



Executive
14 September 2010

Report from the Borough Solicitor

Wards Affected:
ALL

Addendum to the Local Authority Gold Resolution

1. Summary

- 1.1 The ALG Leaders' Committee, at their meeting on 13th July 2010, agreed the text of an addendum to be recommended to London local authorities. This would amend the previous 'Gold' resolution agreed by the Brent Executive on 13th March 2004.
- 1.2 The purpose of the addendum is to broaden the powers of the 'Gold' Chief Executive so as to enable him or her to act on behalf of all the London local authorities in responding to an emerging incident as well as to enable a trigger for Local Authority Gold to respond to incidents and in the event of extreme and disruptive weather, where if necessary incurring minimum levels of expenditure not exceeding £1 million.
- 1.3 In addition to consider the value of Brent signing a Memorandum of Understanding to give assistance to another Local Authority if required during an emergency.

2. Recommendations

- 2.1 That the addendum to the Local Authority Gold Resolution, attached as Appendix B, be agreed subject to any further changes considered necessary by the Borough Solicitor following consultation with the ALG and other London boroughs who shall have delegated authority to make such changes to it.
- 2.2 That consideration be given to Brent signing a Memorandum of Understanding as set out in Appendix C to provide assistance to other London Local Authorities during an emergency.

3. Detail

- 3.1 As part of the arrangements for dealing with major incidents or emergencies in the capital, all London Boroughs and the City Corporation adopted a resolution, known as the 'Gold Resolution', that delegates certain powers (see below for further detail) to the Gold Chief Executive so that he or she can act on behalf of all boroughs and the City to deliver a coordinated local government response in emergency situations. The role of Gold Chief Executive (known as London Local Authority Gold) is undertaken by Heads of Paid Service on a rotational basis. A copy of the Gold Resolution is attached to this report at **Appendix A** for information.
- 3.2 Under the resolution, London Local Authority Gold can act formally only where the Gold Co-ordinating Group (Gold Command) has been convened to respond to an incident requiring what was known as a 'level 2' response. Gold Command is normally led by the Police. The powers delegated to Local Authority Gold extend to incurring expenditure or making grants or loans but only if certain conditions are met such as confirmation that the expenditure will be reimbursed by HM Government or by the Council(s) in whose area(s) the incident has occurred.
- 3.3 The Gold Resolution was last reviewed and revised in 2006 and this paper sets out proposals to update and clarify the current arrangements in the light of experience over the last 3 - 4 years and changed circumstances.
- 3.4 The heavy snowfall covering Greater London in February 2009 was an extreme and exceptional weather event. Such accumulations of snow had not been seen in the capital for a number of years and, across London, organisations faced considerable challenges in keeping their services running. Gold Command was not convened on that occasion (the incident was not deemed to be an emergency requiring a 'blue-light' response), but the Head of Paid Service on the 'Gold' rota was, nevertheless, active during the period, albeit informally, since there was a clear need for a local government response to be co-ordinated across the Boroughs.
- 3.5 A review of the position has therefore been carried out and a number of amendments are proposed to the resolution in the following four key areas:-
- to reflect changes in procedural arrangements (currently Local Authority Gold can only respond to an incident requiring a 'level 2' response but the national terminology has changed and this is no longer relevant);
 - to formalise existing arrangements whereby Local Authority Gold is expected to play a part in 'rising-tide' incidents, (for example severe weather and pandemic influenza) albeit without any formal authority. In these circumstances, Local Authority Gold's role should be confined to coordinating any local authority response as necessary, through guidance and advice;
 - to agree an arrangement under which Local Authority Gold could be authorised, in exceptional circumstances, to exercise delegated powers in response to incidents where the ('blue-light' led) Gold Command has not been convened, subject to appropriate checks and balances; and
 - to allow Local Authority Gold a limited amount of discretion to incur minimum expenditure on behalf of councils where prior consent may not be rapidly obtainable (for example, the need for an immediate response to a major

incident that has occurred in the early hours of a Sunday or on a bank holiday).

