

MERSEYSIDE FIRE AND RESCUE AUTHORITY			
MEETING OF THE:	AUTHORITY		
DATE:	29 JANUARY 2015	REPORT NO:	CFO/003/15
PRESENTING OFFICER	CHIEF FIRE OFFICER		
RESPONSIBLE OFFICER:	CHIEF FIRE OFFICER	REPORT AUTHOR:	DEB APPLETON
OFFICERS CONSULTED:	STRATEGIC MANAGEMENT GROUP		
TITLE OF REPORT:	WEST WEST WIRRAL OPERATIONAL RESPONSE CONSIDERATIONS (POST CONSULTATION)		

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Purpose of Report

1. To advise members of the options for structural savings to the operational response model for West Wirral in order to deliver the necessary savings to meet the budget assumptions for 2015/16, following the outcomes of the twelve week public consultation regarding the proposed station merger in Wirral (CFO/001/15).

Recommendation

2. That Members:
 - 1) Note that in respect of all the available options, because the Authority is seeking to avoid firefighter redundancy using natural turnover and as a result of current absence and other duties rates there are insufficient available operational personnel to maintain all 28 fire appliances in

advance of any structural changes through strategic mergers and station closures being implemented. This will mean that the West Kirby fire appliance will be only be available on a wholetime retained basis for significant periods during the consultation process and will only be staffed on a wholetime basis should sufficient personnel be available.

- 2) Instruct the Chief Fire Officer to provide a further report to the Authority dealing with the operational implications of Recommendation 1 (above)

Draft Options

- 3) Defer a decision on the closure of West Kirby and approve a proposal to undertake twelve weeks' public consultation (to commence on 2nd March) which will consider the alternative options of :
 - a) the closure of West Kirby and Upton fire stations, the building of a new station on Saughall Massie Road and the re-designation of one of the two existing wholetime appliances as "wholetime retained" (with a 30 minute recall), whilst also inviting suggestions for other suitable alternative options
 - b) the outright closure of West Kirby as the alternative to merger. The outcomes of this process will be reported back to Members for a definitive decision at an Authority meeting in June 2015.
- 4) Note that any new build on Saughall Massie Road would require Wirral Metropolitan Borough Council (WMBC) to agree to transfer the land into Authority ownership.
- 5) Note that in order to establish whether there is potential for the Saughall Massie Road site to be utilised as a location for a new fire station officers have already approached Wirral MBC to request a decision on land transfer. Officers will also need to engage with Wirral planning officers as the proposal relates to building a new community fire station on green belt land.
- 6) Note that a decision from Wirral MBC to transfer the land would allow the Authority to fully consider the feasibility of the proposal. This approach will ensure that Members are fully informed in relation to the views of the public and the feasibility of building a fire station at that location prior to making any decision.
- 7) Or approve either
 - a) A proposal to undertake six weeks' public consultation (to commence on 2nd February) which will consider the outright closure of West Kirby fire station. This option was referenced during the previous consultation, specifically to retain Upton fire station and relocating and re-designating the West Kirby fire appliance to Upton as "wholetime retained" (with a 30 minute recall). The outcomes of this process will

be reported back to Members for a definitive decision at an Authority meeting in April 2015 or

- b) Approve a proposal to undertake six weeks' public consultation (to start on 2nd February) which will consider the outright closure of West Kirby fire station and direct the Chief Fire Officer to identify suitable opportunities to relocate Upton to an optimum response location (potentially Saughall Massie Road) prior to entering into a period of 12 week consultation. This option would result in the relocating and re-designating the West Kirby fire appliance to Upton as "wholetime retained" (with a 30 minute recall). The outcomes of this process will be reported back to Members for a definitive decision at an Authority meeting in April 2015.

