

GREATER LONDON AUTHORITY

REQUEST FOR MAYORAL DECISION – MD2683

Title: Extension of London Safety Plan

Executive Summary:

The London Fire Commissioner (LFC) is required to publish an Integrated Risk Management Plan (IRMP) under the Fire and Rescue National Framework for England. The publication of the plan requires approval from the Mayor.

The LFC's existing IRMP is known as the London Safety Plan (LSP), which was agreed by the London Fire and Emergency Planning Authority in 2017. This plan covers the period from April 2017 to March 2021 and was expected to be replaced by a new plan taking effect from April 2021. However, the impact of the COVID-19 pandemic has meant that a new plan cannot be produced effectively in this timeframe.

The LFC is therefore seeking the Mayor's approval to extend the LSP to a new end-date of 31 March 2022. Both the Deputy Mayor for Fire and Resilience and the London Assembly Fire, Resilience and Emergency Planning Committee have been consulted on this proposal in accordance with the Greater London Authority Act 1999 and London Fire Commissioner Governance Direction 2018, and both support it.

Decision:

In accordance with the requirements of the Greater London Authority Act 1999, the Fire and Rescue National Framework for England, and the London Fire Commissioner Governance Direction 2018, the Mayor of London:

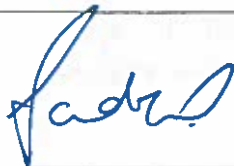
Approves the extension of the London Safety Plan to 31 March 2022, noting that this Decision will constitute notification to the LFC that these documents may be published.

Mayor of London

I confirm that I do not have any disclosable pecuniary interests in the proposed decision and take the decision in compliance with the Code of Conduct for elected Members of the Authority.

The above request has my approval.

Signature:



Date:

4/7/20

PART I - NON-CONFIDENTIAL FACTS AND ADVICE TO THE MAYOR

Decision required – supporting report

1. Introduction and background

- 1.1. The Fire and Rescue National Framework for England requires the London Fire Commissioner (LFC) to produce an Integrated Risk Management Plan (IRMP)¹ known as the London Safety Plan (LSP). The Framework states that an IRMP must:
- reflect up to date risk analyses including an assessment of all foreseeable fire and rescue related risks that could affect the area of the authority;
 - demonstrate how prevention, protection and response activities will best be used to prevent fires and other incidents and mitigate the impact of identified risks on its communities, through authorities working either individually or collectively, in a way that makes best use of available resources;
 - outline required service delivery outcomes including the allocation of resources for the mitigation of risks;
 - set out its management strategy and risk-based programme for enforcing the provisions of the Regulatory Reform (Fire Safety) Order 2005 in accordance with the principles of better regulation set out in the Statutory Code of Compliance for Regulators, and the Enforcement Concordat;
 - cover at least a three-year time span and be reviewed and revised as often as it is necessary to ensure that the authority is able to deliver the requirements set out in this Framework;
 - reflect effective consultation throughout its development and at all review stages with the community, its workforce and representative bodies and partners; and
 - be easily accessible and publicly available.
- 1.2. The Greater London Authority Act 1999 provides that the LFC must, before publishing a document required to be produced under the Fire and Rescue National Framework for England 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.
- 1.3. In addition, the Mayor's London Fire Commissioner Governance Direction 2018 (Mayoral Decision 2260²) requires that the LFC consult the Deputy Mayor for Fire and Resilience about proposals requiring Mayoral approval.
- 1.4. LFC's current IRMP is known as the London Safety Plan (LSP). This was agreed by the London Fire and Emergency Planning Authority under previous governance arrangements in 2017 and covers the period from 1 April 2017 to 31 March 2021.
- 1.5. Work is underway to develop a new plan for London, but this has been affected by the COVID-19 pandemic. The anticipated timeline for developing the plan has therefore been reassessed, resulting in the proposal to extend the end date of the current plan by one year. The main reasons for this are:

