



Department for
Communities and
Local Government

Dorset Fire Authority Wiltshire and Swindon Fire Authority

Consultation on locally –led proposals to create a combined
fire and rescue authority for Dorset and Wiltshire



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1. Summary of proposals

A consultation paper issued by the Department for Communities and Local Government on behalf of the Secretary of State

Topic of this Consultation:	Dorset and Wiltshire and Swindon Fire Authorities have written to the Secretary of State requesting that he makes an order under section 4(4) of the Fire and Rescue Services Act 2004 to revoke the Dorset Fire Authority combination scheme and the Wiltshire and Swindon Fire Authority scheme to allow for the creation of a new combined fire and rescue authority for Dorset and Wiltshire using his powers under section 2(3)(a) of that Act.
Scope of this consultation:¹	This consultation seeks the views of interested parties on the proposed merger of Dorset fire and rescue authority and Wiltshire and Swindon fire and rescue authority
Geographical Scope:	England only.
Impact assessment:	This consultation has no impact on business or the voluntary sector.
Body responsible for the consultation:	This consultation is being run by the National Fire Policy Division within the Department for Communities and Local Government.
Duration:	This consultation will run for six weeks to the 28 January 2015.
Basic Information	
TO:	The consultation is aimed at all parties who would be affected by the revocation of Dorset Fire Authority and Wiltshire and Swindon Fire Authority and in particular, those listed in part 3 of this consultation document
Body responsible for the	Secretary of State, Department for Communities

¹ The Secretary of State may vary or revoke an existing combination scheme under section 4(5) of the Fire and Rescue Services Act 2004, but before doing so he must consult:

- (a) any fire and rescue authority which appears to him likely to be affected,
- (b) any other authority which would, apart from the scheme, be a fire and rescue authority under section 1 and which appears to him likely to be affected,
- (c) any local authority all or part of whose area forms part of the combined area or would, under the scheme as varied, form part of the combined area, and
- (d) any other persons he considers appropriate.

consultation	and Local Government. The consultation will be administered by the National Fire Policy division.
Duration	This consultation will last for 6 weeks opening on Wednesday 17 December 2014 and closing on Wednesday 28 January 2015
Enquiries:	Enquiries should be sent to: mergers@communities.gsi.gov.uk
How to respond:	Responses to this consultation should be submitted to mergers@communities.gsi.gov.uk by 28 January 2015 Electronic responses are preferred. However, you can also write to: Debbie Gibson-Leigh National Fire Policy Team Department for Communities and Local Government 2 nd floor NW Quarter Fry Building 2 Marsham Street London SW1P 4DF Information provided in response to this consultation, including personal information, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000, the Data Protection Act 1998 and the Environmental Information Regulations 2004).
After the consultation:	Following the consultation, the Secretary of State will decide whether to allow for the creation of a new combined fire and rescue authority for Dorset and Wiltshire.
Agreement with the Consultation Principles:	This consultation has been drafted in accordance with the Consultation Principles.

2. Introduction

Dorset Fire Authority became responsible for the Dorset Fire and Rescue Service on 1 April 1997 following local government re-structuring. The Authority is responsible for the provision of fire and rescue services under the Fire and Rescue Services Act 2004.

Wiltshire and Swindon Fire Authority acts as the overall governing body for the Fire and Rescue Service for the county of Wiltshire. It was established on 1 April 1997 following local government re-structuring.

Dorset Fire Authority and Wiltshire and Swindon Fire Authority have jointly submitted a draft scheme and business case to the Secretary of State requesting that he makes an order under sections 2 and 4 of the Fire and Rescue Services Act 2004 to:

- revoke the Dorset Fire Services (Combination Scheme) Order 1996, and
- revoke the Wiltshire and Swindon Fire Services (Combination Scheme) Order 1996, in order that
- a single fire and rescue authority be created for the combined area of the Dorset Fire Authority and the Wiltshire and Swindon Fire Authority on 1 April 2016.

