as applications such as messaging and email.
3. The two bands of spectrum to be awarded at 800 MHz and 2.6 GHz comprise 250 MHz of mobile spectrum. This is equivalent to three-quarters of the mobile spectrum in use today and 80% more than was awarded through the 3G auction in 2000.
4. The lower frequency 800 MHz band is part of the digital dividend, which is being freed-up as the UK switches from analogue to digital TV. This spectrum is ideal for widespread and indoor mobile coverage. In addition, this frequency is expected to be key to the economic delivery of next generation mobile broadband services in less densely populated areas. This award therefore represents an important opportunity to ensure that such services are made available in less urban areas, as well as in the more commercially attractive more densely populated areas
5. The 2.6 GHz band is at a higher frequency, and is ideal for delivering the capacity needed to deliver higher speeds and provide services simultaneously to many users. The combination of low and high frequency spectrum creates the potential for next generation mobile broadband services to be widely available across the UK, while at the same time having the capacity to cope with significant demand, even in urban centres.

### **Issues for the Fire Service**

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6. In 2011, an independent research report identified that the award of this mobile spectrum may have issues for Fire & Rescue Services as well as other emergency services organisations. This report identified that there was a risk of interference from next generation mobile devices that would be using the spectrum released by the government. The main area of concern was the 862-863 Mhz range which is used by emergency services organisations, including telemetry for Breathing apparatus (BA). Based upon various usage scenarios, telemetry range for BA kits could be reduced as the number of 4G devices such as new mobile phones increased. Without mitigation this risk would increase over time.

**What is being done about this?**

7. DCMS have recognised that there is an issue for emergency services in the 862-863 frequency range. They have stated that reasonable costs of moving BA telemetry to another band will be met, subject to analysis of options being carried out and ultimately a business case / recommendation being produced. This work is being carried out by a CFOA led task and finish group. This group, over the last year has been examining all the issues, conducting risk assessments and evaluating options for the future. The output for this group will be a fully populated business case that will be submitted to DCMS later this year (The group consists of representatives from many fire & Rescue Services as well as subject matter experts from Ofcom).

**What are the Options?**

8. The group has examined a number of options in an attempt to identify the most appropriate way forward. These include:
  - 8.1 Moving to the Short Range Device (SRD) band 869.5;
  - 8.2 Developing a solution for the 450 – 470 Mhz band; and
  - 8.3 Developing a solution for the 870 – 872 Mhz band
9. Whatever the eventual preferred approach is, the following factors will have been considered in reaching that conclusion:
  - 9.1 maintaining the current level of service;
  - 9.2 being technically robust;

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- 9.3 providing value for money;
- 9.4 ensuring safety (the criteria will take the form of a risk assessment); and
- 9.5 following agreed timescales

10. The business case detailing the preferred approach will be finalised in the coming months.

**Key Points**

11. The key points to note are as follows:

- 11.1 The Government has directed Ofcom to award mobile spectrum bands (800MHz and 2.6GHz) to enable the roll-out of next generation mobile services.
- 11.2 The timescale for roll-out of new services in the 800 MHz band is the first quarter of 2013.
- 11.3 There is a risk of interference from next generation mobile services into emergency services use at 862-863 MHz – including BA Telemetry.
- 11.4 Without mitigation, the risk of interference will increase over time.
- 11.5 BA Telemetry is seen as an essential (rather than desirable) component when BA is replaced or upgraded.
- 11.6 The Government (via DCMS) has indicated that reasonable funding will be made available to FRS depending upon the result of the activities (below).
- 11.7 CFOA led task & finish group working with FRS and Ofcom with a view to producing a business case for DCMS later this year.



**Item 3**

**LGA Fire Conference and Exhibition 2012 and 2013**

**Purpose of report**

For discussion and direction.

**Summary**

Preliminary planning for the 2013 LGA annual Fire Conference and Exhibition is already underway. This planning will take into account not only delegate feedback from the 2012 Conference, but will continue to take account of the increased financial strains on the organisation and those being faced by Fire and Rescue Authorities.

FSMC Members' views are therefore sought at this early planning stage to consider how the costs associated with the staging of the annual Fire Conference could be reduced to the benefit of delegates and to the LGA.

**Recommendation**

Members are asked to comment on the possible options for the 2013 Fire Conference as set out within the report.

**Action**

Officers to reflect Members' comments in conference planning.

