

Fire Services Management Committee

Agenda

Friday 14 September 2012
11.00am

Smith Square Rooms 3 & 4
Local Government House
Smith Square
London
SW1P 3HZ

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

www.local.gov.uk

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Fire Services Management Committee
14 September 2012

The **Fire Services Management Committee** meeting will be held on **Friday 14 September 2012** at **11.00am**, in Smith Square Rooms 3 & 4 (Ground Floor), Local Government House, LONDON, SW1P 3HZ. A sandwich lunch will be provided afterwards at 1pm.

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.

Labour: Aicha Less: 020 7664 3263 email: aicha.less@local.gov.uk
Conservative: Luke Taylor: 020 7664 3264 email: luke.taylor@local.gov.uk
Liberal Democrat: Evelyn Mark: 020 7664 3235 email: libdem@local.gov.uk
Independent: Group Office: 020 7664 3224 email: independent.group@local.gov.uk

Attendance Sheet

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Location

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Contact

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

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Fire Services Management Committee

Friday 14 September 2012

11.00am

Smith Square Rooms 3 & 4, Local Government House, London

For discussion

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Date of Next Meeting: Friday, 16 November 2012, 11.00am, Westminster Suite Room 8.1, Local Government House

Fire Services Management Committee membership and appointments to outside bodies 2012 – 13

Purpose of report

For decision.

Summary

This report outlines the membership of the Local Government Association (LGA) Fire Services Management Committee for the 2012 / 13 meeting cycle. The report also outlines outside bodies to which Committee is asked to appoint for the 2012 / 13 meeting cycle.

Recommendations:

The Committee is asked to:

1. Formally note the membership for the LGA Fire Services Management Committee (attached as **Appendix A**)
2. Formally appoint to outside bodies in accordance with the procedure outlined in **Appendix B**, ensuring that the bodies to which they wish to appoint accurately reflect LGA priorities;
3. Note that members currently representing the Committee on outside bodies provide any appropriate feedback from the previous meeting cycle;
4. Provide the LGA Executive October meeting with the Committee's 2012-2013 list of outside body appointments.

Actions

Officers to:

1. Inform outside bodies of any changes in, or confirm continuation of, LGA representatives.
2. Confirm appointments directly to members and also via a paper for information at the next appropriate full Committee meeting.

Contact officer:

Stephen Service

Position:

Programme Support Officer, LGA

Phone no:

020 7664 3194

E-mail:

stephen.service@local.gov.uk

Fire Services Management Committee membership and appointments to outside bodies 2012 – 13

Fire Services Management Committee (FSMC) membership

- Members are invited to formally note the membership and to confirm the Committee's Lead Members for 2012 / 13 (as detailed in **Appendix A**). With the agreement of the LGA political groups, the Committee has been reduced from 15 to 14 members since 2011/12 as the proportionality of the groups meant that no single group had a clear entitlement to the fifteenth place. The breakdown of the committee by authority type is as follows:

FA type	FSMC 2009/10 (1 Conservative vacancy)		FSMC 2010/11		FSMC 2011/12		FSMC 2012/13	
	Number of Members	Percentage of Members	Number of Members	Percentage of Members	Number of Members	Percentage of Members	Number of Members	Percentage of Members
London	4	29	2	13	3	20	2	14
Mets	2	14	3	20	2	13	3	21
CFAs	5	36	7	47	6	40	6	43
Counties	3	21	3	20	4	27	2	14
Other*	0	0	0	0	0	0	1	7
Total	14	100	15	100	15	100	14	100

*Denotes FSMC Members who sit on Welsh fire authorities or non-fire authorities.

FSMC outside body appointments

- The Local Government Association (LGA) currently benefits from a wide network of member representatives on outside bodies across a range of LGA member structures. These appointments are reviewed on an annual basis across the Association to ensure that the aims and activities of the outside bodies remain pertinent to the LGA.
- A list of the organisations to which the Fire Services Management Committee currently appoints member representatives is attached as **Appendix C**. This list also details where Councillors have been returned to the Committee in the new cycle and where changes in membership have created a vacancy on an outside body. Members are asked to note and comment upon the appointments for this meeting cycle, which are to be made in proportion with political representation across the LGA.
- A database for centrally recording all the information relating to appointments is held by the Member Services team.
- In order to clarify the process for making appointments; the method of recording information on appointments; and to set out the level of support we will offer to

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appointed members, a procedure has been drawn up (**Appendix B**) which aims to ensure that Members are, ahead of the first meeting of the cycle, fully briefed on both the policy direction of the outside body and the logistical arrangements, such as meeting frequency, meeting location and membership.

Financial Implications

6. There are no financial implications arising directly from this report. Reasonable travel and subsistence costs will be paid by the LG Association for expenses incurred by a member appointee, whilst carrying out a representative role on an outside body on behalf of the LGA.

Appendix A

Fire Services Management Committee Membership 2012/13

Councillor	Authority
Conservative (6)	
Kay Hammond [Chairman]	Surrey CC
Mark Healey	Devon & Somerset FRS
Maurice Heaster OBE	London FEPA
John Bell	Greater Manchester FRA
David Topping	Cheshire FA
Kevin Foster*	West Midlands FRA
Substitutes:	
Richard Hobbs	Warwickshire FA
Ann Holland	Essex FA
David Rowlands	Bucks & Milton Keynes FA
Labour (5)	
Sian Timoney [Vice Chair]	Bedfordshire & Luton FRA
John Joyce	Cheshire FA
Navin Shah	London FEPA
Julie Young	Essex CC
John Edwards	West Midlands FRA
Substitutes:	
Les Byrom CBE	Merseyside FRA
Leslie Christie	Kent FA
Darrell Pulk	Nottinghamshire and City of Nottingham FA
Liberal Democrat (2)	
Jeremy Hilton [Deputy Chair]	Gloucestershire CC
Keith Aspden	North Yorkshire FRA
Substitutes:	
Roger Price	Hampshire CC
Terry Stacy MBE JP	London FEPA
Independent (1)	
Brian Copping [Deputy Chair]	Shepway DC

14 Member Steering Committee

Appendix B

Procedure for LGA appointments to outside bodies

1. List of Outside Bodies

- 1.1 It is the responsibility of the Boards to review the need for representation on outside bodies as part of their annual appointments process. Boards should:
- Ensure that the list of outside bodies reflects LGA priorities, both by ending appointments where these are not felt to be of value and by actively seeking representation on new organisations;
 - Evaluate both the value of the LGA's relationship with the organisation and the level of LGA influence on that body; and
 - Have consideration of when it is necessary to appoint a member representative and when an officer appointment would be more appropriate.
- 1.2 The Boards will submit a report to the LGA Executive setting out their current list of outside bodies every year in October.

2. Political Proportionality

- 2.1 As stated in the LGA Political Conventions:

Every effort will be made to ensure that all groups recognised by the Association are fairly represented on outside bodies both numerically and in terms of the range/type of appointments made. Each Board or Panel responsible for making appointments should agree the means by which this is achieved ... Appointments to individual outside bodies should reflect political balance where possible, subject to the constraints set by the number of appointments to individual bodies.

- 2.2. While the Boards are responsible for ensuring appointments are made in accordance with the LGA's political proportionality, the political group offices have oversight of this process through:
- 2.2.1 Considering individual appointments in the context of all appointments to outside bodies across the organisation.
 - 2.2.2 Maintaining lists of members of Boards and other councillors willing to serve on outside bodies, together with details of their particular skills and experience.
 - 2.2.3 Discussing nominations to outside bodies with their members at the political group meetings preceding September Board meetings.
 - 2.2.4 Being kept informed of any additional appointments that arise during the course of the board cycle.
 - 2.2.5 Finding a representative if a Board is unable to secure an appointment.

3. Appointments

- 3.1 Appointments will be agreed by each Board at their September meeting and will be time limited – set according to the outside body's governance arrangements.

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- 3.2 The Member Support Officer will then write to each organisation notifying them of the appointment and requesting details of forthcoming meetings.
- 3.3 Certain appointments are made centrally and appointments are also made by the LGA to negotiating bodies. While the process for making these appointments will be different, this information will be recorded on the central database and the same requirements for review and for support to members apply.

4. Recording information about appointments

- 4.1 A database of existing outside body appointments will be maintained centrally by the member support team, to include:
 - 4.1.1 Councillor details, including political party;
 - 4.1.2 Term of Office;
 - 4.1.3 A key contact at the organisation;
 - 4.1.4 Any allowances or expenses paid by the outside body; and
 - 4.1.5 Named LGA link officer.
- 4.2 The Member support team will add details of the appointment to the notes on the appointed councillor's database entry and on the organisation's database entry.
- 4.3 The list of Outside Bodies, broken down by Board, will be published on the LGA website and details will also be added to each member's web profile. The member support team has responsibility for ensuring this is kept up to date.

5. LGA support for members appointed to Outside Bodies

- 5.1 Members appointed to outside bodies must receive support from LGA officers in order to maximise their contributions to outside bodies, including being kept informed of key LGA lobbying messages. Support will therefore be provided in line with the following Scrutiny Panel recommendations, agreed by the LGA in 2003:
 - 5.1.1 For each Board making appointments to outside bodies, there should be a designated LG Group member of staff to oversee the appointment process for that executive, including the provision of introductory briefing for new appointees.
 - 5.1.2 A named member of staff should be appointed as the liaison person for each outside body.
 - 5.1.3 Each Board should consider the need for induction support for appointees in relation to particular outside bodies.
 - 5.1.4 Where deputies or substitute representatives are appointed, they should also be made aware of arrangements for support and report back.

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- 5.1.5 Details of any financial support from either the LGA or the outside body should be provided for all appointees.
- 5.2 Member Support Officers will oversee the appointment process and in most cases will be the liaison officer for outside bodies linked to their Boards; however, in certain cases it may be more appropriate for a Policy Adviser to act as the liaison.
- 5.3 Member Support Officers will ensure that appointees receive a letter setting out the details of the appointment, term of office, future meeting dates, arrangements for expenses and the contact details of both the organisation's named contact and the LGA's link officer.
- 5.4 New appointees will receive an initial briefing on the work of the outside body and relevant LGA lobbying messages from the link officer and will also be kept informed of any arising policy issues and of other local government contact with the organisation.
- 6. Mechanisms for feedback**
- 6.1 All appointees should be encouraged to provide updates to the link officer following meetings and when important issues arise.
- 6.2 All appointees, including non-board members, should be encouraged to feed into board 'other business' reports every 2 months. Appointees who are not board members may also wish to attend a board meeting to report back.
- 6.3 Towards the end of each year, all appointees will be contacted by the Member Support Officer and invited to feed back their views of the appointment, in preparation for the Boards' annual review of appointments. This should cover how many meetings they have attended, how useful they feel their role has been, whether they wish to continue and whether they have any additional support needs.
- 6.4 The named contact at the outside body should also be contacted annually to confirm details of attendance and provide an update on any changes.
- 7. Expenses**
- 7.1 Reasonable travel and subsistence costs will be paid by the LGA for expenses incurred by a member appointee, whilst carrying out a representative role on an outside body on behalf of the LGA.
- 7.2 Expenses will be paid to members appointed to outside bodies, in line with the LGA Members' Allowances Scheme:

Approved Duties for payment of Travel and Subsistence Costs

- 7.2.1 *Approved duties (for payment of Travel & Subsistence) under the LGA scheme are:*

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- 7.2.1.1 *Attendance at meetings with Ministers, Government Departments or consultations with other bodies where members have been appointed by the Association;*
 - 7.2.1.2 *Attendance at receptions, visits, conferences, seminars or other functions where members have been appointed by the Association to attend in a representative role on behalf of the Association; and*
 - 7.2.1.3 *Attendance as the Association's appointed representative on any public body, charity, voluntary body or other organisation formed for a public purpose (and not for the benefit of its members).*
- 7.2.2 *Travel and subsistence costs for all other meetings should be met by member authorities.*

Travel and Subsistence Costs

- 7.2.3 *The Association will reimburse rail fares on the basis of the standard fare. In exceptional circumstances, the Association will reimburse the first class fare, but this will be subject to certification of the claim form as to why travel by first class was necessary. It will also reimburse reasonable levels of subsistence. Receipts should always be provided for travel and subsistence claims. Where it is necessary for a member to use his or her own vehicle when on an approved duty on behalf of the Association, mileage will only be reimbursed to a maximum of the first class rail fare.*

Carers' Allowance

- 7.2.4 *A carers' allowance of up to £5.93 per hour, (i.e. actual expenditure incurred up to a maximum of £5.93 per hour) will be paid for care of dependants whether children, elderly people or people with disabilities to those members who receive responsibility allowances for approved duties set out under paragraph 4, and to those members representing the LGA on outside bodies. The maximum period of the entitlement will be the duration of the approved duty and reasonable travelling time. The allowance will not be payable to a member of the claimant's own household. The carers' (reasonable) expenses will be paid.*

Payment of Travel & Subsistence Costs and Carers' Allowances

- 7.2.5 *Members should initially claim travel and subsistence costs and the carers' allowance, as appropriate, from their authority. Authorities should then seek reimbursement from the Association on a quarterly basis.*
- 7.2.6 *Claims from authorities should be submitted promptly identifying clearly and fully the meeting to which the claim refers. (Reference to a meeting as "LGA, London" for example will not be sufficient and will delay re-imburement of the claim).*

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Appendix C

Fire Services Management Committee: Outside Bodies and Internal Working Groups

Appointed Outside Bodies

Organisation / contact details	Background	Appointee (2011 / 12 appointees below)
CLP Sub Group for Fire	A regular meeting between the Local Government Association (LGA) and government ministers in order to discuss fire and rescue service policy issues.	5 places Cllr Brian Coleman, LFEPA (Cons); Cllr Sian Timoney, Bedfordshire and Luton FA (Labour); Cllr Jeremy Hilton, Gloucestershire CC (LD); Cllr Christopher Newbury, Wiltshire and Swindon FA (Ind) 1 vacancy
Firefighters' Pensions Committee	The Firefighters' Pensions Committee is a consultative body, representative of key stakeholders in the Fire and Rescue Service, on issues related to the Firefighters' Pension Scheme(s).	Cllr Maurice Heaster, LFEPA (Cons)
Strategic Resilience Board		2 places Cllr Jeremy Hilton, Gloucestershire CC (LD); Cllr Mark Healey, Devon & Somerset FA (Cons)

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Fire Service College Strategic Stakeholder Board	The Fire Service College is responsible for providing leadership, management and advanced operational training courses for senior fire officers from the UK and foreign fire authorities. The Board ensures stakeholder involvement in the activities of the College.	Cllr John Joyce, Cheshire FA (Labour)
CFOA, RDS and Operational Training Working Group	The Group meets to discuss work practices for retained duty systems and develop recommendations.	Cllr Kay Hammond, Surrey CC (Cons)