Dorset Fire Authority and Wiltshire and Swindon Fire Authority presented the Secretary of State with a draft scheme and business case for combination together with a summary of the responses to a consultation with key stakeholders run by the authorities between 24 July and 20 October 2014; these can be found at:

<http://www.dorsetfire.gov.uk/working-with-us/about-us/dorset-fire-authority/dfa-meetings/>

<http://www.wiltsfire.gov.uk/strengtheningourfrs>

The authorities are seeking a voluntary merger on the grounds that:

- It will deliver savings and improve resilience. The authorities estimate they can save £4.5million a year by merging
- It will strengthen local accountability
- It will create a safe, strong and sustainable fire and rescue service for the counties of Dorset and Wiltshire
- The new combined authority will work better with police, ambulance and partners at a local level, with greater resources to offer.

Our Policy

There are many ways that local authorities can work together to save money and improve services, but there is equally no one-size-fits-all model either. This Government does not believe in top-down restructuring. Nor does it agree with the current proposals floated by some to force more mergers. The failed FireControl programme is a prime example of how such restructuring is expensive and distracting. Rather, we will support locally-led partnerships, where there is genuine support from all members of the local community, and the consultation will test this local support.

Dorset Fire Authority and Wiltshire and Swindon Fire Authority presented the Secretary of State with a draft scheme and business case for combination and the Secretary of State is now required by the Fire and Rescue Services act 2004 to consult on the locally led proposed revocation of Dorset and Wiltshire and Swindon Fire and Rescue Authority. Following the consultation, the Secretary of State will first consider the responses that have been submitted. He will then consider whether it is appropriate to make the combination scheme having regard to the statutory test that the voluntary merger of the two existing authorities must be in the interests of economy, efficiency and effectiveness or public safety.

He will also consider, at that stage, whether the issues need to be further examined at an inquiry before he makes a final decision. If the Secretary of State decides that the voluntary merger of the two authorities is in the interests of economy, efficiency and effectiveness or public safety, the Dorset combination scheme and the Wiltshire and Swindon combination scheme will be revoked in order to allow for the voluntary merger of Dorset and Wiltshire fire and rescue authorities.

There is no statutory requirement to consult on the creation of a new combined authority where a scheme is submitted to the Secretary of State by the authorities in question on a voluntary basis, as in this case. However, because the existing schemes would be revoked in order to allow the creation of a new combined authority, DCLG has included questions on the new merger scheme in this consultation so that respondents may comment on it if they wish.

Council Tax equalisation

Fire and rescue authorities have a power to set a precept on the council tax. In 2014-15, Dorset and Wiltshire and Swindon have different levels of council tax (Dorset £66.60 Wiltshire and Swindon £63.62), with Dorset's Band D amount £2.98 (4.7%) higher. The Government annually determines referendum principles, so that any council tax increase above a specified threshold is subject to a binding referendum of local people. An authority is entitled to raise its council tax by any amount if it achieves the consent of the local electorate in a referendum – otherwise, it must set an increase within the threshold level.

If the merger proceeds, Dorset and Wiltshire and Swindon will at some point need to equalise council tax over the area covered by the new authority. There are options that could be considered to achieve this including:

- a. The newly merged authority could hold a referendum, and could increase council tax in Wiltshire and Swindon to the level of Dorset's council tax if local electors in Wiltshire and Swindon agreed;
- b. The authorities could equalise council tax over a period of up to five years without holding a referendum – to achieve this, the amount of council tax paid by taxpayers in Dorset could stay at the same level, or increase at a lower rate than in Wiltshire and Swindon within the referendum thresholds until the two levels became equal;

It would be open to Dorset and Wiltshire and Swindon to make submissions to Ministers in relation to council tax levels in 2016-17 following the General Election in May 2015. Decisions on referendum principles would be subject to the approval of the House of Commons.

3. Who are we consulting?

In accordance with section 4(5) of the Fire and Rescue Services Act 2004, the Secretary of State will consult the following:

- Dorset Fire Authority
- Wiltshire and Swindon Fire Authority
- Dorset County Council
- Wiltshire County Council
- Bournemouth Borough Council
- Borough of Poole
- Swindon Borough Council
- Salisbury City Council
- District Councils in the area
- Dorset Police and Crime Commissioner
- Wiltshire Police and Crime Commissioner
- South Western Ambulance Service
- The Chief Fire Officers Association
- The Fire Brigades Union
- The Retained Fire Fighters Union
- Local MPs

This consultation will be available on the GOV.UK website.

