



**To:** Business Coordination Board

**From:** Chief Executive

**Date:** 01 November 2018

## **UPDATE ON FIRE AND RESCUE GOVERNANCE**

### **1. Purpose**

1.1 The purpose of this report is to update the Business Coordination Board (the “Board”) following the approval from the Home Secretary for the Police and Crime Commissioner (“the Commissioner”) to take on responsibility for governance of Cambridgeshire Fire and Rescue Service.

### **2. Recommendation**

2.1 For the Board to note the update.

### **3. Background**

3.1 The Policing and Crime Act 2017 (the “Act”) places a duty on police, fire and rescue and ambulance services to explore opportunities for collaboration, and enables Police and Crime Commissioners to take on responsibility for the governance of fire and rescue services in their area where a case is made to do so.

3.2 Commissioners are enabled to seek responsibility for their local Fire and Rescue Authority where a local case is made to the Home Secretary. This is subject to tests to ensure that changes will deliver improvements in one or more of a) economy, b) efficiency and effectiveness or c) public safety. In line with the legislation, Commissioners are also required to work with their Fire Authority to prepare their local business case.

3.3 Independent consultants, who were commissioned jointly by Cambridgeshire and Peterborough Fire Authority and the Commissioner assessed the governance options and prepared a local business case. The local business case recommended that the governance option offered the greatest benefit.

3.4 The provisions of the Act place a requirement on the Commissioner to consult if they wish to take on the governance of Fire. Pre-consultation engagement took place between 12th June and 2nd July 2017 where stakeholders and the public were advised that the formal consultation was to be launched. The public consultation then ran for nine weeks from Monday 3rd July 2017 to Monday 4th September 2017.

#### **4. Home Office Consideration and Current Position**

4.1 The Commissioner's proposal to take on the governance of the Cambridgeshire Fire and Rescue Service was submitted to the Home Office on 10th October 2017.

4.2 Where the upper tier authorities do not agree with a proposal the Home Office is required to obtain an independent assessment of the proposal. The Home Secretary will take into account its findings of the independent review when making the final decision whether or not to approve the Commissioner's proposal.

4.3 The Minister of State for Policing and the Fire Service requested the Chartered Institute of Public Finance & Accountancy ("CIPFA") to undertake an independent assessment of the Cambridgeshire proposal.

4.4 On 26th March 2018 the then 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 would 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.

4.5 The 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 25<sup>th</sup> September 2018. The importance of the estate strategy was recognised, however the legal challenge of the Home Secretary's decision is still being pursued.

4.6 The on-going interim arrangement to share the same Section 151 Officer across the Fire Authority and Office of the Police and Crime Commissioner was confirmed in September 2018. 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 has been undertaken and an appointment made, pending finalisation of recruitment processes.

#### **5. Recommendation**

5.1 For the Board to note the update.

## BIBLIOGRAPHY

<p><b>Source documents</b></p>	<p>Letter from the Home Secretary approving the proposal to transfer fire governance to the Police and Crime Commissioner and independent assessment by CIPFA</p> <p><a href="http://www.cambridgeshire-pcc.gov.uk/get-involved/fire-governance-consultation/">http://www.cambridgeshire-pcc.gov.uk/get-involved/fire-governance-consultation/</a></p> <p>‘Proposal for a change to Fire and Rescue service governance in Cambridgeshire’, Submission to the Home Office including the business case and details of the comments made through the consultation and the Commissioner’s response to them, 10<sup>th</sup> October 2017 <a href="http://www.cambridgeshire-pcc.gov.uk/get-involved/fire-governance-consultation/">http://www.cambridgeshire-pcc.gov.uk/get-involved/fire-governance-consultation/</a></p> <p>‘Consultation on the local business case for fire and rescue governance options’, Agenda Item 5.0, 21<sup>st</sup> September 2017 <a href="http://www.cambridgeshire-pcc.gov.uk/wp-content/uploads/2017/09/17-09-21-BCB-Agenda-Item-5.0-Fire-Governance-consultation-update.pdf">http://www.cambridgeshire-pcc.gov.uk/wp-content/uploads/2017/09/17-09-21-BCB-Agenda-Item-5.0-Fire-Governance-consultation-update.pdf</a></p> <p>‘OPCC Future Financial Management Arrangements’, Agenda Item 7.0, Business Coordination Board, 17<sup>th</sup> January 2017 <a href="http://www.cambridgeshire-pcc.gov.uk/wp-content/uploads/2017/01/17-01-17-BCB-Agenda-Item-7-OPCC-Future-Financial-Management-Arrangements.pdf">http://www.cambridgeshire-pcc.gov.uk/wp-content/uploads/2017/01/17-01-17-BCB-Agenda-Item-7-OPCC-Future-Financial-Management-Arrangements.pdf</a></p> <p>Policing and Crime Act 2017</p> <p><a href="http://www.legislation.gov.uk/ukpga/2017/3/contents/enacted">http://www.legislation.gov.uk/ukpga/2017/3/contents/enacted</a></p>
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