Responding to Rising-Tide Incidents and other Disruptive Events

- 3.6 In principle, there are two types of events that would require a local authority response, namely, major incidents or emergencies and incidents that are emerging or have emerged over a period of time. Arrangements for a coordinated local government response to major incidents or emergencies, such as the bombings in London in July 2005, where the Police and other emergency services are in command, are provided for within the existing resolution and Local Authority Gold is able to exercise his or her powers of delegation.
- 3.7 The London Local Authority Co-ordination Centre (LLACC) was also actively involved in ensuring a coordinated London local authority regional response to the severe weather conditions and the maintenance of winter service provision, between 17th December 2009 and 26th March 2010. Undertaking 24/7 operations during peak periods of activity, the LLACC performed a number of critical tasks supporting London Local Authority Gold. These tasks included the co-ordination of 83 mutual aid transactions, resulting in the transfer of 5,300 tonnes of salt, and the process and dissemination of 912 priority gritting requests to local authorities following identification by TfL CentreCom and other partner agencies. Additionally the LLACC maintained regional situational awareness regarding the impact on council services and collated London borough grit stock levels on a daily basis, and produced grit stock usage projections, to inform the regional and national resupply prioritisation process.

Ability to Respond to Emergencies

- 3.8 There may be exceptional circumstances where it could become appropriate for Local Authority Gold to be able to respond to incidents and exercise delegated powers where Gold Command has not been convened, for example in the event of extreme and disruptive weather or other events. The point in such 'rising-tide' events at which the full Local Authority Gold arrangements may need to be implemented will not be clear at the outset. Nor would it be triggered by the convening of a police-led Gold Command. To cover this eventuality and any unforeseen events, a process has been developed which permits the full Gold powers to be triggered in the absence of a police-led Gold Command being established, but only where certain procedures are complied with to give the Councils comfort that use of the delegated powers by Local Authority Gold will only be operated in exceptional circumstances and where absolutely necessary.
- 3.9 In these circumstances, before Local Authority Gold can exercise powers under section 138(1) of the Local Government Act 1972, a London Partnership meeting (which is normally led by the Government Office for London) will need to have been convened and, additionally, the prior agreement of London Councils, on behalf of the Boroughs, will need to have been obtained. In practice, London Councils will be consulted and its approval will need to be given before Local Authority Gold is able to exercise any delegated powers. Approval is sought for this power to be delegated to the Chief Executive of London Councils in consultation with the Leaders (or their

deputies) of each of the three main political parties. The power of Local Authority Gold to incur any expenditure would be subject to further controls as set out below.

Discretion to incur expenditure on behalf of Councils

- 3.10 Whatever the circumstances under which the executive powers are triggered, Local Authority Gold will, as at present, still seek to obtain confirmation from the Council(s) in whose area(s) the incident has occurred that expenditure reasonably incurred by them in taking immediate action to safeguard life or property, to prevent suffering or severe inconvenience and to promote community cohesion and a return to normality, will be met by the Council (or Councils in proportions to be agreed by them).
- 3.11 There may, however, be a situation where rapidly obtaining this confirmation is simply not possible, for example if an incident happens in the early hours of a Sunday or a bank holiday and Local Authority Gold is unable to make contact with all relevant Council(s). Local Authority Gold may still need to take the immediate action referred to in paragraph 3.10 above and it is proposed that, where this is absolutely essential, they should be able to exercise their delegated powers, including incurring minimum levels of expenditure up to sum not exceeding £1m in total, while the process is taking place to secure the necessary confirmation.

The impact of the 2012 Olympic Games

- 3.12 In the run up to and during the 2012 Olympic and Paralympic Games in London a national and London level control and coordination function will be required. Resilience and security arrangements during the Games are currently being developed and a number of mechanisms will come into play in the event of an incident. Local Authority Gold will be expected to play a key part in those plans and the arrangements proposed in the **Appendix B** particularly those in paragraph 3, will help to formalise the position. Current thinking includes maintaining operations during what is described as a 'steady state' and there is likely to be a borough chief executive or other senior local government representatives active in that process. There could also be a demand for further local government participation in other Olympic security arrangements in the Capital such as COBR and nationally in what is known as the National Operations Centre. The final details for London's local government are being considered and will be agreed with London Councils in due course.

Mutual Aid

- 3.13 Informal arrangements and understandings currently exist between London local authorities for mutual aid. These arrangements are robust and well tested and they are frequently called upon by boroughs for the provision of staff and other resources. They supported the running of the temporary mortuary in the aftermath of London's 7/7 bombings and in the provision of assistance to local authorities outside London during the 2007 floods. During the severe weather of February 2009, 13 local authorities reported calling upon or offering mutual aid during the first four days of the incident.

