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| <b>CAMBRIDGESHIRE POLICE AND CRIME PANEL</b> | <b>Agenda Item 8</b> |
| <b>30 July 2018</b>                          | <b>Public Report</b> |

## **Report of the Cambridgeshire Police and Crime Commissioner**

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### **FIRE AND RESCUE GOVERNANCE – UPDATE**

#### **1. PURPOSE**

- 1.1 The report is being presented to the Cambridgeshire Police and Crime Panel (the “Panel”) to update it following the approval from the Home Secretary for the Cambridgeshire Police and Crime Commissioner (the “Commissioner”) to take on responsibility for governance arrangements for the Cambridgeshire Fire and Rescue Service (the “Fire Service”).

#### **2. RECOMMENDATION**

- 2.1 The Panel is asked to note the contents of this report.
- 2.2 The Panel are also asked to refer to the detailed report entitled ‘Fire and Rescue Governance – Update’ they received at their 15<sup>th</sup> November 2017 Panel meeting which provided information regarding the background to the legislative process followed by the Commissioner i.e preparation of a Local Business Case, public consultation, and submission of the proposal to the Home Secretary. Therefore, this report just provides an update since November 2017 regarding the Commissioner’s proposal for fire governance. For ease of reference, the link to the November 2017 Panel report is provided in Section 6 below. (The Panel has also received updates to their January 2018 and March 2018 meetings to which reference can also be made).

#### **3. TERMS OF REFERENCE**

- 3.1 Item 6 – To review and scrutinise decisions made, or other action taken, by the Police and Crime Commissioner in connection with the discharge of the Commissioner’s functions.

Item 8 – To support the effective exercise of the functions of the Commissioner.

#### **4. BACKGROUND**

- 4.1 The Policing and Crime Act 2017 (as amended) introduced measures that place a statutory obligation on all emergency services to collaborate and enable Commissioners to take on responsibilities for fire and rescue services in their area.
- 4.2 The Secretary of State can only make an Order creating new governance arrangements where it appears to her that a Commissioner’s proposal would be in the interests of either: economy, efficiency and effectiveness, or public safety.

## 5. CURRENT POSITION

- 5.1 The Commissioner's proposal to take on the governance of the Fire Service was submitted to the Home Office on 10<sup>th</sup> October 2017. Where the upper tier authorities do not agree with a proposal, as was the case in Cambridgeshire, the Home Office is required to obtain an independent assessment of the proposal. The Home Secretary will take into account the findings of the independent assessment when making the final decision whether or not to approve the Commissioner's proposal.
- 5.2 At the request of the Minister of State for Policing and the Fire Service, the Chartered Institute of Public Finance & Accountancy undertook an independent assessment of the Cambridgeshire proposal in early December 2017, providing their assessment to the Home Office by the 20<sup>th</sup> December 2017.
- 5.3 On 26<sup>th</sup> March 2018 the Home Secretary announced that the Commissioner for Cambridgeshire would be one of three more Commissioners to take on responsibility for local fire and rescue services. The Home Secretary considered that the Cambridgeshire proposal demonstrates that a transfer of governance would be in the interests of economy, efficiency and effectiveness and does not have an adverse effect upon public safety. However, the Home Secretary's decision is now subject to legal challenge by Cambridgeshire and Peterborough Fire Authority.
- 5.4 A process to confirm the on-going interim arrangement to share the same Section 151 Officer across the Fire Authority and Office of the Police and Crime Commissioner is under development. Alongside this, a review of the support needed to ensure the finance function fits the business needs of the Office of the Police and Crime Commissioner moving forward is underway.

## 6. BACKGROUND DOCUMENTS

Fire and Rescue Services Act 2004

<https://www.legislation.gov.uk/ukpga/2004/21/contents>

Policing and Crime Act 2017

[http://www.legislation.gov.uk/ukpga/2017/3/pdfs/ukpga\\_20170003\\_en.pdf](http://www.legislation.gov.uk/ukpga/2017/3/pdfs/ukpga_20170003_en.pdf)

Police and Crime Panel's recommendation to Police and Crime Commissioner

<http://democracy.peterborough.gov.uk/ieListDocuments.aspx?CId=543&MId=3925&Ver=4>

Police and Crime Commissioner's response to Police and Crime Panel recommendation

<http://www.cambridgeshire-pcc.gov.uk/wp-content/uploads/2017/06/17-09-27-Police-and-Crime-Commissioners-response-to-Police-and-Crime-Panels-recommendation-on-fire-consultation.pdf>

Cambridgeshire Police and Crime Commissioner's Fire Governance proposal submission

<http://www.cambridgeshire-pcc.gov.uk/get-involved/fire-governance-consultation/>

'Fire and Rescue Governance – Update', Agenda Item 6.0, Police and Crime Panel, 15<sup>th</sup> November 2017

<http://democracy.peterborough.gov.uk/ieListDocuments.aspx?CId=543&MId=4045&Ver=4>

Letter from the Home Secretary approving the proposal to transfer fire governance to the Police and Crime Commissioner and independent assessment by CIPFA

<http://www.cambridgeshire-pcc.gov.uk/get-involved/fire-governance-consultation/>