

Application of legislation and policy to a contemporary emergency scenario

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1. Introduction

The Large-scale emergencies, such as wildfires, shows increasingly complex challenges for Fire and Rescue Services in the UK. Prolonged drought and high temperatures have increased wildfire risk, particularly across heathland in southern England, threatening communities, critical infrastructure and protected environments. Fire and Rescue Services respond within legislative and policy frameworks designed to ensure effective emergency management, public safety and accountability.

This essay critically shows how UK legislation and national policy frameworks guide the Fire and Rescue Service's response to large-scale environmental emergencies. It explores statutory duties under the Fire and Rescue Services Act 2004 and the Civil Contingencies Act 2004, the role of Integrated Risk Management Planning and the National Framework and the influence of environmental protection law, ethical and legal challenges in decision-making, and how climate change and evolving risk profiles are testing the effectiveness of existing laws and policies within contemporary UK emergency management practice and operational planning contexts.

2. Statutory Duties of Fire and Rescue Authorities

Key Legislation:

- **Fire and Rescue Services Act 2004**
- **Civil Contingencies Act 2004**

The Fire and Rescue Services Act 2004 establishes the core statutory duties of fire and rescue authorities in England and Wales. Under Section 6, authorities must provide fire-fighting services to protect life and property, a duty that clearly extends to wildfires. Section 9 further requires services to respond to a wider range of emergencies, enabling leadership in large-scale environmental incidents.

The Civil Contingencies Act 2004 shows the framework for managing major emergencies by designating fire and rescue authorities as Category 1 responders. This places them at the centre of emergency planning and response and imposes duties to cooperate with partner agencies and undertake ongoing risk assessment. In the wildfire scenario, this supports coordinated, multi-agency working and shared use of resources.

Together, these duties show the Fire and Rescue Service's leadership role and arrangements. However, while the legislation provides a strong framework, it was not designed for climate-driven emergencies, highlighting the need for continued policy development and improved preparedness.

Role of Integrated Risk Management Planning and the National Framework

Integrated Risk Management Planning (IRMP) is a key policy tool used by fire and rescue authorities to assess local risks and determine how resources should be allocated to prevent, protect against, and respond to emergencies. Rather than relying on a one-size-fits-all approach, IRMP requires services to identify community-specific risks and plan accordingly. In areas of southern England where prolonged drought and high temperatures increase the likelihood of wildfires, IRMP should recognise wildfires as a significant risk and ensure appropriate resources, training, and equipment are in place.

The National Framework for Fire and Rescue Services sets out the Government's expectations for how fire and rescue should operate. It provides strategic direction, promotes accountability, and requires services to align their IRMPs with national priorities such as public safety, collaboration, and resilience. While the Framework does not dictate operational decisions, it ensures that services are prepared for a range of emergencies and are able to justify their planning and performance.

Applied to the wildfire scenario, both IRMP and the National Framework influence resource allocation, such as the deployment of specialist wildfire equipment and trained personnel. They also support prevention and preparedness measures, including public awareness campaigns during periods of high fire risk and joint training exercises

with partner agencies. In addition, the Framework encourages mutual aid, enabling fire and rescue services to request or provide assistance when local resources are stretched during large-scale incidents.

Together, these frameworks support decision-making by providing a structured, risk-based approach that balances local needs with national expectations. However, there can be tension between national priorities and local risk profiles, particularly where climate change is increasing the frequency and severity of wildfires. While IRMP offers flexibility, the National Framework has been criticised for not fully reflecting emerging environmental risks. As a result, although both frameworks are valuable, continued adaptation may be required to ensure they remain effective in responding to climate-driven wildfire emergencies.

4. Environmental Protection Legislation and Inter-Agency Working

Environmental protection legislation ensures that emergency responses consider the long-term protection of habitats and wildlife. The Wildlife and Countryside Act 1981 protects designated species and habitats, while the Environment Act 2021 strengthens environmental governance through greater emphasis on biodiversity and environmental recovery.

In the wildfire scenario, these laws are significant as protected heathland and wildlife are at risk. Fire and rescue services must therefore consider the environmental impact of actions such as fire breaks, machinery use, and suppression methods. Although protecting life and property remains the priority, responders are expected to minimise avoidable environmental damage and consider long-term ecological effects.