- 3.14 A Memorandum of Understanding for mutual aid has been drafted for adoption by those London Local Authorities wishing to participate. It is not intended for the Memorandum to be a legally-binding contract, but rather an accepted set of guidelines for providing mutual aid between participating boroughs. A copy is attached at Appendix C.
- 3.15 The Memorandum provides for participating authorities to endeavour to provide assistance to another participating authority in the form of provision of personnel and/or equipment in the event of, or in the reasonable anticipation of, an emergency or other disruptive or rising tide incident when asked to do so. The authority requesting aid will undertake to reimburse the authority providing it on a cost recovery basis, although the reimbursement will not include any opportunity costs incurred whilst employing an officer to cover the duties of an officer deployed on mutual aid unless agreed in advance.

4. Legal Implications

- 4.1.1 Section 138(1) of the Local Government Act 1972 provides that where an emergency or disaster involving destruction of or danger to life or property occurs or is imminent or there is reasonable ground for apprehending such an emergency or disaster, and the Council considers that that is likely to affect any or all of its area or inhabitants, the Council may:
- (a) incur such expenditure as considered necessary in taking action themselves which is calculated to avert, alleviate or eradicate in their area or among its inhabitants the effects or potential effects of the event, and
 - (b) make grants or loans to other persons or bodies on conditions determined by the Council in respect of action taken by such persons or bodies
- 4.1.2 Section 138(1A) authorises the Council to incur expenditure in undertaking contingency planning to deal with a possible emergency or disaster which, if it occurred, would involve destruction of or danger to life or property likely to affect its area.
- 4.1.3 Section 19 of the Local Government Act 2000 authorises the Secretary of State to make regulations which permits a local authority to arrange for the discharge of any functions, which under executive arrangements, are the responsibility of that local authority by the Executive of another local authority. Powers to deal with an emergency are executive functions and it is therefore for the executive to decide this matter and confer authority on the Chief Executive to act as requested.

5. Staffing Implications

- 5.1 The Chief Executive participates in the London LA Gold rota and is likely therefore to assume responsibility for ensuring a co-ordinated response across London to emergencies as and when they occur. He will be empowered to take action and incur expenditure in relation to the incident. The ALG are currently considering whether chief executives exercising gold command should be indemnified in relation to any losses they may bear as a result of exercising their gold powers. Other members of staff involved in emergency planning and response will also be required to act on a London wide basis if necessary. Deputising arrangements have been made to ensure continuity of leadership of the paid service in Brent for the duration of the Chief Executive and his support team's deployment on London-wide emergencies.

6. Environmental Implications

- 6.1 Co-ordinated London-wide action would facilitate more effective management of environmental risks during any regional emergency.

7. Diversity Implications

- 7.1 There are no immediate diversity implications arising from the recommendation. It is possible however, depending on the cause of the incident, that implications may arise in the aftermath.
- 7.2 Emergency Planning is a service that is provided for the benefit of all residents and aims to protect life and minimise the social disruption that emergencies can bring. Experience shows that greater use of Council Emergency Services tends to be made by residents with the least independent means. In this sense an effective emergency planning service will help to reduce the inequalities that exist in residents and businesses resilience to emergencies.

8.0 Background Information

ALG Leader's Committee Meeting 9th December 2003 – Item No. 7 – Report on London Resilience – Authority Gold: Inter-borough Agreement.

ALG Chief Executives' Circular 66/03 (including the Resolution), 19th December 2003.

Letter from Nick Raynsford, Minister for London Resilience to Chair of ALG regarding Expenditure by LA Gold ,21st October 2003.

Any person wishing to inspect the above papers should contact: Fiona Ledden, Borough Solicitor, Town Hall, Forty Lane, Wembley, Middlesex.
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Fiona Ledden
Borough Solicitor

LOCAL AUTHORITY “GOLD” RESOLUTION**Resolution passed by each London Borough Council and the Common Council of the City of London (“the Councils”)**

