

## Note of last Fire Commission meeting

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**Title:** Fire Commission  
**Date:** Friday 25 September 2020  
**Venue:** Via Zoom

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### Attendance

An attendance list is attached as **Appendix A** to this note

Item	Decisions and actions	Action
<b>1</b>	<b>Welcome, Apologies and Declarations of Interest</b>  The Chair welcomed members to the meeting.  Apologies were received from: Fiona Twycross AM, Cllr Francesco de Molfetta, Cllr Peter Hogarth, Cllr Eric Carter, Cllr Fran Oborski, Cllr John Riddle, Cllr Janet Willis, Cllr David Canon, Cllr Lesley Clarke (sub Cllr David Hopkins), Cllr Jan Curtice, Cllr Judith Heathcoat, Cllr Mark Healey, Cllr Dave Norman, Cllr Barbara Jefferson, Cllr Janet Willis, Cllr Jayne McCoy, Cllr David Wood, Cllr Rowland Rees-Evans, Cllr Steven Lambert, Cllr Paul Kirton (sub Cllr Teresa Higgins), Cllr Darren O'Donovan (sub Cllr Steve Tulley), Roy Wilsher NFCC (sub Nick Collins), Commissioner Andy Roe, CFO Wayne Bowcock.  There were no declarations of interest.	
<b>2</b>	<b>Minutes of the previous meeting</b>  The minutes of the previous meeting held on 15 May 2020 were agreed.	
<b>3</b>	<b>Home Office - Jonny Bugg, Head of Fire Strategy &amp; Reform Unit</b>  The Chair welcomed Jonny to the meeting and invited him to update Fire Commission on the key issues affecting the sector in the coming months.  Jonny apologised on behalf of the Minister, who had been unable to attend on this occasion.  Jonny updated Fire Commission on developments with the fire reform agenda, in particular around the Minister's 3 key priorities of people, professionalism and governance which he had outlined at the previous Commission meeting in May. He said that whilst Covid had been extremely challenging, it had also helped to improve and develop dialogue and collaborative working which had not existed in some areas pre-pandemic.	

Jonny then spoke about the Home Office's review of the role of Police & Crime Commissioners in the context of fire governance reform. He thanked those FRA's that had submitted evidence to the first part of the review and said that evidence gathering was now complete. A draft report on the findings was due to be submitted to the Home Secretary in October.

Finally, Jonny updated members on the Government's Spending Review and said that the working assumption was that this would be a comprehensive 3-year review, but clearly this could be subject to change given the current fluid situation with Covid. He thanked those members who had been involved in the joint LGA/NFCC submission on fire and said he felt that this had landed well at the Home Office.

Following Jonny's presentation, members raised the following issues:

- Nick Chard – Expressed concern about the impact of the Government's proposed planning reforms on fire safety, particularly in relation to the extension of permitted development rights. FSMC Lead Members had written to the Minister outlining these concerns but were yet to receive a response. Jonny noted members' concerns around this issue and promised to bring it to the Minister's attention. He said that the Minister had introduced a joint strategic approach to fire and building safety straddling the Home Office and MHCLG which should help to resolve issues such as this.
- Michael Payne – He considered that closer working between local and central levels was crucial in the Covid response and in the wider proposed reforms to the sector. He suggested that it would make sense if the Government's proposed local government reorganisation and associated reforms to fire governance were put on hold in the light of the Covid second wave. Jonny said that any reforms to fire governance would have to tie in with the Government's devolution white paper and its associated timescales. He added that the PCC review was in two parts and that there wouldn't be any changes introduced before the PCC elections in May 2021.
- Simon Coles – Would the Minister and his officials look again at the issue of revenue-raising by FRA's through the council tax precept? 70% of properties in Somerset are below band D and are therefore not able to raise as much revenue as other areas. Jonny said that they were aware of the issue but didn't have any clarity on possible solutions at this stage. He noted that there were likely to be substantial losses of council tax revenue as a result of Covid which would need to be addressed.
- Cleo Lake – Wanted to see greater community involvement in decision making around fire sector reforms and Covid. Jonny said that this was a big area of focus for the Home Office at present and the Windrush scandal had been a wake-up call.
- Carolyn Lambert – Unsafe cladding on buildings was still a huge issue. She quoted an example from East Sussex where a shared

ownership resident was asked to pay £70k to make their home safe. What more was the Government doing to address this? Jonny said that the Minister saw this issue as a top priority and significant funding had been made available to address it.

