



LONDON FIRE BRIGADE

Report title

London Safety Plan 2017 Further Extension

Report to

Date

Portfolio Board (verbal report)
Commissioner's Board
Deputy Mayor's Fire and Resilience Board
London Fire Commissioner

22 December 2021
13 January 2022
18 January 2022

Report classification:

For Decision

The subject matter of this report deals with all of the LFB strategic priorities:

The best people and the best place to work
Seizing the future
Outward facing
Delivering excellence

This report recommends the extension of the London Safety Plan 2017, which is the Brigade's corporate plan and provides the framework and direction for how these priorities will be met.

Report number – LFC-0655

For Publication

PART I - NON-CONFIDENTIAL FACTS AND ADVICE TO THE DECISION-MAKER

I agree the recommended decision below.

Andy Roe
London Fire Commissioner

Date **This decision was signed remotely on 21 April 2022.**

Executive Summary

The London Safety Plan 2017 is currently the London Fire Commissioner's Integrated Risk Management Plan as required by the national framework for the fire and rescue service. The plan expires at the end of March 2021 and work has begun to develop a new plan, the Community Risk Management Plan (CRMP).

To allow for public consultation on the final draft and sufficient time for scrutiny and approval of the CRMP, this report recommends that more time be allowed for its delivery and that the existing London Safety Plan be extended to 31st March 2023.

Proposed Decision

For the London Fire Commissioner

That the LFC, following receipt of the Deputy Mayor's views, send the proposed text of the London Safety Plan 2017, with a request to extend it for a single year, to the Assembly for consideration in accordance with section 327G(2) of the Greater London Authority Act 1999.

Introduction and proposal

1. The London Safety Plan ('LSP') has been the Integrated Risk Management Plan ('IRMP') as required by the government's national framework for the fire and rescue service. The London Fire and Emergency Planning Authority approved the existing London Safety Plan 2017 – 2021 ('LSP2017') at their meeting on 30 March 2017.
2. The circumstances of the Covid-19 pandemic caused officers to review the timetable for delivery of the replacement plan and the London Fire Commissioner (LFC) decided to extend LSP2017 for a further year, to 31st March 2022, on 4th November 2020.
3. In line with guidance from the National Fire Chiefs' Council, London Fire Brigade are now referring to the IRMP as a Community Risk Management Plan (CRMP).
4. Work to date has resulted in production of a high-level strategic intent and a new approach to the Assessment of Risk in London, which underpins the CRMP. The LFC undertook a public consultation on the products of this work in September 2021.
5. Whilst the number of respondents to this consultation was in line with previous consultations on LSPs, the level of interest evidenced through social media analysis suggests a much higher level of interest than was anticipated. It is not clear why this level of interest was not reflected in the total numbers of respondents, but it is hoped they are at least partly a result of the increase in community engagement and involvement in the development of the Plan itself.
6. As one of the Commissioner's key objectives is for communities to play a greater role in shaping and influencing the Brigade's work, he now feels it is crucial to build on the success of the engagement to date and to give Londoners the opportunity to comment on the draft Plan itself. The results of this consultation will play a vital role in informing the Plan.

7. The Commissioner has also recognised the concerns of Londoners, as a result of the ongoing Inquiry into the Grenfell Tower Fire and high-profile incidents this year and is determined to respond to those concerns. The new timetable to deliver the CRMP also allows the Brigade to have considered all the relevant evidence to the latest phase of the Inquiry, and the second full inspection by Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS). Although the CRMP is likely to go out to consultation before HMICFRS reports on the second inspection, LFB should have enough understanding of its findings to inform the Plan.
8. The Commissioner is now developing the details which will underpin the delivery of the high-level strategic intent to inform the content of the new CRMP. This work will be further informed by staff and community engagement and is expected to generate more interest in the final Plan and any consultation. This work is not set to complete until early 2022, with further time required to incorporate outcomes into the new CRMP.
9. The proposed second consultation reflects his intention to increase the influence that communities have in the work of the Brigade and make LFB more accountable to Londoners.
10. A second consultation in 2022 requires a later publication date for the CRMP. The existing London Safety Plan 2017, due to expire at the end of March 2022, will need to be extended for a further year.
11. The LFC has committed to delivering the CRMP by 31st March 2023. However, he is aware this will be the second extension after the pandemic led to delays last year, and so aims to deliver the CRMP sooner - by the end of 2022 provided no further circumstances arise that would prevent this.
12. By March, LFB will develop an interim delivery plan for 2022/23 to demonstrate how transformation will continue at pace while the CRMP is finalised, and that it is ready to deliver against its challenging aspirations once it is approved.
13. The new CRMP will inform the Brigade's budget submission in November 2022 for the 2023/24 financial year and beyond.
14. An outline timetable has been drawn up and should approval be given to this amended approach, officers will prepare a detailed plan which will be regularly monitored jointly by LFB and GLA officers. Progress will also be regularly reported to [key stakeholders including Home Office, the Assembly and HMICFRS](#). The proposed amended timetable is set out below.

