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This circular is	For consultation	Respond by	14 June 2006
This circular is	Relevant to the National Framework		
Status	This circular is part of a formal consultation on detailed proposals for local authority companies to run the Regional Control Centres (RCCs).		

Governance of Regional Fire Control Centres

Issued by:

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Fire Service Effectiveness Division

Addressed to:

The Chair of the Fire and Rescue Authority
The Chief Executive of the County Council
The Clerk to the Fire and Rescue 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:

Treasurers
Lawyers

Summary

This circular contains the executive summary of the consultation document which is attached separately in full with annexes.

For further information, contact:

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1.0 Executive Summary

- 1.1 The paper, which can be found at www.odpm.gov.uk/consultations, is the second consultation document on governance arrangements for FRS regional control centres. The first, issued in November 2004, discussed the relative merits of local authority companies and lead authorities as a governance vehicle. The responses to that consultation led the Government to confirm its view that local authority companies were the preferred option.
- 1.2 This paper sets out the Government's views on the ways in which it would expect local authority companies to operate as vehicles for delivering and running the network of regional fire and rescue control centres. It sets out options and specific questions on which it invites the views of Fire and Rescue Authorities (FRAs) and Regional Management Boards (RMBs). Views on all aspects of the paper, but in particular responses to the questions, are invited by 14 June 2006. The address for responses is at the end of the circular.
- 1.3 At the end of the consultation period, authorities will be requested to take steps to establish the companies as indicated in the National Framework for 2006-2008. Further guidance will be issued on this. The costs of setting up the companies (including the legal work on the memorandum and articles of association) initial work on ensuring that a company secretary is in place and the relevant training of the directors, will be borne by central government directly.
- 1.4 The fire and rescue service remains a locally accountable service. Accordingly, local accountability for regional control centres remains the primary aim in establishing the governance framework.
- 1.5 The draft articles and memorandum of association for the prospective local authority companies have been drawn up to meet the following key criteria:
- Full responsibility for running the fire control service should continue to rest with fire and rescue authorities;
 - Fire and rescue authorities should have as much freedom as possible in running their own control service, working within the National Framework and observing national standards;
 - Safeguards must be built into the system to ensure that the control centres operate effectively as a national network and the resilience assets are deployed as national and regional imperatives require;
 - These safeguards should be designed to achieve voluntary co-operation and minimise the need for national intervention; and
 - The companies should not be able to operate in a way that could pose risks for the other companies and thus for the safe operation of the assets.

- 1.6 Some FRS officers have expressed the view that the companies could run services other than those currently described in the draft Memorandum of Association. However, the Secretary of State's view is that giving authorities such a freedom could place the company and the network in a position of unnecessary risk. The proposed articles do not therefore allow for diversification.
- 1.7 In considering the constitution of the new board, FRAs should think about the delivery of the project and the relationship between the Regional Management Board and the company. The RMB will continue in existence after the formation of the company and, on behalf of its FRAs, will continue to oversee the delivery of functions other than FiReControl in accordance with the National Framework.
- 1.8 Particular concern has been expressed about directors' and authorities' liabilities in the event of a fatal accident occurring within their boundaries which could be traced back to errors arising from the actions of staff or technical equipment failure located outside their authority or region. Consultees will wish to consider whether they wish RCC Companies, as local authority type bodies, to be subject to the same provisions relating to conduct and maladministration as local authorities and other "relevant bodies".
- 1.9 The specific questions in the paper are as follows:

Q1: Do the governance arrangements described above offer the most effective way of:

- **delivering a resilient national control centre network and the effective management of national resilience assets;**
- **while at the same time maintaining FRA accountability and an appropriate level of flexibility for elected members in ensuring that the service meets the needs of local people?**

Q2: Should the local authority companies be restricted in the scope of their activities as described in this consultation document, or should they be given the freedom to diversify?

Q3: Should authorities be given complete freedom in the composition and selection of board members and the naming of their company?

Q4: Should there be a relationship between RCC companies and RMBs and if so what form should it take?

Q5: Should RCC companies be subject to the same provisions on conduct and maladministration as local authorities and other relevant bodies, and to the rules relating to local authority indemnity?

Q6: Are you content with the draft Memorandum and Articles of Association? Please comment freely on both.

Q7: Do FRAs have views about the best way to manage the relationship between the RMB and the company in the running of the project?

2.0 Responding to Consultation

- 2.1 A standard form is provided to assist in replying to the consultation. This is available from the project website at www.firecontrol.odpm.gov.uk (under *Library* then *Useful Documents* on the left hand panel) and will be sent out to FRAs and RMBs.
- 2.2 Please send your responses on the seven questions and general comments on the articles and memorandum of association to:

daniel.hallam@odpm.gsi.gov.uk

or by post to:

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- 2.3 Responses should be submitted by 14 June 2006.

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