**Contact officer:** Jane Marcroft  
**Position:** Events Organiser, LGA  
**Phone no:** 020 7664 3080  
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### **Item 3**

## **LGA Fire Conference and Exhibition 2012 and 2013**

### **Background**

1. Now in its fifteenth year, the LGA annual Fire Conference and Exhibition has attracted an average of approximately 240 delegates and a range of exhibitors and sponsors. The conference is considered to be an important part of the annual fire sector calendar, one of the showcase events organised by the LGA and an important income generator.
2. Despite the tough economic climate, delegate numbers for the 2012 conference have been maintained, achieved through a more comprehensive marketing strategy and targeted information with a number of Chairs and Chief Fire Officers. We were also able to benefit from firming up the programme at a very early stage, since nearly every speaker agreed immediately upon request. We are grateful to FSMC members who have helped enormously with this.

### **Possible options for the future**

3. At the Board meeting in March 2011 Members agreed that the following criteria must be taken into consideration when sourcing a venue for future conferences:
  - 3.1 To only consider hotels of a high standard that have in place a fire sprinkler system throughout
  - 3.2 To continue to hold the conference over 2 days.
4. In light of the experience in organising the 2012 conference the following additional requirements will be taken into account:
  - 4.1 To negotiate a larger number of bedrooms for conference delegates;
  - 4.2 There is evidence that we could grow the exhibition (we have two more exhibitors in 2012 than in 2011 and have had additional requests for exhibition space that we have not been able to meet) and therefore we will consider a larger exhibition area for the 2013 conference.
5. With regards to the location of the 2013 conference, the following cities are being considered in order of priority: Birmingham, London, Cambridge. Birmingham has a possible four venues so this looks most promising at this stage.

### **Further considerations**

6. It is important that officers continue to consider a series of proposals that aim to improve the conference so that it remains attractive to delegates while at the

### **Item 3**

same time offering real value for money. We will endeavour to hold the delegate fees at current levels which have remained unchanged since 2008.

7. Members are asked for any comments they may have on the proposals set out below:
  - 7.1 Sponsorship opportunities – there is now strong interest from the fire industry in this event and we may be able to attract more exhibitors. It should be noted that Lion International's three year sponsorship deal ends in 2012 and officers will be working to secure continued sponsorship going forward.
  - 7.2 Timing – this event has always taken place in mid-March. Although some periods of the year are cheaper (such as early January), the Spring timing is now an established feature in the fire calendar, and other events are scheduled around this. To disrupt this timing would be unpopular and may impact on delegate numbers.
  - 7.3 Feedback has suggested that Members get real value from the additional meetings which take place in the margins of the conference, thus maximising every opportunity to discuss common issues and network. Given the very full programme is it now time to consider running the programme over two full days rather than one and a half?
  - 7.4 Expand the number of workshops being run concurrently. At this year's conference there are six separate workshops, but we could expect 40 delegates at each which is rather large. The price of workshop rooms can vary significantly from one venue to another and Members will want to be aware that this would add to the overall cost of running the conference.

### **Financial implications**

8. Officers have been able to drive down the costs of staging the annual Fire Conference and Exhibition in 2012 and will use these figures as a benchmark in future negotiations.



**Item 4**

**Industrial relations**

**Purpose of the Report**

For information.

**Summary**

Update to be circulated prior to the meeting.

**Recommendation**

Members are asked to note the issues set out in the forthcoming update.

**Action**

This report will be for information.

**Contact officer:** Gill Gittins  
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23 January 2012

**Item 5**

**FSMC update paper**

**Purpose of report**

For information.

**Summary**

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

**Recommendation**

Members to note the update.

**Action**

Officers to progress as appropriate.

**Contact officer:**

Helen Murray

**Position:**

Head of Programmes, LGA

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020 7664 3266

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[helen.murray@local.gov.uk](mailto:helen.murray@local.gov.uk)



**Item 5**

**FSMC update paper**

**Operational Assessment & Fire Peer Challenge Programme**

1. In November 2011, FSMC members approved the piloting of the new Operational Assessment (OpA) and Fire Peer Challenge offer. In January and February 2012, three Fire & Rescue Authorities piloted the new OpA and Fire Peer Challenge. They were:
  - 1.1 Surrey – County FRA
  - 1.2 Leicestershire – Combined FRA
  - 1.3 West Yorkshire – Metropolitan FRA
2. Officers from the LGA and CFOA are currently undertaking an evaluation of the pilots. Overall initial feedback from the pilot peer challenges was very positive with each pilot particularly valuing the tailored approach to the peer challenge that identified the specific needs of each FRA. There was positive feedback on the quality and expertise of the peer team and the contributions of both officers and Members were welcomed by recipients.
3. The peers themselves valued the new approach and commented that it was much improved from the previous model, providing them with opportunities for learning and development that they could take back to their own FRAs. A full evaluation will be completed by mid March 2012 and will be fed back to FSMC in due course.