Introduction and Background

The Financial Context

3. The Authority is responsible for providing fire and rescue services for Merseyside's 1.4 million residents from 26 fire stations across the five districts. Of the 26 stations, 6 are on the Wirral; Birkenhead, Bromborough, Heswall, Upton, Wallasey and West Kirby.
4. Over the last four years the Authority has had to make savings of £20 million as a result of Government cuts to its budget. The Authority is required to make a further £6.3 million savings by the end of 2015/16.
5. It is likely the Authority will have to make further cuts in response to the next spending review whatever the outcome of the election.
6. The Authority has already had to make significant reductions in its support services and back office staff. Over the last decade the number of firefighters employed by the Authority has reduced from 1,400 to 764, with fire appliances reducing from 42 to 28 across the county. All but two stations have only one appliance.
7. To save £6.3 million during 2015/16 the Authority has assumed savings of £2.9 million from support services (such as Finance, People and Organisational Development and Estates management) and technical areas such as debt financing. The remaining £3.4 million is assumed to be delivered through structural changes to the emergency response model (i.e. station mergers, duty system changes or outright station closures).

Operational saving options considered

8. Before making any proposals to change fire cover in Merseyside, the Authority considered a number of other options and engaged the public over them.
9. The options were:

- Outright station closures.
 - Increasing the number of “Low Level of Activity and Risk” (LLAR) stations.
 - Station mergers.
 - Crewing a number of stations during the daytime only.
 - Using community retained firefighters to crew a number of stations.
10. Members have previously received a report on the detailed outcomes of that engagement process (CFO/020/14). In summary; the merger of stations was recognised by the public as the best option given the circumstances; with least impact on operational response. The closure of stations was preferred over changes to the way fire stations and fire engines are crewed (because the participants understood that it is firefighters and fire engines that save lives, not fire stations). This accords with the professional recommendation of the Chief Fire Officer. The impact of those various options is expounded in more detail later in this report.
11. Following this consultation, three possible mergers were identified as presenting opportunities to replace older buildings with new facilities in locations which offer the best incident response coverage possible in the circumstances. The draft proposals were to:
- Close the stations at Huyton and Whiston and build a new station at Prescott;
 - Close the stations at Upton and West Kirby and build a new station at a central location (initially at the Frankby Road site as it was not subject to any known planning restrictions);
 - Close the stations at Eccleston and St Helens and build a new station within St Helens Town Centre.
12. The Authority has always recognised the importance to the local communities of the services provided by local fire stations but has also recognised that Merseyside has more fire stations than most FRA’s given its population and geography. However the financial situation is such that the existing number of fire stations cannot be maintained in the future.
13. Each of these merged stations would have two fire appliances. In each case, one fire appliance would be crewed 24/7 (as now) while the other would be utilised as a “strategic reserve” to be crewed by “wholetime retained” firefighters on a 30-minute recall basis for periods of exceptionally high demand.
14. A fourth merger in Liverpool was also considered but given the age and proximity of the stations in Liverpool it is acknowledged that the outright closure of a station in Liverpool may be the most sensible option.

Upton and West Kirby

15. As a result of the views of the public in the initial consultation the Authority approved a public consultation in respect of a draft proposal (2nd October 2014) to close West Kirby and Upton fire stations and build a new station in a central location on Frankby Road, Greasby, as an alternative to the outright closure of West Kirby.
16. During the 12 weeks consultation the Authority held four public consultation meetings in Wirral; two in Greasby, one in Upton and one in West Kirby.
17. The full consultation outcomes regarding the draft proposals (a) to close two fire stations and to consolidate the emergency cover at one new station (the merger) and (b) to reduce the number of fully-crewed wholtime appliances from two to one are detailed in full in CFO/001/15. In brief summary:-
 - There were three focus group meetings at Greasby, Upton and West Kirby and a stakeholders' meeting and forum which took place in December 2014.
 - The deliberative focus groups and forum all agreed that the principle of merger was reasonable given the financial challenges facing the Authority.
 - The Stakeholder (public/private sector) meeting was broadly supportive of the merger proposal.
 - There was considerable opposition to the merger, specifically towards the proposed Frankby Road, Greasby site at the two public meetings in Greasby and in responses to the online questionnaire. The overwhelming majority of respondents objecting to the proposal were from Greasby. The majority of those objecting wanted the Authority to close West Kirby fire station and maintain the station at Upton, as an alternative to building a new station on the Greasby library site, although some could see the benefits of a new station, but not at that location. The site was subsequently withdrawn by Wirral MBC following discussions with the Chief Fire Officer.
 - Once the site had been withdrawn, all the responses to the questionnaire supported the merger.
 - There was no significant opposition at the public meeting in Hoylake to the closure of West Kirby fire station.

