

report

meeting	NOTTINGHAMSHIRE AND CITY OF NOTTINGHAM FIRE AUTHORITY	
date	22 October 2004	agenda item number

REPORT OF THE CHIEF FIRE OFFICER

FIRE AND RESCUE SERVICES NATIONAL FRAMEWORK AND INCREASED DELEGATION TO THE EAST MIDLANDS REGIONAL MANAGEMENT BOARD

1 PURPOSE OF THE REPORT

To seek Members approval for increased delegated powers of the Regional Management Board in order to assist with compliance of the requirements of the National Framework.

2 BACKGROUND

- 2.1 The Government has stated that it is responsible for setting clear national priorities and objectives for the Fire and Rescue Service. Therefore in July 2004 the Government, through the Office of the Deputy Prime Minister, published a National Framework for the Fire and Rescue Service. The National Framework is now the primary document setting out the Government's vision for the Fire and Rescue Service and also the governmental expectations placed upon local Fire and Rescue Authorities, and Regional Management Boards.
- 2.2 The Government's view is that delivery of improved fire and rescue services depends primarily on the efforts of individual Fire and Rescue Authorities and their staff working with their local communities and through Regional Management Boards.

3. REPORT

- 3.1 The focus of the National Framework is delivery at local and regional level. The Framework's three principal objectives are :
 - To provide clarity about the outcomes and objectives the Government wants to be achieved.
 - To set out what the Government expects Fire and Rescue Authorities and Regional Management Boards to do in order to meet these objectives ; and
 - To explain what the Government will do to support Fire and Rescue Authorities and Regional Management Boards to meet these objectives.
- 3.2 The National Framework clearly states that :

"It is important that Regional Management Boards, now they have been set up, accomplish improvement in the Fire and Rescue Service. They must have :

Clear aims and objectives ; and

Delegated powers that are appropriate to those aims and objectives."

- 3.3 To comply with the requirements of the National Framework, Regional Management Boards should be able to demonstrate progress towards meeting the requirements in each of the six key areas of work listed in the agreement, and that they have the capacity – of both resources and expertise – to deliver in those key areas.
- 3.4 The Government has made it clear that they will ask for a further report on progress in each region in Autumn 2004. If in their opinion the needs of public safety require urgent action – or audit evidence from fire CPA demonstrates a failure to achieve economy, efficiency and effectiveness – the Government will consider the use of its statutory powers to combine Fire and Rescue Authorities and impose regional management structures.
- 3.5 The East Midlands Regional Management Board (EMRMB) acts as a joint committee on behalf of the Constituent Fire Authorities in carrying out the duties that are set out in the Agreement dated 8th April 2004 approved by the constituent authorities. The EMRMB has been established in the interests of co-ordinating more effectively the formulation of policy in relation to the six areas of work listed in the Agreement. Relevant Schedules from the Agreement are attached at Appendix A.
- 3.6 EMRMB Members recently agreed to consider further delegation of powers to the Board, specifically so that the Board may take executive decisions on the delivery of the agreed functions without reference back to the Constituent Fire Authorities, but subject to certain safeguards. Such delegation would strengthen the Regional Management Board's ability to deliver effectively against the six key areas and would be in keeping with the expectations of the National Framework.
- 3.7 Under Clause 7.1 of the current EMRMB agreement each Authority by agreeing the passing of a resolution can achieve further delegation of functions. This resolution would only become effective if every Authority agrees to it.
- 3.8 Further to paragraph 3.7 above, the resolution is as follows :

“In accordance with Clause 7.1 of the Agreement dated 8th April 2004 establishing the East Midlands Regional Management Board ("EMRMB"), the authority resolves to delegate to the EMRMB :

1. The task of formulating and implementing policy in relation to the functions set out in paragraph 4.17 of the White Paper 'Our Fire and Rescue Service' ; and
2. Any of their functions prescribed within the Fire and Rescue National Framework (or within any revisions thereto) prepared and brought into effect by virtue of section 21 of the Fire and Rescue Services Act 2004 as requiring to be undertaken by Regional Management Boards.

Subject to the limitation that the EMRMB shall not effect any decision made under this delegation the effect of which involves the closure of and/or the relocation of any property, facility or service belonging to any Constituent Fire Authority (as defined by the said agreement) and/or in relation to any relocation of or variation to the staffing establishment of any Constituent Fire Authority, without the approval in writing of the affected Fire Authority.”

4. RISK MANAGEMENT IMPLICATIONS

To ensure compliance with the Fire and Rescue Service National Framework the CFA must support the principal of the East Midlands Regional Management Board having clear aims and objectives and delegated powers that are appropriate to those aims and objectives. This support will also help to avoid the government considering intervention as detailed in paragraph 3.4 above.

5. FINANCIAL IMPLICATIONS

There are no financial implications arising directly from this report.

6. PERSONNEL IMPLICATIONS

There are no personnel implications arising directly from this report.

7. EQUAL OPPORTUNITIES IMPLICATIONS

There are no equal opportunities implications arising directly from this report.

8. RECOMMENDATIONS

Members are requested to :

- a) Note the contents of the report and in particular the references to the Fire and Rescue Service National Framework.
- b) Consider the proposed increase in the delegated powers of the Regional Management Board.
- c) Agree the resolution set out in paragraph 3.8 above.
- d) Request that the Clerk to the Combined Fire Authority notify the Clerk to the Regional Management Board of their decision in respect of recommendation c) above.

9. BACKGROUND PAPERS FOR INSPECTION

- East Midlands Regional Management Board agreement (Appendix A – excerpt from the agreement).
- Minutes of the EMRMB meetings of 29th April and 2nd September 2004.
- The White Paper 'Our Fire and Rescue Service'.
- The Fire and Rescue Service National Framework.
- The Fire and Rescue Services Act 2004.

Paul Woods
CHIEF FIRE OFFICER

3 Schedule 1 - Constituent Fire Authorities and EMRMB Membership

Membership:

- Derbyshire Fire Authority
- Leicester, Leicestershire and Rutland Combined Fire Authority
- Lincolnshire County Council.
- Northamptonshire County Council
- Nottinghamshire and City of Nottingham Fire Authority

Each of the above Constituent Fire Authorities shall be entitled to appoint two elected members to the EMRMB.

There shall be a maximum of 10 members on the EMRMB.

4 Schedule 2 - Section 4 of the White Paper

The EMRMB has been established in the interests of co-ordinating more effectively the formulation of policy in relation to the following functions, as referred to in paragraph 4.17 of the White Paper "Our Fire and Rescue Service":

- Ensuring resilience to emergencies, especially potential chemical, biological, radiological or nuclear attack;
- Specialist or common services, where appropriate, such as fire investigation.
- Establishing regional control rooms;
- Introducing regional based procurement or procurement to national standards;
- Developing regional training strategies and delivery;
- Introducing regional personnel management and human resources management functions.

5 Schedule 3 - Functions of the EMRMB

The Constituent Fire Authorities have initially decided to delegate to the EMRMB the task of formulating and implementing policy in relation to the functions set out in paragraph 4.17 of the above White Paper in accordance with a work programme of defined tasks to be agreed by the Constituent Fire Authorities under the provisions of this Agreement.