Appointed Members may wish to continue on the abovementioned bodies, but are not obliged to do so. Members are asked to ensure that appointments for 2012 / 13 are in broad proportionality with the political group makeup of the Committee, which is as follows:

Conservative Group: 6 appointees

Labour Group: 5 appointees

Liberal Democrat Group: 2 appointees

Independent Group: 1 appointee

Based on the LGA Political Proportionality Figures, the 9 seat allocation for 2012 / 13 should be broadly as follows:

4 Conservative, 3 Labour, 1 Liberal Democrat, 1 Independent

Appointed Internal Working Groups (meeting in 2011/12)

Organisation / contact details	Background	Appointee (2011 / 12 appointees below)
Sprinklers Campaign Working Group	The Sprinklers Campaign Working Group was set up to develop a campaign to highlight the importance of fitted Sprinkler systems and increase public awareness of the issue.	Cllr John Edwards, West Midlands FRA (Labour); Cllr Rebecca Knox, Dorset FA (Cons); Cllr Richard Hobbs, Warwickshire FA (Cons) Cllr Dave Hanratty, Merseyside FA (Labour); Cllr David Milsted, Dorset FA (LD);

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Fire Peer Challenge Working Group	Working Group to develop the Fire & Rescue Service peer challenge offer.	Cllr Kay Hammond, Surrey CC (Cons); Cllr David Rowlands, Bucks & Milton Keynes FA (Cons); Cllr Les Byrom CBE, Merseyside FRA (Labour); Cllr Jeremy Hilton, Gloucestershire CC (LD)
Fire College Working Group	The Group met to examine the strategic issues facing the Fire Service College, explore options for its future governance, structure and financial operation and to report back with recommendations to the Fire Services Management Committee.	David Cartwright QFSM, LFEPA (Cons); Cllr Mike Bawden, Wiltshire and Swindon FRA (Cons); Councillor Peter Abraham, Avon FRA (Cons); Councillor John Joyce, Cheshire FRA (Labour); Councillor Sian Timoney, Bedfordshire and Luton FRA (Labour); Councillor Jeremy Hilton, Gloucestershire CC (LD)

LGA Strategic Advisor:

Ron Dobson CBE, Commissioner, London Fire and Emergency Planning Authority

Finance Adviser:

Kieran Timmins, Executive Director of Finance, Procurement and ICT, Merseyside Fire and Rescue Service

Human Resources Advisers:

James Dalgleish, Head of Human Resources, London Fire and Emergency Planning Authority;

Bob Warren, Director of Human Resources, Lancashire Fire and Rescue Service;

Karen Palframan, Human Resources and Development Manager, Norfolk Fire and Rescue Service

Future priorities

Purpose of report

For discussion and direction.

Summary

This paper sets out draft priorities for the work of FSMC in the coming year. It draws on the responses by fire authorities to the letter sent by Cllr Kay Hammond, Chairman of FSMC on 9 August 2012.

Recommendation

Members are invited to consider and comment on the draft priorities and to agree a final version.

Action

Officers to draw up detailed workstreams in the light of this discussion.

Contact officer: Eamon Lally
Position: Senior Adviser
Phone no: 07799768570
E-mail: eamon.lally@local.gov.uk

Future Priorities

Background

1. The annual business plan for 2012/13 for the LGA was agreed by the Executive in March 2012. Six priorities were identified as the focus for the LGA's work in 2012/13:
 - 1.1. Public Service Reform
 - 1.2. Growth and Prosperity
 - 1.3. Funding for local government
 - 1.4. Efficiency and Productivity
 - 1.5. Sector-led Improvement
 - 1.6. The LGA's own effectiveness and efficiency.
2. All of the LGA's Boards work within the broad framework set by these priorities. The performance report presented to the Leadership Board after the first quarter showed that broadly the LGA is on track to deliver.
3. Although mid-way through this year's business plan period, the advent of the new membership of the FSMC is an opportunity to consider the ongoing and future work programme.
4. On becoming Chairman of FSMC, Cllr Kay Hammond wrote to the Chairmen of all fire authorities inviting them to propose priorities for the work of FSMC in the coming year. The letter is attached as Appendix 1.
5. The opportunity to feed into the work programme and to ensure we genuinely represent our member authorities was warmly welcomed. To date we have received responses from:

Royal Berkshire Fire Authority
Cornwall Fire Authority
Dorset Fire Authority
Essex Fire Authority
Greater Manchester Fire Authority
Hampshire Fire Authority
Hereford and Worcester Fire Authority
Leicestershire Fire Authority
North Lincolnshire Fire Authority
Oxfordshire Fire Authority
Shropshire Fire Authority
Suffolk Fire Authority
West Yorkshire Fire Authority

6. These responses are reflected in the proposed priorities set out below.

Proposed priorities

7. The future programme for FSMC is being developed at a time of continuing and substantial change in the level and method of funding. The shift in the relationship between the fire and rescue service and government also continues to change with the LGA and CFOA increasingly providing the national cement that hitherto would have come from government. Fire authorities are taking tough decisions on front line services and will be looking to substantial reform ahead of the next spending review period in 2015. The issues that have been raised by fire authorities reflect this challenging context in which the service is operating.
8. There will remain an oversight role for some significant pieces of work currently in train such as ensuring the sale of the Fire Service College proceeds satisfactorily and rolling out the new Fire Peer Challenge programme, and ensuring we support FRAs to deliver Firecontrol projects. But going forward FRAs are proposing that these are combined with new strategic and targeted additions. The proposed priorities are summarised below.

(a) Future Funding

9. As anticipated, future funding was the overwhelming priority for fire authorities. This has several aspects to it including:
 - 9.1. Setting out the case for the fire and rescue service in the preparation of a fire sector CSR submission
 - 9.2. Lobbying for a fair and equitable settlement in the remainder of this spending period and into the next.
 - 9.3. Lobbying for an early announcement of the 2013/14 and 2014/15 settlement for fire authorities
 - 9.4. Supporting fire authorities to understand and respond to the shift to a retained business rate system and the localisation of council tax benefit

(b) Responding to the new context for the fire sector

10. FSMC will have a continuing role in supporting fire authorities in the implementation of the new national framework. Through its membership of the Strategic Resilience Board, FSMC will have an important role in supporting fire authorities to shape and deliver national resilience.

(c) Retained Firefighters

11. Retained firefighters are an important feature of most fire services and in recent years the ratio of retained firefighters to wholetime firefighters has been increasing. Fire authorities want the conditions for the recruitment and retention of retained firefighters to remain favourable. They are keen that FSMC lobbies in Europe and in the UK to protect and enhance the opportunities for retained firefighters.

(d) Sprinklers

12. Sprinklers has been a high priority for fire authorities and this is reflected in the work that the FSMC Working Group, led by Councillor John Edwards, did last year to raise the profile of this issue. This remains a priority and FSMC has already committed to supporting fire authorities in their use of the toolkit that has developed.

(e) Retained firefighter pensions

13. This is an issue which could have a large financial impact on fire authorities. FSMC has been lobbying government on the issue of the allocation of the non-employee costs associated with providing retrospective access to the pension scheme to retained firefighters. We have recently written to the fire minister setting out the concerns of the sector and it is likely that this will remain an issue in the coming year. It will be important to raise this issue early on with the new Fire Minister.

(f) Health and Safety

14. The role of the Health and Safety Executive, in respect of fire and rescue services and how that role is interpreted and carried out has been raised as an issue of concern to FRAs, particularly in the context of the Atherstone on Stour fire.

(g) National negotiations

15. Some Fire Authorities have raised pay, industrial relations and the national negotiations around these areas as significant issues in the coming year. These areas are the responsibility of the National Joint Committee (NJC) for Fire and Rescue Services, which includes members nominated by the LGA. The Employers' Side of the NJC, including LGA members, will be mindful of the views of the LGA membership more widely in addressing these complex and important issues.

(h) Responding to changing local governance arrangements

16. Fire authorities are keen that there is support in defining the new relationship with Police and Crime Commissioners and continuing influence of fire authorities in the broader community safety agenda.

(i) Road safety

17. Attendance at road traffic accidents is an increasing feature of the work of the fire and rescue service, and was highlighted at last year's Fire Conference. Members may wish to consider exploring the role of firefighters in local multi-organisation road safety partnerships.

Communications

18. There are a number of internal and external communications channels available to help the Fire Services Management Committee promote the work it is doing and ensure key messages are received in a professional manner by as many stakeholders as possible. Members will be aware that we use the full suite of these tools and techniques to ensure that the safer communities and policing contacts are aware of, and support, our work.
19. We have a programme which centres on the annual fire conference which has grown and is now a flagship event. We also have a dedicated section on the LGA website, bulletins, outside speaking events and interviews, Knowledge Hub, blogs, features and news items in First magazine, and twitter accounts which are used to keep in close touch with our members to hear their concerns, but also to ensure they are aware of the work of the LGA. We also work with some of our key partners such as the Chief Fire Officers Association to give added strength to our messages.

Conclusion and next steps

20. Following a decision by FSMC on its priorities, officers will prepare a detailed work programme to manage the day to day work and the Chairman will also communicate the agreed priorities to all members of fire authorities. These will feed into the wider LGA business planning exercise which begins in earnest early in 2013.

Financial Implications

21. All work can be met from existing resources.

Fire and Rescue Peer Challenges

Purpose of report

For discussion and approval.

Summary

At the July FSMC meeting, Members asked for further work to be done to review the list of FRA Member Peers and to ensure that appropriate training was in place so that the extensive programme of Fire Peer Challenges scheduled over the forthcoming years are delivered to the highest and most professional standard.

This paper confirms that the accredited Member Peer pool has been reviewed; and sets out a proposed programme of training. It also proposes a Member Sounding Board and Member input to the agreed Chief Fire Officer Sounding Board to be held in December to review progress and evaluate learning.

Recommendation

Members are asked to discuss and endorse this work.

Action

Officers to progress work programme subject to Members' comments.

Contact officer: Gary Hughes
Position: Programme Manager - Peer Support
Phone no: 07771941337
E-mail: gary.hughes@local.gov.uk

Fire and Rescue Peer Challenges

Background

1. Members have previously discussed the successful take up of the Operational Assessment and Fire Peer Challenge Programme. Whilst there is a comprehensive officer peer training programme in train, Members agreed that as political leadership is an integral component of the approach to OpA self assessment and Fire Peer Challenge it was essential that a parallel training programme is designed and delivered to Member Peers.
2. Members also agreed to review the current list of accredited peers with the National Lead Member Peers. Although the corporate peers have a range of skills which are directly transferable and applicable to Fire Peer Challenges, Members were keen to ensure that Peers also have recent and relevant experience of fire authorities to give the programme real credibility in the fire sector.

Member Peer Training - Outline programme

3. Building on the successful delivery of 11 officer peer training sessions, and with learning from previous Members sessions in mind, the following outline programme is proposed for Member Peers. This will ensure that all Peers are familiar with the new product, and will act as a refresher for Peers who undertake this work.
4. The draft training programme will cover:

4.1 Fire Peer Challenge - The New Approach

- 4.1.1 How there has been a fundamental change to the national performance framework with no inspection and greater local accountability and transparency.
- 4.1.2 How the new peer challenge offer looks and feels different to previous inspection based approaches.
- 4.1.3 How members and officers worked together to develop the offer and its fit as part of the LGA's Taking the Lead approach to sector led improvement.

4.2 Overview of the Fire Peer Challenge and OpA process

- 4.2.1 How the new peer challenge works and the fit with the new Operational Assessment.
- 4.2.2 The roles and expectations of the peer challenge team members.
- 4.2.3 The principles of peer challenge and the skills needed.
- 4.2.4 The outputs from the challenge – feedback, report and signposting.

4.3 The role of a Member Peer – Group discussion session

- 4.3.1 How to effectively provide specific political input into the peer challenge and ensuring positive and professional relationships with the respective FRA elected members.
- 4.3.2 How to effectively lead on and provide input into the peer challenge on the areas of:
 - community leadership
 - political leadership and governance
 - professional and political relationships within the FRA
- 4.3.3 How to effectively work with peer team members and the lead officer peer.

4.4 A Peer's Perspective

- 4.4.1 Feedback from a Member peer on their experience.

4.5 Putting it into Practice - Simulation Exercise

- 4.5.1 Delegates examine a Fire & Rescue Service peer challenge scenario.
- 4.5.2 Work in groups to gather data and evidence.
- 4.5.3 Develop feedback.
- 4.5.4 Discussion in groups.

4.6 Debrief – Feedback and Evaluation

- 5. Each training session will be facilitated by an LGA Peer Support Programme Manager and will be for a full day.
- 6. The following dates for Member Peer training are proposed:
 - 6.1 30 October 2012 – Birmingham
 - 6.2 01 November 2012 – London
- 7. These are initial training sessions and more will be organised shortly.

Member Peers

- 8. Following the last discussion each National Lead Member Peer has been in discussion with FSMC Lead Members to review their Member Peer list. Some minor changes have been made but each are now confident that the Member Peers on offer have recent and relevant experience with ten being drawn from the current and past Membership of the FSMC itself.
- 9. With the refreshed Member pool and the planned training programme, we will be able to field skilled Members Peers for the forthcoming Fire Peer Challenges.

These are usually sourced at least three months in advance of the onsite work. Ongoing review and monitoring of the peer pool will continue to ensure there are adequate numbers and skilled peers in place.

10. Member peers are involved in a range of peer support activity in addition to peer challenges, including support to new leaders and administrations following a change of control, mentoring and councillor development. If Members are interested in becoming a peer they should contact the relevant national lead member peer or head of Political Group Office to discuss:

- 10.1 their experience and expertise;
- 10.2 the current demand for member peers; and
- 10.3 the areas where we require more peers.

Chief Fire Officer Sounding Board

11. Invitations for the Chief Fire Officer Sounding Board will be going out in mid September to all CFOs who have a led, or received, a Fire Peer Challenge. This event will be hosted in partnership with CFOA and it is proposed that there is Member input from FSMC.
12. It is proposed that a similar Member Sounding Board is organised when 10 Fire Peer Challenges have taken place. We anticipate this will be held in December.

Financial Implications

13. There are no financial implications for the FSMC work programme arising directly from this report as the Fire Peer Challenge programme is a core part of the LGA's overall Taking the Lead programme.

Retained Business Rate Scheme Technical Consultation

Purpose of report

For discussion and direction.

