

LOCAL GOVERNMENT AND HOUSING COMMITTEE:

Date:	30 OCTOBER 2002
Venue:	
Title:	COMMUNITY FIRE SAFETY WORKING GROUP ARSON REPORT

Purpose

1. To update on the progress of the work of the Community Fire Safety Working Group (CFSWG) in relation to its deliberations on the issues and problems surrounding Arson in Wales and its draft report into the problem – ‘Up in Flames’ (annex 1).

Summary

2. Under the terms of Standing Order 9.7, each subject committee has the responsibility to contribute to the development of the Assembly’s policies within the fields for which the relevant Assembly Secretary is accountable and to keep under review the expenditure and administration connected with policy implementation. The draft CFSWG Arson report links with the Assembly’s wider community fire safety agenda and aims to set a course for future Assembly policy in relation to Arson.

Background

3. The CFSWG was set up following discussions with representatives of the three Welsh Fire Services over the mutual concern, to ensure the Government, public sector organisations and private sector bodies work jointly to reduce the numbers of deaths and fire related injuries, and to protect domestic and public property in Wales. The Group’s first report ‘Wired for Safety’ was endorsed at the LGH committee in November 2001. The CFSWG subsequently established an Arson Sub-Group to specifically consider the issue of arson in Wales, which it felt warranted separate consideration. With the remit of setting out recommendations and a strategy to tackle the problem.

Consideration

4. During 2000-01 the Welsh Fire Services received over 23,000 deliberate fire and malicious calls alone. While only a relatively small percentage of these (49) related to school fires, these cost the Fire Services and Welsh communities over £2.3m and would ultimately result in considerable further cost and inconvenience to both the LEAs and communities these schools served. Over 4,500 calls related to vehicle fires, at a cost to Welsh communities of over £18.2m and during the same period the Fire Services attended 531 cases of arson in private dwellings at a cost of over £9.1m. The remaining calls during 2000-01 relate to arson cases concerning other more minor property fires; other small fires (i.e. grass and rubbish); and malicious calls. Alarming, despite minor year on year fluctuations in arson levels, the Fire Services in Wales report that across a range of years the trend in all types of arson continues to rise.

5. The three Welsh Fire Services place the cost of deliberate fires at over £52m during 2000-01, whilst malicious calls accounted for a further £1.25m during the same period. Costs calculated using figures quoted in Home Office Research Study 229 *'The Economic Cost of Fire'*.

6. The *'Up in Flames'* report represents months of deliberation into the issues surrounding the problems of arson in Wales, by those organisations with a vested interest in the field.

7. The report makes a number of recommendations, among the most significant of which are:

- that the Assembly Government adopt proposals contained in the report for the establishment of an all-Wales strategy to tackle the problem of arson;
- that sprinkler systems and other measures be adopted to reduce the risk of arson attacks on schools;
- that Crime and Disorder Partnerships be encouraged to actively consider the issue of arson and that Group's are established at local levels, mirroring previous best practice in other areas, to specifically consider arson issues, such as car arson and localised problems;
- that youth initiatives be expanded and built upon to tackle the problem of young firesetters; and
- that the Assembly Government earmark funding to support this work and the Arson Strategy for Wales, similar to the funding provided to support the work arising out of the *'Wired for Safety'* report.

8. In addition the report also proposes a number of short, medium and long term targets to measure the success or otherwise of the Arson Strategy in reducing the incidence of arson in Wales.

9. The report at annex 1, which is a near final draft version, has been endorsed by the full CFSWG but has not yet been widely distributed. However, a copy of the report has been

received by the Office of the Deputy Prime Minister's Fire Policy Unit, who have raised a number of concerns over some of the detail of the report. These concerns relate in the main to:

- the data used in the report – ODPM are concerned that any consideration of the issue should be based on the latest available data. The CFSWG believe this to be the case, including the specifically Welsh data which the Fire Services themselves have provided;
- representation on the Group – ODPM were concerned to ensure that all relevant departments with an interest in arson should have been involved in the deliberations of the Group. The CFSWG is satisfied that representation was appropriate having regard for the division of responsibilities between the Assembly and central government;
- ODPM have some concern over the need for additional fire precautions in schools, over and above those legislated for (e.g. in the Building Regulations); and
- various other lesser issues.

10. Assembly officials and representatives of the CFSWG are currently considering the detail of ODPM's letter and whether any revision is needed to the draft report before final production and widespread distribution.

Financial Implications

11. To take forward its community fire safety policy and specifically the detailed work of the CFSWG the Welsh Assembly Government established a budget of £3m during 2001-02. For 2002-03 the Assembly Government proposes to increase its community fire safety budget to £4m to take forward further the work of the CFSWG's first report – 'Wired for Safety' and the Arson report – 'Up in Flames'. In considering the recommendations contained in the report and, if taken forward, the Assembly Government estimates that the report will impose a potential £1m new financial burden, though wherever possible in taking forward the recommendations we will look to utilise existing funding streams.

Compliance

12. If the Assembly endorses the report the Assembly Government will consider the detailed legal and compliance issues arising from the individual recommendations. However, in taking forward this work we are likely to exercise powers under section 126 of the Housing Grants Construction and Regeneration Act 1996, which states that assistance can be given in respect of "...expenditure incurred in connection with activities which contribute to the regeneration of an area". Although fire safety may not have been envisaged, paragraph (2) goes on to give wide-ranging examples of activities which contribute to the regeneration and development of an area, one of which is to create "*an attractive and safe environment*". It could at least be argued therefore that tackling arson is consistent with this. However there are two issues to bear in mind. The power is limited to activities in an "*area*" which may not allow for blanket national coverage. However, section 126 applies to Wales, England, and Scotland and in that

context it could be argued that Wales is an "area". OCG has recently taken the view that this construction of the wording is possible and the Assembly has been using the power in this way, most recently in our support for the establishment of the Wales Community Fire Safety Trust. To date no one has challenged such an interpretation.

Action for Subject Committee

13. The Committee is asked to note and comment on the Community Fire Safety Working Group Draft Arson Report – ‘Up in Flames’.

Construction and Domestic Energy Branch – Housing Directorate