The consultation process closed on 5th January 2015.

18. Given the withdrawal of the Greasby site members are now asked to consider further alternative options based on the removal of the Greasby site.

Alternative options considered beyond those recommended in this report

19. The information below is a detailed explanation of the alternative options to achieve the required levels of savings, and whether they are considered feasible options at this time.
20. Of the 26 stations in Merseyside, 10 are designated as key stations. From these 10 key stations the Authority can provide a 10 minute response to all areas of Merseyside on 90% of occasions (our response standard).
21. The number of wholetime Firefighters employed directly equates to the numbers of fire appliances that can be staffed for an immediate response by fully trained Firefighters and therefore the numbers of fire appliances the Authority can operate on a wholetime basis.
22. The removal of 90 Firefighter posts required to deliver savings of £3.4m will result in the loss of 4 wholetime fire appliances. It is the view of the Chief Fire Officer that the Authority should maintain 2 appliances at Kirkdale and Southport, because of the location of Southport and the fact that Kirkdale is the Operational Resource Centre for Merseyside.
23. In maintaining 2 appliances at Kirkdale and Southport the Authority can only staff enough appliances to maintain 22 fire stations on a wholetime basis. The Authority could as an alternative maintain 26 stations through altering the crewing arrangements on specific stations or across the Service.

Low Level of Activity and Risk

24. The Low Level of Activity and Risk (LLAR) duty system is currently in operation at 4 of the Authority's 26 stations. The system consists of a 12 hour wholetime day shift followed immediately by a 12 hour retained night shift (spent off the station) where the crew must respond to an incident within 1 minute 54 seconds of an alert thus maintaining a comparable alert to mobile time as achieved by other wholetime staff during their night-time rest period.
25. Changing the crewing at a station from wholetime to LLAR would deliver a saving of 8 wholetime equivalent (WTE) posts. In order to deliver the same savings as for a station merger 3 wholetime stations would need to convert to LLAR. Whilst this option would maintain an immediate emergency response (assuming it was possible to secure accommodation for the night time retained period separate from the station but within a 1 minute 54 seconds alert to mobile time) it is less resilient than wholetime crewing as the same staff cover the 12-hour wholetime period and the 12-hour retained period. For example, if a crew attends incidents during the night-time period they will then require a period of stand down time to recover during the day shift, meaning they are either not available to provide operational response or unable to undertake prevention work or normal scheduled duties. As the number of appliances reduces the ability for Fire Control to not mobilise LLAR appliances during the retained period is also reduced meaning they will attend more incidents and potentially no longer meet the Low Level of Activity and

Risk threshold. To make the £3.4m savings required from operational response the Authority would need to convert 12 wholetime appliances to LLAR in addition to the existing 4 LLAR appliances.

26. This would result in 16 of the Authority's 28 appliances being crewed in this way. In order to comply with working time regulations the Authority would be required to provide separate accommodation for the retained duty period that is within a 1 minute 54 second response from the stations in question. The cost of building accommodation at existing LLAR stations has been around £300k. Converting 12 appliances to LLAR would therefore require a capital spend of around £3.6m for accommodation. Of the 10 key stations only one, Formby, is currently crewed LLAR which is as a result of its geographic location and the very low numbers of incidents on the station ground and number of appliance mobilisations. In any other circumstances a key station would not be crewed on the LLAR duty system. Of the stations not designated as 'key' a number have appliance mobilisation numbers which exceed the LLAR threshold of 825 incidents to the station area agreed in 2006 (Kirkdale, Kensington, City Centre and Birkenhead).
27. A number also do not have sufficient space within the curtilage of the station to build separate accommodation necessary to make the 1 minute 54 seconds alert to mobile time during the retained period (for example Kensington and Aintree). There is a very low likelihood indeed that the Authority could attract and indeed retain sufficient volunteers from existing staff to crew an additional 12 LLAR appliances. Whilst the Authority could recruit Firefighters directly on to the LLAR system this would result in crews on LLAR stations with a disproportionately high number of inexperienced Firefighters until such time as they were able to demonstrate competence in role. It would also invariably result in existing wholetime firefighters who did not wish to volunteer for the LLAR duty system being placed at risk of compulsory redundancy. It is for these reasons that LLAR has not been proposed by the Chief Fire Officer as an option to maintain operational effectiveness at this time.

