

**Status of Report:**

**Public**

**Agenda Item:**

**13**

**Meeting:** Combined Fire Authority

**Date:** 21<sup>st</sup> June 2017

**Subject:** Policing and Crime Act 2017

**Report by:** The Chief Fire and Rescue Officer and the Solicitor and Monitoring Officer

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**For:** Information

**1. Purpose**

To advise members of the implications of the Policing and Crime Act 2017.

**2. Recommendations**

The Combined Fire Authority (CFA) is asked to note the contents of this report.

**3. Executive Summary**

The Policing and Crime Act 2017 received Royal Assent in January 2017 and with effect from April 2017 introduces new duties in relation to collaboration between emergency services and introduce enabling provisions about the changes in the governance of the CFA at the instigation of the Police and Crime Commissioner for the area. Much of the Act relates to policing and this report is intended to provide members with an overview of the provisions that relate to the CFA only.

**4. Report Detail**

**4.1 Emergency Services Collaboration**

- a) The Act introduces a statutory duty for the Police, Fire Services and Ambulance trusts in England to consider whether entering into collaboration agreements may be in the interests of efficiency or effectiveness of those services.
- b) A collaboration agreement must be in writing and agreed by the relevant bodies. The Act does not preclude any of the bodies from entering in to collaboration with other parties.
- c) There is an obligation to keep the opportunity for collaboration under review.

#### 4.2 Fire and rescue Service Governance – Police and Crime Commissioner (PCC) role

- a) The Act enables a PCC to take on the responsibility for the governance of fire and rescue in his area and to become the Police, Fire and Crime Commissioner for that area. The PCC also has the ability to consolidate the Police and Fire Service in to one organisation, under the direction of a single Chief Officer (a 'Chief Constable' although this position will be open to senior Fire Officers).
- b) Where the PCC wishes to take on the responsibilities of a Fire and Rescue Authority and if required, create a single employer, he must develop a proposal that demonstrates it is in the interests of economy, efficiency and effectiveness, or in the interests of public safety. The Fire Authority must cooperate in the preparation of the proposal through the provision of relevant information.
- c) The PCC is required to consult with the relevant local authorities (City and County Councils) and residents in the PCC's police area and must publish their response to the consultation process.
- d) Where there is agreement to the proposal from the relevant local authorities, the proposal will be considered by the Secretary of State who may make an order to give effect to the proposal.
- e) Where local agreement does not exist, the Secretary of State must obtain an independent assessment of the proposal. The Secretary of State must have regard to that independent assessment, any representations made by the relevant local authorities, and the summary of views expressed by the people in the police area before making an order to give effect to the proposal.
- f) Where an order is made the Police and Crime Panel will have its responsibilities extended to provide scrutiny for fire functions and will be renamed the Police, Fire and Crime Panel.
- g) Where the PCC does not wish to pursue such a proposal he may request to be appointed to the CFA and associated committees, enabling him to speak and vote on functions of the Authority. The authority must consider the request and publish their reasons for agreement or refusal of the request. If such an appointment takes place there will need to be consequential amendments to the CFA Constitution to give effect to this change in membership.

#### 4.3 Inspection of Fire and Rescue Services

Although the relevant part of the Act is not yet in force, there are provision to amend current legislation to enable Her Majesty to appoint a Fire and Rescue

Inspector who must inspect and report on the efficiency, and effectiveness of Fire and Rescue Authorities in England as determined by the Secretary of State.

#### 4.4 The Leicestershire and Rutland position

The Police and Crime Panel considered a report by the PCC noting the above at its meeting on 22<sup>nd</sup> May 2017. A further report is due to be presented to the Panel at its next meeting on 26<sup>th</sup> July 2017.

### 5. **Report Implications/Impact**

#### 5.1 ***Legal (including crime and disorder)***

None save as set out in the report.

#### 5.2 ***Financial (including value for money, benefits and efficiencies)***

There are no direct financial implications from this report; if the PCC elected to proceed with the governance changes this would have financial implications which will need to be considered at the time.

#### 5.3 ***Risk (including corporate and operational, health and safety and any impact on the continuity of service delivery)***

None arising from this report but the Act has the potential to bring significant change to the CFA governance arrangements if the PCC were to proceed with the proposals outlined in the report.

#### 5.4 ***Staff, Service Users and Stakeholders (including the Equality Impact Assessment)***

None arising from this report but the Act has the potential to bring significant change to the staffing and service delivery arrangements if the PCC were to proceed with the proposals outlined in the report.

#### 5.5 ***Environmental***

None

#### 5.6 ***Impact upon Our Plan Objectives***

None.

### 6. **Background Papers**

a) Police and Crime Act 2017

<http://www.legislation.gov.uk/ukpga/2017/3/contents/enacted>

b) Home Office Circular March 2017 Part 1

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/604159/Home\\_Office\\_Circular\\_-\\_Policing\\_and\\_Crime\\_Act\\_2017.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/604159/Home_Office_Circular_-_Policing_and_Crime_Act_2017.pdf)

- c) Association of Crime and Policing Executives – Police and Fire Business case guidance for OPCC Chief Executives  
[http://apace.org.uk/documents/APACE Police Fire Business Case Guidance.pdf](http://apace.org.uk/documents/APACE_Police_Fire_Business_Case_Guidance.pdf)
- d) Police and Crime Commissioner for Leicestershire, Report to the Police and Crime Panel, 22<sup>nd</sup> May 2017

## **7. Appendices**

Current and Planned collaboration/Partnership Profile.

