



Buckinghamshire & Milton Keynes Fire Authority

Meeting and date: Executive Committee, 9 February 2022

Report title: Response to the Provisional Local Government Finance Settlement 2022 to 2023: Consultation

Lead Member: Councillor David Hopkins

Report sponsor: Mark Hemming, Director of Finance and Assets

Author and contact: Mark Hemming - mhemming@bucksfire.gov.uk

Action: Noting

Recommendations: That the response to the consultation be noted.

Executive summary:

The Consultation was published on 16 December 2021, with a deadline for responses of 13 January 2022. In accordance with the Scheme of Delegation to Officers, the response was discussed with the Chairman and Lead Member before submission. This paper details the content of the submission for the attention of the Committee.

The Consultation sought views on a number of areas, including the distribution of Revenue Support Grant, council tax referendum principles and proposals for the new “Services Grant”. The most pertinent area of the Consultation for the Service is Question 2, regarding council tax referendum principles.

Sections 3.2 and 3.3 of the Consultation note that there is “a £5 referendum principle for the 8 lowest-charging fire and rescue authorities.” (para. 3.2.1, Appendix 1) and that this “is to assist them in addressing immediate pressures and to maintain a sustainable income baseline for future years.” (para. 3.3.1, Appendix 1). The response submitted to the Consultation noted that this was particularly welcome.

The Consultation also sought views other areas not directly relevant to the Service, so a response of ‘no comment’ was submitted in relation to those questions.

Financial implications: The financial implications of the provisional settlement have been factored into the medium-term financial plan, which is also being presented to the Executive Committee on 9 February 2022.

Risk management: No direct impact

Legal implications: The Chief Fire Officer may make a formal response on behalf of the Authority to a Government Consultation Paper provided that such a response is subsequently referred to the appropriate committee for their attention.

Privacy and security implications: No direct impact

Duty to collaborate: No direct impact

Health and safety implications: No direct impact

Environmental implications: No direct impact

Equality, diversity, and inclusion implications: No direct impact

Consultation and communication: No direct impact

Background papers: None

Appendix	Title	Protective Marking
1	The Provisional Local Government Finance Settlement 2022-23: Consultation	
2	Response to the Consultation	

Coronavirus (COVID-19) (/coronavirus)

Latest updates and guidance

1. Home (<https://www.gov.uk/>)
 2. Regional and local government (<https://www.gov.uk/regional-and-local-government>)
 3. Local government spending (<https://www.gov.uk/regional-and-local-government/local-government-spending>)
 4. Provisional local government finance settlement 2022 to 2023: consultation (<https://www.gov.uk/government/consultations/provisional-local-government-finance-settlement-2022-to-2023-consultation>)
- Department for Levelling Up, Housing & Communities (<https://www.gov.uk/government/organisations/department-for-levelling-up-housing-and-communities>)

Open consultation

Provisional local government finance settlement 2022 to 2023: consultation

Published 16 December 2021

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This publication is available at <https://www.gov.uk/government/consultations/provisional-local-government-finance-settlement-2022-to-2023-consultation/provisional-local-government-finance-settlement-2022-to-2023-consultation>

Scope of the consultation

Topic of this consultation:

This consultation seeks views on the proposals for the local government finance settlement for 2022/23.

Scope of this consultation:

This consultation seeks views on proposals for the local government finance settlement for 2022/23, in particular from representatives of local government, before determining the final amount of Revenue Support Grant and its allocation to receiving authorities and the specified body. [\[footnote 1\]](#)

The consultation notifies representatives of local government of the general nature of the basis of distribution of Revenue Support Grant, and of the general nature of the basis of calculation of 'tariff' and 'top up' payments through this consultation document and accompanying documents, in particular the draft Local Government Finance Report for 2022/23. [\[footnote 2\]](#)

Geographical scope:

These proposals relate to England only.

Impact assessment:

Since the government does not envisage that the proposals within this consultation document will have an impact on business, no impact assessment has been produced.

Basic Information

Body/bodies responsible for the consultation:

Local Government Finance Directorate within the Department for Levelling Up, Housing and Communities.

Duration:

This consultation will last for 4 weeks from 16 December to 13 January 2022.

Enquiries:

For any enquiries about the consultation please contact: lgfsettlement@communities.gov.uk.

How to respond:

If possible, we request responses through the following [online form](https://consult.communities.gov.uk/local-government-finance/lgf-settlement-2223/) (<https://consult.communities.gov.uk/local-government-finance/lgf-settlement-2223/>).

Alternatively, you can email your response to the questions found in Annex B of this consultation document to lgfsettlement@communities.gov.uk.

When you reply it would be very useful if you confirm whether you are replying as an individual or submitting an official response on behalf of an organisation and include:

- your name
- your position (if applicable)
- the name of organisation (if applicable)
- an address (including post-code)
- an email address
- a contact telephone number

About this consultation

This consultation document and consultation process have been planned to adhere to the Consultation Principles issued by the Cabinet Office.

Representative groups are asked to give a summary of the people and organisations they represent, and where relevant who else they have consulted in reaching their conclusions when they respond.

Information provided in response to this consultation may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Environmental Information Regulations 2004 and UK data protection legislation. In certain circumstances this may therefore include personal data when required by law.

If you want the information that you provide to be treated as confidential, please be aware that, as a public authority, the Department is bound by the information access regimes and may therefore be obliged to disclose all or some of the information you provide. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information, we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

The Department for Levelling Up, Housing and Communities will at all times process your personal data in accordance with UK data protection legislation and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties. A full privacy notice is included below.

Individual responses will not be acknowledged unless specifically requested.

Your opinions are valuable to us. Thank you for taking the time to read this document and respond.

Are you satisfied that this consultation has followed the Consultation Principles? If not or you have any other observations about how we can improve the process please contact us via the [complaints procedure \(https://www.gov.uk/government/organisations/department-for-levelling-up-housing-and-communities/about/complaints-procedure\)](https://www.gov.uk/government/organisations/department-for-levelling-up-housing-and-communities/about/complaints-procedure).