Day Crewing

28. The Authority does not currently operate the Day Crewing duty system at any station on Merseyside. This system consists of a wholetime day shift (typically 10 hours duration) immediately followed by a 14 hour retained night shift where a response is made by a Firefighter from home within 5 minutes of an alert. Changing the crewing at a station from wholetime to Day Crewing would deliver a saving of 10.8 wholetime equivalent (WTE) posts (assuming a 10% retaining fee). In order to deliver the same savings as a station merger would, 2 wholetime stations would need to convert to Day Crewing.
29. To make the £3.4m savings required from operational response the Authority would need to convert 8 wholetime appliances to Day Crewing in addition to the existing 4 LLAR appliances. This would result in 12 of the Authority's 28 appliances either on Day Crewing or LLAR crewing. Day Crewing is less resilient than wholetime crewing for similar reasons as for LLAR as the same staff cover the 10 hour wholetime period and the 14 hour retained period. As

the number of appliances reduces the ability for Fire Control to not mobilise LLAR or Day Crewing appliances during the retained period is also reduced. This option would introduce a 5-minute delay in responding from 8 appliances for 14 hours each day. Assuming the 5-minute delay in responding in to the station and given the geography of Merseyside, it is likely that the nearest wholetime appliances would be able to attend an incident in at least the same time as the Day Crewing appliance if not quicker during the retained period. There is a very low likelihood indeed that the Authority could attract and indeed retain sufficient volunteers from existing staff to crew 8 Day Crewing appliances.

30. Whilst the Authority could recruit Firefighters directly on to the Day Crewing system this would result in crews on Day Crewing stations with a disproportionately high number of inexperienced Firefighters until such time as they were able to demonstrate competence in role.
31. It would also invariably result in existing wholetime firefighters who did not wish to volunteer for the Day Crewing duty system being placed at risk of compulsory redundancy. It is for these reasons that Day Crewing has not been proposed by the Chief Fire Officer as an option to maintain operational effectiveness. If as expected the Authority faces further cuts beyond 2015/16 this option may have to be reconsidered as a means of maintaining capacity during the daytime period.

Day only crewing

32. The Authority does not currently operate day only crewing at any station on Merseyside. This system involves Firefighters crewing the station for a 12-hour wholetime day shift only in order to maintain capacity to undertake training and community safety activities. Changing the crewing at a station from wholetime to day only crewing would deliver a saving of 12 wholetime equivalent (WTE) posts. In order to deliver the same savings as the station merger option 2 wholetime stations would need to convert to day only crewing.
33. To make the £3.4m savings required from operational response the Authority would need to convert 8 wholetime appliances to day only crewing in addition to the existing 4 LLAR appliances. This would result in 12 of the Authority's 28 appliances either on day only crewing or LLAR crewing. Whilst an immediate response to incidents would be achieved during the 12-hour day shift there would be no response at all during the 12-hour night-time period from day only crewed stations.
34. There is a very low likelihood indeed that the Authority could attract and indeed retain sufficient volunteers from existing staff to crew 8 days only appliances. Whilst the Authority could recruit Firefighters directly to day only crewing this would result in crews on day only stations with a disproportionately high number of inexperienced Firefighters until such time as they were able to demonstrate competence in role. It would also invariably result in existing wholetime firefighters who did not wish to volunteer for day

only crewing being placed at risk of compulsory redundancy. It is for these reasons that day only crewing has not been proposed by the Chief Fire Officer as an option to maintain operational effectiveness at this time. If as expected the Authority faces further cuts beyond 2015/16 this option may have to be reconsidered as a means of maintaining capacity during the day time period.

35. It should be noted that these appliances would in all likelihood be used as a pan Merseyside resource to for example stand in at key stations to facilitate the key appliance crew attending the Training and Development Academy for crew-based training. It would make more financial sense therefore to relocate the day crewed only appliance permanently to a key station thus allowing the Authority to make permanent savings on premises overheads (on average around £100k per year) through closing the non key station.