- Carol Theobald – Agreed that the speed of cladding removal was very worrying. Echoed concerns over planning reforms.
- Roger Phillips – Expressed concern about the cost to FRA revenue budgets of the Fire Pension Scheme and additional liabilities arising from the Sargeant case. Jonny said that pensions were the single biggest issue in terms of FRA finances and the Home Office was very much aware.
- John Robinson – Agreed on the need for greater involvement of the fire service in planning. Also raised the issue of capital spending and whether there would be a longer-term capital settlement for FRAs in the Spending Review. Jonny agreed that parts of the fire service infrastructure were becoming outdated and so the availability of capital was very important.
- Kieran Amos - Thanked Jonny and the Home Office team for a swift and positive intervention at the start of the pandemic; around vital amendments to Employer Guidance (liaising with NFCC, HMRC, DWP etc) on furlough. This averted a significant risk of On-call Firefighters having to give up their Fire contracts so they could access furlough arrangements in their primary employment.

The Chair thanked Jonny for his presentation and for staying to answer members' questions.

#### **4 Learning from Covid-19**

The Chair invited Lucy Ellender, Senior Adviser, to introduce the discussion.

Lucy asked members to feedback on the lessons their Authorities and Services had drawn from responding to Covid-19, the challenges they faced and any issues that they would like the LGA to raise with government in the event of a second wave this autumn. In particular, she asked members to focus on the questions in paragraph 7 of the report.

Members made the following contributions:

- Nick Chard – Covid has kick-started a culture change in how services operate and in the working patterns of employees. This should be embraced as it should lead to a more diverse, flexible and efficient workforce and at the same time reduce the sector's carbon footprint.
- Denise Turner-Stewart – Covid has improved working relationships with partners dramatically. In Surrey, the CFO chairs the Local Resilience Forum (LRF) which has really helped integrate the fire service. Covid was a catalyst for positive change.
- Keith Aspden – North Yorkshire has also seen much improved

partnership working during Covid but the key question is how we capture this and maintain it moving forward. LRFs involve leaders and lead members but not backbench councillors and they have therefore felt remote from the decision-making process. How can they be more closely involved?

- Rebecca Knox – As well as looking at the positives, we really need to know what has not worked or is not working because we have at least another year to go of being impacted by Covid.
- Cleo Lake – The tripartite agreement has worked well in Avon. No staff have been off sick. Working well with local community – e.g. the fire service has been the drop-off point for a digital inclusion project in Bristol. However, we mustn't take our eye off the ball with other big issues such as diversity and inclusion which require strong leadership. Black Lives Matter and Grenfell have brought this to the fore. Bristol City Council is undertaking a cultural review as a result.
- Greg Brackenridge – Strongly supports digital meetings but there needs to be more funding for digital infrastructure. West Midlands has just undergone an HMICFRS Covid inspection which asked very similar questions to paragraph 7. Asked if the LGA could press for a longer lead in time in future for inspections as officers were hard-pressed to meet the deadlines. Relationships with partners had been positively impacted by Covid. Operational lessons learned should feed into wider reform of working practices. Green book staff working from home has had an impact – they have been offered a wide range of support to enable them to carry on working effectively. Decision making has not suffered – urgent matters decisions have only been used sparingly and direct contact with members has been maintained.
- Rob Nolan – Cornwall has embraced virtual meetings. Senior fire officers met virtually every morning throughout the crisis. Vehicles were crewed with 5 firefighters before the pandemic (an approach queried by inspectors). This has been reduced to 4 since March and is likely to continue. Fire service took on PPE procurement which strengthened relationships with other parts of the Council. Also developed good relationship with Ambulance service and helped out with some of their crewing. This could well continue after the crisis.
- Carol Theobald – Firefighters have been used to support PPE procurement and to support the Ambulance service. Staff sickness absence reduced during the pandemic. The Authority's decision-making process hasn't been hindered but IT systems need updating.

**Action** – Officers to e-mail Fire Commission members requesting feedback on the questions outlined in paragraph 7 of the report.

The Chair invited Lucy Ellender, Senior Adviser, to introduce the update.

Lucy outlined the proposed priorities for Fire Commission and Fire Services Management Committee for the coming year – People (inclusion and diversity); Professionalism (responding to inspection/reviews, fire/building safety, Spending Review, transparency and standards); Governance (PCC review and good governance); Climate Change; and Learning from Covid-19.