Summary

This paper contains details of the Retained Business Rate Scheme Technical Consultation which was published by the Government on 17 July 2012. The paper also sets out proposed key points of an FSMC response to the consultation.

Recommendation

Members are asked to consider and comment on the draft consultation and agree key points for inclusion in an FSMC response.

Action

Officers to action as directed.

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Retained Business Rate Scheme Technical Consultation

Background

1. The LGA was successful in lobbying government for the inclusion of all fire authorities in the retained business rate scheme. On 17 July 2012 the Government launched a consultation on a range of technical issues concerning the transition from the current formula grant system and the implementation of the new business rates retention scheme in April 2013.
2. Broadly, the consultation considers the establishment of the start up funding and baseline, the setting up of a retained business rate scheme and its operation. The consultation document can be found at:

<http://www.local.communities.gov.uk/finance/brr/sumcon/index.htm>

3. The consultation closes on 24th September 2012.
4. The technical document is very long and complex. This paper concentrates on a limited number of points. In particular it discusses the reductions to the overall control total as a result of money held back for the safety net (this pays for the floor below which retained rates income is not allowed to fall). The paper also highlights the impact of proposed changes to the relative needs formula which have a variable impact on fire authorities. Further the paper notes the proposed relative shares of business rates that will come to fire authorities and comments on the hitherto optimistic treasury forecasts of business rate levels.

Key points related to fire authorities

5. The consultation document addresses some important issues that will affect the funding of fire authorities in future years. The key points of a draft consultation response is set out in paragraphs 20 to 29.

Start up funding and baseline for fire

6. The Government shows how the control totals that it will use can be derived from those in the last Spending Review. It confirms that it will make further cuts to account for the assumption that public sector pay will go up by 1 per cent in 2013/14 and 2014/15 and take away £120 million (spread over six years) from general local authority funding to pay for the New Development Deals for Newcastle, Nottingham and Sheffield. The effect is to reduce the local government spending control totals by £260 million for 2013/14 and by £517 million for 2014/15.
7. Some fire grants that were to have been rolled into formula grant will remain as separate grants, as will any funding for neighbourhood planning, yet to be determined.
8. The Government is holding back £100 million to pay for capitalisation and up to £250 million for the safety net, which will eventually be funded out of the levy. This money will be taken mainly from the surplus new homes bonus (NHB).

9. The Government will also be removing £2 billion out of each year's spending control total, up to 2020, to fund the NHB. Any money that is not needed will be returned to local government as described below.
10. The effect of all these changes means that there is a substantial decrease in the control total for all local government including police and fire. The control totals for fire set out in the spending review have been subsequently reduced by the decision to take out the amount paid for New Dimensions, the maintenance of equipment used for national resilience, which is around £50 million per year in 2013/2014 and 2014/2015 out of the business rates scheme and retain it as a separate grant. The control totals have been further reduced by the decision to hold back £7 million of fire funding to support the safety net in the early stages of the schemes implementation.
11. As a result changes to the control total for fire will be -9% in 2013/14 and -5.4% 2014/15. The changes are summarised in the table below.

		Spending Control Totals for fire				
		2010/11 £'m	2011/12 £'m	2012/13 £'m	2013/14 £'m	2014/15 £'m
Original Spending Control Totals		1057	996	988	911	866
Chancellor Pay assumption					- 5	- 9
Less Safety Net/Capitalisation Deduction					- 7	- 7
Final Spending Control Totals for Fire		1057	996	989	899	850
Percentage Reduction	%		- 5.8	- 0.7	- 9.1	- 5.5
Cumulative Cash Cut	£'m		61	68	158	207
Cumulative Percentage Cut	%		-5.8	-6.4	-14.9	-19.6

12. The total cash cut for the fire and rescues service is £207m or 19.6%. In cash terms this is approximately the same as general local government cuts. In the first two years the spread of the cuts/increases around the country was very varied between fire and rescue services.

Other proposed changes that will impact on funding

13. The consultation document proposes changes to the relative needs formulae, including a variety of changes to the weightings for sparsity in various relative needs blocks and a new judgemental sparsity top-up for the Fire and Rescue Relative Needs Formula at 1% — this is intended to provide support towards the additional costs of providing a fire and rescue service in a rural area, for example, the greater distance covered by appliances to fire incidents and road traffic collisions, which results in additional fuel costs.
14. The government also proposes changes to the Relative Resources block, returning the amount to its 2010/11 level to take account of the fact that the amount of council tax raised by authorities (and the ability to raise council tax) has remained roughly constant while grant has decreased.

15. The combined effects of these proposed changes to the relative needs formula are neutral across fire authorities as a whole (excluding county and unitary fire authorities which are not accounted for separately), but will have different impacts on individual fire authorities. The government has performed some exemplifications of the impacts. In essence if:
- 15.1 Judgemental sparsity factor is included then this would see resources move towards more rural areas.
 - 15.2 If the amount in the Relative Resources block is increased resources would move towards those authorities with weaker council tax bases. In general these are the more deprived/urban areas.
16. In addition the government proposes updating all data sets used within the formula as they establish a baseline for the resource review system. In particular population figures will be updated to reflect latest census data. The current formula is based upon forecasts, so for individual authorities the impact of new population data will depend upon how the latest data compares to the forecasts that have been used in the past (not the absolute change in the data). In overall terms population has been growing faster in London and South East than in most other areas in recent times.

All fire authorities will be top-up authorities under the proposed scheme

17. The design of the business rates retention scheme will ensure that fire and rescue authorities are top-up authorities. This will mean that a significant proportion of fire and rescue authorities funding will be protected, and will be uprated by RPI each year. However for the next two years the RPI increase will not be applied since the government intends sticking to its spending control totals and new spending control totals may be set and applied for future spending review periods.
18. The Government proposes that single purpose fire and rescue authorities should receive a 2% share of the local share of the business rates and that each single purpose fire and rescue authority's share of each billing authority's business rate baseline in its area should also be 2%. This share is in the middle of the estimated potential range of 0% to 4% (the lower the percentage share the lower the risk associated with fluctuating business rate income). This share will ensure that each single purpose fire and rescue authority will be a top-up authority and aims to provide some protection against fluctuations in business rate income. Because of the national split of non domestic rates between central /local government this will effectively be 1% of local business rates received directly
19. There are 11 county fire and rescue authorities in two tier areas with direct responsibility for fire and rescue services. The Government proposes that such councils should receive the full 20% of its billing authorities' business rates baseline. Any difference between the share of individual authority business rates baseline and the baseline funding levels of

such councils, including its fire and rescue service responsibilities, will be reflected in the top-up payment received by the County Fire and Rescue Authority.

Key points for consultation response

20. The fire services management committee welcomes the opportunity to contribute to Retained Business rate Scheme Technical consultation.
21. FSMC notes that the funding reductions for fire have been back loaded and this has given time for fire services to plan changes. However, the significant variation in the level of reductions in the first two years of the spending review together with the individual grant totals for the next two years not being announced until December will make proper local planning very difficult. FSMC calls on the government to give fire authorities information on individual grants as soon as possible.
22. Back loading funding reductions also means that initial cuts in front line services have been feeding through slowly. This makes it difficult for the government to risk assess the overall impact of the reduced funding in this spending review on community safety and national resilience.
23. The larger funding reductions in the next two years will hit FRA's at the same time as a range of other significant changes which will impact on funding including:
 - 23.1 council tax benefit localisation;
 - 23.2 increasing pressure for pay increases;
 - 23.3 the impact of all pension changes and revaluations on the cost of pensions schemes; and
 - 23.4 the potential need to plan for further cuts in the next spending review period.
24. This makes it challenging for FRA's to assess and plan for the overall impact on firefighter safety, community safety and any impact on the ability to contribute to national resilience.
25. FSMC agrees with the overall Local Government Association (LGA) that in developing the detailed arrangements for business rates retention, the Government is putting the interests of the Treasury ahead of those of local authorities.
26. In particular, Government forecasts for overall business rates yield have, in recent years, been consistently over optimistic. Retaining this optimism bias will significantly reduce the benefit authorities might gain from localised business rates. The LGA thinks that the forecasting process should be more transparent and that local authorities should retain all real terms growth in business rates.
27. In establishing the control total the Government is taking out up to £350 million as insurance funding for the safety net and capitalisation. Under the proposals £7 million will

come from funds that would otherwise have gone to Fire and Rescue Authorities. The impact on fire authorities is to future reduce the control total in 2013/14 and 2014/15, resulting in overall reductions on the 2012/13 funding of -9% and -5.4% respectively. Even if some of this money is subsequently returned to local authorities, it will be far too late for it to be taken into account in budgets. The LGA calls on the Government to take its share of the risk on funding for the safety net, rather than requiring local authorities to pay for that.

28. The introduction of the Fire & Rescue sparsity adjustment at 1%, and other changes to the relative needs formula, have a differential impact on fire and rescue authorities. The reasons for the proposed changes need to be clearly understood by fire authorities, but the consultation paper does not provide the context or the detailed reasoning for the changes. The impact of these changes need to be more fully explained and exemplified. The changes also need to be understood in the context of the 2013-14 settlement for individual authorities.
29. The Government proposes to set the single purpose fire and rescue authority share of a billing authorities' business rates baseline at 2%. This has the effect of making all single purpose fire and rescue authorities top-up authorities. The consultation document states that fire and rescue authorities will have the confidence that a significant proportion of their funding will be protected, and may be uprated by RPI in future years. This is welcomed by FSMC, but it is recognised that the Fire and rescue service will still have significant cash cuts applied in years 3 and 4 of the current spending review period as government sticks to its spending control totals.

Conclusions and next steps

30. Following discussion and agreement by FSMC a consultation response will be finalised and sent to DCLG to meet the consultation deadline.

Financial Implications

31. Addressed in the body of the report.

Primary Authority Scheme and the Fire and Rescue Service

Purpose of report

To outline the proposed Primary Authority approach to regulating businesses and provide the FSMC with the opportunity to consider the impact on fire and rescue services.

Summary

Primary Authority is now a well established approach to supporting and regulating businesses in relation to both trading standards and environmental health responsibilities. It has been welcomed by industry because it promotes consistent enforcement and reduces burdens on businesses.

Government will be working with pilot fire authorities from autumn 2012 to explore how Primary Authority will work as part of the approach to regulating fire safety. FSMC are asked to provide their initial views on the implications of Primary Authority for fire authorities in order to inform future LGA work on this area.

Recommendation

Members to note the information and discuss the FSMC perspective on the Scheme; and consider whether a letter should be sent to the relevant Minister at the Department for Business, Innovation and Skills signalling our interest in this issue.

Action

Officers to progress as appropriate.

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Primary Authority Scheme and the Fire and Rescue Service

What is Primary Authority?

1. Any business operating across council boundaries can form a primary authority partnership with a single local authority. These partnerships are generally contractual and cover environmental health and trading standards legislation, or specific functions such as food safety or petroleum licensing.
2. Primary Authority was introduced to address concerns raised by businesses about contradictory advice provided by different councils, leading to wasted resources through engaging with a multitude of councils about the same issue and a lack of an effective means for resolving disputes when councils disagreed.
3. The scheme was introduced in 2009. There are currently 554 businesses with a primary authority, which involves 92 councils and over 53 000 premises. Tyne and Wear FRS, Manchester FRS and London Fire and Emergency Planning Authority already have direct experience of acting as a Primary Authority for petroleum and/or explosives licensing. County councils with responsibility for fire and rescue will also have experience of Primary Authority, albeit primarily within the trading standards service.

What is the role of the primary authority?

4. The primary authority provides the business with a single point of contact for reliable advice across their business irrespective of the location of the activity or premise. The primary authority is able to develop an in-depth understanding of processes and working practices to ensure advice is tailored to the unique needs of the business. This knowledge helps inform work undertaken by other authorities.
5. The primary authority receives information from enforcing authorities on areas of non-compliance, which can be used to inform discussions with the business and identify consistent issues that need to be addressed. The primary authority is also required to review any enforcement action proposed by other authorities to ensure it is consistent with advice they have given and proportionate. The primary authority can block enforcement action by other authorities.
6. A primary authority can choose to work with a business to develop an inspection plan, which informs the work undertaken by other authorities with that business.
7. A business can choose what level of support it needs from its primary authority. Resource allocated to a partnership is decided by the authority and business. Where necessary, a Primary Authority can recover its costs from the business under a contractual agreement. The contractual nature of the partnerships serves not only to specify the responsibilities of both the business and the authority, but importantly is used to restrict the liability of the authority.

Proposed changes to Primary Authority

8. The Enterprise and Regulatory Reform Bill proposes the extension of Primary Authority in two key ways – by making inspection plans binding on enforcing authorities and allowing trade associations to join the scheme.
9. Inspection plans are produced in partnership by the primary authority and business. They include recommendations about how enforcing councils should work with the business, including the frequency, nature and circumstances of proactive checks on the business, and requiring feedback on those checks. Guidance states that inspection plans should not be used to influence how enforcing authorities respond to intelligence, complaints or local issues.
10. There are currently only 11 inspection plans in place. Businesses have suggested to Government that the low uptake of inspection plans is because councils are not legally required to adhere to these.
11. The Enterprise and Regulatory Reform Bill will make inspection plans produced by primary authorities binding. Enforcing councils may not deviate from the plan without prior consent and primary authorities can require feedback to be provided after inspections.

LGA view on Primary Authority for councils

12. The LGA supports Primary Authority as one of the key tools that councils can choose to use to provide individual businesses with tailored support, reduce red tape, promote consistent advice from councils and ensure limited enforcement resource is risk based and focused on priorities. Experience has shown that Primary Authority relationships can have benefits for all concerned. However, we have always believed in retaining a strong element of local discretion and have therefore resisted moves from Government to mandate agreements. The LGA continues to support councils that choose to use the voluntary 'Home Authority Principle' if this is considered more appropriate. The Home Authority Principle is a long established approach to providing larger businesses with a single council to contact for advice and guidance in relation to regulatory services.
13. The LGA remains concerned about areas where Primary Authority has the potential to impact on local working arrangements and decision making, particularly in relation to risk management and prioritisation. We recognise this will be of concern to Fire and Rescue Authorities.
14. Specifically, we do not believe that it is appropriate for central government to intervene in these local partnerships by directing authorities to follow inspection plans. Central direction will reduce flexibility and introduce an unnecessary layer of bureaucracy.

