

CAMBRIDGESHIRE POLICE AND CRIME PANEL	Agenda Item 6
14th November 2018	Public Report

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 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 15th 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 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, March, July and September 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 explore opportunities for collaboration 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 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 10th 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 took 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 on the 20th December 2017.
- 5.3 On 26th 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 demonstrated 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 The Office of the Police and Crime Commissioner (OPCC) are currently exploring the impact of the delay in implementation of the transfer of governance. The Commissioner met the Chairman of the Fire Authority on 25th September 2018. The importance of the estate strategy was recognised. It was noted that the legal challenge regarding the Home Secretary's decision is still being pursued.
- 5.5 The on-going interim arrangement to share the same Chief Finance Officer across the Fire Authority and the OPCC in September 2018. Alongside this a recruitment exercise for a Head of Finance within the OPCC has been undertaken.

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

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, 15th 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/>