Following Lucy's introduction, members made the following contributions:

- Ian Stephens – Must keep a strong focus on climate change.
- Nick Chard – Need to set the priorities in a hierarchy. The Minister's priorities must be paramount, especially building safety.
- Rebecca Knox – Using the learning from Covid-19 to improve working practices should be a key priority. Transforming culture and relationships should be a golden thread running through all of our work.
- Les Byrom – Fire and building safety has to be the main priority for FSMC and making buildings safe as quickly as possible. Lead Members should seek to input into the Fire Safety and Building Safety Bills as they go through Parliament.
- Keith Aspden – agree with the proposed priorities – they accurately represent all the issues facing the sector at the moment. We should make clear to the Minister and the Home Office that governance reform should not be a top priority at this difficult time.
- Rachel Bailey - Carbon reduction is uppermost in the capital investment decisions of Cheshire Fire Authority. The importance of capital spend is going to be crucial moving forward if we are to reduce the sectors carbon footprint.

Lucy thanked members for their comments and said that they will help inform the priorities report going to FSMC on 16 October.

### **Decision**

Members of the Fire Commission endorsed the proposed priorities subject to the above comments.

## **6 Workforce update**

The Chair invited Gill Gittins, Senior Adviser (Workforce and Negotiations), and Clair Alcock, Firefighters Pensions Adviser, to introduce the update.

Gill urged FRA Chairs to respond to the Brigade Managers pay claim consultation.

Clair highlighted the Government's consultation on its age discrimination remedy proposals which is due to close on 11 October. This will represent a huge challenge for FRAs and Clair said that it is important for members to be properly briefed by their officers on the implications.

Clair then updated members on the Home Office Immediate Detriment Guidance in the McCloud/Sargeant case and said that the LGA had asked for further clarification about a number of technical areas on the application of the guidance.

Cllr Roger Phillips (Member of the Fire Scheme Advisory Board and Chair of LGPS Scheme Advisory Board) said that in his view the informal guidance was not strong enough and was likely to be challenged by the employee side. He advised members to ensure that administration of the scheme is on their authority's risk register as several administrators were considering pulling out. He added that extra employers' contributions had so far been met by the Government and that it was important for this to continue going forward.

### **Decision**

Members of the Fire Commission noted the workforce update.

## **7 Building Safety update**

The Chair invited Charles Loft to introduce the update.

Charles reported that the pace of remediation of buildings with dangerous cladding remained slow and had not been helped by the Covid situation. The Minister had set a new target to get work started on all buildings with ACM cladding by Christmas. However, data collection on buildings with dangerous non-ACM cladding had stalled.

Charles highlighted other issues of concern including problems with the External Wall Fire Review (EWS1) process preventing people obtaining mortgages, and fire risk assessors being unable to get insurance to carry out assessment of external cladding systems. The latter was contributing to a significant lack of skilled people to carry out this vital work.

Charles said that Lord Porter had given evidence to the HCLG Select Committee which was carrying out pre-legislative scrutiny of the Building Safety Bill. In its present form, the Bill doesn't deal with the issue of costs of work and who should ultimately pay.

Following Charles' introduction, members raised the following points:

- Extension of permitted development rights, particularly the conversion of offices to flats was a real concern in terms of fire safety. Charles highlighted the letter at Appendix A to the Minister raising this issue and the earlier item when members expressed their concerns to Jonny Bugg. No response had yet been received to the letter and Charles promised to chase it.
- Members agreed that the 'locked in equity' issue where residents were effectively trapped in flats that were unsaleable, was the key issue that needed to be addressed. It was considered that deregulation of the building safety sector was to blame for a lot of the current problems and there was a lack of professional expertise currently available to address them. Charles said that the Building Safety Bill contained a mechanism that should prevent further tragedies in new build blocks but it didn't address what to

do with the existing stock.

- HMOs in student areas were considered to be a real risk for fire services.
- It was suggested that local authorities should be working more closely with fire services and authorities to achieve more effective fire safety in the planning system as it was in everybody's best interests. Charles said that the LGA was responding to the Government's planning reform consultations, including outlining the concerns over fire safety. He encouraged individual local authorities to do the same. He said that something would have to give, as the Building Safety Bill and the Planning White Paper were currently incompatible.