Impact on Fire and Rescue Authorities

15. When Primary Authority was established in 2009, the Regulatory Reform (Fire Safety) Order 2005 was excluded from its scope. The Government felt the nature of risks presented by fire meant that Fire and Rescue Authorities (FRAs) would need to take into account local and premise specific issues when ensuring compliance with Fire Safety Orders. The Government is now proposing to bring Fire Safety Orders into Primary Authority and has begun to consider what legislative changes are required to facilitate this.
16. Fire and Rescue Authorities have a great deal of experience at working closely with each other in order to support and regulate businesses. CFOA already provides a great deal of leadership and practical support to promote collaborative working. Primary Authority represents an opportunity to build on these existing strengths and provide fire authorities with an alternative way to help businesses if considered appropriate.
17. However, it is vital that Primary Authority does not undermine local decision making, risk based enforcement or the reputation of Fire and Rescue Authorities. As such, we have begun to explore the implications that Primary Authority could have for Fire and Rescue Authorities.
18. Service planning
 - 18.1 Fire and Rescue Services acting as primary authorities can work with the business to develop inspection plans.
 - 18.2 Advice issued by primary authorities and inspection plans can be used to inform Integrated Risk Management Plans (IRMPs), acting as an additional and useful source of information.
 - 18.3 There is understandable concern that the proposed introduction of compulsory inspection plans could cut across localism and risk based enforcement, however, the advice given under existing Primary Authority relationships has generally been at a 'business policy level' and does not tend to restrict the ability of individual authorities to take local action. Indeed it is local actions and inspections that 'test' the business policies to see if they have been implemented correctly.
19. Advice and guidance
 - 19.1 A Fire and Rescue Service acting as a primary authority on fire safety would be able to issue advice and guidance across the business activities which should be considered by all other authorities. This helps to provide consistent enforcement and maximises resources for authorities and the business. Expert advice of this type also improves business practices.
 - 19.2 In the rare circumstances when a primary authority and enforcing authority disagree then this can be resolved through a process run by the Better

Regulation Delivery Office (BRDO). This is an area where the LGA remains uncomfortable with the need for central intervention.

20. Enforcement action

- 20.1 It is established working practice for environmental health and trading standards services to liaise with the primary authority as soon as they have concerns about business activities in their area. It would be beneficial for Fire and Rescue Authorities to adopt a similar approach and maximise collaborative opportunities from existing regional and national networks, as this can often help resolve problems without the need for formal enforcement action.
- 20.2 Under Primary Authority, an enforcing authority must formally notify the primary authority of any enforcement action it proposes to take. A primary authority can then decide whether the proposed enforcement action is consistent with advice it has given previously and choose to allow or block the action. Enforcement action cannot be blocked unless the primary authority has given advice in relation to the specific issue. BRDO has a role in mediating between the two if required.

21. Costs of Primary Authority

- 21.1 Fire and Rescue Authorities acting as a primary authority can recover their costs from the business concerned. Primary authorities will need to ensure risk based activities are not impacted and this may be more difficult for smaller services.
- 21.2 Some additional resource is required by enforcing authorities to consider advice provided by primary authorities and liaise with the primary authority if required. However, this is partially balanced by the additional intelligence and in-depth business knowledge that can be gained when working with a primary authority.

Fire and Rescue Pilots

- 22. The BRDO is currently planning to launch several pilots in October to test Primary Authority on fire safety. All Fire and Rescue Authorities will be invited to participate. It is anticipated that 8-10 authorities and businesses will be selected to pilot with a mix of authority types and business sectors. Progress and results of these pilots will be shared with FSMC.

CFOA position on Primary Authority

- 23. CFOA expressed their concerns to BIS over the inclusion of the Fire Safety Order in Primary Authority, feeling that the scheme would create extra burdens including more capacity pressure for Fire and Rescue Services. If this were to occur, there is concern that this would reduce the ability of individual Fire and Rescue Services to gather building information outside of its regulatory role

24. CFOA believes that Primary Authority is not compatible with the ethos of the Integrated Risk Management Plans and therefore the Fire Safety Order is not necessarily suitable for inclusion within the PAS, particularly if inspection plans were made compulsory. Compulsory inspection plans could also clash with the current CFOA audit process, which could result in a costly refresh of forms and systems.
25. CFOA has explicitly highlighted that Primary Authority allows the Government to direct an authority into a partnership, even if it has insufficient resources to be able to act as a primary authority. This approach has yet to be used by BRDO.

Retail and Fire Key Authority Partnerships

26. The Retail and Fire Key Authority Partnerships (RAFKAP) scheme was established in 2006 by CFOA and the British Retail Consortium (BRC). It is a voluntary scheme that enables a retail business with multiple outlets to establish a relationship with a single authority for advice and guidance. CFOA currently hosts a register of partnerships on their website and work is underway to improve information exchange. Enforcing authorities can also liaise with the lead authority about any concerns they may have. Partnerships with 22 businesses are now in place.
27. RAFKAP is a strong example of how Fire and Rescue Services have explored new and innovative ways to support businesses by working collaboratively on a voluntary basis. Partnerships in place work well, however, CFOA believe the benefits of a non statutory scheme are only just being realised by both business and Fire and Rescue Services and it will take time for this approach to become embedded.

Proposed LGA action

28. It is proposed that the LGA write to BRDO and the Department for Communities and Local Government to provide an update on discussions at the FSMC.
29. We recommend that the letter convey support for the principles behind Primary Authority, while emphasising the importance of local decision making and minimising bureaucracy for authorities. The letter can also signal clear LGA interest in the pilots, as they will be fundamental to understanding the unique implications of Primary Authority for Fire and Rescue Authorities. It is proposed that we recommend the pilot also considers what can be achieved through a voluntary approach, such as the RAFKAP model.

Additional information

30. Review of Fire Safety Enforcement
 - 30.1 BIS, in partnership with recently undertook a Review of Enforcement of the Regulatory Reform (Fire Safety) Order 2005. This Review sought to explore the experiences of businesses and organisations of working with fire safety officers and local fire and rescue authorities. The Government is keen to understand business perceptions of local regulators and enforcement bodies to ensure that

businesses - particularly small - medium enterprises - are able to get the advice and support they need to comply with regulations in a helpful and proportionate way. Responses were invited on the online forum which can be viewed here:

<http://discuss.bis.gov.uk/focusonenforcement/sample-page-2/>

Industrial Relations

Purpose of the Report

To update the Fire Service Management Committee on the potential for national unrest.

Summary

This paper is for information and briefly describes the main industrial relations issues at present.

Recommendation

Members are asked to note the issues set out in the paper.

Action

This report is for information.

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Industrial Relations

Background

1. As far as uniformed operational staff from firefighter to Chief Fire Officer level are concerned they are in the main represented by one of four unions specific to the fire service – the Fire Brigades Union (FBU), the Fire Officers Association (FOA) the Retained Firefighters Union (RFU) and the Association Principal Fire Officers (APFO).
2. Instances of industrial action at national level are unusual. The last national action was undertaken by the Fire Brigades Union some eight years ago in 2003. That dispute led to a substantial raft of changes to working arrangements which have underpinned the modernisation agenda within fire and rescue services since that time.

Pension scheme reform

3. Pension reform proposals are just now moving in to the next formal stage. Therefore any immediacy around potential industrial action is reduced.

National issues

4. The Employees' Side of the NJC for Local Authority Fire and Rescue Services entered a claim in March for an increase in line with the RPI figure available in June. That figure is 3.5%. The letter also made the point that from the Employees' Side perspective the matters of pay awards in 2010 and 2011 are not closed.
5. The Employers' Side considered the claim when the NJC met in June. In doing so, members were mindful of a number of issues including: the financial challenges facing fire authorities, economic pressure on the workforce, the Government's current public sector pay policy, a desire for reform of terms and conditions, and the current position for local authority employees.
6. In the case of the latter, members were aware of two key differences when compared with this group (uniformed fire service staff from firefighter through to middle manager levels). The first difference is that, unlike local authority staff, this group does not have an incremental pay structure, therefore to not apply a pay increase would genuinely be a third year of a pay freeze. The second difference is that employee pension contributions for this group had increased by 0.6% in April, which was not the case for local authority staff.
7. Taking all factors in to account members indicated to the Employees' Side that they would be minded to make some level of pay award linked to commitments in respect of reform of conditions of service.

Item 6

8. The Fire Brigades Union (FBU) conference later in June reiterated commitment to reaching agreement on pay through dialogue and negotiation. But it also resolved that should this be unsuccessful a campaign for national strike action should commence in July.
9. Since June discussion has continued and a potential way forward has been identified. The FBU has not commenced a campaign for national strike action.
10. The FBU has latterly insisted that it consult its members and discussion has recently focused on the best way to jointly manage this latest position. The National Employers wish to see pay negotiations for 2012 concluded quickly in order to create an environment to undertake the important reform work which they would like to see progressed in future months. The current position is that, in the absence of an offer from the Employers' Side, the FBU has commenced a postal consultation seeking its members views on where it believes negotiations have got to. The consultation paper includes an Executive Council recommendation to accept such a position should it be offered. The consultation closes on 11th September. Fire authorities have been kept fully informed.
11. Therefore, at the time of writing this report, there remains a risk of the FBU taking part in national industrial action later this year.
12. Whilst every reasonable effort will be made to ensure industrial action does not arise authorities will want to make sure appropriate business continuity arrangements are in place.

Local issues

13. Since the last meeting of the FSMC formal assistance has been provided to two fire and rescue services.
14. In one case agreement has been reached on the introduction of a new shift system at local level through the NJC's Technical Advisory Panel (Independent Chair and Joint Secretariat).
15. In the other case, conciliation work involving the Joint Secretariat and the local parties is on-going as it is a multi-issue dispute requiring several days' input. However it has been agreed that a ballot for industrial action be put on hold to allow that work to take place.

Conclusion

16. Members are asked to note the content of this report.

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.

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FSMC update paper

Consultation – name change for Bedfordshire and Luton Combined Fire Authority

1. DCLG has just launched a consultation on altering the name of Bedfordshire and Luton Combined Fire Authority to Bedfordshire Fire and Rescue Authority. The proposed change is intended to reflect the composition of the local council arrangements.
2. The consultation will run up to 25 September and comments can be sent to sed6@communities.gsi.gov.uk. The consultation can be accessed here: <http://www.communities.gov.uk/publications/fire/bedsfraconsult>

Fire Service College – bids

3. The deadline for the Fire Service College bids has been extended to 14 September following feedback from bidders. Helen Murray, LGA Head of Programmes participated in the first round of sifting. The LGA's involvement in the process has now ended.

DCLG secondment programme for firefighters

4. DCLG and CFOA have jointly developed a secondment programme between the department and the fire and rescue service to develop future leaders. The secondment is aimed at middle and senior managers (Group and Area Managers) to enable them to access a range of experiences and opportunities in central government, whilst working alongside civil service colleagues.
5. Secondtees will be placed in policy teams and will contribute to the development of national fire and resilience policy and support the Chief Fire and Rescue Adviser. Successful candidates would also be given the opportunity to develop project and programme management skills, gain experience of national project delivery, support ministers and get involved in government media and communications.
6. In order for them to be successful, the secondments need to be supported by individual fire and rescue services. They need to work in partnership with DCLG to make it a worthwhile opportunity for the candidate. In terms of payment, DCLG will pay fire and rescue services up to £60,000 per annum for each secondee. The period of secondment will be for 1 – 2 years.
7. Candidates will be asked to apply through a competitive process run by DCLG, with the support of their fire and rescue authority and agreement between DCLG and the authority in funding terms. Authorities would only be expected to support individuals they see as having leadership potential and who would benefit the most from a secondment to central government.

London Fire Brigade World Rescue Challenge event

8. London Fire Brigade are organising an all-day Rescue Conference on 19 October. It will run concurrently with the World Rescue Challenge event on 18 – 20 October.
9. The conference is aimed at senior decision makers from across the emergency services and associated organizations. Speakers include Andrew Hough, The Daily Telegraph, Dan Stephens, Chief Fire Officer, Merseyside Fire and Rescue Service and Commissioner Ron Dobson, London Fire Brigade.
10. The event will be taking place at the ExCel, London and the delegate fee is £85 + VAT. Members can access further information about the challenge event at: <http://worldrescue2012.com> or can contact Ruth Beck (ruth.beck@london-fire.gov.uk).

Association of Metropolitan Fire and Rescue Authorities (AMFRA) response to Fire Minister's evidence at fire finance select committee

11. In July 2012, senior representatives from six Metropolitan FRAs gave evidence before the Communities and Local Government Select Committee. They argued the unfairness of the financial settlement imposed on them compared to other FRAs and that the same round of cuts could not be repeated without severe consequences.
12. At the same session, the Fire Minister and Chief Fire and Rescue Adviser were questioned by the select committee about the funding formula. AMFRA, not having the opportunity to do so at the time, are now responding to the points raised by the Minister and Chief Fire and Rescue Adviser. The response is included in **Appendix A** to this paper.
13. The full transcript of the evidence given by the Minister and the Metropolitan Fire and Rescue Authorities here:
<http://www.publications.parliament.uk/pa/cm201213/cmselect/cmcomloc/uc519-i/uc51901.htm>

Westminster Hall debate on the future of fire funding on 5 September 2012

14. The Government was called upon to implement a fairer funding settlement for fire and rescue services in the period 2013 to 2015 during a Westminster Hall debate led by Labour's Bridget Phillipson. She questioned whether the cuts were "fair" and "equitable" and suggested that metropolitan authorities were having to shoulder the biggest burden.
15. Responding for the Government, new housing and local government minister Mark Prisk noted that fire and rescue services, as a front line emergency service, has been given funding protection, with reductions back-loaded to try to give those authorities more time in which to make sustained savings. It was for each authority to understand their own operational priorities and use the integrated risk management plan as the basis on which they make those assessments.

16. Mark Prisk concluded by highlighting the Government's proposals for a fundamentally new approach to the funding of local government, which included proposals for single-purpose fire and rescue authorities to receive two per cent of the local share of business rates.
17. Please refer to **Appendix C** to view the LGA briefing ahead of the debate. To access the Hansard record of the debate members can visit:
<http://www.publications.parliament.uk/pa/cm201213/cmhansrd/cm120905/halltext/120905h0001.htm#12090525000001>
For further information please contact Lee Bruce (lee.bruce@lga.gov.uk).

Fire conference – 12-13 March 2012

18. Members can now book their places at the annual fire conference at the Hilton Metropole, Brighton. To reserve your place, please log on to the LGA website at www.local.gov.uk/events. Delegate fees have been held at 2008 prices and some special rates have been negotiated for delegate accommodation at the conference hotel and a range of other nearby hotels. Further details about hotel accommodation are also provided at www.local.gov.uk/events. The events' manager for the conference, Jane Marcroft (jane.marcroft@local.gov.uk), will be happy to help members with any logistical queries relating to the conference and accommodation.
19. The new Chairman and Lead Members will be considering the conference programme in October and would welcome suggestions at this stage of planning (email the LGA Fire team Adviser Clive Harris (clive.harris@local.gov.uk)). As the national annual fire event, it is proposed that there will be a wide range of plenaries and workshops covering many different aspects of the fire world, rather than a specific theme to the event.

