

# Community Right to Challenge

## Consultation response form

We are seeking your views on the following questions on the Government's proposals to introduce a Community Right to Challenge.<sup>1</sup> **If possible, we would be grateful if you could please respond by email.**

Please email: [crtchallenge@communities.gsi.gov.uk](mailto:crtchallenge@communities.gsi.gov.uk)

Alternatively, we would be happy to receive responses by post. Please write to:

Community Right to Challenge Consultation Team  
Department for Communities and Local Government  
5/A3 Eland House  
Bressenden Place  
London SW1E 5DU

**The deadline for submissions is 5pm on Tuesday 3 May 2011.**

## (a) About you

### (i) Your details

Name:	Lucy Phillips
Position:	Deputy Chief Fire Officer
Name of organisation (if applicable):	Hereford & Worcester FRS
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<sup>1</sup> DCLG (2011) Proposals to introduce a Community Right to Challenge: Consultation paper. see: [www.communities.gov.uk/corporate/publications/consultations](http://www.communities.gov.uk/corporate/publications/consultations)

**(ii) Are the views expressed on this consultation an official response from the organisation you represent or your own personal views?**

Organisational response	<input checked="" type="checkbox"/>
Personal views	<input type="checkbox"/>

**(iii) Please tick the *one* box which best describes you or your organisation:**

Voluntary sector or charitable organisation	<input type="checkbox"/>	
Relevant authority (i.e. district, London borough, county council)	<input type="checkbox"/>	
Parish council	<input type="checkbox"/>	
Business	<input type="checkbox"/>	
Other public body (please state)	<input checked="" type="checkbox"/>	Fire & Rescue Authority
Other (please state)	<input checked="" type="checkbox"/>	

**(iv) Do your views or experiences mainly relate to a particular type of geographical location?**

City	<input type="checkbox"/>	
London	<input type="checkbox"/>	
Urban	<input checked="" type="checkbox"/>	
Suburban	<input type="checkbox"/>	
Rural	<input checked="" type="checkbox"/>	
Other (please comment)	<input type="checkbox"/>	

**(vi) Would you be happy for us to contact you again in relation to this consultation?**

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

## (b) Consultation questions

### Section 2 – Which services should not be subject to challenge?

Q1. Are there specific services that should be exempted from the Community Right to Challenge?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

If Yes, why?

Front line delivery of core emergency services and associated services

Q2. Are there any general principles that should apply in considering which services should be exempt?

Explanation/comment:

National resilience, health & safety, public interest and perception, where provider has wider responsibilities, eg. resources in one locality also contribute to wider ranging services across a county or counties

### Section 3 - Relevant bodies and relevant authorities

Q3. We are minded to extend the Community Right to Challenge to apply to all Fire and Rescue Authorities. Do you agree?

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

Explanation/comment:

See Q.2

Q4. Should the current definition of relevant authority under the Community Right to Challenge be enlarged in future to apply to other bodies carrying out a function of a public nature? If yes, which bodies?

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

Explanation/comment:

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#### Section 4 - When a relevant authority will consider Expressions of Interest

Q5. Should regulations specify a minimum period during which relevant authorities must consider Expressions of Interest?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

Explanation/comment:

Set public service standard
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Q6. If a minimum period is to be specified, what should this be?

Explanation/comment:

A sufficient and suitable period of time
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#### Section 5 - Information to be included in an Expression of Interest

Q7. Do you agree with the proposed information to be included in Expressions of Interest?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

Explanation/comment:

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Q8. Is there further information you believe should be provided as part of Expressions of Interest?

Explanation/comment:

1. Information on long term ability to provide services (resilience)
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## 2. How standards will be set and maintained

### Section 6 - Period for a relevant authority to reach a decision on an Expression of Interest

Q9. Should regulations specify a minimum period during which a relevant authority must reach a decision on an Expression of Interest?

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

If yes, what should this be?

A sufficient and suitable period of time

Q10. Should regulations specify a maximum period during which a relevant authority must reach a decision on an Expression of Interest?

If yes, what should this be?

A sufficient and suitable period of time

### Section 7 – When an Expression of Interest may be modified or rejected

Q11. Do you agree with the above listed grounds whereby an Expression of Interest may be rejected?

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

Explanation/comment:

Current proposals do not incorporate issues regarding the sustainability of any alternative proposals

Q12. Are there any other grounds whereby relevant authorities should be able to reject an Expression of Interest?

Explanation/comment:

Current provider, includes wider services not able to be provided locally and loss of service would affect wider provision.

## Section 8 – Period between accepting an Expression of Interest and initiating an exercise for the provision of a contract for that service

Q13. Should minimum periods between an Expression of Interest being accepted and a relevant authority initiating a procurement exercise be specified in regulations?

Yes	<input checked="checked" type="checkbox"/>
No	<input type="checkbox"/>

If yes, what should the minimum period be?

'Cooling off' period is required

Q14. Should maximum periods between an Expression of Interest being accepted and a relevant authority initiating a procurement exercise be specified in regulations?

Yes	<input checked="checked" type="checkbox"/>
No	<input type="checkbox"/>

If yes, what should the maximum period be?

A sufficient and suitable period of time

## Section 9 – Support and guidance

Q15. What support would be most helpful?

Explanation/comment:

Nothing to add

Q16. Are there issues on which DCLG should provide guidance in relation to the Community Right to Challenge?

Explanation/comment:

Nothing to add

## (c) Additional questions

Do you have any other comments you wish to make?

No further comments

**END**