#### **Decision**

Members of the Fire Commission noted the LGA's building safety work.

### **8 National Fire Chiefs Council update**

The Chair invited Nick Collins to introduce the update.

Nick said that the paper summarised the huge amount of work going on in FRS's, coordinated nationally by the NFCC. The approach of the NFCC was to try and solve problems nationally rather than have each individual service coming up with their own solution piecemeal and he requested members' support in this. He reported that the NFCC had received uplift funding from the Home Office this year for the first time and was keen to see this continue. Finally, Nick highlighted the Fit for the Future programme which was about to go out for wide consultation.

The Chair thanked Nick and the NFCC for their work and all Central Programme Office colleagues who had contributed.

#### **Decision**

Members of the Fire Commission noted the NFCC update.

### **9 Fire Standards Board update**

The Chair invited Nick Collins and Cllr Nick Chard to introduce the update.

Nick Chard said that the Board had got off to a relatively slow start but was now starting to make progress. The extra resources that the Home Office had put into the Board was helping in that regard. Nick highlighted the draft Code of Ethics Standard which was shortly going out to consultation as an example of the Board's recent work and he urged members to look at all the detail in the report.

#### **Decision**

Members of the Fire Commission noted the Fire Standards Board update.

### **10 Fire Commission update**

#### **Decision**

Members of the Fire Commission noted the update.

## 11 Any other business

There was no further business.

### Appendix A -Attendance

Position/Role	Councillor	Authority
Chairman	Cllr Ian Stephens	Isle of Wight Council
Members	Cllr John Chatterley	Central Bedfordshire Council
	Cllr Rob Nolan	Cornwall Council
	Cllr John Robinson JP	County Durham and Darlington Fire & Rescue Authority
	Cllr Roger Price	Hampshire Fire and Rescue Authority
	Cllr Carol Theobald	East Sussex Fire Authority
	Cllr Nick Chard	Kent and Medway Fire and Rescue Authority
	Cllr Stuart Tranter	Kent and Medway Fire and Rescue Authority
	Cllr Tina McKenzie-Boyle	Bracknell Forest Borough Council
	Cllr Nikki Hennessy	Lancashire County Council
	Cllr Rebecca Knox	Dorset and Wiltshire Fire and Rescue Service
	Cllr Roger Phillips	Herefordshire Council
	Cllr Terry Hone	Hertfordshire County Council
	Cllr Les Byrom CBE	Merseyside Fire and Rescue Authority
	Cllr Kevin Reynolds	Cambridgeshire and Peterborough Fire Authority
	Cllr Brian Kenny	Wirral Metropolitan Borough Council
	Cllr Simon Coles	Somerset County Council
	Cllr Peter Lewis MBE	Conwy County Borough Council
	Cllr Bob Rudd	Cheshire Fire & Rescue Service
	Cllr Michael Payne	Nottinghamshire County Council
	Cllr Robert Taylor	Rotherham Metropolitan Borough Council
	Cllr Andy Crump	Stratford-on-Avon District Council
	Cllr Greg Brackenridge	City of Wolverhampton Council
	Cllr Duncan Crow	West Sussex Council
	Cllr Colin Spence	Suffolk County Council
	Cllr Rachel Bailey	Cheshire East Council
	Cllr Leigh Redman	Devon and Somerset Fire and Rescue Authority
	Cllr James Roberts	Liverpool City Council
	Cllr Colleen Atkins MBE	Bedfordshire Fire & Rescue Service
	Cllr Keith Aspden	North Yorkshire Fire & Rescue Service
	Cllr Ruth Skelton	Derby City Council
Cllr Carolyn Lambert	Lewes District Council	
Cllr Cleo Lake	Bristol City Council	
Apologies	Cllr David Norman MBE	Gloucestershire County Council
	Cllr Frank De Molfetta	Lancashire Combined Fire Authority
	Cllr Lesley Clarke OBE	Buckinghamshire County Council
	Ms Fiona Twycross AM	Greater London Authority

Cllr Eric Carter  
Cllr Darren O'Donovan  
Cllr Mark Healey MBE

Cllr Fran Oborski MBE

Cllr Steven Lambert

Telford and Wrekin Council  
Kirklees Metropolitan Council  
Devon and Somerset Fire and Rescue  
Authority  
Hereford and Worcester Fire and Rescue  
Authority  
Buckinghamshire and Milton Keynes Fire  
Authority