Retained

36. The Authority does not currently operate retained only crewing at any station on Merseyside. This system involves members of the community who live or work within 5 minutes of a fire station volunteering to be available for up to 120 hours per week for a retaining fee equivalent to 10% of a wholetime Firefighter's salary. Changing the crewing at a station from wholetime to retained would deliver a saving of 22 wholetime equivalent (WTE) posts. In order to deliver the same savings as for a station merger 1 wholetime station would need to convert to retained crewing. To make the £3.4m savings required from operational response the Authority would need to convert 4 wholetime appliances to retained in addition to the existing 4 LLAR appliances. This would result in 8 of the Authority's 28 appliances either on retained or LLAR crewing.
37. Pursuing this option would require the Authority to either seek volunteers from existing Firefighters who would be required to live within a 5-minute response time of the station (wholetime retained) or for the Authority to recruit members of the public who live or work within 5 minutes of the station. There is a very low likelihood indeed that the Authority could attract and indeed retain sufficient volunteers from existing staff to crew 4 wholetime retained appliances on a 5 minute recall. That being so, the Authority would need to recruit almost a full crew of retained Firefighters. It is the view of the Chief Fire Officer that a retained Firefighter does not have sufficient contact (training) time within the Grey Book (Firefighters' nationally agreed conditions of service) retained contract to acquire and maintain the skills of an existing Merseyside wholetime Firefighter.
38. Also, the Merseyside Trainee Firefighter course is currently 40 weeks long and the wholetime work routine allocates in excess of 20 hours per week to on station training. A retained firefighter has approximately 2/3 hours per week contact time at station for training, development and maintenance duties). If the Authority were minded to still pursue this option they would have to accept that the retained Firefighters would not be trained to the same level as their wholetime counterparts and it would take a long period of time to train the crew to a position whereby they were deemed fit to ride. Additionally to

maintain retained appliance availability a minimum of 4 members of the crew including a driver and an officer in charge would have to be permanently available within 5 minutes of the station. With 3 hours contact time each week retained Firefighters would not be able to undertake any amount of community safety work.

39. Assuming the 5-minute delay in responding in to the station and given the geography of Merseyside, it is likely that the nearest wholetime appliances would attend an incident in at least the same time as the retained crew if not quicker. It is for these reasons that retained crewing has not been proposed by the Chief Fire Officer as an option to maintain operational effectiveness at this time.

Information directly related to the options contained within this report

The merger of Upton and West Kirby fire stations

40. The operational logic for station mergers is to close two adjacent stations (which each currently house one appliance on a wholetime basis) and build a new station (that would house one wholetime appliance and one appliance staffed on a wholetime retained basis).
41. Building the new station at a location in between the two existing stations would deliver the best response times achievable in the circumstances from the one remaining wholetime appliance.
42. In each of the merged stations, the second appliance would be crewed on a "wholetime retained" basis. "Wholetime retained" crewing in this instance means wholetime Firefighters having a second retained contract whereby they provide cover on their days off to respond and crew the second appliance within 30 minutes of an alert- because a 30-minute response time delay would attract volunteers from sufficient numbers of existing staff to make the system viable.
43. The retained (second) appliance would only be called in during periods of high operational demand and they would not be used for immediate response to incidents in the station area. The function of the appliance is as part of a strategic reserve, not as a first line response until such time as the crew had been called in, which would take up to 30 minutes.
44. The advantage of this option is that it uses wholetime firefighters rather than community retained firefighters.
45. If the Authority were to close West Kirby and Upton and build a new station in a central location the average response time to life risk incidents on the combined station areas would be around 6 minutes 18 seconds. The national average response time to dwelling fires only is 7 minutes 24 seconds.

Outright Closure of West Kirby Fire Station

46. If the Authority were to close West Kirby outright the average response time to all life risk incidents on the West Kirby station area would increase to 8 minutes 46 seconds with the first response from Upton. The current average response time from West Kirby Fire Station is 5 minutes 24 seconds.
47. Members should note that some areas could not be reached within the Authority 10 minute response standard.