1. Summary of proposals

1.1 Introduction

1.1.1 This consultation paper sets out the government's proposals for the 2022/2023 local government finance settlement.

1.1.2 This chapter provides a summary of the proposals contained within the 2022/23 provisional settlement.

1.2 Spending Review 2021 and updating the system

1.2.1 On 27 October 2021, the government announced the outcome of Spending Review 2021. This Spending Review will provide local government with a strong foundation for the next three years, with around £1.6 billion of additional grant in each year of the Spending Review period, including for the Supporting Families Programme, and additional funding to tackle cyber security challenges facing councils. This will be delivered outside of the Local Government Finance Settlement and further detail will follow in due course. The Supporting Families Programme is also not part of the local government finance settlement and further detail will follow in due course.

1.2.2. To prioritise certainty for 2022/23, we propose delivering a one-year local government finance settlement. At the national level, our proposals result in an increase in Core Spending Power for local authorities in England of up to £3.5 billion. This is an increase from £50.4 billion in 2021/22 to up to £53.9 billion in 2022/23; a real terms increase of over 4%. Within this, councils will have access to an additional £700 million of new grant specifically for social care. Including the flexibility available through the Adult Social Care precept, we are making available over an additional £1 billion of resource for social care. In addition, the increase in core spending power includes £162 million for Adult Social Care reform.

1.2.3. This additional funding also includes a one off '2022/23 Services Grant' worth £822 million. This grant is for 2022/23 only and we will work with the sector on how we distribute this funding from 2023/24 onwards. The funding will go to all tiers of local government in recognition of the range of vital services delivered by councils across the country. This grant will be unringfenced with local authorities best placed to understand local priorities. Authorities with social care responsibilities can use this funding for adults and children's social care.

1.2.4. The proposals in this document relate to 2022/23 and are focused on stability. The government is committed to ensuring that funding allocations for councils are based on an up-to-date assessment of their needs and resources. The data used to assess this has not been updated in a number of years. Over the coming months, we will work closely with the sector and other stakeholders to update this and to look at the challenges and opportunities facing the sector before consulting on any potential changes.

1.2.5. As part of this, we will look at options to support local authorities through transitional protection. Councils should note that one-off 2022/23 Services Grant funding provided in the Local Government Finance Settlement in 2022/23 will be excluded from potential transitional protections.

1.3 Summary of proposals included in the 2022/23 provisional settlement

1.3.1 Chapter 2 – Distribution of Settlement Funding Assessment (SFA): this chapter outlines the government's proposals for distributing core settlement resources in 2022/23.

- a uniform percentage increase in Revenue Support Grant (RSG) allocations from 2021/22, based on the change in the Consumer Price Index (CPI) between September 2020 and September 2021. We will also continue compensation to avoid so-called 'negative RSG' and roll in two existing New Burdens grants into RSG.
- a freeze in Baseline Funding Levels (BFLs) at 2021/22 levels, to match the freeze in the business rates multiplier.
- an increase in grant for the under-indexation of the multiplier, to compensate for the freeze in the business rates multiplier compared to growth in line with RPI.

1.3.2 Chapter 3 – Council Tax: this chapter details the government’s intentions for council tax referendum principles in 2022/23.

- a core council tax referendum principle of up to 2% for shire counties, unitary authorities, London boroughs, the Greater London Authority (GLA) and fire and rescue authorities.
- a bespoke council tax referendum principle of up to 2% or £5, whichever is higher, for shire district councils
- an Adult Social Care (ASC) Precept of 1% for all authorities responsible for ASC services.
- ability to add any unused parts of the 3% ASC Precept flexibility available in 2021/22.
- a referendum principle of £10 for police authorities.
- a £5 referendum principle for the 8 lowest-charging fire and rescue authorities.
- setting no council tax referendum principles for Mayoral Combined Authorities (MCAs)
- setting no council tax referendum principles for town and parish councils.

1.3.3 Chapter 4 – Distribution of Social Care resources: this chapter sets out the government’s proposals for making specific funding available for social care services.

- increasing the Social Care Grant allocations from 2022/23 by £636 million, bringing the total value of the grant to £2.35 billion. £556 million of this new funding will be allocated using our ASC Relative Needs Formula (RNF). A further £80 million will be used to equalise the variation in yield from the ASC Precept.
- increasing the LGDEL contribution to the improved Better Care Fund (iBCF) in line with the September 2020 to September 2021 increase in the Consumer Price Index (CPI).
- including the Department for Health and Social Care’s Market Sustainability and Fair Cost of Care Fund within Core Spending Power in 2022/23. This £162 million fund is to support Local Authorities prepare their markets for reform and move towards paying providers a fair cost of care. It will be allocated using our existing ASC RNF.

1.3.4 Chapter 5 – 2022/23 Services Grant: this chapter explains the government’s proposals for a new one-off grant to support the delivery of all local authorities’ services in 2022/23.

- creating of a new grant worth £822 million. This will be a one-off grant for 2022/23. We will work closely with the sector on how to best distribute this money for 2023/24 onwards. We will distribute this funding using the 2013/14 shares of the Settlement Funding Assessment. [\[footnote 3\]](#)
- this funding would be excluded from any proposed baseline for transitional support as a result of any proposed system changes.

1.3.5 Chapter 6 – Other Grants - this chapter explains the government’s proposals for the New Homes Bonus (NHB), Rural Services Delivery Grant (RSDG) and the Lower Tier Services Grant (LTSG).

- a new round of NHB payments in 2022/23, which will not attract new legacy payments. 2022/23 allocations of NHB will be paid for by a £554 million top-slice of RSG.
- no changes to the calculation process from 2021/22. The final outstanding NHB legacy payment will be honoured in 2022/23 allocations.

- maintain the existing quantum of the RSDG at £85 million and maintain the same approach to distribute these resources as used for 2021/22.
- the LTSG will allocate £111 million to local authorities with responsibility for lower tier services. Most of the distribution will be based on assessed relative needs for lower tier services. Alongside this, the minimum funding floor from 2021/22 will be updated to ensure that no authority sees an annual reduction in Core Spending Power (CSP).[\[footnote 4\]](#)

1.3.6 Chapter 7 – Equalities Impacts of these proposals: this chapter invites views and evidence on the impact that the government’s proposals may have on persons who share a protected characteristic. It also refers to a draft policy impact statement published alongside this consultation, assessing the impact of the 2022/23 settlement on persons who share a protected characteristic.

