Findings of the consultation on Trading by Fire & Rescue Authorities

Issued by:
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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:
Chairs of Regional Management Boards
Regional Resilience Teams
Regional Government Office

Summary
This circular accompanies the findings of the consultation on the options for providing Fire and Rescue Authorities in England with revised Trading powers following the expiry of the current transitional powers on 30 September 2007.

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1.0 Background

1.1 Section 95(1) of the Local Government Act 2003 provides power for the Secretary of State to make an order enabling best value authorities to trade in any of their ordinary functions through a company. Fire and Rescue Authorities (FRAs) are best value authorities by virtue of section 1 of the Local Government Act 1999.

1.2 The Local Government (Best Value Authorities) (Power to Trade) (England) (Amendment) Order 2004 (Statutory Instrument 2004 No. 2307) came into force on 1st October 2004 and gave the power to trade to those FRAs that had interpreted the Fire and Services Act 1947 (“the 1947 Act”) power as providing a power to trade.

1.3 This amendment order allowed those fire authorities which were already trading in specific functions to continue trading in those functions notwithstanding the repeal of the 1947 Act. The amendment order specifies the particular FRA and the service which that authority can provide. The power is only transitional and expires on 30 September 2007.

2.0 Trading Order


2.2 This considered three options and contained the partial Regulatory Impact Assessment.

2.3 The consultation closed on 20th July 2007 and the findings from this are attached including the final Regulatory Impact Assessment.

2.4 The amending Statutory Instrument extending the Trading Order until 30th September 2009 will come into force on 29th September 2007.

3.0 Further Information

3.1 If you require any further information regarding the findings and the consultations please contact:-

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