Effective incident management depends on inter-agency collaboration. Fire and Rescue Services work with the Environment Agency and local authorities, whose expertise informs environmentally compliant decision-making and recovery planning.

However, tensions can arise where rapid fire suppression conflicts with conservation duties, particularly in ecosystems where fire plays a natural role. While life safety may lawfully take precedence, this can damage protected habitats, highlighting the challenges of applying environmental law during emergencies and the need for clear guidance, joint planning, and post-incident restoration.

5. Ethical and Legal Considerations in Wildfire Response

Wildfire response presents complex ethical and legal challenges, particularly in balancing the protection of human life, property, and the environment. Ethically, safeguarding life is generally regarded as the highest priority, a principle reflected in both operational practice and legal obligations. In the wildfire scenario, this prioritisation justifies decisive actions such as evacuations and aggressive fire suppression, even where these measures may cause environmental harm.

However, this hierarchy of priorities can be contested. For example, prioritising evacuation over environmental protection may result in damage to protected habitats, raising concerns about long-term ecological consequences. Similarly, the use of controlled burns and fire breaks, while often effective in limiting fire spread, can cause immediate ecological damage and disrupt wildlife. These dilemmas highlight tensions between short-term risk reduction and long-term environmental sustainability.

Legal accountability plays a crucial role in shaping these decisions. Fire and rescue authorities owe a duty of care to the public and must act in a manner that is reasonable and proportionate. Human rights obligations, particularly the right to life under Article 2 of the European Convention on Human Rights, further reinforce the legal expectation that authorities take positive steps to protect individuals from foreseeable risks. As a result, the law tends to support actions that prioritise life and public safety, even when environmental harm occurs as an unintended consequence.

While legal frameworks provide clarity and protection for decision-makers, they may also limit consideration of environmental values during emergencies. This suggests that although ethical judgement is strongly guided by law, there is scope for policy development to better integrate environmental protection into emergency decision-making, particularly as climate change increases the frequency and severity of wildfires.

6. Climate Change and Evolving Risk Profiles

Climate change is increasingly recognised as a key factor in the rising risk of wildfires in the UK. Prolonged periods of high temperatures, reduced rainfall, and drier vegetation have created conditions that make wildfires more frequent and intense, particularly in heathland and rural areas. Incidents that were once considered rare are now emerging as recurring risks, challenging traditional assumptions about the UK's fire landscape.

These changing risk profiles have significant implications for Fire and Rescue Service policy. Prevention strategies are becoming increasingly important, including public education campaigns during high-risk periods and closer collaboration with landowners to manage vegetation. Training is also evolving, with greater emphasis on specialist wildfire response skills and the use of new equipment. In addition, long-term planning through tools such as Integrated Risk Management Planning (IRMP) must increasingly account for climate-related risks rather than relying on historical incident data.

However, while existing legislation and policy frameworks provide a strong foundation, they may not be fully future-proof. The Fire and Rescue Services Act 2004 and the Civil Contingencies Act 2004 were not designed with climate-driven emergencies in mind and offer limited specific guidance on environmental resilience. Although flexible policy instruments such as IRMP allow local services to adapt, national frameworks may lag behind the pace of environmental change.

Critically, this suggests that while current laws remain broadly effective, they require ongoing review and adaptation. Greater emphasis on climate resilience, environmental risk assessment, and long-term prevention within national policy would strengthen preparedness and ensure that fire and rescue services are better equipped to respond to the growing challenge of climate-driven wildfires.

Conclusion

This essay has critically examined how UK legislation and national policy frameworks guide the Fire and Rescue Service's response to large-scale environmental emergencies, using a major wildfire scenario as its focus. It has shown that the Fire and Rescue Services Act 2004 and the Civil Contingencies Act 2004 provide a clear statutory foundation for fire-fighting, emergency response, and multi-agency coordination. Policy frameworks such as Integrated Risk Management Planning and the National Framework further support risk-based decision-making, resource allocation,

and preparedness. Environmental legislation and ethical considerations demonstrate the complexity of balancing the protection of life, property, and the natural environment, while human rights obligations reinforce the prioritisation of public safety. However, the analysis also highlights limitations within current laws and frameworks, particularly in responding to climate-driven risks. As wildfires become more frequent due to climate change, Fire and Rescue Services face increasing challenges, suggesting that continued policy development and adaptation are necessary to ensure effective and sustainable emergency response in the future.