

# Lancashire Combined Fire Authority

Meeting to be held on 3 October 2022

## Reports from Members on Outside Bodies

Contact for further information – Mark Nolan, Clerk and Monitoring Officer  
Tel: 01772 866720

### Executive Summary

The full Authority receive appropriate reports from Members who sit on outside bodies to provide feedback on key topics discussed in other forums such as Local Government Association (LGA) meetings.

### Recommendation

The Authority is asked to note the report for information.

## Information

County Councillor Nikki Hennessy has attended the following Local Government Association meetings and is privy to confidential conversations. She would like to draw Members' attention to the following:

### Fire Services Management Committee (Virtual)

16 October 2021

Priorities for 2021-22 were discussed and the following points/actions noted:

- People, Professionalism and Governance;
- They need to take account of the forthcoming Fire Reform White Paper;
- Governance working group to be set up to respond to the White paper;
- Fire and Rescue Services (FRSs) to be statutory consultees in planning applications;
- Equality, Diversity and Inclusion welcomed.

10 December 2021

Climate Change was discussed Chief Fire Officer (CFO), Ben Brook, the National Fire Chiefs Council (NFCC) joint lead on Environment, Sustainability and Climate Change presented and the following points / actions were noted:

- Main areas of the LGA's current work on climate change, including sector support and lobbying priorities;
- One of the biggest challenges facing the sector over the coming years was both in terms of adapting ways of working and in responding to an increasing number of extreme weather-related incidents;
- NFCC was in the early stages of putting together a toolkit for FRSs to help them adapt and was keen for the Fire Services Management Committee (FSMC) to be involved as a key partner;

- Members were very supportive of the NFCC's work in this area and felt that it would provide a much clearer picture of what FRSs needed to be doing;
- The issue of river catchment flooding was raised and, in particular, how this crossed the borders with Wales and Scotland in some Fire and Rescue Authorities (FRAs) in order to produce a joined-up response;
- The LGA will be updating its publication on climate change.

Building Safety was discussed and the following points/actions noted:

- Remediation of dangerous high-rise buildings continues, but at a slow pace;
- The LGA was providing support for FRAs and councils;
- Implementation of the Fire Safety Act and the Grenfell Tower Inquiry Phase 1 report recommendations had been delayed and was now unlikely to happen in April 2022 as previously stated by the Home Office;
- The then new Secretary of State at Department for Levelling Up, Housing & Communities (DLUHC), Michael Gove, was reviewing various aspects of the Government's building safety policy and the signals were that there could be a shift, especially around costs to leaseholders. This may result in some amendments being brought forward by the Government to the Building Safety Bill when it returns at the Report stage;
- Concern was expressed about unfunded burdens being placed on FRAs and councils arising from the Building Safety Bill;
- The LGA was lobbying strongly on this issue with the NFCC, and in particular, around the supply of skilled personnel to carry out the additional work.

#### 14 March 2022 Fire Service Conference Gateshead

Efficiency and Productivity was discussed and the following points/actions noted:

- This workstream around improving productivity and efficiency in the sector was borne out of the joint LGA/NFCC 2021 Spending Review submission and included the establishment of a Productivity & Efficiency Forum, chaired by the Home Office and including membership from NFCC, the LGA and Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS);
- The two areas of work that the NFCC was directly involved in were (i) the collation and review of current NFCC/LGA projects related to efficiency and productivity; and (ii) a data review to ascertain what further evidence is required to measure efficiency and productivity;
- It was considered to be important that the LGA be involved in this work alongside the NFCC in order to input the FRA perspective;
- Members expressed concern that targets were Treasury-led and that it should be down to individual FRAs to determine their own productivity and efficiency targets. On the other hand, it was argued that without improvements in productivity and efficiency, it became very difficult to justify increased investment in services;
- It was stated that efficiency target broadly related to areas such as full-time firefighter salaries and centralised procurement, with savings being reinvested into the service. On productivity, work was being done with HMICFRS to establish a baseline against which productivity increases could be measured. These could relate to areas such as improved technology or more training, and scope for increased productivity would likely vary between different FRSs.

