

- c) S.21 of the Fire & Rescue Services Act 2004 to have regard to the Fire & Rescue Service National Framework 2006-8 in carrying out its functions. This provides that FRAs should make arrangements for effective shared use of its resources, and that FRAs cannot assume that the armed forces will be available to provide cover in the event of industrial action by firefighters, and that accordingly FRAs will be expected to play an increasing role in contingency provision including the supply of all appliances and equipment required and the effective deployment of available personnel.

In addition the Authority acknowledges the indication of DCLG in correspondence and discussions that it considers that FRAs should so far as possible be 'self sufficient' in times of industrial action.

As a result of action taken and arrangements made to date the Authority anticipates that in the event of discontinuous and intermittent industrial action by firefighting personnel occurring in Merseyside that a fire engine will be available to provide fire and rescue cover from at least 20 of its 26 fire stations, and that existing and some limited further cover will be provided by other FRAs within the NW region (Attachment 1).

Whilst, under normal circumstances, a total of 42 fire appliances are available to provide cover in Merseyside, an analysis of risk data undertaken by an independent company on behalf of the Authority indicates that the resources anticipated to be available during industrial action as indicated above will be sufficient to provide adequate cover in Merseyside, to the extent that the Authority will be 'self sufficient' (Attachment 2).

In the absence of any definition, however, of 'self sufficient', I have asked Her Majesty's Chief Inspector of Fire Services, who is the senior independent advisor to Government on such matters, to challenge and probe our contingency plans. This would be very helpful in determining whether they could be regarded as providing 'self sufficiency'.

These contingency arrangements will not amount to the 42 fire appliances the Authority normally provides. These 42 appliances mean that we reach our performance standard of:

Pumps	1 st Pump (mins)	2 nd Pump (mins)
Very high/high	5	8
Medium	6	9
Low/very low	7	10

on 90% of occasions.

Our own modelling predicts these standards will be met on 75.1% of occasions should we be operating under self-sufficiency arrangements.

However, with a view to providing further resilience, the Authority formally requests the provision of additional military support for emergency fire and rescue cover should industrial action take place in Merseyside to meet its 90% performance standard. It should be noted, however, the Authority, as previously indicated, would be unable to agree your department's standard form of contract for such services as it currently stands, as it is believed to be unreasonable and an unacceptable risk to the Authority.

We also believe there is a 'national agreement' regarding large scale Gold Command level incidents. Can you confirm there is such a thing and would it be possible to have a copy?

In this respect, the closing date for the ballot for industrial action is 21st August 2006, and if there is a 'yes vote' industrial action could be called to take place on 28th August 2006 or any time thereafter.

Finally, there is one more area of support which would be invaluable in this dispute. Letters have been written to the General Secretary of the FBU seeking information that he will conform to TUC Guidelines regarding the safety of the community during any strike action.

Attached is my latest letter to the FBU that seeks exemptions for three strategically important fire stations. I would think it entirely appropriate if you were to publicly and wholeheartedly urge the FBU to act responsibly if they are to strike and agree to the Exemptions sought (Attachment 3).

In simple terms, I am asking for your active involvement in helping achieve proper levels of community safety rather than a passive observation of the Fire Brigade Union's refusal to comply with the TUC guidelines.

I look forward to hearing from you in the near future and to the support of the DCLG as we make provision for dealing with this unnecessary ballot for strike action by the FBU.

Yours sincerely

A.J. McGUIRK
CHIEF FIRE OFFICER

cc Sir Graham Meldrum, HMCIFS
Mr. P. Betts, Director of Fire & Resilience, DCLG
Mr. D. Weeks, DCLG
Leaders, MFRS
- Cllr Newman, Chair
- Cllr Byrom
- Cllr Clein
CFOA President, Mr. P. Toase
Mr. J. Ransford, LGA
CFO J. Doyle, Cleveland