



Circular number	18-2004	Date issued	29 July 2004
This circular is	For action	Respond by	13 August 2004
This circular is	Not relevant to the National Framework		
Status	This Circular is a final request for Fire Authorities to provide ODPM with details of their current trading activities.		

Trading by Fire and Rescue Authorities

Issued by:

Phillip Smith
Head of Fire Service Effectiveness Issues Branch
Fire Service Effectiveness Division

Addressed to:

The Chief Executive to the County Council
The Clerk to the Fire and Rescue Authority
The Clerk to the Fire and Civil Defence Authority
The Clerk to the Combined Fire and Rescue Authority
The Commissioner of the London Fire and Emergency Planning Authority
The Chief Fire Officer

Please forward to:

Those responsible for trading in your organisation.

Summary

This Circular requires authorities to confirm by 13 August 2004 that the information recorded is correct so that instructions may be issued for the drafting of a s95 Order. Nil returns are required.

For further information, contact:

Anna Wadsworth
16/A Portland House
Stag Place
LONDON
SW1E 5LP

Direct line **020 7944 5672**
Fax
E-mail fsed6@odpm.gsi.gov.uk

General helpline **020 7944 6858**

Website www.odpm.gov.uk

1.0 Trading by Fire and Rescue Authorities

- 1.1 You will be aware that under the Fire and Rescue Services Act 2004, the power to charge for provision of specified services will be exercised under s19. This will restrict an authority to recovering the full costs of service provision. Any recovery in excess of full costs is deemed to be trading.
- 1.2 During the Lords Grand Committee stage of the Bill a concession was announced in relation to those authorities that were trading in services on or before 1 April 2004. Such authorities will be required to conduct their trading through a local authority company and will be authorised to do so by an Order under s95 of the Local Government Act 2003. The Order will remain in effect until after the introduction of a freedoms and flexibilities package based on the fire CPA process. Authorities achieving a favourable CPA assessment may then be able to expand the scope of their trading activities but **no** expansion of trading will be permitted under the concession arrangements. Authorities will wish to note that any trading not conducted under the s95 Order and which does not come within other powers will not be lawful.
- 1.3 Several requests have been made to authorities to determine the services in which they trade and we believe that we now have a definitive listing. **Annex A** details the trading activities of which we are aware and those authorities who have stated that they have no involvement in trading. To date, thirteen authorities have made no return in respect of their involvement in trading and so we have assumed that they have no such involvement.
- 1.4 We now require authorities to confirm that they are content that the information we hold is full and correct. ODPM will then be in a position to arrange for appropriate Orders to be drafted for commencement later this Autumn. Authorities should note that **no extension of the deadline for responses will be given** as the work involved is considered to be minimal. Authorities should also note that it is their interests to ensure that a full response is made. No further requests will be made.
- 1.5 It would be helpful if responses are emailed to: fsed6@odpm.gsi.gov.uk

Phillip Smith

Head of Fire Service Effectiveness Issues

Fire Service Effectiveness Division

2.0 Annex A

Avon

No response - assumed not to trade

Bedfordshire

Do not trade

Berkshire

Do not trade

Buckinghamshire

- Provision of vehicle maintenance and repair services
- Use of downtime in workshop activity including MOD work/ private fire brigade work
- Provision of driver/transport to local GPs
- Industrial and commercial fire safety training
- MOT status
- CCTV monitoring
- Spot hire of vehicle
- Private hydrant inspection
- Sale of risk management booklet
- Leasing surplus appliances

Cambridgeshire

Do not trade

Cheshire

No response - assumed not to trade

Cleveland

Do not trade

Cornwall

No response - assumed not to trade

Cumbria

- Provision of safety training services agency

Derbyshire

Do not trade

Devon

No response - assumed not to trade

Dorset

Do not trade

Durham

Do not trade

East Sussex

Do not trade

Essex

- Training Videos and literature sales
- Sale of Realistic Fire Training systems/equipment and courses
- Sale of spare parts
- Operate a Commercial Training Unit (Industrial and commercial fire safety training)
- Procurement/refurbishment/sales & hire of Fire Appliances
- Safety consultancy
- Engineering-fleet management consultancy (to other brigades)
- Marketing Partnerships
- Promotion of on-line risk assessment software
- Seminars and conference organisation

Gloucestershire

Do not trade

Greater Manchester

Do not trade

Hampshire

- Provision of vehicle maintenance and repair services

Hereford & Worcester

Do not trade

Hertfordshire

No response - assumed not to trade

Humberside

Do not trade

Isle of Wight

Do not trade

Isles of Scilly

No response - assumed not to trade

Kent

- Commercial Training Unit (Industrial and commercial fire safety training)

Lancashire

No response - assumed not to trade

Leicestershire

- Provision of industrial and commercial fire safety training
- Sales of CFS video
- Provision of an Occupational Health Unit

Lincolnshire

Do not trade

LFEPA

- Safety consultancy
- Training

Merseyside

Do not trade

Norfolk

No response - assumed not to trade

North Yorkshire

Do not trade

Northamptonshire

Do not trade

Northumberland

Do not trade

Nottinghamshire

No response - assumed not to trade

Oxfordshire

- Commercial Training Unit (Industrial and commercial fire safety training)

Shropshire

Do not trade

Somerset

No response - assumed not to trade

South Yorkshire

No response - assumed not to trade

Staffordshire

- Provision of conference facilities

Suffolk

Do not trade

Surrey

No response - assumed not to trade

Tyne and Wear

Do not trade

Warwickshire

Do not trade

West Midlands

Do not trade

West Sussex

Do not trade

West Yorkshire

No response - assumed not to trade

Wiltshire

- Commercial Training Unit (Industrial and commercial fire safety training)