Building Safety Bill and Improvement Update was discussed and the following points/actions noted:

- CFO Gavin Tomlinson, Fire Safety Lead for the NFCC reported on the Government's proposed reforms to the building safety regime and the implications of the measures contained in the Building Safety Bill for FRSs across the country;
- The concerns of both the NFCC and LGA were outlined that there would not be enough resources available for FRAs to fulfil both their obligations under the new Bill and also their obligations under local Integrated Risk Management Plans (IRMPs);
- Concern was expressed about the funding / resource gap resulting from the new burdens placed by the Bill. This should be flagged up as a significant risk for most FRAs moving forward and could have a detrimental impact on their capacity to undertake current IRMP work;
- What more could the LGA and NFCC do to be more proactive in getting Government to acknowledge the problem and provide adequate funding;
- All these concerns had been aired with the Home Office and DLUHC at the monthly Fire Protection Board meetings. The NFCC had been asked to provide a business case for what could be provided with less funding and this had been presented to DLUHC. DLUHC was still yet to confirm the final amount of money available and so it would be important to continue to lobby jointly to press for full reimbursement of the new burdens;
- There was considered to be a wider skills issue across the sector that needed to be addressed. This included the loss of highly experienced trained staff to the private sector, and also the capacity in the system to train the required number of staff in time for the new Regulator;
- The investment in protection services post Grenfell had made staff significantly more marketable and the workforce was now more mobile than it had ever been.

20 May 2022

Fire Reform White Paper was discussed and the following points/actions noted:

- Jonny Bugg, Head of Home Office Fire Strategy and Reform Unit, and Stuart Harwood, Home Office Head of Governance gave a presentation on the White Paper. Mr Bugg set out the Government's case for the reforms proposed in the White Paper, with Covid 19, HMICFRS inspection reports and the Grenfell Tower and Manchester Arena disasters all highlighting the need for change in how FRSs are run and organised;
- A LGA Senior Adviser, expanded upon the proposed governance changes and their implications for FRAs and highlighted the table in the White Paper on potential demarcation of responsibilities between the political (executive) leader and the Chief Fire Officer (CFO) explaining that the White Paper poses the question of whether, apart from combined authority mayors and Police and Crime Commissioners (PCCs), there is anyone else who fire governance could be transferred to that would fit the Government's vision;
- The LGA has done some preliminary work on what could be possible within the current framework of Combined Fire Authorities (CFAs) and had sought legal advice;

- Members agreed that it would be helpful for the LGA to share its work on alternative governance options at the Fire Commission;
- Members welcomed the decision by the Minister not to include mandation of governance transfer to PCCs and/or Mayors in the White Paper but queried whether CFAs would be forced to adopt a new model. There was evidence from HMICFRS that CFAs were working well in many areas and so abolishing them was considered unnecessary;
- The link with the Levelling Up White Paper and its proposed expansion of the Mayoral model of local government was also discussed in relation to fire governance. Reservations were expressed about how the proposals would achieve the Government's stated aim of simplifying governance of fire;
- The importance of having effective scrutiny of executive functions was emphasised. The example of Gloucestershire County Council, where an executive Cabinet Member is scrutinised by a committee of elected members, was cited as a strong governance model. With a single, directly-elected individual there was a danger of personality clashes with the CFO and no effective mechanism for holding them to account;
- It was considered important that Government make it clear that operational independence could not mean that CFOs would be able to instruct their employees to carry out any task they saw fit. Employment law and terms and conditions would still need to be followed, unless secondary legislation was introduced to specifically change this;
- On minimum entry requirements, members felt it was important not to lose the ability of firefighters to join, with minimal qualification, and work their way up to the top;
- Support was expressed for the proposed College of Fire & Rescue but it was stressed that lessons should be learned from the experience of setting up a College of Policing;
- Members queried why it was deemed necessary to introduce a firefighters' oath;
- It was suggested that there was an equally good case for having an individual with direct responsibility for ambulance services, given the problems they have been experiencing for a number of years;
- It was agreed that the comments made by members be incorporated into the LGA's response to the White Paper consultation.

## **Fire Commission**

24 September 2021 Cllr. Jane Hugo & CC John Shedwick were in attendance.

Fit for the Future Fit was discussed and the following points/actions noted:

- It is a partnership between the LGA, NFCC and National Employers (England). CFO Phil Garrigan, NFCC Deputy Chair reminded members that the Fit for the Future initiative provided an opportunity for the three organisations to develop a framework and future aspirations for the fire and rescue service in England together to meet the needs of the communities they served. It also included a number of improvement objectives. This work would also assist in responding to HMICFRS's recommendation in its first State of Fire & Rescue report requesting a review of the role of the fire and rescue service and those who work within it. This also needed to be set in the context of the Grenfell and

