



## REPORT OF THE CAMBRIDGESHIRE POLICE AND CRIME PANEL

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### CONSIDERATION OF THE POLICE AND CRIME FIRE AND RESCUE GOVERNANCE – LOCAL BUSINESS CASE REPORT

**Date of Panel Meeting:** 6 September 2017

**Date of Report:** 13 September 2017

#### **Guidance**

This report gives the recommendation(s) made by the Cambridgeshire Police and Crime Panel in accordance with section 28(4) of Part 4 of the Police Reform and Social Responsibility Act 2011. Its purpose is to outline the Panel's recommendations following its review of the Cambridgeshire Police and Crime Commissioner's Fire and Rescue Governance – Local Business Case Report.

#### **Panel Meeting**

On 6 September 2017 the Cambridgeshire Police and Crime Panel considered the Police and Crime Commissioner's Fire and Rescue Governance – Local Business Case Report.

#### **Decision**

Having reviewed the Report of the Police and Crime Commissioner the Panel AGREED to NOTE the Report and made the following RECOMMENDATION in response.

*This panel views with some concern the haste by the Police and Crime Commissioner to place the fire service within his portfolio, given that the consultation ends on the 4<sup>th</sup> September and he plans to take his recommendation to the Constabulary Business Co-ordination Board on the 21<sup>st</sup> September and the Home Office on 30<sup>th</sup> September.*

*We consider that this haste gives the appearance of a lack of consideration and flexibility to address legitimate concerns and objections raised during the public consultation and/or to consider the views of the Fire Authority, and Peterborough and Cambridgeshire County Council (who have all opposed change [as proposed by the Commissioner]).*

*We would recommend that the PCC pauses to establish a focus group of the main players in the area to include at least Cambridgeshire County Council and Peterborough City Council [the two statutory consultees], along with Cambridge City, Fenland, Huntingdonshire, East Cambridgeshire and South Cambridgeshire District Councils, the Fire Authority, Chief Fire Officer and the Fire Brigades Union to further discuss this matter before coming to a decision.*

#### **Reasons for the decision**

The Panel understands that the Police and Crime Commissioner intends to proceed with his proposal to assume the role of the Fire Authority. However the two statutory consultees, Cambridgeshire County Council and Peterborough City Council, both opposed the proposal.

Because of this, the matter will have to go through an arbitration process. The Home Office has yet to set this up, and preparing for it will inevitably require time and resource for the participants.

The Panel therefore made a recommendation that the Commissioner make one last effort to seek consensus with the statutory consultees, thereby avoiding the need for arbitration.

The Panel noted that Huntingdonshire District Council are supportive of the Commissioner's proposal, and that the public consultation indicated 53% support and 38% oppose it.

### **Terms of Reference**

The Police Reform and Social Responsibility Act 2011, Section 28 (6) requires the Police and Crime Panel to review or scrutinise decisions made, or other action taken, by the relevant police and crime commissioner in connection with the discharge of the commissioner's functions; and make reports or recommendations to the relevant police and crime commissioner with respect to the discharge of the commissioner's functions

**Signed** Edward Leigh

**Date** 13 September 2017

**Chairman of the Cambridgeshire Police and Crime Panel**

Edward Leigh  
Chair  
Cambridgeshire Police and Crime Panel c/o Jane Webb  
Peterborough City Council

By email: [jane.webb@peterborough.gov.uk](mailto:jane.webb@peterborough.gov.uk)

27<sup>th</sup> September 2017

Dear Edward

I refer to the Cambridgeshire Police and Crime Panel's (the "Panel") report of the 13<sup>th</sup> September 2017 entitled 'Consideration of the Police and Crime Fire and Rescue Governance – Local Business Case Report'.

In accordance with the Police Reform and Social Responsibility Act 2011, this letter acts as my formal response to the Panel's report.

Firstly as background, the Local Business Case assessing the police and fire governance options in Cambridgeshire was jointly commissioned by a joint Cambridgeshire and Peterborough Fire Authority and Office of the Police and Crime Commissioner Working Group. Information for the independent assessment was provided by a number of sources including my office, Cambridgeshire and Peterborough Fire Authority, Cambridgeshire Constabulary and Cambridgeshire Fire and Rescue Service.

As the Panel will be aware, the consultation on the Local Business Case was promoted from 12 June 2017, with the formal consultation running for nine weeks from the 3<sup>rd</sup> July 2017. In addition, the Panel has been made aware of my proposal regarding fire governance since 2016 through reports to both my governance board and the Panel and discussions at Panel meetings.

Nonetheless, I have considered the Panel's formal recommendation referred to above. As such I am of the opinion that the promotion and engagement that both myself and my office has undertaken as part of the formal consultation, has provided ample opportunity for responses from statutory consultees, stakeholders and the public. As a consequence there were over 2400 responses received through the public consultation, responses from the two statutory consultees, and a comprehensive response received from the Fire Authority, all of which have been considered.

I would also like to clarify the reference made by the Panel in their recommendation to an arbitration process. In circumstances where there is not local agreement to a Commissioner's governance proposal, the Secretary of State is legally required to secure an independent assessment of the proposal before she, not an arbitrator, makes the decision as to whether a Commissioner takes on the duties and functions of a Fire Authority.

I am aware that the Local Government Association (LGA) will be providing guidance for Panels so they are equipped to take on the role of scrutinising a Police, Fire and Crime Commissioner. Can I suggest that the Panel's Secretariat may wish to contact the LGA. Essex Police and Crime Panel may also prove to be a useful contact given that the Essex Police and Crime Commissioner has already been approved to take on the responsibility for fire.

Finally, I am grateful for those who have taken the time to respond to my consultation. Should the Secretary of State make an order for me to become Police, Fire and Crime Commissioner, I welcome working with you to ensure a smooth transition of both my role and that of the Panel becoming a Police, Fire and Crime Panel.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Jason Ablewhite', with a stylized flourish at the end.

Jason Ablewhite  
Cambridgeshire and Peterborough Police and Crime Commissioner