1. This resolution is made in accordance with section 138 Local Government Act 1972, section 101 Local Government Act 1972, section 19 Local Government Act 2000, Regulations 7 and 10 Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2000 and all other enabling powers. The resolution has regard to “Emergency Response and Recovery” the non-statutory Guidance issued pursuant to the Civil Contingencies Act 2004.
2. As from the date of this resolution the Council’s functions under section 138(1) Local Government Act 1972 (Powers of principal councils with respect to emergencies or disasters) are delegated to the Council which has appointed the Head of Paid Service as defined in paragraph 3 below in the circumstances set out in paragraphs 4-7 below.
3. The Head of Paid Service is the person appointed by one of the Councils under section 4 Local Government and Housing Act 1989 who, following the convening of the Strategic Co-ordinating Group (“Gold Command”) to respond to an incident requiring a “Level 2” response (as defined in paragraph 4 below) has agreed to discharge the functions under section 138(1) Local Government Act 1972 (“the functions”) on behalf of the Councils.
4. An emergency requiring a Level 2 response is a single site or wide-area disruptive challenge which requires a co-ordinated response by relevant agencies.
5. The functions hereby delegated shall not be exercised until resolutions delegating the functions have been made by all the Councils.
6. The powers hereby delegated to the Council which has appointed the Head of Paid Service shall not include any power to incur expenditure or to make grants or loans to any person unless either:
 - the Head of Paid Service has received confirmation from the Minister that expenditure reasonably incurred by the Head of Paid Service in taking immediate action to safeguard life or property or to prevent suffering or severe inconvenience will be reimbursed by HM Government; or
 - the Head of Paid Service has received confirmation on behalf of the Council(s) in whose area(s) the incident has occurred that expenditure reasonably incurred by the Head of Paid Service in taking immediate action to safeguard life or property; to prevent suffering or severe inconvenience and to promote community cohesion and a return to normality, will be met by the Council (or the Councils in proportions to be agreed by them).
7. In the event the Minister has confirmed that expenditure will be reimbursed by HM Government, the Head of Paid Service shall, insofar as reasonably practicable,

consult with and inform the Council(s) in whose area(s) the incident has occurred regarding any action proposed to be taken.

Addendum to the Local Authority ‘Gold’ Resolution to be agreed on behalf of each London Borough Council and the Common Council of the City of London (“the Councils”)

1. The purpose of this addendum is to clarify and amend the Local Authority “Gold” Resolution that has been entered into by the Councils to a) reflect changed procedural arrangements for responding to incidents b) permit the Head of Paid Service (Local Authority Gold) as defined in paragraph 3 of the Local Authority Gold Resolution to incur minimum essential expenditure where it has not been possible to secure the prior agreement of the Councils affected and c) agree that, in other circumstances known as rising tide or disruptive events, Local Authority Gold should be able to coordinate the local authority effort, including providing advice and guidance, as necessary, to help shape the responses of individual authorities.

2. The Local Authority “Gold” Resolution will, in future, operate in accordance with the following arrangements:

Coordination of the Local Authority Effort

3. Where an incident, emergency or other event emerges or has emerged over a period of time (such as pandemic influenza or extreme weather), and where the convening of the Gold Coordination Group (Gold Command) may not have occurred, Local Authority Gold will be empowered, on behalf of the Council(s) to coordinate any local authority response as necessary, providing advice and guidance as required. In these circumstances, Local Authority Gold will not have any power to incur expenditure unless authorised under paragraph 4 b) below.

Delegation of Powers

4. Local Authority Gold shall, in discharging the functions under section 138(1) Local Government Act 1972 on behalf of the Councils, do so only in the following circumstances:

a) following the convening of the Gold Coordination Group normally led by the Police in response to the declaration of a major incident (Gold Command);

or

b) for other disruptive events such as extreme weather that do not require the immediate establishment of Gold Command, following the convening of a London Partnership Meeting (normally led by the London Resilience Team), provided that the agreement of London Councils under delegated powers is also secured for Local Authority Gold to discharge the functions

under section 138(1) Local Government Act 1972 on behalf of the Councils.

Minimum Essential Expenditure

5. In the event that it has not yet been possible for Local Authority Gold to receive confirmation from or on behalf of the Council(s) in whose area(s) the incident has occurred (in accordance with paragraph 6 of the Local Authority Gold Resolution) that expenditure reasonably incurred will be met by the Council(s) and where it is absolutely essential for Local Authority Gold to incur expenditure, for example to safeguard life or property, to prevent suffering or severe inconvenience and to promote community cohesion and a return to normality, it is agreed that the Council(s) in whose area(s) the emergency has occurred will meet that expenditure on the basis that it will be kept to minimum levels and limited to a sum not exceeding £1m in total, while the process is taking place to secure the necessary confirmation.

Agreement of all the Councils

6. The amendments to the Local Authority 'Gold' Resolution contained in this Addendum shall not take effect until this Addendum has been agreed and accepted by all the Councils.

DATED [] 2010

**LONDON LOCAL AUTHORITIES
MUTUAL AID – MEMORANDUM OF UNDERSTANDING**

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STATEMENT OF PURPOSE

This agreement sets out the intentions of the local authorities listed in Appendix 1, all of which are Category 1 Responders for the purposes of the Civil Contingences Act 2004 (“CCA 2004”) (collectively referred to as “the Participating Authorities) to provide mutual aid and assistance to each other during an emergency or other disruptive or “rising tide” incidents.

