

AVON FIRE AUTHORITY

MEETING:	Avon Fire Authority
MEETING DATE:	Wednesday, 20 March 2024
REPORT OF:	Statutory Finance Officer
SUBJECT:	Annual Review of Service Charges 2024-25

1. **SUMMARY**

This report proposes increases in the Service Charges for 2024/25 in line with Section 18A of the Fire and Rescue Services Act 2004, which allows a Fire and Rescue Authority to charge a person for any action taken by the Authority (with limits on charging set out at section 18B).

The amount of charges is to be set by the Fire Authority for each financial year and must ensure that the Authority's income from charges does not exceed the cost to the Authority of taking the action for which the charges are imposed. The charges have been increased by 5% from 2023/4 to 2024/25 in line with the previous year's confirmed pay award.

2. **RECOMMENDATIONS**

2.1 The Fire Authority is asked to:

- a) Approve the charging structures set out in **Appendices 1 and 2** with effect from 1 April 2024.
- b) Approve that the charges be levied in full in all cases, but power be delegated to the Chief Fire Officer/Chief Executive to remit the whole or part of the charge if, in all circumstances, he considers it appropriate to do so.

3. **BACKGROUND**

3.1 The Fire and Rescue Services Act 2004 sets out the services for which a charge may currently be made and the persons who may be charged.

3.2 Where the Fire Authority is able to make a charge, it has to decide whether it wishes to do so, and, if it does, it must set the amount of the charge. The Fire Authority has the power to charge different amounts in different circumstances or to charge nothing at all.

- 3.3 A revised schedule of charges, to be applied from April 2024, is included at **Appendices 1 and 2.**

4. FINANCIAL IMPLICATIONS

- 4.1 The financial implications of this report are set out in the appendices attached. The proposed increase of 5% on previous charges aligns with the pay awards within the 2023/24 financial year.

5. KEY CONSIDERATIONS

- 5.1 In setting the charges the Fire Authority is required to secure that, taking one financial year with another, its income from charges does not exceed the cost to the Fire Authority of taking the action for which the charges are imposed. The Fire Authority is therefore not able to fix charges with the objective of making a profit.
- 5.2 Further guidance on the definition of a special service charges is provided within the Home Office 'Incident Recording System' (IRS), which states:

Non-fire incidents (also known as Special Service incidents) are incidents requiring the attendance of an appliance or Officer. They include, but are not limited to:

- Local emergencies e.g. road traffic incidents, responding to medical emergencies, rescue of persons and/or animals or making areas safe;
- Major environmental disasters e.g. flooding, hazardous material incidents or spills and leaks;
- Domestic incidents e.g. persons locked in/out, lift releases;
- Suicide attempts
- Prior arrangements to attend or assist other agencies, which may include some provision of advice or standing by to tackle an emergency situation.

- 5.3 It should be noted that not all incident types provided within the Home Office IRS definition above are chargeable, although they are classed as a Special Service. For example, by virtue of the limits on charging set out at section 18B of the Fire and Rescue Services Act 2004, a Fire Authority is not authorised to charge for rescuing individuals or protecting individuals from serious harm in the event of an emergency; emergencies which have occurred as a direct result of severe weather; or emergencies resulting from road traffic incidents, all of which are included within the examples above.

5.4 In summary, an incident classed as a Special Service Charge cannot incur a charge if emergency medical assistance is provided or individuals are rescued or protected from harm.

6. RISKS

6.1 There are no specific risks in relation to this paper.

7. LEGAL / POLICY IMPLICATIONS

7.1 This paper contains reference to the relevant legal provisions; a link to the legislation can be found here:
<https://www.legislation.gov.uk/ukpga/2004/21/section/18B>

8. BACKGROUND PAPERS

8.1 Financial records used to calculate charging rates are held within the Finance Department.

9. APPENDICES

1. Details of Services for which a charge can be made
2. Charging Rates for 2024/25

10. REPORT CONTACT

Verity Lee, Statutory Finance Officer, ext. 236
Claire Bentley, Head of Finance, ext. 235