**Fire and rescue control rooms**

4. The Minister for Fire and Rescue Bob Neill MP announced the release of £74 million in response to 23 bids from 44 FRAs. 20 of the bids were successful. The funding will go towards supporting projects to improve resilience in control services. A 'national picture' document summarising the proposed plans submitted by FRAs are set in context in this document:  
<http://www.communities.gov.uk/publications/fire/futurecontrolnationalpicture>  
Individual bids can be viewed here:  
<http://www.communities.gov.uk/publications/fire/futurecontrolsummaries>
5. The LGA released a press release welcoming the announcement:  
<http://www.publicfinance.co.uk/news/2012/03/ministers-approve-20-bids-for-fire-and-rescue-cash/>

**Item 5**

**Localism Act 2011 – commencement of general power**

6. The commencement of the general power of competence for councils – including county councils that provide for Fire and Rescue Services - was recently fast tracked as a result of the High Court ruling banning prayers in council meetings. Alongside this, the general power for standalone Fire and Rescue Authorities has now also been brought into force.
7. The general power of competence gives councils the power to legally do anything an individual can do unless specifically forbidden by law. The general power, similar to the general power of competence, now granted to standalone Fire and Rescue Authorities which enables them to do anything they consider appropriate in relation to their statutory responsibilities. The announcement of the launching of these powers is contained in the following press release:  
<http://www.communities.gov.uk/news/newsroom/2091532>

**Sprinklers' campaign working group**

8. The working group has now met twice and will be meeting next on 21 March, following the close of the Fire Conference. The working group is pulling together a toolkit to enable FRAs to work with communities to raise the profile of the benefits of installing sprinkler systems in premises where vulnerable groups either reside in or use regularly. This includes schools, hospitals, care homes and homes of multiple occupation (including social housing).
9. The working group is examining all potential campaign activities to include in the toolkit to enable communities and local groups to use in their own lobbying efforts. These including mobilising the press, lobbying parliamentarians and using social media to raise the profile of the benefits of sprinklers.
10. Key messages include:
  - 10.1 Sprinkler systems save lives and protect the vulnerable;
  - 10.2 They are an investment in the short term for long term gain, yielding benefits such as the potential reduction of insurance premiums, prevention of property damage (hence saving costs of fire damage) and minimising the costs to society (if a school was to suffer a fire and has to be closed, young people would suffer the most);
  - 10.3 Localism is key to change – change in behaviours and legislation start at the grassroots. The working group supports this notion and is working to

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enable FRAs locally to work with communities through the proposed online toolkit.

11. Other activities that are being considered by the working group include a 'top line briefing', which forms the basis of the myth-busting element of the proposed local campaigning toolkit. A 'national' pledge on sprinklers is also being developed to become a universal document for all FRAs to sign up to and adopt. Whilst there is wide agreement in both the fire and insurance sector, the case for the installation of sprinklers is still to be made to convince the public and homebuilders.
12. Members of the working group are currently mobilising support from other elected members and colleagues across the LGA to garner their support and gain their endorsement. Cllr Richard Hobbs, on behalf of the Chairman of the working group Cllr John Edwards, will be meeting with the portfolio lead on the LGA Housing Board in mid-March.

### **Fire Kills Campaign**

13. This national advertising campaign for 2011-12 aims to link the biannual clock change with smoke alarm testing. People are being encouraged to do both at the same time. A first bout of advertising took place in October and will be followed by a second round this month ahead of moving to BST. DCLG are keen to hear examples of FRS undertaking local activities to complement the campaign. Stories can be sent to James Webb ([james.webb@communities.gsi.gov.uk](mailto:james.webb@communities.gsi.gov.uk) or 0303 444 2932).