Community right to challenge

20. The FSMC update paper of 16 July outlined the community right to challenge and provided a link to the Government's final statutory guidance, published on 27 June. A Community Rights website has now been launched providing more information and the new powers and the potential opportunities. The website can be accessed here: www.communityrights.communities.gov.uk.

Sprinklers

21. The toolkit website is currently under development and we anticipate piloting it with a handful of FRA members from all types and areas in late September.
22. The British Automatic Fire Sprinkler Association (BAFSA) is holding its biennial Fire Sprinkler Conference on 15 November at the Leicester Marriot Hotel. The event will explore innovative projects (including retrofitting in social housing) and reviewing new technology and product technology. To book, members are advised to visit www.firesprinkler2012.com. Day delegate rates are £195 but there is a discount for early booking.

Publication of the Government response to the Exercise Watermark Report

23. Exercise Watermark took place in March 2011 and examined national and local responses to different types of major flood incidents. The lessons learnt were reviewed and issued the Exercise Watermark Final Report was issued in September 2011 making a number of recommendations. The report can be found at: <http://www.defra.gov.uk/publications/files/pb13673-exercise-watermark-finalreport.pdf>
24. The Government responded to the report in July 2012 and welcomed the recommendations. Some of the key points that concern FRAs that the Government responded to include:
- 24.1 Confirmation that Government and most partners' view is that improved guidance on coordination of flood rescue assets would give the greatest flexibility at the local level: existing guidance will now be amended accordingly;
 - 24.2 Information is provided on the on-going work on co-ordination of the response to an east coast inundation, through the East Coast Flood Group, where fire and rescue authorities are playing a key role;
 - 24.3 The Defra Lead Government Department Plan for Flooding and the National Flood Emergency Framework for England will be revised in autumn 2012.
25. DCLG will be writing to fire and rescue authorities and other key partners in the near future to outline any actions and support needed to deliver the recommendations of the Report.

Retained Firefighter Pensions

26. Following FSMC's request, a delegation led by Cllr Maurice Heaster met with the Fire Minister on 18 July to set out our continuing concern at the government's proposal (as set out in the Minister's letter dated 25th June) on how to deal with non-employee costs arising from retrospective access by retained firefighters to the pension scheme.
27. Following the meeting on 18 July, Cllr Heaster wrote to the Minister, drawing on our legal advice and setting out FSMC's strongly held view that the costs should be borne by government. Cllr Heaster's letter is set out in **Appendix B**. We await the Minister's response.

FSMC at external meetings

28. FSMC members who represent the LGA at external meetings are encouraged to feed back the outcome of discussions to LGA officers so that these can be included in future FSMC updates to ensure all Members have a rounded perspective of all FSMC external activity.



Response to the Minister Association of Metropolitan Fire and Rescue Authorities





Potential Impact of the 2013-15 Finance Settlement Association of Metropolitan Fire and Rescue Authorities

Introduction

On 16th July 2012, six senior officers from the six Metropolitan Fire Services appeared before the Communities and Local Government Select Committee and gave evidence on the unfair financial settlement imposed upon the Mets compared to other fire services, and the potential damage that could be caused should the same scenario be repeated in the next round of budget cuts.

It was then the turn of the Fire Minister and Sir Ken Knight, the Chief Fire and Rescue Advisor to face the committee. They were questioned strongly on why the funding formula produced such unequal outcomes and the thinking behind the settlement for the next two years.

Unfortunately, the officers did not have the opportunity to respond to the Ministers points at the time, and so the Association of Metropolitan Fire and Rescue Authorities (AMFRA) felt it would be helpful to give their understanding around some of the Minister's arguments and points. Each of the questions and the Minister's responses have been necessarily paraphrased but with the original meaning maintained. A full transcript of the Minister's evidence and the evidence of the Met Chiefs can be found at:

<http://www.publications.parliament.uk/pa/cm201213/cmselect/cmcomloc/uc519-i/uc51901.htm>



Reason behind flawed formula

Was this disproportionate effect on the metropolitan authorities something that was done deliberately, or was it just one of the accidents of the formula funding arrangements?

Minister: I do not accept the premise of the question. The first part of the answer is yes; we applied the formula, which we inherited from the previous Government. There were a couple of technical adjustments that we made. It was clear that all areas would be expected to make savings and in the case of fire, the reductions were back-loaded over the whole of the Spending Review period to give extra time for some of the joint working, collaboration and efficiencies.

There were, in a couple of instances, some very small increases for one or two non-metropolitan brigades. However, we in fact applied damping to the formula across the two-year period; metropolitan authorities were protected by the floor damping to the tune of £26 million.

There are two further areas that worked to the Mets advantage – we included a population density weighting and also increased capital funding by between 50 and 82%. I don't think it is fair to say the Mets were singled out.

The minister has repeatedly said that his aim was to increase the amount of money allocated towards deprivation and we wholeheartedly support the minister's aim as it's in line with the governments own research linking fire risk to poverty (such as that carried out by Greenstreet Berman). However, the absurdity of the formula has meant that despite the ministers aspirations it was actually the most deprived areas that have faced the biggest cuts.

In reality, the extra money the minister put into deprivation (increasing the relative needs amount) came from a reduction in the relative resources block. The relative resources block takes account of the relative ability to collect council tax. The complexity of the formula meant that this, we presume, unintended consequence was not recognised because those authorities with least ability to collect council tax are the low property value, deprived northern conurbations.

As a result, the extra money going into deprived areas came from the deprived areas.



Table 1 - Percentage of Total Cut (excluding counties)

Cash Cut In Total Budget 2010/11-2012/13	£'m	% of total cut	Total Budget 2010/11 (£'m)	% Cut in Total Budget
Metropolitan Fire Authorities (x6)	35.6	84.2%	521.9	6.82%
Combined Fire Authorities (x24)	6.2	14.7%	1,024.2	0.61%
London*	0.5	1.2%	437.3	0.11%
Total Excluding Counties	42.3	100%	1,983.4	2.18%

Source: Local Government Finance Settlement 2011/12 and 2012/13

*These are estimated figures extrapolated from LFEPA's 2010/11 GLA grant

In addition, whilst some factors like density were changed which had a minor positive impact there were other changes which were negative – notably the expenditure data used in the regression analysis was updated. Because the Mets had made most savings and efficiencies we believe this leads the formula to reduce resources from those who have been most efficient and modernised the most.

Additional capital resources are welcome but the current resources are insufficient for the backlog of maintenance and repair on fire stations and appliances that most services have and in any case additional capital funding cannot help us with revenue costs

Since the minister and most commentators acknowledge the flaws within the grant formula the decision to set the floor at such a level that allowed enormous variations in grant arising from the flawed formula to feed through, seems unusual. This led to the perverse position that some authorities got grant increases.

Met Fire Services have been making reduction in staffing numbers for the past decade (Table 2), and are set to lose hundreds more firefighters as a result of the cuts suffered in 2011-13. By comparison London has had to make little in the way of changes.



Table 2 – Previous and predicted firefighter reductions

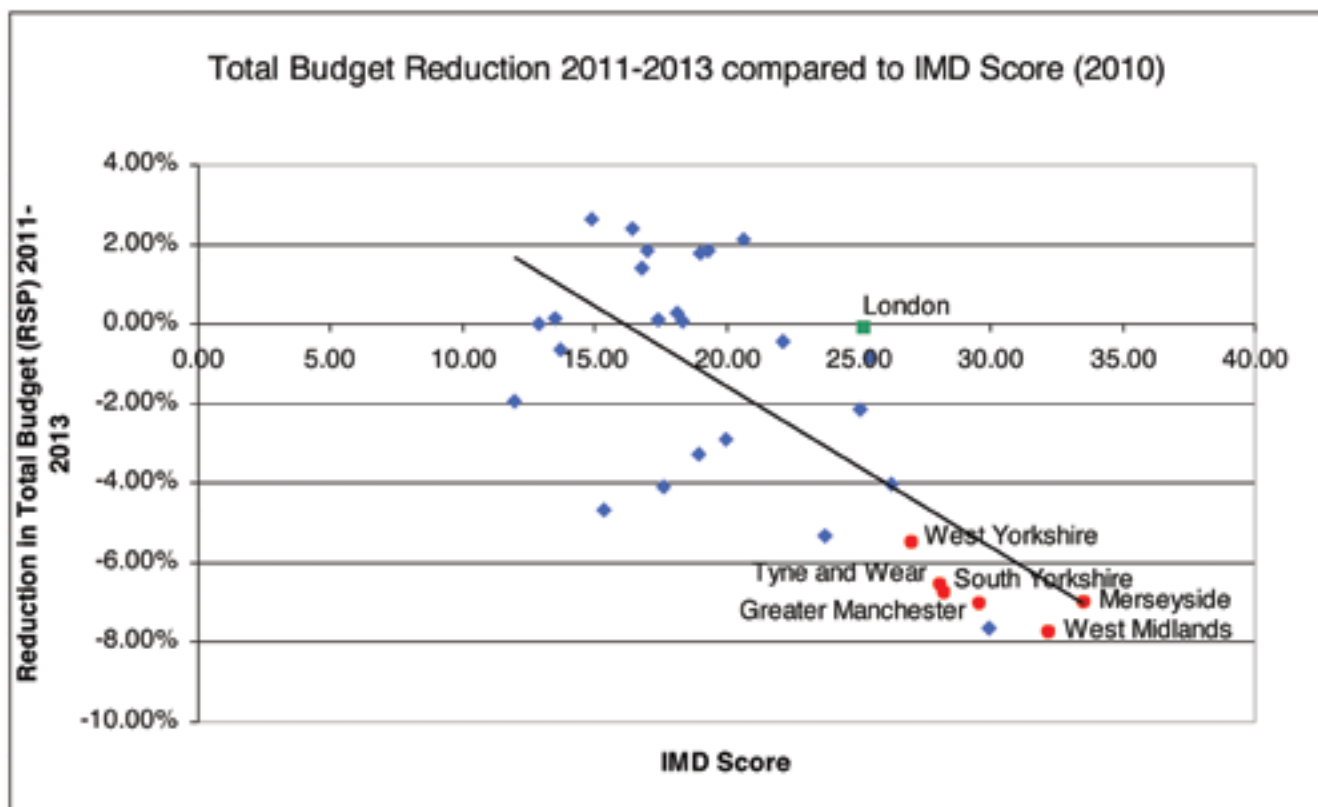
	Firefighters (FTE)				
	2000/01	2010/11	2014/15 (Based on cuts so far)	Change (%) 2000/01 – 2010/11	Change (%) 2000/01 – 2014/15
Greater Manchester	2,108	1842	1418	-266 (-12.6%)	-690 (-32.7%)
Merseyside	1420	972	847	-448 (-32.7%)	-573 (-40.3%)
South Yorkshire	960	840	700	-120 (-12.5%)	-260 (-27%)
Tyne and Wear	1035	872	792	-163 (-15.7%)	-243 (-23.4%)
West Midlands	2043	1788	1488	-255 (-12.5%)	-555 (-27.1%)
West Yorkshire	1847	1537	1279	-310 (-16.7%)	-568 (-30.7%)
London	5639	5789	5789*	+150 (+2.6%)	+150 (+2.6%)

* LFB have stated that no firefighter posts will be reduced as a result of 2011-13 settlement

We recognise that there are some other fire services that have received significant cuts but it cannot be denied that the Mets form six of the seven most heavily cut brigades. The vast majority of the cuts handed down have been shouldered by just six services with only one quarter of the budget. (Table 1 above). The other member of that unfortunate group is Cleveland FRS, which is also the most deprived non-Met. Using the same methodology as used by the Joseph Rowntree Foundation in their analysis of funding for local councils the graph below (Chart 1) indicated clearly the perverse correlation between relative deprivation and budget cuts.



Chart 1



¹ Joseph Rowntree Foundation (January 2012) Serving Deprived Communities in a recession

<http://www.jrf.org.uk/sites/files/jrf/communities-recession-services-full.pdf> (page 16)



Balancing the cost per head

Met Fire Authorities have had an average cut of 12.5%. If the average for the country is about 6%, and some six authorities have had an increase, how and when we were going to be all in this together, do some appear to have escaped that general manifesto commitment from Government? Mets have a bigger percentage of their total spend from Government grant because they get a low percentage from Council Tax. Even if it was the same percentage cut across the board, the Mets would still have had a bigger percentage reduction in their spending capacity.

Minister: I think the public would also understand that if they looked at it on the basis of average funding per head of population for the Mets in this current year (2012/13), Mets received £26 on average, versus the funding in the shire brigades of £19 per head. There is a significant difference in funding, which I would be the first to say reflects some of the extra demand.

In terms of council tax, the situation is the same for metropolitan fire authorities as it is generally for most metropolitan authorities of all classes. We are looking at how we deal with the dependency local authorities generally have upon grant as such a principal source of income, hence our proposals for business rates retention.

The average funding per head point is a disingenuous argument because Mets have much lower council tax. In short, this reflects the different levels of dependency on grant and the different ratios that exist between different authorities in relation to council tax and grant. What is clearly taking place is a re-balancing as, currently, the overall revenue spending power per head is almost exactly the same on average as Shires in 2012/13 (£44 for Mets to £43 for Shires).

While we welcome the government's commitment to making local authorities generally less dependent upon central government grant, we do not believe that should be achieved by simply cutting back central grant until it is a lower proportion of funding compared to council tax. Such an approach will always cause problems for those areas which have less capacity to raise Council Tax (and Government's proposals to introduce tariffs and top ups into the business rates retention scheme means they clearly understand the need to differentiate between local authorities' funding on the basis of their ability to raise income locally).

We welcome the view that Mets should be less reliant on government grant and believe that they should be permitted to increase council tax to align their funding more closely with other fire services.



We would welcome confirmation that the Minister is to take different approaches to authorities' council tax strategies depending upon their starting positions.

The government claims to have given greater freedoms to local authorities to raise funds locally, but has heavily encouraged (and in reality directed) two temporary council tax freezes in 2011/12 and 2012/13 (which consequently benefit those Shires with high council tax precepts).

Furthermore, the referendum mechanism introduced to allow authorities to increase precept to "catch up" with those that have been increasing it above inflation for years is completely unaffordable for Fire and Rescue Authorities. The huge cost of running the referenda for such small authorities is prohibitive. Therefore, we stand little chance of readdressing this balance. As an example (based on CLGs own published figures for councils from the Alternative Vote referendum in May 2011) if all precepting fire authorities ran a referendum to raise their council tax precept by 5% it would cost £41m to raise £38m.

