

By: Chief Executive
To: Kent and Medway Fire and Rescue Authority – 16 October 2013
Subject: RESPONSES TO CONSULTATIONS
Classification: Unrestricted

FOR INFORMATION

SUMMARY

Under the Scheme of Delegation of Powers to the Chief Executive any matters treated as urgent business, following consultation with the Chairman, must be reported to the next available meeting of the Authority or the relevant Committee. During the Summer a number of responses to Government and other consultations were dealt with in this manner and the purpose of this report is to advise Members of the action taken.

CONCLUSION

Members are requested to:

1. Consider and note the consultation responses dealt with as urgent business under the Scheme of Delegation of Powers to the Chief Executive (**Appendices 1 to 6** refer).

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BACKGROUND PAPERS: None

COMMENTS

Background

1. During the Summer a number of consultation documents were received by the Authority. Some of their closing dates for comments did not allow time for the matter to be brought to Members for decision as part of a formal meeting, and they had to be dealt with as urgent business by the Chief Executive, following consultation with the Chairman, in accordance with the Scheme of Delegations. These responses are now attached for Members to consider and note.

Facing the Future: Findings from the Review of Efficiency and Operations in Fire and Rescue Authorities in England

2. Sir Ken Knight's report, Facing the Future, was published in May and focussed on how fire and rescue authorities (FRAs) need to transform themselves to reflect the entirely different era of risk and demand in which they now operate. As Members have received a comprehensive presentation of Sir Ken's findings at the Members' Awayday on 24 July it is not proposed to go into any detail in this report, but a copy is available at <https://www.gov.uk/government/publications/facing-the-future>. The Government has indicated that it will produce its official response in the Autumn, but in early August it wrote to FRAs urging them to contribute ideas and views on their vision for the future of fire and rescue. As replies were requested by the end of August it was not possible to bring this matter before Members and it was therefore dealt with as urgent business by the Chief Executive in consultation with the Chairman of the Authority. A copy of the Authority's response and the acknowledgement received from the Minister for Fire are attached at **Appendix 1**.

Retained Firefighters' Pension Settlement

3. After many years of litigation, an agreement has been reached giving eligible retained firefighters access to fire service pension benefits that are comparable to those that were available to whole-time firefighters under the Firefighters' Pension Scheme. The consultation document set out the proposed pension arrangements and sought comments on these and the proposed draft amending Orders. Details of the Government's proposals can be found at <https://www.gov.uk/government/publications/firefighters-pension-scheme-reforms> . As the response was required by 3 September it was treated as urgent business and finalised by the Chief Executive following consultation with the Chairman. A copy is attached at **Appendix 2**.

Proposals for the Use of Capital Receipts from Asset Sales to Invest in Reforming Services

4. This consultation exercise aimed to gather opinion from the local government sector to see if the idea of allowing capital receipts from new asset sales to be used for one-off revenue purposes to stimulate organisational change, is a viable and realistic option for local government to reconfigure their service areas to bring down ongoing revenue costs and to deliver improved services. Whilst any increased flexibility over the use of capital receipts is welcomed it is unlikely that the Authority would either meet the proposed criteria for successful bids or have any need for such diversion of capital receipts for revenue use. As responses were required by 24 September this matter was dealt with as urgent business by the Chief Executive in consultation with the Chairman. A copy of the response is attached at **Appendix 3**.

Local Government Finance Settlement 2014/15 and 2015/16

5. The Government published the illustrative 2014/15 Local Government Finance Settlement in February 2013 and, following the Spending Round, announced further measures on overall levels of local government spending for 2015/16. This consultation sought views on a range of detailed and technical issues concerning both the 2014/15 and 2015/16 Local Government Finance Settlements. Whilst there is a range of questions, the main issue of interest for the Authority relates to the treatment of past years' Council Tax Freeze Grant and this is reflected in the response which was dealt with as urgent business by the Chief Executive in consultation with the Chairman, as the deadline was 2 October. A copy of the response is attached at **Appendix 4**.

Draft Deregulation Bill

6. On 1 July 2013, the Government published a draft Deregulation Bill. The aim of the Bill is to free thousands of businesses and organisations from red tape and make life easier for individuals and civil society. The draft Bill is available at <https://www.gov.uk/government/publications/draft-deregulation-bill>. One of the pieces of red tape which the Government is looking to remove is the unnecessary requirement for the Secretary of State to consult on changes to existing Combination Orders that FRAs have already agreed locally. It was brought about by one FRA seeking to change its name in late 2012, and discovering that the existing legislation required the Secretary of State to run a national consultation exercise, despite the fact all the local parties involved had agreed to the change. As responses were required by 30 September this matter was dealt with as urgent business by the Chief Executive in consultation with the Chairman. A copy of the response is attached at **Appendix 5**.

LGA Fire Services Management Committee

7. On 13 August 2013, the Chair of the Local Government Association's Fire Services Management Committee wrote to all 46 English FRAs seeking the views of each on their priorities, in order to formulate the Committee's work programme for the coming year. As responses were required by 30 September this matter was dealt with as urgent business by the Chief Executive in consultation with the Chairman. A copy of the response is attached at **Appendix 6**.

IMPACT ASSESSMENT

8. The contents of this report have no direct impact on the Authority. However, the Authority's responses to the various consultations describe the impact (if any) on the Authority if the proposals contained in those consultations were to be implemented.

CONCLUSION

9. Members are requested to:
 - 9.1 Consider and note the consultation responses dealt with as urgent business under the Scheme of Delegation of Powers to the Chief Executive (**Appendices 1 to 6** refer).