Saughall Massie Road

48. Following the removal of the Greasby site, officers from Wirral MBC have identified an alternative site for consideration which is currently in Council ownership, on Saughall Massie Road.
49. This is the option referenced within Recommendation 3(a) above. The proposal relates to providing a new community fire station on green belt land located on Saughall Massie Road. The site is just outside of the Saughall Massie Conservation Area (CA) and is shown in the map in Appendix A.
50. For any planning application to be considered on green belt land the Authority need to be able to demonstrate 'very special circumstances'. No other sites have been made available and the proposed site would minimise the impact on emergency response times overall, thus maintaining as much as possible the safety of the wider community. Officers therefore believe that based on those facts they should engage with planning officers at Wirral MBC.
51. Decisions relating to developments on green belt land are a matter for the local Planning Authority. However it is understood that planning permission has been granted for new fire stations on green belt sites where very special circumstances have been demonstrated in Durham, Sheffield and within Cheshire West and Chester City Council areas (September 2014).
52. Each case is assessed on its merits and very special circumstances must be demonstrated in each instance to the particular Planning Authority.
53. The average response time to life risk incidents occurring on the Upton station area from the Saughall Massie Road site would be 5 minutes 3 seconds (currently 4 minutes 34 seconds from Upton Fire Station). The average response time to incidents occurring on the West Kirby station area from the Saughall Massie Road site would be 6 minutes 38 seconds (currently 5 minutes 24 seconds from West Kirby fire station).
54. If members are minded to adopt this option the following actions are required
 - Public consultation and engagement with planning officers/ formal decision by Wirral to agree to release the land

- A planning application following consultation if this is appropriate
55. Members will recognise that each of these actions takes at least 8-12 weeks and if they were undertaken one by one it would take nearly a year to conclude the process. The impact of delays in making structural changes on appliance availability has been detailed elsewhere in this report which will necessitate a further report to the Authority concerning the impact on operational response.
56. Therefore Officers have already asked Wirral to consider if they are willing to release the plot of land (subject to agreement on Heads of Terms and the outcomes of the consultation process).

In Summary

57. The operational logic for station mergers is to close two adjacent stations (which each currently house one appliance on a wholetime basis) and build a new station (that would house one wholetime appliance and one appliance staffed on a wholetime retained basis).
58. CFO/020/14 details the outcomes of that engagement process; the merger of stations was recognised by the public as the best option given the circumstances; with least impact on operational response.
59. CFO/001/15 details the outcomes of the 2014 Wirral consultation.
60. There was significant opposition expressed at the Greasby public meetings to the proposal to build on the Frankby Road site. At each public meeting, the Chief Fire Officer explained the financial challenges, the operational basis for the proposed fire station (including possible alternatives) and that the proposed site was being considered as it was not subject to any known planning restrictions.
61. Through the consultation the Chief Fire Officer also made it clear that should a suitable alternative site be identified, where the special circumstances required to achieve planning consent for building on any Green Belt or Urban Green Space land could be met, then he would recommend that the Authority reconsider its draft proposal.
62. In West Kirby, there was some concern about the possible closure of the fire station but also concern about the Greasby site expressed by Greasby residents who attended the meeting. At Upton there were several Greasby residents present who repeated their concerns about the site.
63. Accepting that structural changes have to be made to deliver the required savings and that there is no option that can improve response performance, the option that would have the least impact on overall response times is to build a new station at a central location.

64. The average response time to incidents occurring on the Upton station area from the Saughall Massie Road site would be 5 minutes 3 seconds (currently 4 minutes 34 seconds from Upton Fire Station). The average response time to incidents occurring on the West Kirby station area from the Saughall Massie Road site would be 6 minutes 38 seconds (currently 5 minutes 24 seconds from west Kirby fire station).
65. Whilst more incidents occur on Upton's area than on West Kirby's area, neither station has high utilisation rates.
66. The likelihood of a life risk incident in either area is low but the potential severity of any incident is high (there could be a fatality). In light of this, if the Authority were to knowingly accept a much slower response to West Kirby it would then be impossible to argue to maintain a faster response anywhere else on Merseyside.
67. If the Authority were to close West Kirby outright the average response time to all life risk incidents on the West Kirby station area would increase to 8 minutes 43 seconds with the first response from Upton.
68. It is the professional view of the Chief Fire Officer that the Authority should aim to maintain the fastest response times possible. Given this information it is the recommendation of the Chief Fire Officer that option (a) is approved in order to achieve the best operational response possible under the circumstances.

