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This circular is	For consultation	Respond by	28 July 2009
This circular is	Not relevant to the National Framework		
Status	This circular accompanies the consultation on proposed changes to the delivery of Freedoms & Flexibilities.		

Consultation on Freedoms and Flexibilities

Issued by:

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FRS Finance and Performance Division

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
Directors of Finance
Treasurers

Summary

This circular draws Fire and Rescue Authorities' (FRAs') attention to the Department's consultation on proposed changes to the delivery of Local Authorities' And Fire & Rescue Authorities' Freedoms and Flexibilities after the introduction of Comprehensive Area Assessment (CAA). It seeks views on proposals for treatment of freedoms under CAA including changes to Fire and Rescue Authority trading powers.

For further information, contact:

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Consultation on Freedoms and Flexibilities

1.0 Background

- 1.1 A package of local authority freedoms and flexibilities related to Comprehensive Performance Assessment (CPA) categorisation was introduced for Fire and Rescue Authorities (FRAs) in 2005. The framework for Comprehensive Area Assessment (CAA) replaced the CPA on 1 April 2009.
- 1.2 The 12 week consultation, *Proposed changes to the delivery of local authorities' and FRAs' freedoms and flexibilities after the introduction of CAA*, which the Department has launched today at <http://www.communities.gov.uk/publications/localgovernment/freedomsflexibilitiescaa>, considers how the freedoms and flexibilities package can be treated under CAA in a way that is consistent with the move towards providing greater freedoms at local levels. The proposal to extend freedoms & flexibilities includes:
- making the power to trade available to all FRAs and Local Authorities; and
 - for those FRAs rated as CPA excellent, the option of bespoke freedoms and flexibilities for innovation in service delivery.

2.0 Trading Powers

- 2.1 The current trading order for English FRAs ceases on 30 September 2009. The consultation looks at three options for trading, including the CLG preference of extending the trading powers for Local Authorities to the 46 FRAs to trade in any of their ordinary functions. It includes a draft Impact Assessment on the options under consideration.

3.0 'Excellent' rated FRAs

The consultation proposes that excellent CPA-rated FRAs will be able to put forward innovative in-service delivery proposals to Ministers within 12 months of the consultation closing (subject to the majority of respondents supporting the proposal). As the bespoke freedoms for excellent CPA-rated FRAs need to be innovative, the consultation does not propose to impose a time-limit for their duration.

4.0 Consultation

- 4.1 The deadline for responses to the consultation is midday on **28 July 2009**. Since the existing Trading Order is due to expire on 30 September it is important that you get your response back by this deadline at the very latest.
- 4.2 Response to the consultation should be sent, preferably by e-mail to: LTIE@communities.qsi.gov.uk, or by mail to:
- Local, Transformation, Improvement & Efficiency Freedoms and Flexibilities Consultation
Department for Communities and Local Government
Zone 4/J6 Eland House
Bressenden Place
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- 4.3 For any enquiries on FRA trading powers please contact Anna Wadsworth.

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