

Phil Woolas MP  
Minister of State for Local Government  
Office of the Deputy Prime Minister  
Eland House  
Bressenden Place  
London SW1E 5DU

Contact: Marylyn Rankin  
Direct line: 020 7934 9504  
Fax: 020 7934 9624  
Email: marylyn.rankin@alg.gov.uk  
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Your reference:  
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Dear Phil

### **London Resilience: "Local Authority Gold" Resolution**

You will know that our officials have been discussing the need to revisit the "Local Authority Gold" Resolution passed by all London boroughs in early 2004. I am also aware that Martin Pilgrim was recently able to brief you directly about the issues.

The current "Gold" Resolution empowers a single London borough Chief Executive, the "Gold" Chief Executive, to act collectively on all boroughs' behalf in an emergency. This has rightly been interpreted as an important manifestation of boroughs' willingness to work together on resilience issues. However, the resolution is formally invoked only if the Minister declares a "catastrophic" incident. The resolution empowers the "Gold" Chief Executive to incur expenditure only if the Minister has confirmed that central government will reimburse the expenditure.

We have known for some time that we would need to review the resolution in the light of the Civil Contingencies Act 2004. But the July events have shown that we also need a basis for boroughs to work together and with other resilience partners when an event has not been declared to be "catastrophic".

Our officials are continuing to talk about a "Daughter of LA Gold" resolution which matches the typology of incidents in the Civil Contingencies Act 2004, and we hope soon to be able to produce a resolution in those terms. Our present plan is for leading elected members at the ALG to consider a draft of such a revised resolution in the next few weeks; to put that draft to the ALG Leaders' Committee for endorsement on 7 February; and then to put the resolution to boroughs for them each to adopt at a council meeting before the May 2006 borough elections. We feel that we need to move quickly for a number of reasons:

- The debriefs from the July bombings have shown that the "Gold" Chief Executive formally lacks powers and authority unless an incident is declared to be "catastrophic".

- The “live” experience of the July bombings has made those Chief Executives who undertake the “Gold” role feel vulnerable and open to personal liability; this could affect their playing a full part in any future incident.
- The Civil Contingencies Act 2004 is now fully in force and the “Gold” resolution should be brought up to date as soon as possible. The resolution needs to empower the “Gold” Chief Executive to act appropriately on boroughs’ collective behalf in a Regional Civil Contingencies Committee: before an emergency; in a “rising tide”; and in the extreme circumstances of special legislative measures being taken.
- London councils were rightly proud of the contribution they made to handling the July bombings and I am sure that they would wish to ensure that councils and their staff were equipped to undertake a similar role in any future incident; that means that they would be sympathetic to passing a reasonable “Daughter of “Gold” resolution. However, after May, there will be many new councillors and possibly new administrations. It would be easier to deal with present councils than with the new ones because the new ones will be less familiar with the background.

However, there remains one major unresolved issue on which we need early reassurance in terms which will give boroughs the confidence to pass the “Gold” resolution. The existing “Gold” resolution applies only if there is a catastrophic incident and if the Minister confirms that reasonable expenditure incurred by the “Gold” Chief Executive would be reimbursed by the Government. In the light of the July bombings, boroughs need a reassurance now from the Government:

- Ideally, that reasonable expenditure incurred by LA Gold following commitments made at an RCCC, beyond that which a borough could reasonably expect to incur on behalf of its own inhabitants, would be reimbursed by Government. I realise that this is what happened in the July bombings and we are grateful for the Government’s early decision then. But the decision took some time to make and for a short while the affected boroughs and “Gold” were in limbo.
- If Government cannot give such an undertaking now, then I could attempt to persuade boroughs to renew and revise the “Gold” Resolution on the basis of a Government promise now to put in place as soon as the RCCC or SCG is convened a process for deciding how and whether local authority costs would be reimbursed, so at least there would be an early understanding of our “rules of engagement” with the RCCC or SCG. However, any delay in making that decision, or any shortfall in a commitment to reimburse, would run a very real risk of diminishing the effectiveness of the “Gold” Chief Executive at the RCCC or SCG.

Once we have some undertakings from the Government about expenditure we can exhort boroughs to pass a resolution giving the “Gold” Chief Executive delegated authority to act on behalf of each and every borough. I feel we will not succeed without some very clear commitment from Government.

There are related issues about how we fund boroughs’ collective work on a day-to-day basis or how we might share costs from an incident across boroughs where those costs fall outside of

the existing mutual aid arrangements. London local government is continuing to look for solutions to these problems ourselves.

To recapitulate, we need to move quickly to ask boroughs to amend the existing "Gold" resolution and to do that we need urgent reassurances from Government about the reimbursement of reasonable expenditure arising from RCCC decisions. I look forward to hearing from you.

Yours sincerely



Sir Robin Wales  
**Chair**