

## **Devon and Somerset Fire and Rescue Service 'Safer Together' Consultation**

At the 25th June meeting of this Scrutiny Committee, we resolved to add the item 'Devon & Somerset Fire Service – station closures' to the agenda for 26th September, inviting the Devon and Somerset Fire and Rescue Service to attend.

### **Background**

1. The Devon and Somerset Fire and Rescue Authority had approved a public consultation ('Safer Together') involving 7 options for change (six options originally prepared by the Fire Service and a 'pick and mix' option inserted in the light of members' concerns). All 7 options include the closure of 8 fire stations, together with various proposals which reduce the service offered from other stations.
2. The Service admits that reduced response times as a result of the proposed changes will increase risk for substantial numbers of people (it has been calculated that over 600,000 people will be affected). However the Service claims that, as a result of spending part of the savings on additional prevention activity, the overall effect of the proposals will be to save lives.
3. Informed critics have suggested that the calculations used to support this claim are based on a misleading comparison of the current situation (in which not all engines are able to respond to every call-out) and the future situation (in which it is 100 per cent response is assumed). Moreover the Service has also not provided a detailed explanation of the increased prevention activities which are proposed. It is therefore questionable whether the claimed savings of life are valid.

### **The Consultation**

4. The proposals are of great public concern, both generally and insofar as they affect particular stations and the communities they serve. However the format of the consultation has been widely criticised, by members of the Authority as well as other councillors and the public, on grounds which include:
  - (a) excessive complexity,
  - (b) the inclusion of the same closure proposals in all options,
  - (c) the failure to provide a clear method for respondents to comment on the implications for a particular station or community,
5. The Authority has stated that its consultation has been approved by the independent Consultation Institute, but the Institute has informed me that they advised on rather than approved the consultation, although they did agree it could proceed.

### **The Service's response to this Committee**

6. Officers made repeated efforts to persuade the Fire Service to attend CIRS Scrutiny on 26th September, but they declined on the grounds that the date was outside the consultation, which was due to end on 22nd September. Instead they agreed to attend a Masterclass for Scrutiny members and other county councillors on 4th September.
7. The Masterclass did not represent formal scrutiny and was not carried out in public, so that the public and firefighters were unable to hear what was said and the press was unable to report the event. In the event, while it offered a useful briefing, some important questions were not answered, and there was less opportunity to follow up as there would have been in a public scrutiny session.
8. I requested that, notwithstanding the Service's refusal to attend, the agreed item on the Committee agenda for 26th September should be maintained, with other interested parties invited to present. The Chair did not consider this appropriate, hence my request for this item to be placed on the agenda.

### **The Service's avoidance of public scrutiny by councillors**

9. The fact that our meeting was 4 days after the end of the consultation was known at the time of the decision to invite the Service. Serious work on the consultation results would have hardly begun, and there is no doubt that the outcome of our meeting could have been taken into account, if not formally in analysing the consultation, then in the Authority's consideration of the consultation in November.
10. Likewise the fact that the Committee has no formal authority over the Service was known, but it was nevertheless considered useful for us to examine the proposals. It is, of course, argued that the Authority is the appropriate body to exercise scrutiny. However the Authority will examine the proposals again only in November following analysis of the consultation.
11. Our hearing would have offered the opportunity of an interim public appraisal. In addition, our Committee offers the opportunity for public speaking, so that interested parties could have fed their views into our deliberations. Fire Authority agendas include only the possibility of public questions.

### **The Service's failure to consult this Council**

12. In addition to refusing to attend our Committee, the Service has declined to appear before East Devon and Teignbridge district councils. The Chief Fire Officer, Lee Howell, justified these refusals by telling the Masterclass that the Authority was under no obligation to consult local authorities, only the public at large. However this misled councillors. The Fire and Rescue national framework for England specifically says that fire services must consult with, 'the community, its workforce and representative bodies, **and partners**'. Local authorities are partners.

13. Moreover, the Civil Contingencies Act (CCA) requires fire services to co-operate 'with other local responders', and county and district councils are responder organisations; not consulting is not co-operating. CCA is all about resilience, and the cuts will have a negative effect on this. In the light of these issues, the Fire Service should have consulted with this Council, but the Democratic Services Officer has confirmed that they did not.

### **Proposal**

14. This Scrutiny Committee expresses its concern at the refusal of the Devon and Somerset Fire and Rescue Service to attend and its avoidance of public scrutiny by elected councillors on this Committee, and its failure to directly consult the County Council.

Cllr Martin Shaw, 12 September 2019