1.4 Additional information

1.4.1 An online survey link and return address for responses to this consultation, along with a full list of consultation questions, is included in [Annex B](#), and a glossary of technical terms can be found in [Annex C](#).

1.5 Allocations for proposals

1.5.1 The supporting tables accompanying this consultation show the allocations for the proposals for individual local authorities. These proposals represent the government’s intentions, and the figures are presented on the basis of available information.

1.5.2 Data changes, new information or errors identified by either the department or local authorities between the publication of this consultation paper and the calculation of the final settlement may lead to changes to individual local authority allocations. The government encourages local authorities to check their individual allocations.

2. Distribution of the Settlement Funding Assessment

2.1 Introduction

2.1.1 This chapter outlines the government’s proposals for distributing the Settlement Funding Assessment (SFA) in 2022/23, which is comprised of Revenue Support Grant (RSG) and Baseline Funding Levels (BFLs).

2.2 Business Rates Retention

2.2.1 When the Business Rates Retention scheme was introduced in 2013/14, the government committed that BFLs and Business Rates Baselines, which are used to determine tariffs and top-ups, would be fixed in real terms until the system was reset. The government therefore proposes not to alter the existing mechanism for determining tariff and top-up payments in 2022/23.

2.2.2 At Spending Review 2021 the government announced that it would freeze the business rates multiplier in 2022/23, saving businesses in England an estimated £4.6 billion over the next five years. In 2022/23, the government plans to freeze BFLs at their 2021/22 levels for all authorities except authorities with increased Business Rates Retention arrangements. BFLs for authorities with increased Business Rates Retention arrangements shall be the sum of their 2021/22 BFL and the value of the grant(s) that these authorities will forgo in 2022/2023.

2.2.3 Local authorities will, as usual, be compensated for the shortfall in income from the freezing of the business rates multiplier in 2022/23 and 2021/22 and for the switch to CPI from RPI for the purposes of uprating, via the under-indexation section 31 grant. Top-ups and Tariffs will also be adjusted as in previous years, for the freezing of the multiplier.

2.2.4 2021/22 BFLs included the elimination of so-called 'negative RSG' and as such this will continue in 2022/23. This is consistent with the government's previous commitment, made during the implementation of the business rate retention scheme in 2013/14, that authorities' retained business rates baselines would be fixed in real terms until the business rates system was reset. [\[footnote 5\]](#)

2.2.5 Local authorities in 100% business rates retention Devolution Deal areas and the Greater London Authority will continue to benefit from increased levels of business rates retention in 2022/23.

2.3 Distribution of Revenue Support Grant

2.3.1 In the interests of providing stability in local authority allocations, we are not proposing to change the distribution of RSG from that used in 2021/22. Instead, the government proposes to increase 2021/22 RSG levels in line with the September 2020 to September 2021 change in the Consumer Price Index (CPI).

2.3.2 To simplify the funding landscape, government intends to roll in the Electoral Registration grant worth £1.2 million per year and the Financial Transparency of Local Authority Maintained Schools grant, worth £0.8 million per year, into the Revenue Support Grant. The current distribution of each will no longer be used. Government intends to distribute this funding using the 2013/14 shares of Settlement Funding. To note, this additional funding is on top of the increase by CPI outlined in 2.3.1 which means the overall increase in RSG for 2022/23 compared to 2021/22 will be slightly higher than CPI.

Question 1: Do you agree with the government's proposed methodology for the distribution of Revenue Support Grant in 2022/23, including the rolling in of two New Burdens grants?

3. Council tax

3.1 Council tax

3.1.1 The government remains committed to striking a balance between giving local authorities the flexibility to determine their own level of council tax and ensuring local residents have the final say on excessive increases.

3.2 Council tax referendum principles

3.2.1 The government proposes the following package of referendum principles for 2022/23 which will be subject to the approval of the House of Commons alongside the final local government finance settlement:

- a core council tax referendum principle of up to 2% for shire counties, unitary authorities, London boroughs, the Greater London Authority (GLA) and fire and rescue authorities.
- a principle of up to 2% or £5, whichever is higher, for shire district councils
- an Adult Social Care (ASC) precept of 1% for all authorities responsible for ASC.

- ability to add any unused parts of the 3% ASC Precept flexibility available in 2021/22,
- a £5 referendum principle for the 8 lowest-charging fire and rescue authorities.
- a referendum principle of £10 for Police and Crime Commissioners (PCC), including the GLA charge for the Metropolitan Police and the PCC component of the Greater Manchester and West Yorkshire Mayoral precepts.
- no other council tax referendum principles for Mayoral Combined Authorities (MCAs).
- no council tax referendum principles for town and parish councils.

3.3 Council tax referendum principles for fire and rescue authorities

3.3.1 The government proposes to provide the lowest charging quartile of fire and rescue authorities with the flexibility to increase band D precepts by £5 for one year only in 2022/23. This is to assist them in addressing immediate pressures and to maintain a sustainable income baseline for future years.

3.3.2 This flexibility is not currently outlined in our Core Spending Power figures we have published. Following consideration of responses to this consultation, if the proposal is taken forward the flexibility will be included in the allocations for which we will seek the approval of the House of Commons at the final settlement.

3.4 Council tax referendum principles for mayoral combined authorities

3.4.1 Devolution has led to the creation of nine mayoral combined authorities (MCAs) with powers such as transport and planning. To date, the government has not set referendum principles for MCAs, except where the Mayor exercises police and crime commissioner functions, in which case the PCC principle has applied to the resulting precept. This has been in the expectation that mayors would charge a level of council tax that is affordable and proportionate to their needs.

3.4.2 The government proposes to continue this approach in 2022/23. In line with the referendum principle for police and crime commissioners, we propose to set a £10 threshold for the PCC component of the Greater Manchester and West Yorkshire Combined Authorities' precepts.

3.5 Council tax referendum principles for town and parish councils

3.5.1 The government has not previously set referendum principles for town and parish councils. This approach was contingent on the sector taking all available steps to mitigate the need for council tax increases and the government seeing clear evidence of restraint.

3.5.2 In 2021/22, the average Band D parish precept increased by 2.8%, the smallest for ten years. In expectation that parish and town councils continue to show restraint when charging council tax, the government proposes to continue with no referendum principles for the sector in 2022/23. It will however take careful account of the increases set in 2022/23 when reviewing the matter ahead of next year's settlement.

