

# GREATER LONDON AUTHORITY

## REQUEST FOR MAYORAL DECISION – MD2952

### 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 also requires approval of the Mayor.

The LFC's existing IRMP is currently known as the London Safety Plan (LSP), which was agreed by the London Fire and Emergency Planning Authority in 2017, and subsequently extended by the LFC in 2020 (Mayoral Decision 2683). This plan covers the period from April 2017 to March 2022; and was expected to be replaced by a new plan taking effect from April 2022. However, more time is required by the LFC to carry out public consultation on the proposed IRMP, which in turn requires the current LSP to be extended.

The LFC is therefore seeking the Mayor's approval to extend the LSP to a new end-date of 31 March 2023. 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 current LSP to 31 March 2023, noting that this Decision will constitute notification to the LFC that the document 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:

16/3/22

## 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).<sup>1</sup> 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 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
  - be easily accessible and publicly available.
- 1.2 The IRMP for the LFC is currently known as the London Safety Plan (LSP). In line with guidance from the National Fire Chiefs Council, London Fire Brigade (LFB) is now referring to the IRMP as a Community Risk Management Plan (CRMP). This report therefore refers to the current LSP, and the proposed CRMP which is being developed.
- 1.3 The Greater London Authority Act 1999 (GLA Act) provides that the LFC must, before publishing a document 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, or make a report on it to the Mayor, and the Mayor has approved the draft document or revision. In addition, the Mayor's London Fire Commissioner Governance Direction 2018 (Mayoral Decision 2260<sup>2</sup>) requires that the LFC consult the Deputy Mayor for Fire and Resilience about proposals requiring Mayoral approval.
- 1.4 The LFC's current LSP was agreed by the London Fire and Emergency Planning Authority under previous governance arrangements in 2017 and covered the period from 1 April 2017 to 31 March 2021.
- 1.5 In November 2020, the end date for the current LSP was extended to 31 March 2022, because the impact of the COVID-19 pandemic meant that the LFC was unable to bring forward a new IRMP by the end date. This extension was agreed by the Mayor in Mayoral Decision 2683.

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<sup>1</sup> The Fire and Rescue National Framework: [www.gov.uk/government/publications/fire-and-rescue-national-framework-for-england--2](https://www.gov.uk/government/publications/fire-and-rescue-national-framework-for-england--2)

<sup>2</sup> The Governance Direction: [www.london.gov.uk/decisions/md2260-london-fire-commissioner-governance-direction-2018](https://www.london.gov.uk/decisions/md2260-london-fire-commissioner-governance-direction-2018)

- 1.6 The LFC is carrying out work to develop a new IRMP – which will be referred to as the CRMP<sup>3</sup> – for London. The LFC has carried out an initial consultation on a proposed new Assessment of Risk, a key supporting document for the new CRMP, and a new high-level strategic intent. This consultation took place in September 2021. Findings from the consultation are currently being collated, and are expected to play a vital role in informing the CRMP.
- 1.7 The anticipated timeline for developing the CRMP has been reassessed by the LFC, resulting in a further proposal to extend the end date of the current plan by one year. The reason for the proposed extension is that the LFC requires more time than previously anticipated to carry out a public consultation on the draft plan. This would be the second consultation to be carried out during the process of developing the CRMP, but the first consultation on a draft version of the plan. The London Assembly's Fire, Resilience and Emergency Planning (FREP) Committee has explored the reasons for the proposed extension with the LFC at its meeting on 3 February 2022. At this meeting the LFC explained:
- "We have asked for an extension to the CRMP as a result of what we found out of the first round of consultation. Our approach to the CRMP is driven by the lessons learnt through the Grenfell Tower Inquiry and the subsequent inspection, which told us, rightfully, that we need to look for the answers in terms of how we assess risk, but also drive our plan going forward from communities. We had an enormous level of interest – in the thousands – which is much more than we have had in any other previous London Safety Plan. Having reflected on the findings from that level of engagement, particularly those directly from the Grenfell community, it was felt that we needed to do another round of consultation to present the plan back, with that level of interest, to honour the approach that we have taken."*
- 1.8 The LFC's report FRB-268 is at Appendix 1. This was shared with the Deputy Mayor and the FREP Committee for the purpose of consultation on the proposed extension. This report refers to the options of developing an interim plan and the impact of extending the current LSP. It notes that the current LSP would not impede the LFC's ability to respond to any actions needed to address further recommendations from Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) or the Grenfell Tower Inquiry, including managing risks in the built environment. It concludes that on balance, extending the current LSP is the preferred route.
- 1.9 Therefore, it is proposed that the existing LSP, which is due to expire at the end of March 2022, will be extended for one year to 31 March 2023.

## **2. Objectives and expected outcomes**

- 2.1 The outcome of this decision would be that the end date of the current LSP will be 31 March 2023, with the new CRMP to take effect on or before 1 April 2023.
- 2.2 As mentioned above, the proposal to extend the current LSP is set out in report FRB-268, 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 18 January 2022, and supports the proposal
  - the London Assembly's FREP Committee met to discuss the proposal on 3 February 2022, and thereafter wrote to the Mayor indicating their support; the Committee's letter can be found at Appendix 2.

