

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.¹ **If possible, we would be grateful if you could please respond by email.**

Please email: 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
Address:	2 King's Court, Charles Hastings Way, Worcester
Email:	Iphillips
Telephone number:	01905 368256

¹ DCLG (2011) Proposals to introduce a Community Right to Challenge: Consultation paper. see: <u>www.communities.gov.uk/corporate/publications/consultations</u>

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

Organisational response	\boxtimes
Personal views	

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

Voluntary sector or charitable organisation		
Relevant authority (i.e. district, London borough, county council)		
Parish council		
Business		
Other public body (please state)	\boxtimes	Fire & Rescue Authority
Other (please state)	\square	

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

City		
London		
Urban	\boxtimes	
Suburban		
Rural	\boxtimes	
Other (please comment)		

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

Yes	\square
No	

(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	\square
No	

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	
No	\square

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	
No	\boxtimes

Explanation/comment:

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	\square
No	

Explanation/comment:

Set public service standard

Q6. If a minimum period is to be specified, what should this be?

Explanation/comment:

A sufficient and suitable period of time

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	\square
No	

Explanation/comment:

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)

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	\square
No	

If yes, what should this be?

A sufficient and suitable period of time

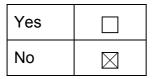
Q10. Should regulations specify a maximum period during which a relevant authority must reach a decision on an Expression of Interest?

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?



Explanation/comment:

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

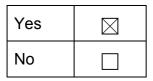
Q12. Are there any other grounds whereby relevant authorities should be able to reject an Expression of Interest?

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 <u>minimum</u> periods between an Expression of Interest being accepted and a relevant authority initiating a procurement exercise be specified in regulations?



If yes, what should the minimum period be?

'Cooling off' period is required

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

Yes	\square
No	

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