4. Consultation Questions

We would welcome any thoughts you have on the possible implications of the revocation of Dorset fire authority and Wiltshire and Swindon fire authority.

In doing so, you will want to give consideration to whether the proposed revocations of Dorset fire authority and Wiltshire and Swindon fire authority are in the interests of:

- Economy;
- Efficiency and effectiveness
- and Public Safety

Your views are invited on the following questions:

Questions:
1. Do you agree that the proposed revocation of the Dorset Fire Services (Combination Scheme) Order 1996, is in the interests of <ul style="list-style-type: none">• Economy;• Efficiency and effectiveness• and Public Safety <p>Please provide your reasons for either agreeing or disagreeing with the proposed revocation of the Dorset Fire Services (Combination Scheme) Order 1996</p>
2. Do you agree that the proposed revocation of the Wiltshire and Swindon Fire Services (Combination Scheme) Order 1996, is in the interests of <ul style="list-style-type: none">• Economy;• Efficiency and effectiveness• and Public Safety <p>Please provide your reasons for either agreeing or disagreeing with the proposed revocation of the Wiltshire and Swindon Fire Services (Combination Scheme) Order 1996</p>
3. Do you agree that the proposed merger of Dorset and Wiltshire and Swindon fire authorities is in the interests of: <ul style="list-style-type: none">• Economy;• Efficiency and effectiveness• and Public Safety
Please provide your reasons for either supporting or opposing the merger proposal

5. Timetable

The merger proposals have already been the subject of a thirteen week consultation undertaken by Dorset and Wiltshire, including with all of the bodies listed in section 3 above. The Secretary of State is of the view that a 6 week consultation would be an appropriate timeframe in this instance.

Your response must be received by 28 January 2015

12 December	Combination order application received from Dorset and Wiltshire and Swindon fire authorities
17 December 2014	Publish consultation document
28 January 2015	Consultation closes
28-30 January 2015	Analyse responses
30 January 2015	Consultation results put to Ministers to consider whether an inquiry needs to be held
1. If the Secretary of State deems it necessary to hold a public inquiry, this will impact on the timetable for combination of the Dorset and Wiltshire and Swindon fire authorities. 2. If the Secretary of State agrees that a merger of Dorset and Wiltshire and Swindon is in the interests of economy, efficiency and effectiveness and public safety the following timetable will proceed:	
2 February 2015	Combination Order is finalised and agreed by DCLG and Dorset and Wiltshire and Swindon fire authorities
2-5 February 2015	Combination Order is made
6 February 2015	Combination Order is laid
21 days later	Order comes into force (before 40 day praying against period ends)
1 April 2016	Combination Order comes into effect

6. How to respond

Your response can be sent by email to mergers@communities.gsi.gov.uk

or in writing to:

Debbie Gibson-Leigh
National Fire Policy Team
Department for Communities and Local Government
2nd floor NW Quarter
Fry Building 2 Marsham Street
London SW1P 4DF

Please title your response 'Response to consultation on proposal to merge Dorset fire authority and Wiltshire fire authority'

7. What happens next?

All the evidence and information submitted will be considered and will help inform the Secretary of State in his consideration of the proposal and whether Dorset and Wiltshire and Swindon fire authorities' request is in the best interests of the two services and the communities they serve.

We aim to publish the outcome of the consultation within 3 months of the close of the exercise.

8. Confidentiality and data protection

Information provided in response to this consultation, including personal information, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000, the Data Protection Act 1998 and the Environmental Information Regulations 2004)..

If you want the information that you provide to be treated as confidential, please be aware that, under the Freedom of Information Act 2000, there is a statutory code of practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, in itself, be regarded as binding on the Department.

The Department will process your personal data in accordance with the Data Protection Act 1998 and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties. Individual responses will not be acknowledged unless specifically requested.