3.6 Council tax referendum principle for the Greater London Authority (GLA)

3.6.1 The Mayor of London is currently considering his approach to the future funding of Transport for London. The government will consider any proposals he makes about the future level of the GLA precept in response to this consultation.

Question 2: Do you agree with the proposed package of council tax referendum principles for 2022/23?

4. Distribution of Social Care Resources

4.1 Social Care

4.1.1 This year the government is proposing to provide councils with £700 million in new grant specifically for social care. This new grant funding combined with the 1% ASC precept and the rolled over flexibility from last year for local authorities with social care responsibilities means that councils will have access to over £1 billion of dedicated funding for social care pressures.

4.1.2 Of the £700 million of additional grant, £636 million is proposed for an increase to the Social Care Grant and the remainder as an inflationary uplift to the improved Better Care Fund. Councils will be able to make further investment in social care services from other unringfenced grants and wider revenue growth.

4.1.3 In addition, as announced on 7 September 2021 in 'Build Back Better: Our Plan for Health and Social Care', the government is proposing to allocate £162 million through the ASC RNF to support Local Authorities prepare their markets for reform and move towards paying providers a fair cost of care.

4.2 Social Care Grant

4.2.1 The government proposes to increase allocations of the Social Care Grant to £2.35 billion from 2022/23. This is an increase of £636 million compared to 2021/22.

4.2.2 This proposal includes an £80 million increase to the equalisation component against the Adult Social Care precept. The remaining £556 million will be allocated directly through the existing ASC RNF formula.

4.2.3 Our equalisation methodology is a balanced approach which recognises that the distribution of resources generated through the ASC precept does not match the pattern of assessed need. The proposed methodology is the same as that used for this grant in 2021/22. The government has published a separate table of [Social Care Grant allocations](https://www.gov.uk/government/publications/social-care-grant-allocations-2022-to-2023) (<https://www.gov.uk/government/publications/social-care-grant-allocations-2022-to-2023>).

4.2.4 The government proposes that this grant will not be ringfenced, and conditions on reporting requirements will not be attached. In particular, it will be for local authorities to determine how much of it should be spent on Adult Social Care and how much should be spent on children's social care.

Question 3: Do you agree with the government's proposals for the Social Care Grant in 2022/23?

4.3 Improved Better Care Fund

4.3.1 Government proposes to roll-forward the 2021/22 distribution of the improved Better Care Fund. The grant will continue to be required to be pooled as part of the Better Care Fund.

4.3.2 Alongside maintaining the existing distribution formula, government proposes to increase the 2022/23 improved Better Care Fund by £63 million. This will be an inflationary uplift on 2021/22 allocations in line with the September 2020 to September 2021 change in the Consumer Price Index (CPI).

Question 4: Do you agree with the government's proposals for iBCF in 2022/23?

4.4 Market Sustainability and Fair Cost of Care Fund

4.4.1 Government outlined at Spending Review 2021 that social care reform funding would be part of Core Spending Power. In 2022/23, this will be the Market Sustainability & Fair Cost of Care Fund worth £162 million.

4.4.2 Government proposes to distribute this funding using the existing ASC RNF.

4.4.3 The Department for Health and Social Care have separately published [further detail on the purpose and conditions of this funding \(https://www.gov.uk/government/publications/market-sustainability-and-fair-cost-of-care-fund-2022-to-2023/market-sustainability-and-fair-cost-of-care-fund-purpose-and-conditions-2022-to-2023\)](https://www.gov.uk/government/publications/market-sustainability-and-fair-cost-of-care-fund-2022-to-2023/market-sustainability-and-fair-cost-of-care-fund-purpose-and-conditions-2022-to-2023) on 16 December. Any further questions on this grant should be direct to: asc.engagement@dhsc.gov.uk.

Question 5: Do you agree with the government's proposals for distributing the Market Sustainability and Fair Cost of Care Fund in 2022/23?

4.4.4 For many councils, adults and children's social care are key priorities and the largest areas of spending. Councils are not expected to rely solely on this earmarked funding to meet the inflationary and demographic pressures facing these services; they also have access to funding from unringfenced grant, including the 2022/23 Services Grant, and from council tax.

5. 2022/23 Services Grant

5.1 2022/23 Services Grant

5.1.1 Government proposes to introduce a one off 2022/23 Services Grant worth £822 million for 2022/23.

5.1.2 This new grant will be distributed through our existing formula for assessed relative need across the sector, using 2013/14 shares of Settlement Funding Assessment.^[footnote 6] This will provide funding to all tiers of local government in recognition of the vital services, including social care, delivered at every level of local government.

5.1.3 This grant includes funding for local government costs for the increase in employer National Insurance Contributions.

5.1.4 The government proposes that this grant will not be ringfenced, and conditions on reporting requirements will not be attached. This is so local authorities can provide support across the entire sector in recognition of the vital services delivered at every level of local government.

5.1.5 Government has a clear intention for this grant to be one off for 2022/23. We have prioritised using an available distribution for 2022/23 but intend to work closely with local government on how to best use this funding from 2023/24 onwards. This funding would be excluded from any proposed baseline for transitional support as a result of any proposed system changes.

Question 6: Do you agree with the government's proposals for a one-off 2022/23 Services Grant distributed using 2013/14 shares of the Settlement Funding Assessment?

6. Other Grants – New Homes Bonus, Rural Services Delivery Grant and Lower Tier Services Grant

6.1 Background on New Homes Bonus

6.1.1 The New Homes Bonus was introduced in 2011 to provide an incentive for local authorities to encourage housing growth in their areas by rewarding local authorities for net additional homes added to the council tax base. It is paid annually from a top-slice of RSG.

6.1.2 The government has decided to maintain the current approach to the NHB payments in 2022/23.

6.2 New Homes Bonus in 2022/23

6.2.1 The government is proposing to roll-over last year's policy on NHB for a new round of NHB payments in 2022/23. New legacy commitments ceased to be made in allocations from 2020/21, and the government confirmed in February 2021 that it did not intend to reintroduce the concept of legacy payments. These payments will not attract new legacy commitments on those allocations.

