

**ESSEX POLICE, FIRE AND CRIME COMMISSIONER**  
**FIRE & RESCUE AUTHORITY**  
Essex County Fire & Rescue Service



<b>Meeting</b>	<b>Performance &amp; Resources Board</b>	Agenda Item	9
<b>Meeting Date</b>	24 <sup>th</sup> September 2019	Report Number	<b>19-256</b>
<b>Report Author:</b>	Danny Bruin		
<b>Presented By</b>	Rick Hylton		
<b>Subject</b>	<b>Section 13/16 Arrangements</b>		
<b>Type of Report:</b>	Information		

## **RECOMMENDATIONS**

It is recommended that Members:

Note the provisions of Section 13/16 of the Fire and Rescue Services Act 2004.

## **BACKGROUND**

The concept of both mutual support and emergency provision has been enshrined in Fire Service legislation since 1947. Originally Section 2 and 12 of the Fire Services Act 1947, the concept was reinforced when the revised Fire and Rescue Services Act 2004 was introduced under Sections 13/16.

Essex County Fire and Rescue Service has long standing arrangements in place with its neighbouring Services which were updated following the introduction of the new Act.

Section 13 obliges Fire and Rescue Authorities to group together, so far as practicable, to provide mutual assistance for fires, road traffic collisions and other serious emergencies. (If Fire and Rescue Authorities are unable to agree, Section 14 gives the Secretary of State power to direct).

Section 16 extends powers to Fire and Rescue Authorities to enter into contractual arrangements with others (including other Fire and Rescue Authorities) to provide services in the execution of their functions. In respect of fire-fighting, this can only be delegated to another Fire and Rescue Authority or others that employ fire-fighters.

## **OPTIONS AND ANALYSIS**

We currently have signed and ongoing MoU's with London, Kent, Suffolk, Cambridgeshire and Hertfordshire Fire and Rescue Services (FRS) and to support this we share operational risk information across borders with Cambridgeshire, Hertfordshire

and Suffolk FRS's for up to 10km from the border. The Operational Policy Department are currently engaging with Kent FRS and London Fire Brigade to ensure risk information is shared to/from Essex FRS for 10km going forward.

We have agreements in place with all surrounding FRS for charging for mutual assistance. None are time constrained, and they are periodically updated in line with national guidance on cost recovery. All remain in force until terminated and all require a six month notice period of termination from either FRS.

The agreements with Kent and Cambridgeshire FRS's are on a no charge basis for movements in either direction.

The other three are chargeable and the rate we charge reflects the rate charged to us. While the rates appear broadly similar London Fire Brigade charge per hour while Hertfordshire and Suffolk FRS's charge per attendance:

- London Fire Brigade - £339 (per hour)
- Hertfordshire FRS - £329
- Suffolk FRS - £312

## **BENEFITS AND RISK IMPLICATIONS**

1. The provisions of Section 13/16 are present to mitigate the risks of a Service's capacity to be unable to deal with an unexpected incident which requires significant resources and to help support each other in general service delivery.
2. The concept of reciprocal support and cross border working does require amendments to mobilising protocols and an awareness of neighbouring procedures, so that staff are appropriately trained and aware of risks in neighbouring FRS.

## **FINANCIAL IMPLICATIONS**

The total charges/income for the financial year 18/19 were:

- London Fire Brigade – Income 109 Hours @ £331 = £ 36,079. Expense 333 Hours @ £331 = £110,223
- Hertfordshire FRS - Income 39 incidents @ £329 = £12,831. Expense 111 incidents @ £329 = £36,519
- Suffolk FRS - Income 50 incidents @£312 = £15,600. Expense 79 incidents @ £312 = £24,648

## **EQUALITY AND DIVERSITY IMPLICATIONS**

There are no specific implications for equalities arising from this report.

## **WORKFORCE ENGAGEMENT**

N/A

## **LEGAL IMPLICATIONS**

The concept of Section 13/16 arrangements are contained within the Fire and Rescue Services Act 2004 and provided the Authority comply with these instructions, there is no legal risk in entering into such agreements.

## **HEALTH AND SAFETY IMPLICATIONS**

The Management of Health and Safety at Work Regulations 1999 places a duty on employers to assess and manage risks to their employees and others arising from work activities.