Each of the Participating Authorities will endeavour to provide assistance to another of the Participating Authorities in the form of provision of personnel and/or equipment in the event of, or in the reasonable anticipation of, an emergency or other disruptive or rising tide incident when asked to do so in accordance with these procedures.

Background and Scope of the Agreement

- (a) Defined as Category 1 Responders in the CCA 2004, the Participating Authorities are subject to the full range of duties conferred upon them in relation to making arrangements for civil protection in an emergency.
- (b) Regulation 4 of the Civil Contingencies Act 2004 (Contingency Planning) Regulations 2005 provides that general Category 1 Responders which have functions that are exercisable within a Local Resilience Area must co-operate with each other in connection with the performance of their duties under section 2(1) of the CCA 2004. That co-operation may take the form of two or more Category 1 Responders co-operating with each other.
- (c) Central Government guidance issued by the Cabinet Office (December 2008) recognises the shift away from purely local arrangements to the realisation of wide-area mutual aid arrangements,
- (d) The Participating Authorities are enabled to provide mutual aid support to each other under section 1 Local Authorities (Goods and Services) Act 1970, the “well-being powers” contained in section 2 of the Local Government Act 2000 and under sections 111 and 113 of the Local Government Act 1972.
- (e) This Agreement outlines the process for requesting mutual aid from any Participating Authority to another Participating Authority when responding to an emergency or other disruptive or “rising tide” incident.
- (f) This agreement details the process for obtaining support from boroughs whether activated as a result of the implementation of the Gold Resolution or as a result of a rising tide or other disruptive incident.

This document is intended to support, not replace, any local agreements which are already established and is not intended to be a legally binding contract

1 Activation of Mutual Aid Arrangements

1.1 Each of the Participating Authorities will endeavour to provide assistance in the form of personnel and other resources in the event of or in anticipation of an emergency or disruptive or rising tide incident affecting the area of any Participating Authority in accordance with the following procedures:

1.1.1 The initial request may be made by telephone, but written confirmation should be sent by e mail as soon as practicable to ensure clarity of the request and assist any subsequent requests for reimbursement.

- 1.1.2 The Responding Authority shall, so far as is reasonably practicable, provide staff and other resources as requested by the Requesting Authority.
- 1.1.3 If the Gold Resolution has not been activated a request for aid shall only be made by a person authorised by the chief executive of the Requesting Authority, to the chief executive or other Authorised Person acting for the Responding Authority.
- 1.1.4 If the Gold Resolution has been activated all requests and agreements for mutual aid between boroughs will be notified to the LLACC. Mutual aid will be brokered between boroughs unless:
- The scale and complexity of the incident determines that centralised, regional support through the LLACC is required.
 - LLAG determines a strategy that requires centralised support for all mutual aid through the LLACC.
 - A point is reached where by the LLACC can add value in support of a Borough brokering mutual aid.'
- 1.1.5 Termination of aid. The Responding Authority may at any time, on giving the Requesting Authority such notice as is reasonable in the circumstances, terminate the mutual aid if the chief executive believes failing to do so would jeopardise the responding authority's ability to deal with an incident within their own area. For the avoidance of doubt the decision to terminate assistance will not be taken lightly and is likely to be invoked only where an emergency or major incident occurs in the Responding Authority's area requiring resources that are on loan to a Requesting Authority.

2 Supervisory and Financial Arrangements and Recovery of Costs

- 2.1. The responsibility for co-ordinating aid and meeting all legal requirements for the supervisory control and health and safety of loaned staff rests with the Requesting Authority or, where more than one Participating Authority has been affected by the emergency or major incident (e.g. a cross boundary incident) by each of the Requesting Authorities in respect of the staff deployed to their Authority.
- 2.2. The Requesting Authority undertakes to reimburse the Responding Authority on a cost recovery basis upon the termination of the aid and where practicable within 28 days of receipt of the written submission to the Requesting Authority by the Responding Authority of documented accounts for settlement.
- 2.3. The cost and financial implications of providing mutual aid assistance are likely to include, but are not limited to:

- Staff salary and overtime costs;
- Out of pocket travelling expenses;
- Provision of resources used;
- Damage to rental/leased items;
- Contractor expenses.

Reimbursement of costs will NOT include any opportunity costs incurred whilst employing an officer to cover the duties of someone deployed on mutual aid unless agreed in advance by the requesting authority.