¹ The Fire and Rescue National Framework is available here: <https://www.gov.uk/government/publications/fire-and-rescue-national-framework-for-england--2>

² The Governance Direction is available here: <https://www.london.gov.uk/decisions/md2260-london-fire-commissioner-governance-direction-2018>

- the existing timetable for publishing the new IRMP is no longer aligned to the Greater London Authority (GLA) election timetable, following the postponement of the GLA elections to May 2021;
- capacity within the London Fire Brigade (LFB) and GLA to develop a new IRMP is currently constrained by the demands of responding to the COVID-19 pandemic;
- consultation and engagement on a new draft IRMP would be constrained by social distancing requirements that are expected to remain in place for some time; and
- a new IRMP will need to incorporate lessons learned in the COVID-19 response, priorities for the recovery and financial implications, which require additional time to assess.

2. Objectives and expected outcomes

- 2.1. The outcome of this decision would be that the end date of the current LSP becomes 31 March 2022, with a new plan produced to take effect on or before 1 April 2022.
- 2.2. The proposal to extend the LSP is set out in report LFC-0366, which has been provided by the LFC and can be found at Appendix 1. The following consultation has taken place:
 - the Deputy Mayor for Fire and Resilience has been consulted on this proposal, including at meetings of the Deputy Mayor's Fire and Resilience Board on 16 June 2020 and 21 July 2020, and supports the proposal; and
 - the London Assembly's Fire, Resilience and Emergency Planning Committee met to discuss the proposal on 23 July 2020, and thereafter wrote to the Mayor indicating their support; the Committee's letter can be found at Appendix 2.
- 2.3. The extended timeframe for the LSP will provide GLA and LFB officers the opportunity to carry out important modelling and policy development work for a new plan to take effect in 2022, incorporating learning from the COVID-19 pandemic and priorities for London's recovery.
- 2.4. The new plan will be aligned to LFC's Transformation Delivery Plan, which was published in early 2020, and has been modified in response to the COVID-19 pandemic. The Transformation Delivery Plan sets out LFC's key priorities in responding to the findings of the Grenfell Tower Inquiry Phase 1 report, and the LFB's 2018/19 inspection report from Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS), both of which made recommendations for improvements at LFB.

3. Equality comments

- 3.1. The Mayor is required to have due regard to the Public Sector Equality Duty (s149 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.
- 3.2. 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.
- 3.3. 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.

- 3.4. The Public Sector Equality Duty requires the Mayor, in the exercise of all his functions, to have due regard to the need to:
 - (a) eliminate discrimination, harassment and victimisation and other prohibited conduct;
 - (b) advance equality of opportunity between people who share a relevant protected characteristic and persons who do not share it; and
 - (c) foster good relations between people who share a relevant protected characteristic and persons who do not share it.
- 3.5. 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:
 - (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic where those disadvantages are connected to that characteristic;
 - (b) 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; and
 - (c) 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.
- 3.6. 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.
- 3.7. 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:
 - (a) tackle prejudice; and
 - (b) promote understanding.
- 3.8. An Equality Impact Assessment (EIA) was undertaken to support the development of the current LSP in 2017. 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.
- 3.9. In relation to the decision to extend the current LSP, the LFC reports that 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:
 - (a) the LFB Transformation Delivery Plan (underpinned explicitly by 'Diversity and Inclusion'); and
 - (b) the launch of the LFB Togetherness Strategy (launched on 1 July 2020, a new inclusion strategy to drive strategic organisational change and improve diversity and inclusion outcomes for staff and communities).
- 3.10. In light of the measures set out at 3.9 above, it is noted that the LFC does not consider there are likely to be significant or disproportionate equality implications arising from the extension of the current LSP. Therefore, it is unlikely that there will be significant or disproportionate equality implications arising from the Mayor's approval sought in this decision form.
- 3.11. The LFC has provided assurances that when the approved document is published on the web, accessible formats will be available as required.