### **Pensions**

#### ***Firefighter Pensions Reform***

14. DCLG published the Firefighters Pension Heads of Agreement on 9 February. Although there has not yet been agreement with the fire unions negotiations are ongoing. Paragraphs 3 h and I of the Heads of Agreement refer to regular reviews of the normal Pension Age (NPA) and the role of the FPC undertaking research to inform the reviews. The LGA will be working with DCLG and the Fire Unions under the auspices of the Fire Pensions Committee on the approach to undertaking this research.

#### ***Retained Firefighters' Pensions***

15. The Fire Minister, Bob Neill MP, has now replied to the Chairman's letter outlining our concerns about the potential scheme liability arising from the Employment

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Tribunal judgment (both letters are attached below as Appendices A and B). The response refers to the negotiations underway between DCLG and the Fire Brigades Union of the terms of the settlement. We have asked for an updated estimate from DCLG on the potential scheme liability and have provided data on the retained workforce to support the analysis. We have also raised the issue with all fire authorities through the Fire Commission. Once we have a better understanding of the potential scheme liability we will need to work with DCLG on options for how this can be addressed.



Mr Bob Neill MP  
Parliamentary Under Secretary of State  
Department for Communities and Local Government  
Eland House  
Bressenden Place  
London  
SW1E 5DU

7<sup>th</sup> February 2012

Dear Minister,

### **Retained Firefighters' Pensions**

I am writing to raise the LGA Fire Services Management Committee's concerns about the pension scheme liability associated with retained firefighters' pensions.

We are aware that Department for Communities and Local Government (DCLG) has been negotiating a settlement with the Fire Brigades Union (FBU) in line with the outcome of the Employment Tribunal (case number: 6100000/21). We understand that these negotiations are at an advanced stage and that DCLG will be bringing forward a consultation shortly.

Following parliamentary approval for the amending Order, retained firefighters employed between 1<sup>st</sup> July 2000 and 5<sup>th</sup> April 2006 inclusive will be eligible to purchase service under the terms of the modified New Fire Pensions Scheme (NFPS).

Once retained firefighters purchase service under the terms of the settlement a balance of scheme liability will be generated. To date, there has only been limited discussion between department officials and the sector on the potential scale of the scheme liability or the possible approaches to meeting this liability.

The scheme liability will depend on the number of retained firefighters who choose to purchase service and this is an unknown. However, we are concerned that the liability could be very large.

We have asked DCLG officials to provide further information on the potential financial risk to the pension scheme and we are writing to fire authorities to raise the profile of the issue.

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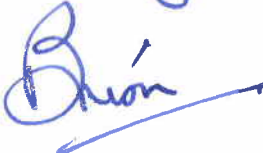
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7<sup>th</sup> February 2012

Mr Bob Neill MP  
Parliamentary Under Secretary of State  
Department for Communities and Local Government

This is an urgent matter as fire authorities consider their budgets for next year and their future financial position. We want to ensure any financial risk to fire authorities is managed over the long term in order to ensure financial stability.

I would welcome an early opportunity to meet with you to discuss this matter.

Kind regards  


**Councillor Brian Coleman, AM FRSA**  
Chairman, LGA Fire Services Management Committee and Fire Commission



Councillor Brian Coleman, AM FRSA  
Chairman  
LGA Fire Services Management Committee and  
Fire Commission  
Local Government House  
Smith Square  
London  
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**Bob Neill MP**  
*Parliamentary Under Secretary of State*

**Department for Communities and Local  
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Our Ref: BN/BN/004733/12

23 FEB 2012

A handwritten signature in black ink, appearing to read "Brian Coleman".

Thank you for your letter of 7 February regarding your concerns about the pension scheme liability associated with retained firefighters' pensions.

My officials have been negotiating a settlement with the Fire Brigades Union on the pension's aspect of the Employment Tribunal to which you refer. There remain a number of outstanding issues between the Department and the Fire Brigades Union which we are working hard to resolve before we can proceed towards a statutory consultation. Our principle aim is to ensure that the costs to employers are kept to the minimum possible and only as far as is necessary to deliver the terms set out by the Tribunal.

The Department has been consulting with the Government Actuary's Department to try to establish the potential liability to the scheme. An estimate has been made so far but this is limited given the lack of information that is available on the membership profile, age, salary levels and proportion of retained firefighters that are likely to take up membership of the modified scheme.

