EXPLANATORY MEMORANDUM TO

FIRE AND RESCUE SERVICES (NATIONAL FRAMEWORK) (ENGLAND) ORDER 2006

2006 No. 1084

1. This explanatory memorandum has been prepared by the Office of the Deputy Prime Minister and is laid before Parliament by Command of Her Majesty.

2. Description

2.1 This Order substitutes the 2006/08 National Framework for fire and rescue authorities for the 2005/06 National Framework.

3. Matters of special interest to the Joint Committee on Statutory Instruments

3.1 None

4. Legislative Background

4.1 Section 21 of the Fire and Rescue Services Act 2004 requires the Secretary of State to prepare a Framework setting out the priorities and objectives for fire and rescue authorities. Those authorities are required to have regard to the Framework. Any revisions to the Framework which appear to the Secretary of State to be significant must be brought into effect by order.

5. Extent

5.1 This instrument applies to England.

6. European Convention on Human Rights

As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. Policy background

7.1 The National Framework sets out the Government's priorities and objectives for fire and rescue authorities and what those authorities should do to achieve them. The National Framework also sets out the support the Government will provide. It provides strategic direction from central government while ensuring that authorities continue to make local decisions.

7.2 The 2005/06 National Framework was published on 6th December 2004.

7.3 Fire and Rescue Service Circular 52-2005 was issued on 18th November 2005 and published on the ODPM website. It invited stakeholders to take part in

consultation for the 2006/08 Fire and Rescue National Framework. The government has proposed a National Framework to cover two financial years in response to requests from fire and rescue authorities for a clearer strategic direction over a long term period. 59 responses were received as part of the consultation process and, following careful consideration, they have been reflected in the National Framework where appropriate. The Government's full response to the comments will shortly be published on the ODPM website. The 2006/08 National Framework was published on 6th April 2006.

7.4 The main points to emerge from the consultation response were as follows:

respondees requested more information on the financial support that would be provided by the Government for Community Fire Safety work. The Government has provided these details in the revised document in paragraph 1.16 setting out the funding that will be available in this period.

respondees were very positive about the draft Strategy for Children and Young People and welcomed the approach set out in the National Framework. The final Strategy for Children and Young People will be published shortly.

respondees were concerned about the lack of clarity on when the Regulatory Reform Order will come into effect. In response the National Framework, sets out at paragraph 1.36 the date for the Order to come into effect.

respondees asked for greater clarity on the role of Regional Management Boards to be included in Chapter 2. The Government's view is that the functions of Regional Management Boards are set out in chapter 2 and would not wish to go further in prescribing how these are taken forward at a local level.

respondees expressed concern about the proposals that local authority companies would run the FireControl project and seeking further guidance on this. The Government plans to issue a further consultation paper on the arrangements for setting up these companies during the course of this year.

respondees were unhappy with the use of the word "should" in paragraph 2.21 in relation to procurement through FireBuy. They requested that this be changed to "must" and this change has been made.

respondees requested greater clarity on paragraph 3.19 on adopting operational principles and procedures. The Government has changed the wording of this paragraph to clarify this.

respondees asked for more information on PFI projects which the government has provided at paragraph 7.15 and for more information on the follow-up performance assessment measures to Fire Comprehensive Performance Assessment. This is now included at paragraph 8.8 onwards.

8. Impact

8.1 A Regulatory Impact Assessment has not been prepared for this instrument as it has no impact on business, charities or voluntary bodies

8.2 The National Framework provides a clear explanation of national performance expectations of Fire and Rescue Authorities. It's principal objectives are to provide clarity about the objectives and outcomes the government wants to be achieved; to set out what the government expects Fire and Rescue Authorities and Regional Management Boards to do to meet these objectives; and to explain the support the government will provide.

9. Contact

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