2.4 It is recognised that the resources and equipment physically held by local authorities have reduced significantly over the years. It is more likely that the sourcing of specialist resources to assist the emergency services or neighbouring Participating Authorities will have to be obtained via existing contracts or specific purchasing arrangements.

3 Personnel

3.1 During or following an emergency Participating Authorities may require additional personnel in order to respond to and/or maintain service delivery.

3.2 The Requesting Authority is responsible for co-ordinating additional personnel in the event of an emergency.

3.3 It is important that when personnel are deployed to assist a Requesting Authority they have the appropriate skills and competencies and have had previous training relating to the role.

3.4 Where personnel from a Responding Authority are deployed to provide mutual aid they will work within the existing crisis incident management structure of the Requesting Authority.

3.5 The Requesting Authority should also ensure that the welfare needs of responding staff are dealt with – this may include travel arrangements, accommodation and subsistence.

3.6 Responding Authority staff will receive the same debriefing and welfare support provided to the Requesting Authority's staff for the duration of their deployment. The Requesting Authority may also be liable to contribute towards any welfare costs incurred by the Responding Authority supporting staff who have completed mutual aid, providing the costs incurred are as a direct result of the officers attachment.

4 Facilities and Temporary Accommodation

4.1 Each of the Participating Authorities may have a number of facilities and/or locations that could be used in response to an Emergency. In certain circumstances it may be more appropriate for neighbouring Participating Authorities to request use of these facilities, although their use would depend on the scale and nature of the emergency.

4.2 For example, in the event of an evacuation of an area on a borough boundary it might be more appropriate and/or safer to move evacuees to a Rest Centre established and run by the neighbouring Participating Authority.

4.3 Participating Authorities shall, where practicable co-operate in the use of such facilities and locations

5 Health and Safety and Insurance

5.1 The health and safety of all staff providing mutual aid is the responsibility of the Requesting Authority, the Responding Authority and individual members of staff.

5.2 A Requesting Authority shall not hold liable a Responding Authority, in respect of any claims arising from any loss, injury or damage suffered by the Requesting Authority or any third party as a result of the provision of assistance under this Agreement, unless, and to the extent that, such loss, injury or damage arises from the negligence of the Responding Authority or any of its employees (excluding the responding staff) or agents.

5.3 Each Participating Authority is responsible for ensuring that their liability insurance is appropriate and kept up to date for the duration of their participation in this Agreement.

5.4 The Requesting Authority is responsible for ensuring that a risk assessment is carried out prior to deployment of Responding Authority staff (with whom the risk assessment should be shared) and that any Personal Protective Equipment is available.

5.5 The Responding Authority is responsible for ensuring that its staff has the appropriate ID to identify their personnel and the Requesting Authority is responsible for facilitating the appropriate access to locations.

5.6 The Responding Authority is responsible for ensuring that any response staff deployed to engage with the public have the appropriate Criminal Records Bureau (CRB) clearance (where necessary for the role in which they are deployed).

5.7 The Responding Authority should make arrangements to ensure that regular contact is maintained with its employee(s) working for the Requesting Authority and ensure that management issues are dealt with appropriately.

5.8 Any disputes between the Responding and Requesting Authorities should be resolved by negotiations between the Authorised Persons with a view to achieving an early amicable resolution. Any failure to resolve a dispute should be referred to an independent chief executive,

that is, the chief executive of a Participating Authority which is not involved in the emergency (or if all Participating Authorities are involved, then to a senior authorised person of London Councils) who shall endeavour to resolve the dispute within 7 working days of the referral and whose decision shall be final and binding on the parties to the dispute.

This Agreement is activated by each Participating Authority signing a Memorandum of Participation on behalf of that Authority and such Memorandum of Participation shall be evidence of activation by that Participating Authority when annexed to this Agreement. Provided that this Agreement shall not come into effect until Memoranda of Participation have been activated by at least **half of all London Local Authorities**.

LONDON LOCAL AUTHORITIES MUTUAL AID

MEMORANDUM OF UNDERSTANDING

MEMORANDUM OF PARTICIPATION

THIS MEMORANDUM is signed by an authorised signatory for [insert name of borough] .

Signed

Date.....

APPENDIX 1

Appendix 1 to the Memorandum of Understanding on Mutual Aid

(This Appendix will comprise a list of those local authorities who agree to provide mutual aid and assistance to each other during emergency or other disruptive or 'rising-tide' incidents.)

To be completed