Table 1: Timelines and key milestones for best case delivery of CRMP

Complete work on detailed strategy (TOM)	Now - end February
LFC writes and approves consultation draft CRMP	Early February - mid April
Preparation for consultation	April - May
Deputy Mayor approval	April - May
Consultation	June – mid July
Consideration of responses, finalise draft CRMP	Mid - end July
LFC approval final draft CRMP	Early – mid August
Deputy Mayor approval final draft CRMP	Mid August – early September
Mayor submits to FREP	Early – late September
FREP consideration	Late September – mid October
Mayoral approval to publish final CRMP	Mid October – end November
LFC decision	Early December

The plan for a second consultation

15. The proposed scenario allows for at least a six-week consultation (June to mid-July), soon after the borough elections. Officers will give further consideration to the length of the consultation as the detailed plans to support the CRMP are developed so that there is sufficient time for the public and partners to engage with and provide their views on any proposals.
16. A detailed delivery plan will be prepared once the new timetable has been agreed but will involve pre-consultation publicity and 'warming up' key audiences; consideration of how Talk London can be involved to best effect to encourage Londoners to attend; targeting Londoners and stakeholders through a range of different channels including social media and local engagement; internal engagement to encourage more staff to respond.

Options

17. Officers have considered whether to recommend a simple extension of the existing plan or to undertake an interim revision.

An Interim Plan

18. An interim revision could incorporate the objectives of the Transformation Delivery Plan ('TDP') – agreed by the LFC on 24 February (LFC0294x), focussing on the purpose, vision, behaviours and strategic pillars. The LSP Action Plan would be updated to incorporate any outstanding actions from the TDP. Further work would be done to identify new key deliverables for 2022/23 that would support the objectives in the TDP and the plan would focus on deliverables to March 2023.
19. However, the difficulties of undertaking any meaningful engagement during the development of the plan alongside the engagement to inform the new CRMP would be significant. To engage the public concurrently in both a short-term and long-term plan could be confusing at best and could discourage meaningful interaction with either plan.
20. It would be difficult to justify approval of even an interim plan without a public consultation prior to its agreement. The length of time needed for such a consultation, together with the governance process for its completion and approval would mean that it would be difficult to produce an interim plan in a shorter timescale to the new CRMP.
21. Furthermore, staffing and financial resources that are already stretched as a result of the pandemic would be required for production of both an interim plan and a subsequent full plan.

Extending the Plan

22. Extending the existing plan is more straightforward. The existing plan did not require amendment in the light of the Grenfell Tower fire, as the plan was structured to be an enabling plan and the objectives within it were sufficiently flexible to allow the Brigade to reframe its fire safety and response provisions in the light of lessons learned.
23. Whilst it is arguable that the requirements of the National Framework to consult may apply to an extension of the existing plan, officers' views are that further consultation is not required as the LSP2017 itself was subject to consultation; no changes are being made to that plan; there will be

full consultation on the new CRMP and both the LSP2012 and LSP2017 were extended without consultation.

24. The transformation and improvement required in response to the recommendations from both the Grenfell Tower Inquiry and Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) resulted in the production of detailed plans and the overarching TDP. Together, these plans set out both the LFC response to risk and LFC corporate objectives and are achievable under LSP2017. Any actions needed to address further recommendations from HMICFRS or the Grenfell Inquiry received in 2022 could be managed in the same way.
25. In terms of risks in the built environment, there are now well-established arrangements in place to manage them, including an increased weight of response to fires in high-rise buildings and monitoring and advice to support waking watches. Extended height aerial appliances are now in operation, as are smoke hoods and new operational policies for fighting high-rise fires.
26. It may be desirable to bring all these together into one new CRMP, but LSP2017 has not impeded these changes and officers do not foresee that it would do so during the period of the proposed extension.
27. The outstanding items in the action plan which supports the LSP 2017 and the TDP can continue to be reported as usual.
28. A new draft Assessment of Local Risk went out for consultation in the summer and is being finalised in the light of that feedback. An assessment of the services the Brigade provides to reduce those risks is being undertaken now to inform development of the CRMP. However, should that assessment result in the need for a more immediate change to the LFC response that could not be delivered within the bounds of the existing plan, officers will have to consider how best to revise LSP2017 at that time.
29. The current factors suggest that an extension of the current LSP 2017 is the preferred route.