I am grateful for the recent data that the LGA have supplied in relation to retained firefighters. This will help the Government Actuary's Department to firm up their calculations but there will still remain a number of key assumptions which we will need to make. I know my officials are discussing with yours whether a bespoke survey of Fire and Rescue Authorities may be of use. If so, this will help us further in determining the size of the liability arising from the Tribunal.

I have asked my officials to continue engaging with the sector on this important issue, and to explore all available options to help manage this liability over a suitable period.

A handwritten signature in black ink, appearing to read "Bob Neill".

A handwritten signature in black ink, appearing to read "Bob Neill".  
**BOB NEILL MP**



**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 Dalgleish (LFEPA); Helen Murray, Eamon Lally, Gill Gittins, Phil Bundy, Jasbir Jhas, Stephen Service (all LGA).

Item	Decisions and actions	Action by
	Chairman Coleman welcomed Members and Officers to the meeting.	
<b>1</b>	<b>National Framework Consultation</b> <p>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.</p> <p>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.</p> <p>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.</p> <p>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</p>	

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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**



# How to find us...

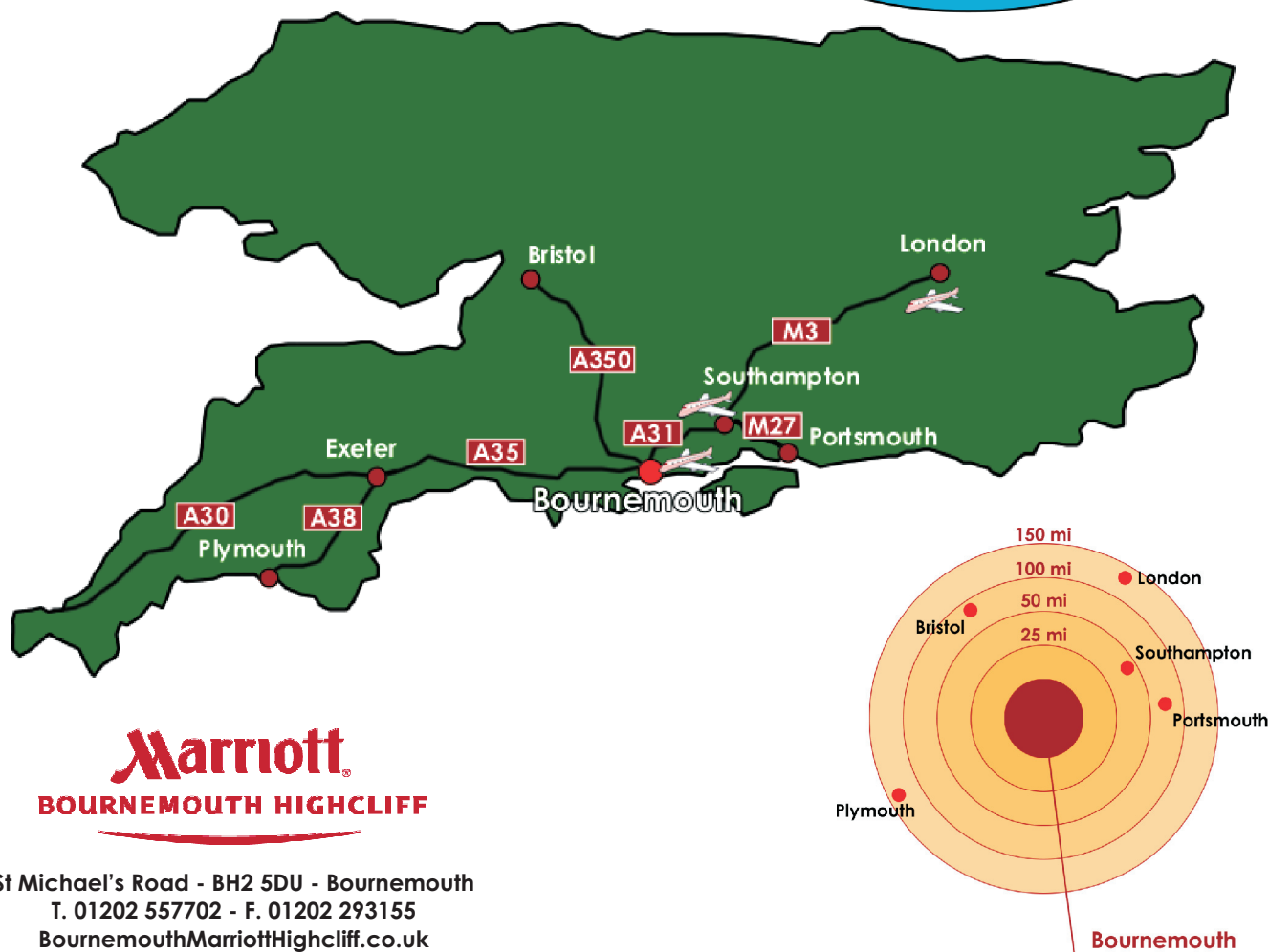
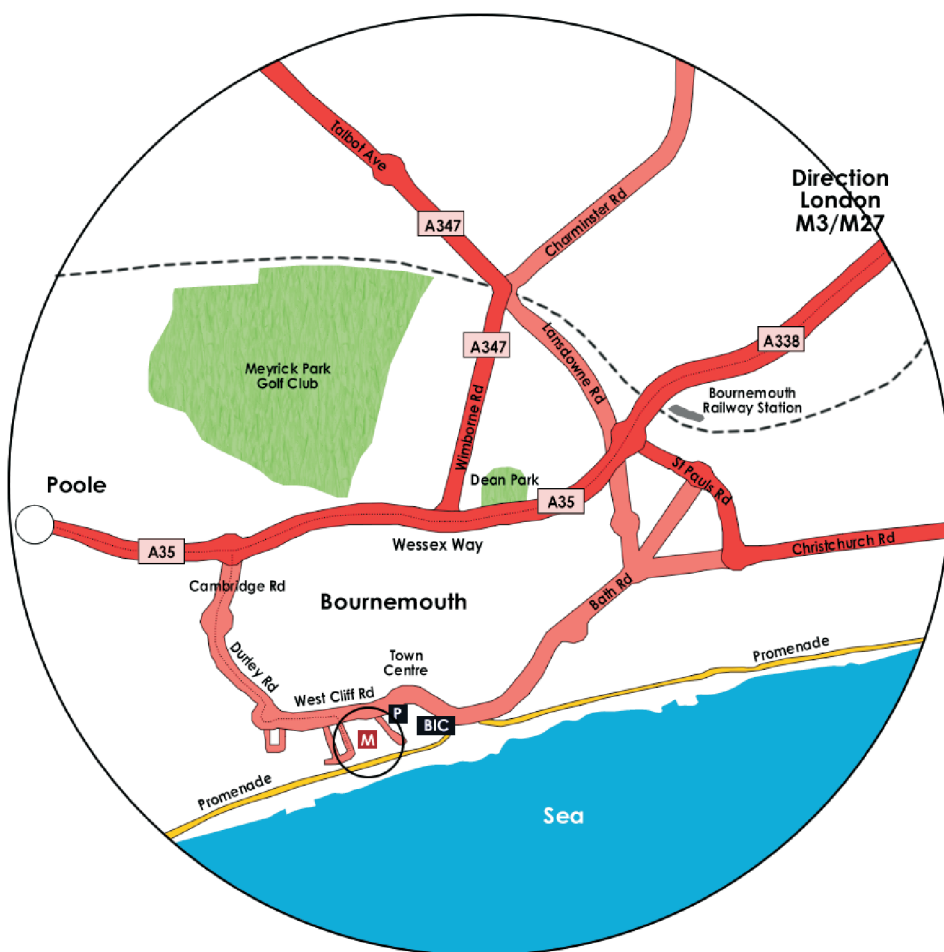
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From the North and East:

- From the M3, take the M27 to the end of the motor way following the sign for Bournemouth (A31).
- Turn left onto the A338 from Ashley Heath roundabout, drive along the Wessex Way (A338) following signs to the Bournemouth International Centre (BIC) and Westcliff.
- Turn left onto Cambridge Road, drive along Durley Road. When you reach Westcliff Road, take the third turning on your right into St Michael's Road.
- The hotel is at the end of the road situated on the left hand side.

From the West:

- From the A35, follow the signs for Town Centre and Bournemouth International Centre (BIC/Westcliff).
- When you reach Westcliff Road, take the third turning on your right into St Michael's Road.
- The hotel is at the end of the road situated on the left hand side.



**Marriott**

**BOURNEMOUTH HIGHCLIFF**

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