Local Government Resource Review Consultation

Can we just be clear what the submissions to the July 2010 consultation were from the metropolitan fire authorities at the time?

Minister: We asked whether we should add in annual cashable efficiency savings that had been reported between 06-07 and 08-09 by authorities. The majority, by 28 to seven, were against adding in the efficiency data. That included the Mets: Merseyside, West Midlands, West Yorkshire and Tyne and Wear. The main reason given was that it was felt it did not provide a consistent reflection of the ability of authorities to make efficiencies over the period.

The Mets did not oppose taking account of the large-scale efficiencies that we had already achieved in grant allocation but merely raised concerns about the adequacy of the mechanism that was proposed to take account of this. We would not have been opposed to properly audited efficiency savings data being used.

This was reflected in our responses at the time. For example, Tyne and Wear Fire and Rescue Authority stated at the time within their consultation response:



“The system for recording efficiency savings left flexibility to claim savings whilst not reducing expenditure, by reinvesting the savings elsewhere within the service. Therefore the adjustment for efficiency savings rewards those authorities that have reinvested the savings at the expense of those who reduced the base budget. The Authority cannot agree with this option until more robust information is available that fairly reflects the true position across all FRAs”

Finding efficiencies elsewhere

We have a series of different menu items where you have said you can see efficiencies happening. Given the number of fire authorities that there are, do you believe that there are too many and should we see mergers? Or should we see back-office functions merged across authorities? Where do you see these efficiencies coming from?

Minister: I think there will be a great deal more collaborative working. It is surprising in all but the very largest authorities to be expecting stand-alone, back-office functions. Exactly how they are shared and configured I would not seek to dictate from the centre, but I have made it absolutely clear to authorities that we will not do anything to impede any mergers operationally or, indeed, beyond. Some authorities have at least posited and discussed the possibility of a full administrative merger.

As we have argued before, we are already delivering joint services in a wide range of areas, including HR, Fire Control, Procurement, fleet management and so forth. These services are not purely shared across FRAs; there are many examples of back office functions shared with Councils and other partners, as well as co-location of front line services with other blue light providers.

However, as the largest fire authorities, serving a combined population of 11 million people across 36 Council areas, we feel we already offer an excellent model of the economies of scale which can be achieved in terms of management, support and service delivery.



Impact on staffing levels

How much was the impact on staffing numbers a part of your deliberations?

Minister: They are always in the deliberations. The key thing above all is always to ensure protection of the public. There is an interesting point in relation to the mets, when we look at risk and staffing levels. The nature of firefighting has changed and we are dealing not purely with fires and firefighting activity; there is also very good work around fire prevention and awareness work, the key objective being to stop fires in the first place. Therefore, over the last 10 year period, what we have seen in the mets, in effect, is a reduction in total incident attendance of 51%, and a reduction in the firefighter strength of 11%.

The minister's figures are incorrect – the reduction in firefighter strength in the six Mets of Greater Manchester, Merseyside, South Yorkshire, Tyne and Wear, West Midlands and West Yorkshire from 2001 – 2011 (before the current spending period) was 18%.

If, however, London is included (a brigade that received only 3% cuts) the figure is 11%. This is because London had exactly the same number of frontline firefighters in 2011 as they did in 2001 (5,444)

What is more, the relationship between staff numbers and incidents is not as simplistic as just cutting firefighters as fires reduce. While we are rightly proud that the total number of incidents has fallen sharply; this is only because our firefighters now do a great deal more prevention based activity than 10 years ago. The complexity of the incidents attended and the skillset of individual firefighters has grown hugely over the same period.

It should also not be forgotten that Fire Services collectively offer contingent capability and resilience that cannot be matched by any fire service alone or any private sector company – something the Defence Secretary recognised in relation to the Army after the failings of G4S at the Olympics. The Mets currently offer half of this contingency – and so to try and apply a lean management principle of simply matching resource to demand (rather than risk) is foolhardy.

It has been clearly recognised from activities from smoking cessation programmes to community policing initiatives that prevention is cheaper than cure. Stopping incidents happening reduces pressure on the public purse by a significant amount. The FRS nationally is in the vanguard of proving that this is the case; we are not just preventing fires but preventing all kinds of anti-social behaviour and supporting people to live independently at home, thus making savings beyond the budgets of FRAs. This does not just apply to Mets.



Pushing ahead with a flat rate cut

If we can accept that that the current formula has produced a pretty ludicrous outcome, and given that we are about to abandon the formula anyway, why don't we just abandon it for the current year, give the flatrate decrease as the fire authorities are suggesting, and then move forwards under the new system thereafter?

Minister: It is a superficially attractive argument, but we trailed it, Mr Hollingbery. In the 2010 local government consultation, we asked whether we should set the baseline at a flat level, as is the case for police. Two thirds of single-purpose fire authorities did not want to do that; they wanted it to be set in such a way as some change to formula grant came through

CLG's own Equality Impact Assessment (which acknowledges that "changes in funding for the FRS could impact disproportionately on some sections of the community") appears to assume that the cut will be evenly split:

"Over the first two years of the Spending Review period formula grant funding for single purpose FRAs, which makes up roughly 50% of their overall spend, will change by -5.8% in 2010-11 and a further -0.7% in 2012-13".

Interestingly, the Equality Impact Assessment does not appear to consider the impact of grant increases for some, and our local modelling illustrates some important deficiencies, as we have identified above, in explaining the relationship between deprivation and fire risk.

Furthermore, The Minister did not consult on a flat cut in grant like the police service, but instead consulted on setting the floor damping level "close to the average change". This was a question (Q17 in the Consultation) not specifically addressed to Fire Authorities but to Local Authorities at large. Only 65% of local authorities responded to the question but a majority of these favoured a flatter cut closer to the average.

At the time of the Spending Review, all services were working on the assumption contained in the EIA, that cuts would need to be made and had plans in place. Many have not been required to implement these. It would be fair to say that nobody expected an outcome where they would gain funding.



We should be clear that what we are asking for now is a flat rate cut in years three and four, which is on top of what has already happened in years one and two. As a result, we will still receive the highest percentage cuts overall as a result of our low council tax.

Table 3 opposite clearly shows that a flat rate cut in 2013-15 will impact the Mets Revenue Spending power the most, while still meaning that all services play their part. Including the County brigades, the government will still make the £138 million worth of savings from the Fire Service budget in 2013-15 that it requires.



Table 3 - Impact of a flat rate cut in 2013-15

Local Authority	Fire Authority Finance Settlement 2011/13		Fire Authority Finance Settlement 2013/15		Fire Authority Finance Settlement 2011/15	
	Change in estimated 'Revenue Spending Power' 2011-13 (£million)	Change in estimated 'Revenue Spending Power' 2011-2013	Change in estimated 'revenue spending power' 2013-15 (£million)	Change in estimated 'Revenue Spending Power' 2013-15	Change in estimated 'revenue spending power' 2011-15 (£million)	Change in estimated 'Revenue Spending Power' 2011-15
London	-0.5	-0.11%	-35.1	-8.03%	-35.6	-8.13%
METS						
Gtr. Manchester	-8.25	-7.03%	-9.2	-8.42%	-17.4	-14.86%
Merseyside	-5.14	-6.99%	-5.6	-8.23%	-10.8	-14.65%
South Yorkshire	-4.05	-6.77%	-4.5	-8.03%	-8.5	-14.26%
Tyne and Wear	-3.88	-6.54%	-4.3	-7.80%	-8.2	-13.83%
West Midlands	-9.20	-7.73%	-9.8	-8.95%	-19.0	-15.99%
West Yorkshire	-5.09	-5.48%	-7.2	-8.16%	-12.3	-13.20%
SHIRES						
Avon	-1.92	-4.10%	-3.1	-6.92%	-5.0	-10.73%
Bedfordshire	0.03	0.11%	-1.5	-5.39%	-1.5	-5.28%
Berkshire	0.00	0.00%	-2.1	-6.15%	-2.1	-6.15%
Buckinghamshire	-0.56	-1.93%	-1.5	-5.14%	-2.0	-6.98%
Cambridgeshire	-1.42	-4.68%	-1.8	-6.09%	-3.2	-10.49%
Cheshire	0.80	1.84%	-2.6	-5.95%	-1.8	-4.22%
Cleveland	-2.54	-7.65%	-2.7	-8.87%	-5.3	-15.84%
Derbyshire	-1.21	-2.90%	-2.5	-6.15%	-3.7	-8.87%
Devon & Somerset	1.34	1.78%	-4.4	-5.74%	-3.0	-4.06%
Dorset	0.54	1.86%	-1.5	-5.26%	-1.0	-3.49%
Durham	-1.26	-4.04%	-1.8	-5.98%	-3.0	-9.77%
East Sussex	-0.17	-0.44%	-1.9	-4.95%	-2.1	-5.36%
Essex	1.80	2.40%	-4.6	-6.00%	-2.8	-3.74%
Hampshire	1.79	2.64%	-4.2	-6.01%	-2.4	-3.52%
Hereford & Worcs	0.44	1.39%	-1.5	-4.64%	-1.0	-3.31%
Humberside	-1.06	-2.15%	-3.6	-7.35%	-4.6	-9.34%
Kent	0.20	0.28%	-4.0	-5.50%	-3.8	-5.23%
Lancashire	-0.53	-0.84%	-4.4	-7.05%	-4.9	-7.84%
Leicestershire	0.03	0.07%	-2.6	-7.18%	-2.5	-7.12%
North Yorkshire	-0.21	-0.66%	-1.7	-5.47%	-1.9	-6.09%
Nottinghamshire	-2.56	-5.33%	-3.0	-6.68%	-5.6	-11.65%
Shropshire	-0.70	-3.26%	-1.0	-4.81%	-1.7	-7.91%
Staffordshire	0.90	2.12%	-2.6	-6.03%	-1.7	-4.04%
Wiltshire	0.03	0.13%	-1.3	-5.11%	-1.3	-4.98%



The 'surprising' nature of the formula outcome

Minister, you said you were surprised by some of the formula outcomes. If you were surprised, why did you not change it and adjust it at that stage?

Minister: It is one of the problems that we have to deal with, and why we argue in many ways that this is an immensely opaque system. It would be theoretically possible to unscramble every bit of the analysis, but I do not think that would have been practical in the time that was available. Therefore, as with previous Governments we used some judgment about certain indices and where we pitch the damping as the principal means of dealing with some of the issues that arise.

We would argue that the damping could have been employed to a much greater degree as it was with the Police so as to at least prevent any service getting an increase in their budgets. To not do so seems bizarre. The changes that the government did have time to make clearly had a big effect on the outcome, so it is unfair to argue that little could have been done to undertake the analysis properly.

We would add that the current consultation document, which has come out several years into the current government's tenure of office, is similarly opaque and we do not doubt that it is equally likely to produce unforeseen and "surprising" results.

Until such time as a more transparent method of allocating funding can be determined, we believe a flat rate cut is as fair a way of asking FRAs to contribute to deficit reduction as any.

Ensuring a fairer settlement next time

Given the previous outcome, what are you minded to adjust to ensure that we do not have a similar outcome in terms of the metropolitan areas being hit much harder than the shire authorities?

Minister: We accept that there are funding pressures, but not only on Metropolitan Services. Other areas are having difficulties as well, so we have to take into account other factors, such as sparsity. The Mets are not in a unique position and that is why we are changing the system.



The consultation indicates that the only significant change to the fire formula will be to add a “sparsity factor”. We question the legitimacy of such a measure, which the government’s own analysis shows will disadvantage the Mets, and for which the only evidence cited is the additional fuel cost of travelling longer distances in rural areas. Aside from this, we would question how the same outcome will be avoided if the government is not proposing to significantly change the formula.

Risk to life as a result of cuts

Speaking to Chief Officers before you arrived here, some of them believe, in a worst-case scenario, how you are handling their budgets could over time result in an increase in the loss of life.

Minister: I do not believe that is justified by any evidence that we have seen.

It is clear that if the Met fire services are cut by a hugely disproportionate amount as before, we will not be able to offer the same service as before. With 30% of our whole budget cut (even including precept) there is simply no way to meet them through back office efficiency and better procurement. Cuts will start to lead to fewer fire stations, fewer fire appliances and most importantly fewer firefighters. It logically follows that this will increase risk.

When frontline services are cut, it is likely that the need to maintain an effective response to a wide range of incidents will mean that it is prevention and protection activity which will suffer. The Minister acknowledged earlier that it is this activity which has reduced incidents, and with them deaths and injuries. It is this which leads us to the view that life risk will increase over time, as a result of continued disproportionate cuts.

Scope to reduce false alarm incidents

Sir Ken Knight: as you will know, if you look at the figures just published, while there are something like 223,000 fires, of all types, a year, from grass fires to bin fires to house fires, there are still 250,000 false alarms from automatic fire alarms. There is a lot more work to be done to drive out some of those efficiencies.



We are already making these reductions – in the West Midlands and Greater Manchester false alarms have been reduced by 50% - more so than many of those fire services which received much less in terms of cuts. This has saved money not just for us, but for the hospitals, businesses and other organisations whose resources are wasted every time they have to stop production, or stop delivering a service, to evacuate people unnecessarily. This preventative work is something we hold dear, and it is precisely this type of activity which will be threatened if resources are disproportionately reduced.

Impact on preventative work

If we see the same level of cuts in the metropolitan areas as we have seen in the last two years, what is your assessment of whether metropolitan fire services will be able to continue to do that really important preventive work?

Sir Ken: I do not think the outcome will be lessened; it may be done differently. We are seeing it done much more now in partnership with the rest of local government. Instead of a series of visits to people's homes, we have some joint partnership. As we are now seeing something like 86% of homes fitted with smoke detectors, which was something like 7% in the 1970s and 1980s, we are seeing a natural reduction in fire deaths and risk. I think we will gradually continue to see a reduction in fire deaths and fire injuries, and the fire service will be the prime deliverer and leader of that, but they will not be the only deliverer; there will be more partnership working driven by the innovation that has been caused by some of the savings that have to be made.

The 86% figure is a national average which does not take account of the difficulty of fitting and maintaining fire alarms in the most at risk communities. Despite much higher numbers of well targeted Home Fire Safety Checks in Met areas, smoke detector ownership is lower because a great deal more effort needs to be expended to succeed than in wealthy suburban areas, where smoke detector ownership tends to be very high. The government's own survey data (English Housing Survey 2008) shows that smoke alarm ownership is significantly lower amongst poorer communities and ethnic minority groups and in urban/inner city areas. These are all groups which we know to be at higher risk from fire, and are much more prevalent in Met brigade areas than elsewhere. We would also question whether the very most at risk, the so-called "hard to reach" are properly represented within survey data.