6.2.2 The allocations for 2022/23 will be funded through a £554 million top slice of the Revenue Support Grant.

6.2.3 The government is not intending to change the calculation of NHB payments in 2022/23, and the methodology will therefore be the same as in 2021/22. The NHB payments will be calculated as units for reward above a payments baseline of 0.4%, multiplied by the average band D council tax payment, with an additional payment made for affordable homes. In two-tier areas, the annual payment will be split: 80% for shire districts and 20% for shire counties.

6.2.4 The government intends to honour previously announced legacy payments in the 2022/23 allocations. This means paying one outstanding round of legacy payments of £221m from the 2019/20 allocation.

Question 7: Do you agree with the government's proposals for New Homes Bonus in 2022/23?

6.3 Rural Services Delivery Grant

6.3.1 The government proposes to roll-forward the 2021/22 allocations of the £85 million Rural Service Delivery Grant for 2022/23, with the distribution and quantum of the grant unchanged.

6.3.2 In 2021/22, allocations were distributed to the top quartile of local authorities on the basis of the 'super-sparsity' indicator. This ranks authorities by the proportion of an authority's population living in sparsely populated Output Areas, according to Census data. We propose to use the same approach for 2022/23.

Question 8: Do you agree with the government's proposals for the Rural Services Delivery Grant in 2022/23?

6.4 Lower Tier Services Grant

6.4.1 The Lower Tier Services Grant was introduced in the 2021/22 local government finance settlement for local authorities with responsibility for lower tier services.

6.4.2 The government proposes to keep the Lower Tier Services Grant for another year, maintaining the value of the grant from 2021/22 into 2022/23. We propose to keep the grant at £111 million.

6.4.3 We also propose to extend last year's funding floor for one additional year. In doing so we propose to update to ensure no authority sees an annual reduction in Core Spending Power in 2022/23 compared to 2021/22 Core Spending Power.

6.4.4 We will update the exact allocations for the funding floor at the final settlement, to reflect any changes in allocations between the provisional and the final local government finance settlement.

[\[footnote 7\]](#)

Question 9: Do you agree with the government's proposals for the Lower Tier Services Grant, with an updated minimum funding floor in 2022/23 so that no authority sees an annual reduction in Core Spending Power?

7. Equalities Impacts of these Proposals

7.1 Draft policy Impact Statement

7.1.1 A [draft policy impact statement](https://www.gov.uk/government/publications/provisional-local-government-finance-settlement-2022-to-2023-draft-policy-impact-statement) (https://www.gov.uk/government/publications/provisional-local-government-finance-settlement-2022-to-2023-draft-policy-impact-statement) focused on the impact of proposals on people who share protected characteristics of the 2022/23 local government finance settlement has been published alongside this consultation document.

Question 10: Do you have any comments on the impact of the proposals for the 2022/23 settlement outlined in this consultation document on persons who share a protected characteristic, and on the draft policy impact statement published alongside the consultation document? Please provide evidence to support your comments.

Annex A: Personal data

The following is to explain your rights and give you the information you are be entitled to under UK data protection legislation.

Note that this section only refers to personal data (your name, contact details and any other information that relates to you or another identified or identifiable individual personally) not the content otherwise of your response to the consultation.

1. The identity of the data controller and contact details of our Data Protection Officer

The Department for Levelling Up, Housing and Communities (DLUHC) is the data controller. The Data Protection Officer can be contacted at dataprotection@communities.gov.uk or by writing to the following address:

Data Protection Officer
Department for Levelling Up, Housing and Communities
Fry Building
2 Marsham Street
London
SW1P 4DF

2. Why we are collecting your personal data

Your personal data is being collected as an essential part of the consultation process, so that we can contact you regarding your response and for statistical purposes. We may also use it to contact you about related matters.

3. Our legal basis for processing your personal data

The Data Protection Act 2018 states that, as a government department, DLUHC may process personal data as necessary for the effective performance of a task carried out in the public interest. i.e., a consultation. This consultation fulfils the mandatory statutory requirements to consult under sections 78(5), 78A(3) and paragraph of Schedule 7B of the Local Government Finance Act 1988.

The collection of your personal data is lawful under article 6(1)(e) of the UK General Data Protection Regulation as it is necessary for the performance by DLUHC of a task in the public interest/in the exercise of official authority vested in the data controller. Section 8(d) of the Data Protection Act 2018 states that this will include processing of personal data that is necessary for the exercise of a function of the Crown, a Minister of the Crown or a government department i.e. in this case a consultation.

4. With whom we will be sharing your personal data

Other government departments including:

1. Attorney General's Office
2. Cabinet Office
3. Department for Business, Energy and Industrial Strategy
4. Department for Digital, Culture, Media and Sport
5. Department for Education Department for Environment
6. Food and Rural Affairs
7. Department for International Trade
8. Department for Transport

9. Department for Work and Pensions
10. Department of Health and Social Care
11. Foreign, Commonwealth and Development Office
12. Her Majesty's Treasury
13. Home Office
14. Ministry of Defence
15. Ministry of Justice
16. Northern Ireland Office
17. Office of the Advocate General for Scotland
18. Office of the Leader of the House of Commons
19. Office of the Leader of the House of Lords
20. Scotland Office UK
21. Export Finance
22. Wales Office

DLUHC may appoint a 'data processor', acting on behalf of the department and under our instruction, to help analyse the responses to this consultation. Where we do, we will ensure that the processing of your personal data remains in strict accordance with the requirements of the data protection legislation.

5. For how long we will keep your personal data, or criteria used to determine the retention period

Your personal data will be held for two years from the closure of the consultation

6. Your rights, e.g. access, rectification, restriction, objection

The data we are collecting is your personal data, and you have considerable say over what happens to it. You have the right:

- a. to see what data we have about you
- b. to ask us to stop using your data, but keep it on record
- c. to ask to have your data corrected if it is incorrect or incomplete
- d. to object to our use of your personal data in certain circumstances
- e. to lodge a complaint with the independent Information Commissioner (ICO) if you think we are not handling your data fairly or in accordance with the law. You can contact the ICO at <https://ico.org.uk/> (<https://ico.org.uk/>), or telephone 0303 123 1113.