Manchester Arena Public Inquiries, the Covid pandemic and a changing climate;

- Cllr Nick Chard, Chair of the National Joint Council (NJC) Employers' Side, added that the document was a testament to the strength of collaboration between NFCC, National Employers (England) and the LGA and, whilst there was still work to be done on outcomes, it demonstrated a unified approach for the sector. The Fire Reform White Paper would also be critical and would eventually feed into the document;
- Much of the sector's successful collaborative working on the ground, particularly in the last 18 months, has been with health services, and therefore, the future should focus on the role that FRS can play in safe, healthy living within communities;
- It would be unfortunate if the Inspectorate led services too far down the enforcement line at the expense of this wider role;
- The document contains a lot of broad ranging objectives – how can these all be adequately covered in the engagement sessions and how will the Trade Unions be involved in the process;
- The engagement sessions were much more about looking at the longer-term aspiration for the sector and how it can effectively meet the public's needs in a rapidly changing environment, for example around the increasingly severe effects of climate change;
- Engagement with all representative bodies would take place. A Senior Adviser Workforce & Negotiations, added that it was important that the FRS itself inputted into this and took a view about where it would want the service to be;
- Trade Unions had been invited to participate in the initial consultations in October 2020. They are fully aware of the current work and will be further involved as the work progresses.

#### Building Safety update

- The Fire Safety Act was due to commence in October, bringing fire doors and cladding under the scope of the Fire Safety Order. Work on the Building Risk Register would be coming to an end in December 2021 and so the key question was what the approach to inspection and enforcement would be following this. Officers were working on a protocol between councils and the fire service about joint inspection and enforcement. Implementation of regulations on the findings of the first phase of the Grenfell Tower Inquiry would follow immediately after the commencement of the Fire Safety Act;
- Other current issues of significance to highlight were the Building Safety Bill and whether all the requirements this would place on councils and FRSs will be properly funded; and determining a more proportionate to building remediation, thereby potentially reducing costs;
- A officer from the Home Office Fire Safety Unit took members through the new regulations in relation to the Grenfell Tower Inquiry recommendations which followed a public consultation over the summer. The regulations would commence in April 2022 to enable those affected by them to become compliant. They placed legal requirements on Responsible Persons mainly in relation to high rise buildings and would clearly define what constituted a high-rise building. Implementation guidance was being drafted to address cross-over with the Fire Safety Act requirements and would be available later;
- FRSs would start receiving information, mainly from Responsible Persons on buildings over 18m - plans, evacuation plans, details of external walls etc.;

- For buildings over 11m information would be required on fire door checks, wayfinding etc and on all multi-occupancy residential buildings, fire safety information would need to be provided to residents;
- FRSs would need to consider carefully how they incorporated these new requirements into their inspection and enforcement plans;
- Following the New Providence Wharf fire, it was clear that balconies as well as external walls needed to be in scope for the new regulations. Previously uncertainty around whether external balconies fell within building regulations, but this had now been clarified under the Fire Safety Act. Having combustible material on balconies was now equivalent to having it on external wall systems - but only on buildings over 18m;
- Concern was expressed about who would ensure that Responsible Persons, and the contractors they might employ, were qualified to do the various checks. The competency is covered in the revised Fire Safety Order. The Building Safety Bill also contained requirements around Responsible Persons and competency to carry out work, which would complement the Fire Safety Order;
- Members requested that a link to the new regulations be sent out;
- Concern was expressed about lifts, and the fact that the regulations would only apply to firefighter lifts and not those used by residents in blocks of flats. Would there be an assured quality scheme for those maintaining and inspecting lifts. The Responsible Persons would be required to carry out monthly checks on firefighter lifts and alert FRS's if they weren't working properly; but this wouldn't apply to residential lifts;
- Members raised the issue of office blocks being converted to residential units by speculative developers under Permitted Development Rights. They argued strongly that this process needed to be regulated much more stringently for the safety of residents. Permitted development is something that the LGA also had serious concerns about and continued to raise with Government. The then new Secretary of State was reviewing planning reforms so there should be more opportunity to continue to push this point.

#### **Business risk**

None

#### **Sustainability or Environmental Impact**

None

#### **Equality and Diversity Implications**

None

#### **Data Protection (GDPR)**

N/A

#### **HR implications**

None

**Financial implications**

None

**Local Government (Access to Information) Act 1985****List of background papers**

Paper:

Date:

Contact:

Reason for inclusion in Part 2 if appropriate: N/A