4. Other considerations

Risk management

- 4.1. There are no new risks specifically arising from this decision.

Link to Mayoral strategies and priorities

- 4.2. The approval process for extending the LSP contributes towards the democratic oversight the Mayor and Assembly have over the way the LFC exercises its functions.

Conflicts of interest

- 4.3. There are no known conflicts of interest to declare for those involved in the drafting or clearance of this Mayoral Decision.

5. Financial comments

- 5.1. This report recommends approving the LFC's proposal to extend the LSP to 31 March 2022. The LFC's 2020/21 budget report included a planned saving of £30,000 for data modelling from 2021/22, to allow for work on the LSP in 2020/21. If the LSP is extended by a further year this saving should be reviewed and deferred by a year if necessary.
- 5.2. There are no financial implications for the GLA.

6. Legal comments

- 6.1. Section 327A(2) of the Greater London Authority Act 1999 provides that the LFC is a corporation sole and section 327A(3) provides that the Mayor appoints the occupant of that office. Section 1 of the Fire and Rescue Services Act 2004 states that the LFC is the fire and rescue authority for Greater London.
- 6.2. The production of an IRMP, which in the case of the LFC 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.
- 6.3. The Framework includes provision for the review and revision of an IRMP. The only revision to the LSP is to extend it for a further year. There are no other fundamental revisions to the LSP for the Mayor to consider. The LFC has undertaken a review of the LSP to the extent it is necessary to do so in the circumstances for extending the duration of the LSP and the findings are in the appended report LFC-0366. The LFC did not undertake a wider consultation relating to the proposed extension to the LSP by one year. Their reasons for this are set out in the appended report, LFC-0366.
- 6.4. The provisions of section 327G of the 1999 Act are summarised in paragraph 1.2 above.
- 6.5. 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.
- 6.6. By Direction dated 1 April 2018 (Mayoral Decision 2260), the Mayor set out those matters, for which the LFC would require the prior approval of either the Mayor or the Deputy Mayor for Fire and Resilience. As mentioned above, consultation has been carried out with the Deputy Mayor for Fire and Resilience and the London Assembly which both support the extended time period.

Appendices and supporting papers:

Appendix 1: Report LFC-0336, 'Extension of London Safety Plan 2017'

Appendix 2: Letter to the Mayor from the Chair of the Fire, Resilience and Emergency Planning Committee,
23 July 2020

Public access to information

Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FoIA) and will be made available on the GLA website within one working day of approval.

If immediate publication risks compromising the implementation of the decision (for example, to complete a procurement process), it can be deferred until a specific date. Deferral periods should be kept to the shortest length strictly necessary. **Note:** This form (Part 1) will either be published within one working day after it has been approved or on the defer date.

Part 1 - Deferral

Is the publication of Part 1 of this approval to be deferred? NO

Part 2 – Sensitive information

Only the facts or advice that would be exempt from disclosure under FoIA should be included in the separate Part 2 form, together with the legal rationale for non-publication.

Is there a part 2 form – NO

ORIGINATING OFFICER DECLARATION:

Drafting officer to confirm the following (✓)

Drafting officer:

Richard Berry has drafted this report in accordance with GLA procedures and confirms the following:

✓

Sponsoring Director:

Niran Mothada has reviewed the request and is satisfied it is correct and consistent with the Mayor's plans and priorities.

✓

Mayoral Adviser:

Fiona Twycross has been consulted about the proposal and agrees the recommendations.

✓

Advice:

The Finance and Legal teams have commented on this proposal.

✓

Corporate Investment Board

This decision was agreed by the Corporate Investment Board on 24 August 2020.

EXECUTIVE DIRECTOR, RESOURCES:

I confirm that financial and legal implications have been appropriately considered in the preparation of this report.

Signature

Date

D. Gane

25 August 2020

CHIEF OF STAFF:

I am satisfied that this is an appropriate request to be submitted to the Mayor

Signature

Date

D. Bellamy

24 August 2020