Please contact us at the following address if you wish to exercise the rights listed above, except the right to lodge a complaint with the ICO:

dataprotection@communities.gov.uk

or

Knowledge and Information Access Team
Department for Levelling Up, Housing and Communities
Fry Building
2 Marsham Street
London SW1P 4DF

7. Your personal data will not be sent overseas

8. Your personal data will not be used for any automated decision making

9. Your personal data will be stored in a secure government IT system

We use a third-party system, Citizen Space, to collect consultation responses. In the first instance your personal data will be stored on their secure UK-based server. Your personal data will be transferred to our secure government IT system as soon as possible, and it will be stored there for two years before it is deleted.

Annex B: Address details and list of consultation questions

We request responses through the following [online form \(https://consult.communities.gov.uk/local-government-finance/lgf-settlement-2223\)](https://consult.communities.gov.uk/local-government-finance/lgf-settlement-2223).

If the survey link is inoperable, written responses may be sent by email or post to: lgfsettlement@communities.gov.uk.

Or

Local Government Finance Settlement Team
Department for Levelling Up, Housing and Communities
2nd floor, Fry Building
2 Marsham Street
London
SW1P 4DF

When replying to this consultation please confirm whether you are replying as an individual or submitting an official response on behalf of an organisation and include:

- your name
- your position (if applicable)
- the name of organisation (if applicable)
- an address (including post-code)
- an email address
- a contact telephone number

Question 1: Do you agree with the government's proposed methodology for the distribution of Revenue Support Grant in 2022/23, including the rolling in of two New Burdens grants?

Question 2: Do you agree with the proposed package of council tax referendum principles for 2022/23?

Question 3: Do you agree with the government's proposals for the Social Care Grant in 2022/23?

Question 4: Do you agree with the government's proposals for iBCF in 2022/23?

Question 5: Do you agree with the government's proposals for distributing the Market Sustainability and Fair Cost of Care Fund in 2022/23?

Question 6: Do you agree with the government's proposals for a one-off 2022/23 Services Grant distributed using 2013/14 shares of the Settlement Funding Assessment?

Question 7: Do you agree with the government's proposals for New Homes Bonus in 2022/23?

Question 8: Do you agree with the government's proposals for Rural Services Delivery Grant in 2022/23?

Question 9: Do you agree with the government's proposal for the Lower Tier Services Grant, with a new minimum funding floor in 2022/23 so that no authority sees an annual reduction in Core Spending Power?

Question 10: Do you have any comments on the impact of the proposals for the 2022/23 settlement outlined in this consultation document on persons who share a protected characteristic, and on the draft policy impact statement published alongside the consultation document? Please provide evidence to support your comments.

Annex C: Glossary of technical terms

Baseline Funding Level

The amount of an individual local authority's 2013-14 Settlement Funding Assessment provided through the local share of the Estimated Business Rates Aggregate.

Business Rates Baseline

An authority's BRB determined on an individual basis at the outset of the business rates retention scheme. It is calculated by dividing the local share of the Estimated Business Rates Aggregate (England) between billing authorities on the basis of their proportionate shares, before the payment of any major precepting authority share.

Business rates retention

Business rates are a tax on non-domestic properties. Billing authorities have a responsibility to issue bills and collect rates in their areas. Since 2013-14, local government has retained 50% of its business rates – worth around £12.5 billion – which is distributed across the sector.

Core Spending Power

A measure of the revenue funding available for local authority services. This includes council tax; business rates; Revenue Support Grant; New Homes Bonus; Adult Social Care grants; and, other grants.

Council tax referendum principles

These mark levels of council tax increases (either in percentage or cash terms) above which a local authority must hold a referendum which allows residents to approve or veto the increase. The comparison is made between the authority's average band D council tax level for the current financial year and the proposed average band D for the next financial year.

Devolution Deals

Introduced in 2014, Devolution Deals are a bespoke arrangement tailored to certain local authorities. Devolution Deals give local government greater powers and more autonomy over budgeting.

Equalisation

The process through which a proportion of Social Care Grant funding is used to take account of the impact of the distribution of the Adult Social Care council tax precept.

Local Government Departmental Expenditure Limit (LG DEL)

The departmental budget derived from central government resources for the purposes of local government.

New Homes Bonus

The New Homes Bonus acts as an incentive to increase housing supply and spur growth. The level of funding for an area reflects additional housing supply in that area. Most authorities receive some form of New Homes Bonus funding from central government.

Precept

A council tax charge from local authorities which do not issue bills themselves. These include county councils, police and crime commissioners, fire and rescue authorities, the Greater London Authority, combined authority mayors, and town and parish councils. Billing authorities – usually shire district councils or unitary authorities – collect council tax on behalf of precepting authorities and pass the proceeds to them.

Revenue Support Grant

Billing and major precepting authorities receive Revenue Support Grant from central government in addition to their local share of Business Rates Aggregate.

Rural Services Delivery Grant

Funding provided in recognition of the possible additional costs of delivery services in sparsely populated areas.

Safety net

Mechanism to protect any authority which sees its business rates income drop, in any year, by more than 7.5% below their baseline funding level (with baseline funding levels being updated by the small business rates multiplier for the purposes of assessing eligibility for support).

Settlement Funding Assessment

A local authority's share of the local government spending control total comprising its Revenue Support Grant and its baseline funding level for the year in question.

Small business non-domestic rating multiplier

If your property in England has a rateable value below £51,000, your bill will be calculated using the small business multiplier, which is lower than the standard one. This is the case even if you do not get small business rate relief

Spending Review

The Spending Review sets out the long-term spending limits for all government departments, typically covers the next three or four years

Spending Round

The Spending Round sets out the short-term spending limits for all government departments, typically covers a full calendar year.

Tariffs and top-ups

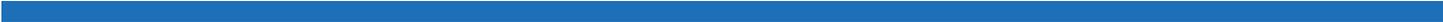
Calculated by comparing at the outset of the business rate retention scheme an individual authority's business rates baseline against its baseline funding level. Tariffs and top-ups are self-funding, fixed at the start of the scheme, then indexed in line with the change in the small business rating multiplier.

Tariff authority

An authority with, at the outset of the scheme, a higher individual authority business rates baseline than its baseline funding level, and which therefore pays a tariff.

Top-up authority

An authority with, at the outset of the scheme, a lower individual authority business rates baseline than its baseline funding level, and which therefore receives a top-up.

