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Darren Miller AM
Chair of the Public Accounts Committee
National Assembly for Wales
Cardiff Bay
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19 February 2013

Dear Mr Miller,

Re: Civil Emergencies in Wales

I was grateful for the chance to appear before the Public Accounts Committee yesterday afternoon to give evidence on behalf of the Cabinet Office on Civil Emergencies in Wales. You will recall that I promised to write to the Committee on the question of whether statutory guidance proscribed Category 2 responders, or indeed those with no duties under the Civil Contingencies Act (2004), from chairing working groups of the Local Resilience Forum. I know this is a subject you returned to later in the day and you were assured by Gavin Macho and Anne Evans that there was no such restriction. They were indeed correct.

Emergency Preparedness, the statutory guidance supporting the Act, is clear that the governance of the Local Resilience Forum (LRF) and the membership of its groups and sub-groups is a matter for agreement by the Chief Officer Group of the forum and Regulation 4(4) states that cooperation "shall take such form as may be agreed between the relevant responders". Indeed, the regulations were amended in April 2012 to enable a greater degree of flexibility in the ways in which responders might work together to ensure that Category 2 responders, in particular, were able to fulfil their duties in the most efficient and effective way.

Members of the LRF can agree their own means of facilitating communication at the right level. Most cooperation will be informal, routine, day-to-day liaison. Working groups are, however, an important part of the LRF, and these more formal methods of co-operation and information-sharing can be agreed at local level and may be supported by protocols which may or may not be legally binding, depending on the precise nature of the agreement.

I hope you will find this information useful. I should, of course, be pleased to provide any further information you may need.

A copy of this letter goes to June Milligan, Director General for Local Government and Communities at the Welsh Government.

Yours sincerely,

Christina Scott
Director