Despite our successes other evidence makes it clear that we have further to go; In 2010-2011 government statistics show Smoke alarms were absent from the fire area in 37 per cent of dwelling fires (16,400 fires). Of the total of 306 dwelling fires fatalities in Great Britain in 2010-11, 37 per cent were in fires where there was no smoke alarm present, and a further 25 per cent where a smoke alarm was present but did not operate, there is still a great deal of prevention work required by all Fire Services and their partners.

We agree that partnership is key to delivering community safety, and FRAs have been at the forefront of using the highly valued firefighter brand to reach communities others cannot, with much of the most innovative work in areas like youth diversion starting in metropolitan areas in response to deep seated social issues.



Conclusion

As we mentioned in the introduction, the Select Committee hearing was a “one off” session with no report produced, and so we felt it important that there was a more open and transparent expression that balanced the issues raised by AMFRA with Ministers views.

The information above clearly sets out AMFRA’s position on a number of the key areas within the debate about fire service funding mentioned during the hearing. Moreover, we hope to move the debate on to discussing the real impact on individual authorities going forward.

However, there remain a few lines of inquiry on which we feel an answer is still required. We have set out below a short list of further questions for the Minister that will hopefully be addressed through the forthcoming Adjournment Debate.

1. We all agree that the future of community safety lies within effective partnership working. There have been many examples of such excellent partnerships involving FRSs in making their community safer.

How does the minister expect this to continue when we are already seeing local authorities and other partner agencies struggling to maintain their commitment to some partnerships due to their ‘frontloaded’ cuts; and if the unfairness of the FRS funding continues? Surely, the same will be seen during the ‘backloading’ period of cuts for the FRSs, especially within those areas most affected, such as the Mets?

2. In 2010 CLG consulted on changes to the formula. This lead to a ‘couple of technical adjustments’ to the formula by the minister, one of which was the increase in weighting around density which would tend to work to the advantage of more urban areas including Metropolitans. When the Minister was were asked why the outcome of the formula didn’t reflect this he stated that he too was ‘surprised at the time’.

We are now into the next period of consultation, which will possibly lead to changes to the formula, and a number of FRAs have a fear of Déjà vu. Can the minister confirm that there will be no more ‘surprises’?



3. Given the obvious fact that these cuts to Metropolitan Services will make it impossible to maintain existing response standards. Will the Minister and Chief Adviser please set out what they consider to be an acceptable response standard within deprived, multi-cultural inner city areas - and contrast that with less urban areas? In other words explain what exactly a "sparsity factor" is - and how it may be quantified and evaluated?
4. Does the Minister - and Chief Adviser - consider there are any risks to the country's resilience arising from the loss of such a large number of fire-fighters?
5. Is there a justification for the stark contrast in the reduction of posts in the urban centres, yet an increase of posts in London in the past five years?
6. Can the Minister rationalise the reality that just six fire services, with a total budget of £500 million, have already absorbed a cut of £35 million - the fire and rescue services protecting our major, urban regional centers and regulating the built environment in those crucial regional cities.

Yet, 24 combined fire authorities covering our towns, market towns and countryside - and spending over a billion pounds - are cut to the tune of just £6.5 million and London, with a budget of over £450 million cut by less than 0.5%?

Finally, when the coalition government came into power, there was a flurry of activity around the strapline/ term "Fire Futures". But there remains little clarity as to the government's future policy for this important public service - beyond a focus on localism and devolving responsibility.

The Fire Service has faced some significant issues in recent years; the collapse of the Regional Control Centre project, the sale of the Fire Service College, a fragmented performance management framework (arguably a non-existent framework) and a wide variety of governance models, now including one Fire Service for the whole of Scotland. All this, not just against an unprecedented funding crisis, but at a time when major risks and global phenomena such as climate change are increasing in significance and impact.

We need now to put in place a funding regime that is fair, realistic and provides a solid base for a coherent and co-ordinated approach to policy and funding for the Service, rather than a random approach that protects some, advantages others and disadvantages even more.

14 September 2012

Item 7

Appendix B

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

30 August 2012

Dear Bob

I am writing to set out the position of the LGA's Fire Services Management Committee (FSMC) on the allocation of responsibility for the non-employee costs associated with the Employment Tribunal judgement granting retrospective access to the pension scheme for retained firefighters. As you are aware, following the judgement (case number: 6100000/21) and once the enabling legislation is in place, retained duty staff will be able to buy back pensionable service for the period 1 July 2000 and 5 April 2006 inclusive.

The non-employee financial costs associated with this judgement are potentially very large and in the worst case could amount to £500 million. It is not possible to say with any certainty what proportion of this financial risk will materialise, but in the view of FSMC the scale of the risk requires an in-principle decision soon on how the costs are to be met.

FSMC is grateful for the time you have devoted to this matter so far, in meeting with our delegation of members and also in setting out the government's position on the matter in a letter dated 25th June 2012.

We have now had the opportunity to consider your letter fully. We set out below our broad position, following legal advice, and in doing so our concerns with the government's position.

FRAs had no discretion to allow retained firefighters to join the firefighters pension scheme

The pension rights to which retained firefighters did not have access were those conferred by the Firefighters' Pension Scheme Order 1992, which was made by the Home Secretary under the Fire Services Acts 1947 and 1959. Article A3 of that Order limited the Scheme to regular firefighters. The terms of the firefighter pension schemes are set by ministers. Pension schemes are administered locally and FRAs can only make decisions on the scheme within the limits of discretion set out in the Acts and accompanying regulations. There was no discretion locally to admit retained firefighters to the scheme during the period in question.

Evidence that the government continues to see the retained pensions issue as its domain has been its decision to negotiate the terms of the settlement directly with Trades Unions, to the exclusion of FRAs.

Given that central government policy excluded retained firefighters from the scheme, we have sought through a close reading of your letter, to understand the principles that might lead government to impose costs on fire authorities. However, we find that the arguments set out in your letter dated 26 June 2012 do not support the government's position. You stated that *"In this way employers are responsible for their decisions which affect the cost of the pension scheme within the statutory framework set by Parliament"*.

This appears to be the rationale of the policy that *"pension costs are an employer responsibility and funding of liabilities, whether past or future service, should be met by employers"*. However, the rationale does not support the current proposal, because it was the Secretary of State who made the decisions. If the Secretary of State had not decided to exclude retained firefighters from the 1992 Scheme, then in force, the additional cost would ultimately have been borne by central Government.

If pension costs are to be borne by those responsible for the decision relating to them, then logically they should in the present case fall on central Government, as it was the Secretary of State who decided that retained firefighters should not have access to the 1992 Scheme.

Non-employee pension costs were funded by government during the period in question

During the period in question FRAs did not pay pension contributions. Had the government taken the decision to admit retained firefighters to the pension scheme in 2000 or at any time up to 5 April 2006, the additional cost to the pension scheme would have been met by government funding.

In the earlier part of the period in question this would have been based on Standard Spending Assessments (SSAs) where central government assessed relative spending needs of individual authorities through a formula grant mechanism which was subdivided in to a number of components which either directly reflected need or were a proxy for need. In this instance, we are concerned with the pension's component of the SSA process, which the Government would then largely fund through revenue support grant and business rates at an individual authority level. The pension's component of the SSA was based on an assessment of authority pension liabilities through a 5-yearly survey of individual authorities prepared by the GAD who prepared the reports for the relevant department.

Further evidence that the government would have borne the cost, had retained firefighters been admitted to the 1992 pension scheme in the period to July 2006, is provided by the manner in which it dealt with pension costs arising from *Preston and others vs Wolverhampton Healthcare NHS Trust and others* Employment Tribunal Decision 1995.

In these cases, which related to the application of the Equal Pay Act, the additional pension scheme liability was met by government.

A new burden on fire authorities

There is a further important consideration namely that this is a new burden on fire authorities. Consistent with the guidance for government departments published in June 2011 by the Department for Communities and Local Government the burden must be fully funded by the Department.

It is a new burden for those authorities that employed retained firefighters, because during the period in question any additional pension costs would have been assessed and met by government through the Standard Spending Assessment and subsequent spending frameworks.

In the case of fire authorities that did not employ retained firefighters, a proposal that they should contribute to the non-employee costs associated with the implementation of the Employment Tribunal Judgement is obviously a new burden because those fire authorities did not employ any firefighters covered by regulation 5 of the Part-time Workers Regulations.

It is the case that the 2000 Regulations apply to all employers, but the only obligation imposed by the regulations is imposed on employers of part-time workers. Our legal advice indicates that a decision that would (a) provide benefits for the retained firefighters through the 2006 scheme and (b) maintain a single contribution rate for that scheme notwithstanding this change to the scheme would leave "no doubt that the Government is imposing a new burden on authorities that did not employ retained firefighters".

Our legal advice is that taken together the points raised above make a compelling case for the non-employee costs to be borne by central Government. We have been advised by leading counsel that there would be strong grounds for judicial review should the government decide to impose these pension costs on fire authorities.

The legal position aside, the view of FSMC is that these pension costs, if realised to any great extent and if imposed on fire authorities, would result in a substantial and detrimental impact on the service provided by fire and rescue services, which could include fewer firefighters and fire station closures.

We are keen to continue our dialogue on this issue and would be happy to meet with you again and to consider any further correspondence from you on the matter.

Yours sincerely

Cllr Maurice Heaster
LGA Fire Services Management Committee

Appendix C

Background

The Local Government Association (LGA) is the national representative body for councils in England and Wales and exists to support, promote and improve local government. We represent the forty-six fire and rescue authorities in England who work together through the Fire Services Management Committee (FSMC).

Fire authorities provide a valuable service to the public. They protect people against the dangers of fire, support emergency planning for contingencies such as terrorism and flooding and help deliver fire prevention in their communities.

Fire authorities, along with the rest of the local authority sector, are currently facing **an unprecedented cut of 25%** in their formula grant funding in this spending period. Fire authorities also face potential **increased financial pressures** associated with future pension commitments and pay awards; and the threat of **further revenue insecurity** due to changes in the calculation of the funding provided through formula grant support and the Council Tax.

LGA key messages

1. Fire authorities provide the public with a valuable service which protects and saves lives. Any funding settlement should be fair and reflect how valued the service is by communities.
2. The track record of fire authorities in identifying efficiency savings is impressive. Nevertheless, fire authorities will struggle to make further cuts without impacting on front line services.
3. National resilience is a vital aspect of the work of the fire service. The Government should ensure that fire authorities are not left in the unfortunate position of having to fund national resilience gaps from their limited resources.
4. The Government needs to give fire authorities an indication of their 2013-14 and 2014-15 funding allocations as soon as possible in order that they can plan their budgets effectively.
5. The Government should bear any pension costs arising from retrospective access to the pension scheme by retained fire-fighters.

Efficiency savings

Fire authorities in England spend around **£2.6 billion per annum running their services**. The Government back loaded the funding reductions for fire authorities, which means that deeper cuts are expected in 2013-14 and 2014-15. The reduction in 2013-14 is expected to be 7.8% which equates to about **£197 million**.

To protect front line services, fire authorities are looking to implement a number of efficiency measures, such as saving:

- £14 million by improving sickness management.
- £32.1 million through flexible staffing arrangements.
- £50 million by sharing back office functions.
- £14 million by improving procurement.
- £6.9 million by sharing Chief Fire Officers and other senior staff.

This equates to **£117 million per annum** which is equivalent to **3,217 fire-fighters**.

Examples of efficiency measure being proactively implemented on the ground include Merseyside Fire and Rescue Service sharing a procurement service and a director with Lancashire. Similarly, Suffolk Fire and Rescue Service is saving in excess of £6 million by cancelling a PFI bid for a training centre and relocating to a military base.

Fire authorities, as a key part of the wider local government family, are proving themselves to be an efficient, accountable and trusted component of the public sector.

Despite implementing these efficiencies, it is likely that the fire sector will still need to plug a residual funding gap of **£80 million** in 2013-14. Should fire authorities be unable to find the £80 million needed this will inevitably impact on their ability to provide front line services.

Our estimates show that an **£80 million per annum funding gap equates to a loss of 2,200 fire-fighters or 80 fire stations**.

Fair funding for a safer future

The fire sector itself is diverse and is comprised of county authorities who are embedded in county local authorities and combined and metropolitan authorities which are stand alone. These different arrangements mean that changes in funding affect fire authorities in different ways. The sector as a whole is acting responsibly and implementing measures that cut operational costs whilst protecting vital front line services. In the context of a genuinely tough economic climate this track record of realising efficiencies is impressive.

Crucially, the future funding settlement needs to be a fair reflection on the important public service that is delivered by the nation's fire authorities. In practice this means:

- Ensuring that fire authorities are not left in the unenviable position of having to fund any **national resilience gaps** from their already limited funding.
- Working with fire authorities to **minimise the possible impacts of Council Tax benefit localisation**, especially where the changes will significantly reduce the funding available to the affected fire authority.
- Providing fire authorities with **adequate resources** to meet current demands

- and expectations for emergency responses.
- **Ensuring that the Government** bears any pension costs arising from retrospective access to the pension scheme by retained fire-fighters
 - Giving local authorities **full flexibility over the design of local council tax support schemes** so that they can manage the 10% cut to central government funding for this support without affecting those least able to pay, thereby minimising the risk that this change will lead to further funding shortfalls for fire authorities.

The next spending review could bring further reductions in public funding. Fire authorities will therefore need to consider what options are available for the further transformation of fire services and the organisations that deliver these services, including options for merger.

For further information on this briefing, please contact Lee Bruce, Public Affairs and Campaigns Adviser, on either e-mail: lee.bruce@local.gov.uk or telephone: 020 7664 3097.