-
1. As required by section 78(5) of the Local Government Finance Act 1988.
 2. As required by section 78A(3) of the Local Government Finance Act 1988 and paragraph 12 of Schedule 7B to the same Act.
 3. The share of 2013/2014 Settlement Funding Assessment for authorities that have restructured since 2013/2014 is calculated in a manner consistent with previous Local Government Finance Reports. For Isle of Wight and Hampshire Fire's 2021/2022 restructuring, we have calculated their fire tier funding for 2013/2014 and allocated this to Hampshire Fire authority.
 4. The New Burdens we propose to roll into RSG for 2022/23 will be excluded from the calculations for the minimum funding floor.
 5. Please refer to section 5.1 of the [2019-20 Local Government Finance Settlement Technical Consultation \(https://www.gov.uk/government/consultations/local-government-finance-settlement-2019-to-2020-technical-consultation\)](https://www.gov.uk/government/consultations/local-government-finance-settlement-2019-to-2020-technical-consultation) for an explanation of the issue of negative Revenue Support Grant.
 6. The share of 2013/2014 Settlement Funding Assessment for authorities that have restructured since 2013/2014 is calculated in a manner consistent with previous Local Government Finance Reports. For Isle of Wight and Hampshire Fire's 2021/2022 restructuring, we have calculated their fire tier funding for 2013/2014 and allocated this to Hampshire Fire authority.
 7. In particular, the government would note that we have outlined our intention to increase the value of the Under Indexation Grant to compensate to RPI. This may mean that some local authorities require less floor funding to be at flat cash, which will free up a small amount of money to reallocate across all lower tier authorities. The Core Spending Power figures published at provisional settlement show under-indexation in line with the Consumer Price Index but will be updated to RPI for the final settlement.
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Local Government Finance Settlement Team
Via email - lgfsettlement@communities.gov.uk

Our ref: LGFS-22-23
Enquiries to: Mark Hemming
Ext no:
Direct line: 01296 744687
Date: 10 January 2022
E-mail: mhemming@bucksfire.gov.uk

Provisional Local Government Finance Settlement 2022 to 2023

Dear LGF Settlement Team

This letter represents the response from Buckinghamshire Fire and Rescue Service to the Provisional 2022-23 Local Government Finance Settlement. The Service also refers the Department for Levelling Up, Housing and Communities (DLUHC) to the response from the National Fire Chiefs Council (NFCC).

The Service's response to the Provision Settlement can be summarised as follows:

1. The Service welcomes the proposals set out in the 2022-23 Provisional Settlement.
2. The Service particularly welcomes the £5 principle for the lowest precept raising Fire and Rescue Authorities (FRAs). The Service urges Government to ensure that the principle remains in place for the lowest precept raising FRAs, and while the Service understands that final decisions are for future settlements, a statement of intention for future years council tax flexibilities would aid financial planning.
3. One-off funding is understandable if DLUHC intends on conducting a Fair Funding Review. Whilst the Service understands that future allocations cannot be guaranteed at this stage, the Government should guarantee that funding which has been allocated to FRAs will remain within the sector, particularly FRAs' allocations in the 2022-23 Services Grant.
4. A return to multi-year spending reviews is most welcome and a return to multi-year settlements must follow from 2023-24.

Investment in Fire Protection

The following text was included in the NFCC response to the 2020-21 Technical and Provisional Settlement consultations as well as the response to the 2021-22 Settlement consultation. We believe that it is of primary importance that we continue to highlight the situation regarding protection activity as this is clearly an issue that needs to be prioritised going forward.

"The Hackitt enquiry and HMICFRS have highlighted the significant reduction in the number of fire safety audits in recent years. Across England in 2010-11 there were 84,575 fire safety audits, which by 2018-19 had decreased to 49,327. Whilst the proportion of audits resulting in a satisfactory rating has improved from 56%



to 67% it is unknown whether this is the result of improving fire safety or fewer audits. Clearly there is a need to invest in fire protection activity to increase activity in this area and outcomes for businesses and high-risk properties.

Due to local Integrated Risk Management Planning the way in which Fire and Rescue Services deliver their fire protection activity can vary, with a mixture of delivery by firefighter crews and specialised business safety officers. Cost per audit will also vary as a result, with estimations being between £580 and £1,150 per completed audit. As an illustration, just returning to 2010-11 activity levels requires an additional 35,248 audits, which would equate to an additional investment in excess of £30m. According to Home Office statistics, between 2010 and 2018 there was a reduction in FTE firefighters of 22%; in 2010 there were approximately 42,000 firefighters whilst in 2018 there were 32,000. As a result, the ability for Fire and Rescue Services to delivery business safety activity using firefighter crews has diminished.”

Whilst additional funding announced in the 2022-23 Settlement is welcome, it is difficult to use 'one-off' funding for work that is required on an ongoing basis.

Service Delivery Pressures

The Service has continually highlighted service delivery pressures in previous settlement responses. The Home Office publishes response times annually and consistent data is available going back to 2009-10. In 2009 there were 41,953 full time equivalent firefighters and average response times to dwelling fires with casualties and/or rescues was 6 minutes and 52 seconds in 2009-10. In 2019 the number of FTE firefighters had fallen to 31,995 (a 24% reduction of almost 10,000 firefighters); and response times to dwelling fires with casualties and/or rescues had risen to 7 minutes and 37 seconds (an increase of 10.9%, 45 seconds). Comparing FTE firefighters with response times between 2009 and 2019 shows a strong negative correlation ($R^2=0.80$, $p<0.001$) [see FIRE0101 and FIRE1101 Home Office data].

This serves to paint just part of the picture regarding the risk profile pressures facing the fire and rescue service. It is of course vital that the horrors of the Grenfell Tower tragedy are not forgotten and to note that reductions in firefighter numbers directly impact the availability of personnel to support national resilience capabilities. At present, if a fire of the scale of Grenfell Tower occurred anywhere other than London, it would be a significant challenge for any FRA to resource – even with mutual assistance. Regarding fire and rescue operations post-Grenfell, FRAs faced additional requirements for inspections in high rise properties, even before legislative change.

The sector needs to respond to the inspection process, with findings that whilst responding to emergencies is a strength, Fire Protection is a concern and often under resourced whilst the inconsistent capability to respond to national incidents is highlighted. Long-term investment is required to work together across the sector to deliver improved outcomes.

