

**EXPLANATORY MEMORANDUM TO  
THE WELSH MINISTERS (TRANSFER OF FIRE AND RESCUE SERVICE  
EQUIPMENT) ORDER 2010**

**2010 No. 428**

1. This explanatory memorandum has been prepared by the Department for Communities and Local Government and is laid before Parliament by Command of Her Majesty.

This memorandum contains information for the Joint Committee on Statutory Instruments.

2. **Purpose of the instrument**

2.1 This Order transfers to the Welsh Ministers the legal ownership of equipment provided to Welsh Fire and Rescue Authorities as part of the “New Dimension” programme.

3. **Matters of special interest to the Joint Committee on Statutory Instruments**

3.1 The power in paragraph 3 of Schedule 4 to the Government of Wales Act 2006 is being exercised for the first time.

4. **Legislative Context**

4.1 Paragraph 3 of Schedule 4 to the Government of Wales Act 2006 gives power to the Secretary of State to transfer specified property, rights or liabilities to the Welsh Ministers. This instrument is being made to transfer equipment specified in the asset list, because the statutory functions underlying the provision of the transferred equipment are now vested in the Welsh Ministers, by virtue of section 62 of the Fire and Rescue Services Act 2004 and paragraph 30 of Schedule 11 to the Government of Wales Act 2006.

5. **Territorial Extent and Application**

5.1 This instrument applies to England and Wales.

6. **European Convention on Human Rights**

6.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. **Policy background**

- *What is being done and why*

7.1 The New Dimension programme was established in response to the terrorist attacks on New York on 11 September 2001, to enhance the capability of the Fire and Rescue Service in England and Wales to respond to serious emergencies. The New Dimension programme has equipped the Fire and Rescue Service with vehicles and capability to conduct mass decontamination, urban search and rescue (USAR), and high volume pumping (HVP). These frontline response capabilities are supported by appropriate training, logistics, maintenance regimes, a national mobilisation capability, and national command and control arrangements. This programme is now drawing to a close since all equipment will soon have been provided.

7.2 The New Dimension programme was ongoing when the Fire and Rescue Services Act 2004 was passed, leading to the devolution to the National Assembly of Wales of fire and rescue functions in relation to Wales. Those functions became vested in the Welsh Ministers as a result of the Government of Wales Act 2006.

7.3 Under the terms of this devolution settlement, instead of CLG continuing to directly procure New Dimension resources for Wales, the equivalent level of funding was transferred from CLG to the devolved administration, so that the devolved administration could take its own decisions on its resource requirements, and undertake its own procurement. In the cases where CLG was in the process of procuring equipment at the time of devolution in 2004, it was agreed that CLG would continue with that procurement: however, CLG would not initiate any further procurements on behalf of Wales.

7.4 The equipment procured by CLG for fire and rescue authorities in Wales is summarised as follows:

<b>Asset</b>	<b>Quantity</b>	<b>Brief Description</b>
Prime Mover	14	Vehicle used to transport HVPs, USAR modules and other resilience modules.
USAR 1 equipment	1	<b>Equipment for USAR Module 1 – initial response.</b> Provides USAR support in the early stages of an incident. Equipment carried on this module includes: scene assessment and safety; Technical Search; power generation and lighting; drills and concrete breakers; safe working at height kits; timber and timber cutting equipment and hand tools fixings and anchors.
USAR 2 equipment	1	<b>Equipment for USAR Module 2 – response to large transportation incidents.</b> Contains a selection of specialist and heavy rescue equipment that would be required at a major transport incident, including: hot cutting; heavy hydraulic equipment; confined space working equipment;

		heavy lifting jacks; lifting and moving equipment; power generation and lighting and mechanical tools.
USAR 3 equipment	1	<b>Equipment for USAR Module 3 – heavy lifting and heavy breaking and breaching.</b> Provides heavy rescue support in the developing stages of an incident. Equipment carried includes: timber shoring equipment; nailing equipment; bolts and anchors; power generation and lighting; large capability air lift systems; access and work platforms; hydraulic breaking and breaching and fast cut saws.
USAR 4 equipment	1	<b>USAR Module 4 – Tipper unit and Bobcat Multi Purpose Vehicle (MPV).</b> The MPV is a small manoeuvrable 4 wheel steer Bobcat unit. It is able to travel across debris and off road. It is used to unload and transport equipment around an incident site and moving rubble, together with associated equipment, including power generation, lighting and portable shelter.
Incident Response Unit	7	Vehicle carrying mass decontamination capability, including two mass decontamination units, dis-robe and re-robe packs, personal protective equipment for responders, one firefighter decontamination unit and associated equipment.
Thermal Imaging Camera	95	Camera used in by USAR teams to find people by detecting their heat signatures. Can be used in conditions of complete darkness and smoke.
Mass Decontamination Disrobe Module	3	Module containing disrobe packs which provide temporary clothing for people awaiting decontamination who have removed their own contaminated clothing to mitigate the effects of the contaminant
Mass Decontamination Re-robe Module	1	Module containing re-robe packs which provide temporary clothing for people who have been decontaminated.
Infra Red Spectroscope	1	Portable chemical identifier
Radiation Survey Meter	2	Portable radiation meter
Multi Gas Detectors	2	Portable gas detectors / monitors
Electronic Personal Dosimeters	266	Portable, personal radiation exposure detection and monitoring meters

Mass Decontamination Training Kits	7	Mass decontamination equipment for training purposes only (one set per IRU).
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7.5 Since the statutory functions are vested in Welsh Ministers, legal ownership of the New Dimension assets held by Welsh fire and rescue authorities needs to be transferred to Welsh Ministers. The assets in question belong to Wales, as a result of machinery of government changes: they are not being transferred by way of gift or sale.

- **Consolidation**

7.6 This is not an amending instrument.

## **8. Consultation outcome**

8.1 Since this instrument directly affects only the Department for Communities and Local Government and Welsh Ministers, no consultation has been carried out.

## **9. Guidance**

9.1 Since this instrument directly affects only the Department for Communities and Local Government and Welsh Ministers, no guidance will be issued.

## **10. Impact**

10.1 An impact assessment has not been prepared for this instrument as it has no impact on business, charities or voluntary bodies.

10.2 This instrument has no significant impact on the public sector.

## **11. Regulating small business**

11.1 The legislation does not apply to small business.

## **12. Monitoring and review**

12.1 Because this instrument will effect a “one-off” transfer which will align ownership of the assets with the underlying statutory functions, it is not intended to carry out any review.

## **13. Contact**

13.1 Bethan MacDonald at the Department for Communities and Local Government. Tel: 030 344 42802 or e-mail: Bethan.MacDonald@communities.gsi.gov.uk can answer any queries regarding the instrument.