Financial Implications

20. All work can be met from existing resources.

Note of decisions taken and actions required

Title: Fire Services Management Committee
Date and time: Monday 16 July 2012, 11.00am
Venue: Smith Square Rooms 1 and 2

Attendance

Position	Councillor	Council
Chairman	Cllr Brian Coleman	Barnet LB
Vice chair	Cllr Sian Timoney	Bedfordshire & Luton FRA
Deputy chair	Cllr Jeremy Hilton	Gloucestershire FRS
Deputy chair	Cllr Christopher Newbury	Wiltshire FA
Members	Cllr Mark Healey	Devon & Somerset FRS
	Cllr Kay Hammond	Surrey CC
	Cllr John Bell	Greater Manchester FRA
	Cllr Ann Holland	Essex FRS
	Cllr David Topping	Cheshire FA
	Cllr John Joyce	Cheshire FA
	Cllr Julie Young	Essex FRS
	Cllr Keith Aspden	York City
Substitutes	Cllr Les Byrom CBE	Merseyside FRA
	Cllr Darrell Pulk	Nottinghamshire CC
	Cllr Andre Gonzalez De Savage	Northamptonshire CC
Cllrs John Edwards, Paul Bryant, David Rowlands and John Livings attended the meeting as observers.		
Apologies	Cllr Nick Forbes	Tyne & Wear FA
	Cllr Maurice Heaster OBE	London FEPA / Wandsworth LB
	Cllr Navin Shah	London FEPA/ Harrow LB
Officers:	CFO Dave Webb	
	Helen Murray, Eamon Lally, Gill Gittins, Cathy Boyle (LGA)	

Item	Decisions and actions	Action by
	<p>Councillor Brian Coleman, Chairman, welcomed Members and Officers to the meeting, which would be his last as Chairman of the Fire Services Management Committee.</p>	
1.	<p>Fire Services Management Committee Peer Challenge</p> <p>Councillor Kay Hammond, Chair of the FSMC Peer Challenge Working Group, introduced a report which provided the Committee with information on the evaluation from the pilot Operational Assessment (OpA) and Fire Peer Challenges, an update on the Fire Peer Challenge Programme and details of take-up of the offer.</p> <p>Councillor Hammond reported that three pilot Fire Peer Challenges were carried out in Surrey - County FRA, Leicestershire - Combined FR and West Yorkshire - Metropolitan FRA. A comprehensive evaluation of the peer challenges was undertaken by officers from CFOA and the LGA. It was clear from the evaluation that the new Fire Peer Challenge was successful as a sector led improvement tool. Feedback from users was positive and 41 FRAs have now registered to take up the offer.</p> <p>Councillor Hammond invited comments from Committee members.</p> <p>Councillor Sian Timoney, Vice-Chair of FSMC, endorsed the work of the Peer Challenge Working Group. Councillor Timoney asked that officers provide FMSC lead members with a full list of accredited peers for review.</p> <p>FSMC Members were agreed that accredited lead peers must have either current or recent, relevant experience in the fire sector in order to take on a Member Peer Role. In addition, members concurred that full training and development in the new fire regime must be provided for Member Peers.</p> <p>Members were in broad agreement that the 3 day model for peer challenge was inadequate and they supported the request for a move to 4 days.</p>	

Councillor Les Byrom expressed concern that there may be fire authorities who could benefit from peer challenge but are not putting themselves forward. Councillor Byrom asked that a report be provided for Group Leaders on this issue in the autumn.

Helen Murray

Decisions

The Fire Services Management Committee

- *expressed their satisfaction with, and **endorsed** the work of the FSMC Peer Challenge Working Group;*
- ***noted** the progress made in developing the new approach to OpA and Fire Peer Challenge;*
- ***noted**, with satisfaction, the extremely positive take-up of OpA and Fire Peer Challenge, with 41 FRAs having registered;*
- ***agreed** that, as political leadership is an integral component of the approach to OpA self assessment and Fire Peer Challenge, it was essential that the existing training programme is extended to include Member Peers;*
- ***agreed** to receive a full list of accredited peers for review at their next meeting in September;*
- ***agreed** to support the ongoing development of both officer and member peers to sustain the programme going forward;*
- ***agreed** to support the development of a Chief Fire Officer Sounding Board to be held in December to review progress and evaluate learning; and*
- ***agreed** to officers commissioning an externally conducted impact evaluation in 2013/2014 to assess the outcomes of undertaking OpA self assessment and fire Peer Challenge.*

Action

Officers to progress in line with Members' decisions set out above.

**Andy
Bates/Gary
Hughes**

2. Sprinklers' Campaign

Councillor John Edwards, West Midlands FRA, introduced a report which set out the Sprinklers' Campaign Working Group response to the FSMC's request to design a campaign plan to lobby for the mandatory installation of fire sprinkler systems.

Councillor Edwards said that the Working Group felt that a grassroots approach and public 'outrage' could be the most effective ways to influence Government. To date lobbying by the LGA and individual FRAs does not appear to have influenced them.

Officers circulated a draft of the toolkit at the meeting. Councillor Edwards explained that the toolkit would have all the relevant information and tools needed for a local campaign and it would be accessible in one space, which would be on-line and would be regularly updated. Hard copies would not be produced. Councillor Edwards said that the toolkit could be adapted according to local needs and that it would be cost-effective and accessible.

Councillor Edwards explained that there would be an incremental launch of the toolkit to secure the most media covered over a period of time. The toolkit would be made available in October 2012 to all FRAs. There would then be a period of stakeholder engagement, development and testing of the toolkit, and a formal launch at the Fire Conference in March 2013 and on National Sprinklers' Day (two months after the Conference).

Councillor Edwards, on behalf of the Campaign Working Group, requested feedback and comments on the toolkit.

In terms of stakeholder engagement, Councillor Anne Holland undertook to provide LGA officers with the names of senior officers in the Children's Burns Trust.

The Chairman, Councillor Coleman, suggested that HRH Prince Michael of Kent, Patron of the Children's Burns Trust be invited to become Patron of the Sprinklers' Campaign.

FSMC Members undertook to provide officers with effective photographs for inclusion in the toolkit.

Members

Decision

The Fire Service Management Committee

- **agreed** with the broad campaign set out by the Working Group;
- **agreed** that the Fire Commission should be provided with regular updates on the campaign, including feedback on best practice;

Councillor Coleman, on behalf of the FSMC, thanked Councillor Edwards and the Working Group on their work to date.

Action

Officers to progress as directed by Members.

Eamon Lally

3. Retained Firefighters' Pensions

In June, a cross-party group of Members met with the Fire Minister, Bob Neil, to argue the case for Government to accept liability for retained Firefighters' pensions instead of the sector. However, the Government position, set out in a letter from the Minister, was that liability should lie with the employers, and that the retrospective access to pension rights could not be treated as a new burden and that liability should be spread across all FRAs.

Members are meeting with the Minister again on 18 July to reinforce the employers' case. This will be backed up by legal advice which points strongly to the Retained Duty System (RDS) pension costs being a government liability.

Eamon Lally, Senior Adviser, said that officers are continuing to

work with FRAs to try to understand the potential liabilities for individual authorities. Officers are also seeking details from fire authorities of the provision that they have made for the potential costs.

FSMC made detailed comments which were noted by officers.

Decision

The Fire Services Management Committee

- ***noted*** the report;
- ***agreed*** to continue to press Government to accept liability for RDS pension costs
- ***agreed*** to write to the Chair and Chief Executive of FRAs seeking contributions to the cost of further legal advice (up to a limit of £5,000), as agreed by the Fire Commission at its 15 June meeting, should this prove necessary,

Action

Officers to action in accordance with the Committee's decisions. **Eamon Lally**

4. Fire Services Management Committee end of year report

FSMC members received a report which offered an overview of the context and main issues affecting the Committee in 2011/2012. The report also provided members with a summary of the Committee's achievements over the last year.

Decision

*The Fire Services Management Committee **noted** the report and that a report on priorities for 2012/2013 would be brought to the Committee for consideration in September 2012.*

Action

A report on priorities for 2012/2013 to be brought to the Committee in September.

Helen Murray

5. Industrial Relations

Gill Gittins gave an oral update on the latest developments in industrial relations.

6. FSMC Update Paper

The Committee received a report outlining issues of interest not covered under the other items on the agenda.

Some members felt that more forward planning was necessary to ensure a higher profile for the fire sector at future **LGA Annual Conferences**. However, the Chairman said that he was satisfied this year with the fire sector's profile at Conference and, in particular, that the session on **the future funding of fire and rescue services** was well attended and well received by delegates.

Decisions

*Fire Services Management Committee **noted** the updates on:*

- *Fire Fighters' Pension Scheme;*
- *LGA Annual Conference;*
- *Community right to challenge;*
- *Consultation on localising support for council tax;*
- *FRA use of electromagnetic spectrum;*
- *Breathing Apparatus Telemetry;*
- *National Co-ordination and Advisory arrangements of London 2012 Olympics and Paralympics.*

Action

Officers to provide an update paper to the next meeting.

Helen Murray

7. Note of the last meeting - 14 May 2012

With reference to the last meeting of the Fire Commission, the Chairman requested that a letter be prepared to the Home Secretary on the **2011 riots**.

Helen Murray

Helen Murray reported back on a meeting to assess the Fire Service College bid, which she attended *with Des Prichard representing CFOA*. The LGA had been asked to provide confidential advice on vision, and credibility of bidders but were not party to discussions on finances. The second phase of the process is now taking place. After the meeting it was established that the final bid deadline has been extended to early September to allow for full due diligence to be conducted.

Helen Murray

Members **noted** that a report on **fires and incidents at sea** has gone on the agenda for the next Fire and Rescue Strategic Resilience Board meeting. A report would be brought back to this Committee's next meeting in October.

LGA Officers

The Chairman reported that a DCLG Select committee would that afternoon take evidence from Metropolitan Fire and Rescue Services (Greater Manchester, Merseyside, South Yorkshire, Tyne and Wear, West Yorkshire and West Midlands) and from the Minister and the Government's adviser on cuts to funding for fire and rescue services

Some members raised concerns about different sections of the sector making individual representations on finance and urged a joined-up sector led approach in the future.

Close of Meeting

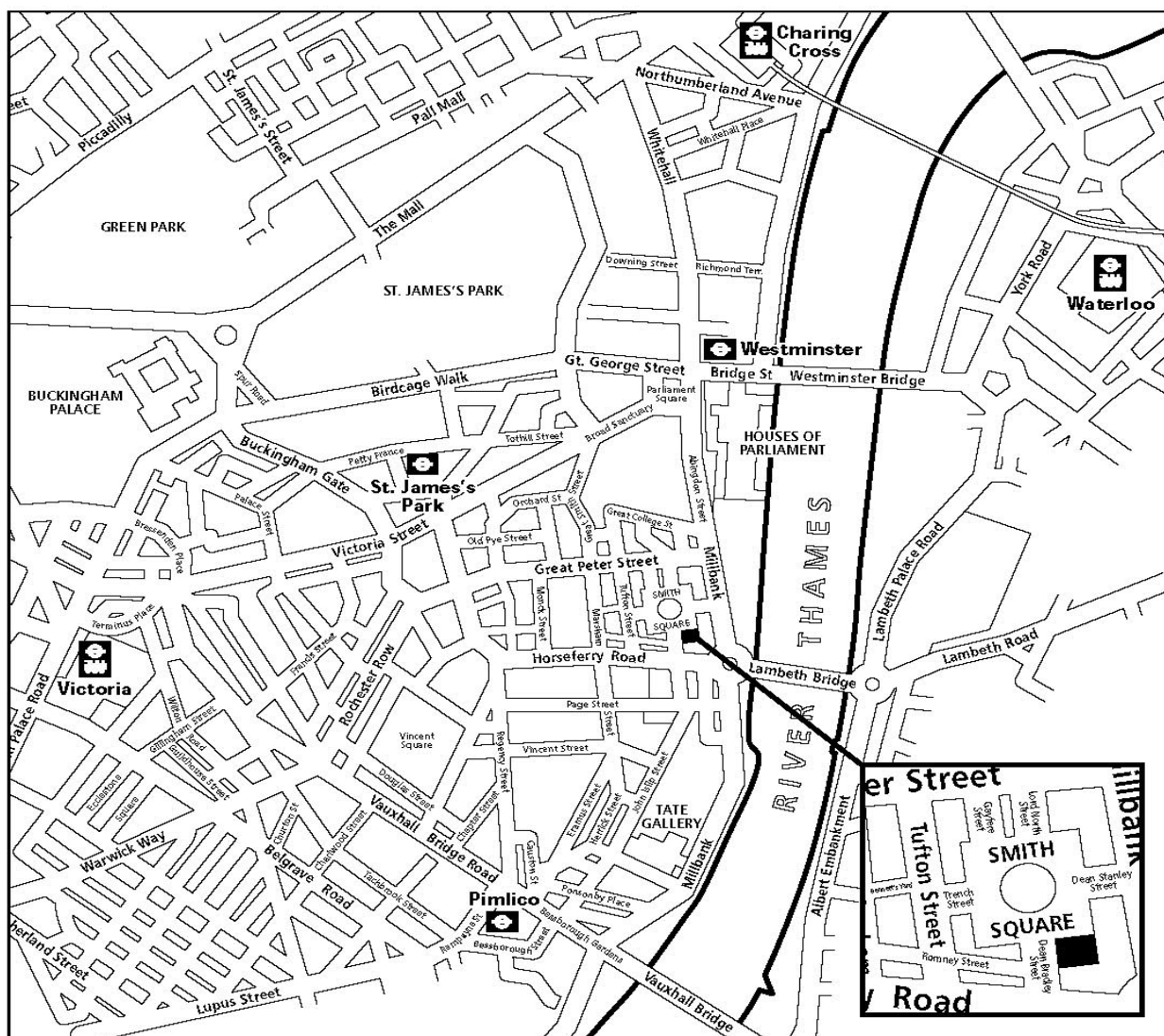
At the close of the meeting, Councillor Sian Timoney, Vice-Chair of the Fire Services Management Committee, paid tribute to the Chairman, Councillor Brian Coleman.

Councillor Timoney, on behalf of the Committee, thanked Councillor Coleman for his strong leadership and robust chairmanship of the Fire Services Commission and Fire Services Management Committee over the past three years and wished him well for the future.

Date of Next Meeting:

Friday, 14 September 2012 at 11.00am in Local Government House

LGA Location Map



Local Government Association

Local Government House
Smith Square, London SW1P 3HZ
Tel: 020 7664 3131
Fax: 020 7664 3030
Email: info@lga.gov.uk
Website: www.lga.gov.uk

Public transport

Local Government House is well served by public transport. The nearest mainline stations are; **Victoria** and **Waterloo**; the local underground stations are **St James's Park** (District and Circle Lines); **Westminster** (District, Circle and Jubilee Lines); and **Pimlico** (Victoria Line), all about 10 minutes walk away. Buses **3** and **87** travel along **Millbank**, and the **507** between Victoria and Waterloo goes close by at the end of **Dean Bradley Street**.

Bus routes - Millbank

- 87** Wandsworth - Aldwych **N87**
3 Crystal Palace - Brixton - Oxford Circus

Bus routes - Horseferry Road

- 507** Waterloo - Victoria
C10 Elephant and Castle - Pimlico - Victoria
88 Camden Town - Whitehall - Westminster-
Pimlico - Clapham Common

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