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<sup>3</sup> Fire and rescue services, including LFB, intend to begin using CRMP instead of IRMP. The new plan brought forward to replace the LSP will therefore be known by this title, notwithstanding any further decisions made on the naming of the plan

- 2.3 The extended timeframe for the current LSP will provide the LFC with the opportunity to publish a draft CRMP for consultation; take responses into account; and agree the final plan through LFC and GLA governance processes. The LFC intends to publish the new CRMP as soon as practical before the end date of the current LSP. An indicative timeline for the development of the new CRMP is given below.

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

LFC writes and approves consultation draft CRMP	Early February – mid-April 2022
Preparation for consultation	April – May 2022
Deputy Mayor approval	April – May 2022
Consultation	June – mid-July 2022
Consideration of responses, finalise draft CRMP	Mid – end July 2022
LFC approval final draft CRMP	Early – mid-August 2022
Deputy Mayor approval final draft CRMP	Mid August – early September 2022
Mayor submits to FREP	Early – late September 2022
FREP consideration	Late September – mid-October 2022
Mayoral approval to publish final CRMP	Mid October – end November 2022
LFC decision	Early December 2022

- 2.4 Although the existing LSP will remain in effect, if the recommended extension is approved, the LFC will be bringing forward an interim delivery plan for 2022-23. The strategic direction established for the LFB in the Transformation Delivery Plan (TDP), published in 2020, will form the basis for the interim delivery plan.<sup>4</sup> It will also be informed by ongoing work on developing a Targeted Operating Model for the organisation, which will underpin the CRMP (see Deputy Mayor for Fire & Resilience Decision 129); this includes reflecting the results of the public consultation discussed in 1.6. This will help ensure there is continued focus on delivering the transformation of LFB, including addressing the recommendations made to LFB in the Grenfell Tower Inquiry Phase 1 report and the HMICFRS 2018-19 inspection report.
- 2.5 The LFC is also currently developing new performance metrics. The metrics included in the existing LSP will remain in effect and, performance against them will continue to be published until the new CRMP is finalised. It is anticipated that these will be supplemented by new performance metrics, to be monitored from 1 April 2022. This will help ensure that the LFC can be held to account using metrics reflecting up-to-date priorities in the period before the new CRMP comes into effect. Discussions are currently under way to determine the content of these metrics, in accordance with the consultation requirements in the Mayor's LFC Governance Direction 2018.
- 2.6 No additional resource is required to extend the LSP. Additional resource requirements are expected to arise from additional engagement and consultation. Funding will be sought from unallocated funds in the LFC's CRMP Implementation Reserve. It is anticipated that costs will be lower than £50,000; and therefore will not be subject to approval under the LFC Governance Direction 2018. The draft CRMP itself, along with any other consultation material and the engagement plan, will be subject to the consultation requirements in the Direction.

<sup>4</sup> The TDP: [www.london-fire.gov.uk/about-us/transformation-delivery-plan/](http://www.london-fire.gov.uk/about-us/transformation-delivery-plan/)



### **3. Equality comments**

- 3.1 The Mayor is required to have due regard to the Public Sector Equality Duty under section 149 of the Equality Act 2010 when taking decisions.
- 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:
- 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.
- 3.5 An Equality Impact Assessment 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 that impacted on our staff and communities.
- 3.6 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 that have been developed since the LSP was launched. These are:
- the LFB TDP (underpinned explicitly by 'Diversity and Inclusion')
  - 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).
- 3.7 In light of the measures set out at 3.6, above, the LFC does not consider that there are likely to be significant or disproportionate equality implications arising from the extension of the current LSP. Therefore, it is not considered that there will be significant or disproportionate equality implications arising from the Mayor's approval sought in this decision form.
- 3.8 The LFC has provided assurances that when the approved document is published, 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.

- 4.3 The new CRMP will set out how the LFC is addressing Mayoral priorities of improving fire safety and maintaining an effective response to emergency incidents. It will also provide assurance to Londoners on the transformation of the LFB in response to findings from the Grenfell Tower Inquiry and HMICFRS inspections. Extending the current LSP enables the LFC to develop the CRMP effectively and consult Londoners on the priorities it sets out.

#### Conflicts of interest

- 4.4 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 2023. The LFC has confirmed that there is no financial impact of the extension, and no additional funding is required. Funding will be required to enable the additional engagement and consultation on the new CRMP, as discussed in this report. This work is expected to cost less than £50,000 and will be funded from the LFC's CRMP Implementation Reserve, which has projected funds available of £2,257,000 at the end of the 2021-22 financial year.
- 5.2 There are no direct financial implications for the GLA.

### **6. Legal comments**

- 6.1 Section 327A(2) of the GLA Act 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 LSP, 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 (2004 Act). Section 21(7) of the 2004 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 proposed 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; the findings are in the appended report FRB-268.
- 6.4 The provisions of section 327G of the GLA Act are summarised in paragraph 1.3, above.
- 6.5 Under section 327D of the GLA Act, the Mayor may issue to the LFC 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 Assembly, which both support the extended time period.

#### **Appendices and supporting papers:**

- Appendix 1: Report FRB-268, 'London Safety Plan 2017 Further Extension'

- Appendix 2: Letter to the Mayor from the Chair of the Fire, Resilience and Emergency Planning Committee, 7 February 2022

**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 the 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 7 March 2022

**EXECUTIVE DIRECTOR, RESOURCES:**

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

**Signature**

**Date**

*D. Gove*

**10/3/22**

**CHIEF OF STAFF:**

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

**Signature**

**Date**

*D. Bellamy*

**13/4/22**