Covid-19

The Service is grateful to the government for the support with additional costs associated with pandemic response. It should be noted however that the relatively small size of FRA budgets, compared with large local authorities, means that lost collection



fund income, even with the 75% income guarantee, has been a significant pressure for the sector.

Quantum

Generally, the Service recognises the need for increased social care funding, however this must not be delivered at the expense of FRAs' budgets. Therefore, the Service welcomes the fact that proposed increases in social care funding are being met through an increased quantum of local government funding and politely highlights the need for an increased quantum to continue to be the source of any further social care (or other) funding increases.

Fire Pensions Grant

The Service continues to call for the transfer of the Fire Pensions Grant into FRAs' baseline funding, removing the uncertainty which exists when such a significant portion of funding is not guaranteed beyond each year. Continued work conducted by the NFCC shows that FRAs' reserves would very quickly run out should this significant funding stream ever cease.

Multi-Year Settlements

The Service welcomes the focus that the government has clearly placed on stability and certainty within these proposals and expects that this will be consistent across departments. The Service understands that DLUHC has issued a one-year settlement to allow the possibility of conducting the Review of Relative Needs and Resources. Whilst the last few years have been unprecedented, one-year settlements should not be the norm. A return to multi-year Spending Reviews is most welcome and a return to multi-year settlements must follow from 2023-24.

Question 1: Do you agree with the government's proposed methodology for the distribution of Revenue Support Grant in 2022/23, including the rolling in of two New Burdens grants?

Yes. It is of utmost importance that core funding is protected in real terms. The Service asks the Government to guarantee the Sector's funding looking ahead, even if individual FRA allocations are subject to the Review of Relative Need and Resources.

Question 2: Do you agree with the proposed package of council tax referendum principles for 2022/23?

The Service particularly welcomes the £5 principle for the lowest precept raising FRAs. Sensible approaches to shire districts' and police and crime commissioners' referendum principles have been in place for some time, and the Service urges government to ensure that the £5 principle for the lowest eight FRAs remains in place. Whilst the Service understands that final decisions are for future settlements, a statement of intention for future years council tax flexibilities would aid financial planning.



Question 3: Do you agree with the government's proposals for the Social Care Grant in 2022/23?

Question 4: Do you agree with the government's proposals for iBCF in 2022/23?

Question 5: Do you agree with the government's proposals for distributing the Market Sustainability and Fair Cost of Care Fund in 2022/23?

Generally, the Service recognises the need for increased social care funding, however this must not be delivered at the expense of FRAs' budgets. Therefore, the Service welcomes the fact that proposed increases in social care funding are being met through an increased quantum of local government funding and politely highlights the need for an increased quantum to continue to be the source of any further social care (or other) funding increases.

Question 6: Do you agree with the government's proposals for a one-off 2022/23 Services Grant distributed using 2013/14 shares of the Settlement Funding Assessment (SFA)?

The Service agrees that the methodology (SFA) proposed for the 2022-23 Services Grant is suitable and welcomes the additional unringfenced funding. The sector was grateful for early clarification that increased National Insurance costs (due to the Government's Health and Social Care Levy announcement in September) would be compensated. Given the lack of data regarding the specific additional costs that local authorities and FRAs would face due to this announcement, SFA is the most sensible distribution to use.

It is important to note however, that increased NI costs are not one-off. The one-off nature of the 2022-23 Services Grant adds significant uncertainty regarding NI costs for the sector from 2023 onwards.

Understanding that this decision was made by DLUHC in part because of its intention to conduct the Fair Funding Review, the Service asks that the Government commits to protecting the 2022-23 Services Grant funding received by the Fire and Rescue Sector, if not for individual FRAs. It is the view of the Service that whatever the outcome of the Review, the fire sector's increased NI costs must be protected and that the best way to do this would be to announce the intention to protect the total 2022-23 Services Grant allocated to the Sector.

Question 7: Do you agree with the government's proposals for New Homes Bonus in 2022/23?

No comment.

Question 8: Do you agree with the government's proposals for Rural Services Delivery Grant (RSDG) in 2022/23?

The Service is disappointed that RSDG has not been revised. The current methodology fails to recognise pockets of rurality within larger authorities. This means that many FRAs have local authorities within their geographies receiving RSDG, but at FRA-level this rurality is averaged out by other (densely populated) areas.



Question 9: Do you agree with the government's proposal for the Lower Tier Services Grant, with a new minimum funding floor in 2022/23 so that no authority sees an annual reduction in Core Spending Power?

No comment.

Question 10: Do you have any comments on the impact of the proposals for the 2022/23 settlement outlined in this consultation document on persons who share a protected characteristic, and on the draft policy impact statement published alongside the consultation document? Please provide evidence to support your comments.

In addition to those pressures that are specific to the FRS (outlined above) the fire service is also facing pressures like those in the wider public sector. One of the most significant demands on the public sector is an aging population; for FRAs this is highlighted by the stark differences in fire-related deaths for different ages.

In 2019-20, 51% of fire-related death victims were aged over 65 and 22% were aged over 80. Whilst there were just three fire-related deaths for the 17 million people in England aged 24 or under, there were 152 for the 17 million people aged 55 or over, a death rate approximately 50 times higher; for residents over 80 the fire-related fatality rate was 95 times the fatality rate for under 25s [see ONS MYEs and FIRE0503 Home Office data].

The Government's recent Health and Social Care White Paper indicated the government's intent for more people in care to be able to live in their own homes and live as independently as possible. This admirable intent will require more home safety visits and increases the number of dwellings occupied by people who are less likely to be able to put out a fire and increases the risk for FRAs. Further prevention and protection work will be required, and this must be recognised in future funding.

Summary

It is therefore vitally important that the Sector's funding is protected in real terms and in that regard the Service strongly welcomes the Provisional Settlement announcement. The £5 flexibility is most welcome. To aid certainty looking forward the Service asks for a statement of intention regarding future council tax flexibility as well as a guarantee to the Fire and Rescue Sector that 2022-23 Service Grant funding will be protected, even if individual FRA allocations change.

Yours sincerely

Jason Thelwell QFSM
Chief Fire Officer and Chief Executive