Objectives and expected outcomes

30. The objective of this report is to secure approval to extend the current London Safety Plan 2017 for a further year.
31. The aim is to approve the new CRMP to start from 1 January 2023. Successful delivery will depend on close working with the Deputy Mayor's office and GLA colleagues
32. Key risks and mitigations are listed below.

Questions from HMI/HO/Assembly/Mayor's Office about the impact on transformation

Officers will put a delivery plan in place for 2022/23 that sets out the next stages of transformation, similar to the Transformation Delivery Plan, so that good progress continues in delivering against the vision.

Questions from HMI/HO/Assembly/Mayor's Office about LFB's ability to deliver the new timetable

The timescales for the first stage of the high-level strategic intent work were delivered to time and the detailed work is being planned and managed using the same methodology. Specifically, the addition of the second consultation is responding to increasing levels of

interest and engagement from the public which is exactly what the vision aims to achieve. There will be regular reporting to DMFRB on progress with the development of the CRMP.

Loss of momentum for change amongst staff, FBU and public

Loss of momentum is not expected either internally or externally as those audiences have been and will continue to be informed and involved in development on the CRMP. The only change to the development timetable is that the CRMP will be written late February/early March. All internal and external engagement will go ahead as planned to support development of the detailed strategy. The FBU and all trades unions are being involved in the ongoing development of the CRMP and will be kept informed of changes.

Why a second extension of the LSP is necessary

The LSP2017 was first extended to the end of March 2022 because of the impact of Covid-19. There were concerns that it would restrict the opportunity for public involvement in the development of the plan and resources to produce the plan were also significantly stretched. These issues have been resolved as new approach to public involvement has enabled greater involvement than has been the case previously and an internal restructure has created a team with specific responsibility for producing the Plan.

Budget impact and additional costs arising

Additional resource requirements will largely arise from the additional engagement and consultation. Funding will be sought from unallocated funds in the LSP reserve. It is anticipated that these costs will be well within officers' delegated authorities.

Equality comments

33. The LFC and the Deputy Mayor for Fire and Resilience are required to have due regard to the Public Sector Equality Duty (section 149 of the Equality Act 2010) when taking decisions. This in broad terms involves understanding the potential impact of policy and decisions on different people, taking this into account and then evidencing how decisions were reached.
34. It is important to note that consideration of the Public Sector Equality Duty is not a one-off task. The duty must be fulfilled before taking a decision, at the time of taking a decision, and after the decision has been taken.
35. The protected characteristics are: age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership (but only in respect of the requirements to have due regard to the need to eliminate discrimination), race (ethnic or national origins, colour or nationality), religion or belief (including lack of belief), sex, and sexual orientation.
36. The Public Sector Equality Duty requires decision-takers in the exercise of all their functions, to have due regard to the need to:
 - eliminate discrimination, harassment and victimisation and other prohibited conduct
 - advance equality of opportunity between people who share a relevant protected characteristic and persons who do not share it
 - foster good relations between people who share a relevant protected characteristic and persons who do not share it.

37. Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
- remove or minimise disadvantages suffered by persons who share a relevant protected characteristic where those disadvantages are connected to that characteristic
 - take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it
 - encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
38. The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.
39. Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
- tackle prejudice
 - promote understanding.
40. An Equality Impact Assessment (EIA) was undertaken to support the development of LSP2017. This identified a number of areas with a potential positive impact on equality groups, and committed to undertaking equality analyses on parts of the plan which impacted our staff and communities.
41. The EIA considered the impact of a proposal within the plan to move a second fire engine from Kingston fire station to New Malden fire station. This proposal was reviewed by LFC and on 25 October 2018, LFC decided not to move the second fire engine from Kingston fire station (LFC 0074x-D). The equalities implications noted in relation to this proposal are therefore no longer relevant.
42. In relation to the decision to extend LSP2017, any potential equality impacts arising in relation to the Public Sector Equality Duty will be addressed by two significant areas of work which have been developed since the LSP was launched. These are the LFB Transformation Delivery Plan (underpinned explicitly by 'Diversity and Inclusion') and the LFB Togetherness Strategy (launching 1 July 2020, a new inclusion strategy to drive strategic organisational change and improve diversity and inclusion outcomes for staff and communities). These two areas of work have explicit commitment, actions and embedded accountability to improving equality outcomes for both staff and communities.
43. Although the original Equality Impact Assessment for the LSP2017 is still relevant to the development of the LSP, consideration should be given to the more recent context of the two areas of work listed above which will have significant impact in supporting the LFB to meet its obligations under the Public Sector Equality Duty. In light of this, there are therefore unlikely to be significant or disproportionate equality implications arising from the further extension of the LSP2017.