Equality and Diversity Implications

69. An Equality Impact Assessment has been completed with regards to the proposed merger options. (Appendix G)

Staff Implications

70. The merger/closure proposals would result in a reduction of 90 Firefighter posts which would result in the loss of 4 wholtime fire appliances.
71. The Authority aims to avoid firefighter redundancy using natural turnover rates. As a result no staff will be made compulsorily redundant irrespective of which option might be chosen.
72. Because of current absence and other duties rates there are insufficient staff to cover all the appliances in advance of the strategic mergers and station closures. This will mean that the West Kirby fire appliance will be only be available on a retained basis for significant periods during the consultation and will only be staffed on a wholtime basis should sufficient personnel be available. It is the intention of the Chief Fire Officer to implement wholtime retained crewing arrangements across Merseyside with immediate effect in the interests of operation efficiency.

73. Should option (a) be approved the Authority will need to change the crewing status of the West Kirby appliance from wholetime to wholetime retained (WTR) long before any new station is built as there will not be the numbers of wholetime Firefighters in the organisation by that time to crew the appliance on a wholetime basis.
74. Wholetime retained involves existing wholetime firefighters providing retained cover on a 30-minute response to stations during their rota days. This fire appliance would only be used during periods of very high demand and will not offer an immediate emergency response.
75. Any staff effected by the mergers will be relocated to, were possible, a neighbouring station to limit the impact on them personally.

Legal Implications

76. The Fire & Rescue Services Act 2004 places a statutory duty of Fire Authorities to:
- Section 7 – statutory duty to respond to fires.
 - Section 8 – statutory duty to respond to Road Traffic Collisions (RTC's).
 - Section 9 – statutory duty to respond to Chemical, Biological, Radiological and Conventional Explosive (CBRNE), Urban Search and Rescue (USAR) and Serious Transport incidents.
 - Section 11 – power to respond to any incident where a person or animal may die, be injured or become ill.
77. It is considered that in carrying out the extensive twelve week consultation in the manner that it has, MFRA has fully complied with legal requirements and best practice guidelines. Any future consultation will also follow best practice and a similar process to that already carried out..
78. Any lease of land would be subject to title investigation and satisfactory lease terms being agreed and approved by Wirral MBC and the Authority. Such lease and development agreement terms would not be agreed so as to be contractually binding until public consultation has been undertaken and the Authority has considered the outcomes of this consultation.
79. Engagement with planning officers is important when a matter is sensitive as it would allow officers to determine the overall potential viability or otherwise of any future planning application. This will avoid any predetermination whilst at the same allowing Officers to consider viability to assist the consultation process. This mitigates the risk of Judicial Review which can be a very costly exercise.

Financial Implications & Value for Money

80. The estimated operating costs of the current Upton and West Kirby stations currently total £2m. The forecast running costs of a new station are £1.1m, a saving of £0.9m. This forecast is based upon the operating costs of the new PFI stations. Details are included in Appendix E.
81. The costs of any new build station are referenced in Appendix F, together with an estimate of the potential income from the sale of the buildings and land at Upton and West Kirby. Members will also note that the Authority was awarded a Transformation and Efficiency grant of £1.5m in relation to this merger proposal.
82. Overall the forecast capital cost of a new fire station net of capital receipts and grant is £1.950 million. This does not include the costs and contributions of any partners. It is currently anticipated that any net cost will be met from reserves so as to avoid borrowing. Draft development proposals would be discussed with planning officers and other partners, considered during the consultation period and outcomes reported back with the consultation results.

Risk Management, Health & Safety, and Environmental Implications

83. It is considered that MFRA has reduced corporate risk by carrying out extensive consultation and considering the outcomes of that consultation before making any final decisions on the merger proposals. There are no health and safety or environmental implications.

Contribution to Our Mission: *Safer Stronger Communities – Safe Effective Firefighters*

84. Building the new station at a location in between the two existing stations would deliver the best response times achievable in the circumstances

BACKGROUND PAPERS

GLOSSARY OF TERMS