Other Considerations

Workforce comments

44. Staff side consultation took place in developing the 2017 plan and continued both during and after the consultation period. This involvement was integral to the development of the plan, and is something that both staff side and officers have pursued through the delivery of the plan.

Sustainability comments

45. One of our principles is to ensure that sustainability runs through all our activities and at the strategic level, the Brigade expresses this commitment through our Sustainability Strategy which sets out our key performance improvement priorities, measures and targets in this area. 36. Sustainability analysis also forms a key strand of the development of every London Safety Plan and any proposals arising from the continuation of this Plan going forward will be subject to our sustainable development impact assessment process.

Financial comments

46. This report recommends the extension of the London Safety Plan 2017 to 31 March 2023. This extension will allow time for a public consultation on the final draft of the new Community Risk Management Plan (CRMP). The timeline for the delivery for the new CRMP will enable it to inform the LFC's Budget Submission in November 2022 for the 2023/24 financial year.
47. The report notes that funding will be required to enable the additional engagement and consultation. This will be funded from the CRMP Implementation Reserve which has projected funds available of £2,257k at the end of the 2021/22 financial year.

Legal comments

48. Under section 9 of the Policing and Crime Act 2017, the London Fire Commissioner (the "Commissioner") is established as a corporation sole with the Mayor appointing the occupant of that office. Section 1 of the Fire and Rescue Services Act 2004 states that the Commissioner is the fire and rescue authority for Greater London.
49. The production of an IRMP, which in the case of the Commissioner is the London Safety Plan, is a requirement of the Fire and Rescue National Framework for England ("Framework") issued by the Secretary of State under section 21 of the Fire and Rescue Services Act 2004. Section 21(7) of the Act requires fire and rescue authorities to have regard to the Framework in carrying out their functions.
50. The Framework includes provision for the review and revision of an IRMP.
51. No changes are to be made to LSP2017 except for adding a single year to the life of the plan. The Commissioner should note that this will be the second single year extension to LSP2017. Whether the extension of the plan by a single year engages the provisions of the Framework in this regard is a finely balanced argument, it is considered on balance that they do, and accordingly they should be considered and addressed. The Commissioner is advised that this report constitutes a review to the extent that it is necessary in the circumstances for extending the duration of LSP2017 by a single year.
52. The Framework sets out that at development or review stages of the IRMP it must reflect effective consultation. As set out above, the legal duty on the Commissioner is to have regard to the Framework, and therefore requires good reasons for departing from it, should he decide to do so. It is a debatable point whether the Framework consultation requirements are engaged in

the circumstances of an extension of this nature, such that the consultation question arises, but if it does, there are potentially good reasons for not consulting as set out in paragraph 22 of this report. However, in reaching a decision on consultation, the Commissioner should also have regard to the fact that absent consultation, the decision making cannot be informed by the views of key stakeholders. The Commissioner is therefore advised to consider the Framework and to determine, whether consultation should take place. The Commissioner is advised that in the circumstances it is reasonable to come to the view, should he wish to do so, that consultation is not required before deciding to extend the LSP2017 for a year.

53. Under section 327G of the Greater London Authority Act 1999 ('GLA Act 1999'), as amended, the Commissioner must, before publishing the document or any revision to it, send a copy of the document or revision in draft to the Mayor and the Assembly and may not publish the document or any revision to it unless the Assembly has had an opportunity to review the draft document or revision, make a report on it to the Mayor and the Mayor has approved the draft document or revision.
54. The provisions of s327G are procedural requirements related to governance and the statutory relationship with the Mayor and Greater London Assembly. There is a requirement to follow a set governance process and it is advised that the Commissioner progress in accordance with the provisions of s327G.
55. Under section 327D of the GLA Act 1999, as amended, the Mayor may issue to the Commissioner specific or general directions as to the manner in which the holder of that office is to exercise his or her functions.
56. By direction dated 1 April 2018, the Mayor set out those matters, for which the Commissioner would require the prior approval of either the Mayor or the Deputy Mayor for Fire and Resilience (the "Deputy Mayor"). Paragraph (b) of Part 1 of the said direction requires the Commissioner to seek the prior approval of the Mayor before "[b] Approval of the final proposed text of the draft London Safety Plan (or any revision of it) for the purposes of sending it to the Assembly under section 327G(2) of the GLA Act 1999". This Direction applies and accordingly must be followed.
57. If the Commissioner does not wish to take the recommended decision, the existing timetable will continue for the next iteration of the IRMP.

List of Appendices

Appendix	Title	Open or confidential
1.	None	

Part 2 Confidentiality: Only the facts or advice considered to be exempt from disclosure under the FOI Act should be in the separate Part 2 form, together with the legal rationale for non-publication.

Is there a part 2 form –NO