## Current Collaboration/Partnership Profile

With Who	Involving What	Benefits
Leicestershire Police	Shared Management of Health and Safety Function	<ul style="list-style-type: none"> <li>• Reduced costs</li> <li>• Shared administration</li> <li>• Joint working</li> </ul>
Leicestershire Police	Shared Accommodation – Shepshed Fire Station	<ul style="list-style-type: none"> <li>• Reduced costs</li> <li>• Joint working</li> </ul>
Leicestershire Police	Shared Accommodation – Lutterworth Fire Station	<ul style="list-style-type: none"> <li>• Reduced costs</li> <li>• Joint working</li> </ul>
Leicestershire Police	Shared Accommodation – Billesdon Fire Station	<ul style="list-style-type: none"> <li>• Reduced costs</li> <li>• Joint working</li> </ul>
Leicestershire Police	Joint Operational Planning	<ul style="list-style-type: none"> <li>• Operational effectiveness</li> <li>• Joint working</li> </ul>
Leicestershire Police	Wide Area Search	<ul style="list-style-type: none"> <li>• Operational effectiveness</li> <li>• Joint working</li> </ul>
Leicestershire Police	Integrated Vulnerability Management Initiative	<ul style="list-style-type: none"> <li>• Operational effectiveness</li> <li>• Joint working</li> </ul>
East Midlands Ambulance Service	Shared Accommodation – Service Headquarters	<ul style="list-style-type: none"> <li>• Reduced costs</li> <li>• Shared administration</li> <li>• Joint working</li> </ul>
East Midlands Ambulance Service	Emergency First Response	<ul style="list-style-type: none"> <li>• Operational effectiveness</li> <li>• Joint working</li> </ul>
East Midlands Ambulance Service	Gaining Entry Assistance	<ul style="list-style-type: none"> <li>• Operational effectiveness</li> <li>• Joint working</li> </ul>
Leicestershire Police East Midlands Ambulance Service	Shared Accommodation – Service Headquarters	<ul style="list-style-type: none"> <li>• Reduced costs</li> <li>• Shared administration</li> <li>• Joint working</li> </ul>
Leicester City Council	Shared Finance and Treasury Function	<ul style="list-style-type: none"> <li>• Reduced costs</li> <li>• Shared administration</li> <li>• Joint working</li> </ul>
Leicestershire County Council	Shared Legal and Democratic Services Function	<ul style="list-style-type: none"> <li>• Reduced costs</li> <li>• Shared administration</li> <li>• Joint working</li> </ul>

## Current Collaboration/Partnership Profile

With Who	Involving What	Benefits
Leicestershire County Council	Integrated Housing Support (Lightbulb Project)	<ul style="list-style-type: none"> <li>• Reduced costs</li> <li>• Reduce administration</li> <li>• Citizen safety</li> <li>• Joint working</li> </ul>
Leicestershire County Council	Integrated Community Safety (First Contact)	<ul style="list-style-type: none"> <li>• Reduced costs</li> <li>• Reduce administration</li> <li>• Citizen safety</li> <li>• Joint working</li> </ul>
Leicester City Council	Integrated Community Safety (First Contact)	<ul style="list-style-type: none"> <li>• Reduced costs</li> <li>• Reduce administration</li> <li>• Citizen safety</li> <li>• Joint working</li> </ul>
Leicestershire Police Leicester City Council East Midlands Ambulance Service Health Service	Integrated Community Safety (Braunstone Blues)	<ul style="list-style-type: none"> <li>• Reduced costs</li> <li>• Reduce administration</li> <li>• Citizen safety</li> <li>• Joint working</li> </ul>
Leicestershire Police Leicester City Council East Midlands Ambulance Service Health Service	Integrated Community Safety (Highfields Blues)	<ul style="list-style-type: none"> <li>• Reduced costs</li> <li>• Reduce administration</li> <li>• Citizen safety</li> <li>• Joint working</li> </ul>
Travel Lodge	Fire Prevention (Primary Authority)	<ul style="list-style-type: none"> <li>• Reduced costs</li> <li>• Reduce administration</li> <li>• Citizen safety</li> </ul>
Derbyshire FRS Nottinghamshire FRS	Joint Fire Control	<ul style="list-style-type: none"> <li>• Reduced costs</li> <li>• Reduce administration</li> <li>• Operational effectiveness</li> <li>• Joint working</li> </ul>
Derbyshire FRS Nottinghamshire FRS Lincolnshire FRS	Fire Investigation	<ul style="list-style-type: none"> <li>• Reduced costs</li> <li>• Reduce administration</li> <li>• Operational effectiveness</li> <li>• Joint working</li> </ul>

## Current Collaboration/Partnership Profile

With Who	Involving What	Benefits
Derbyshire FRS Nottinghamshire FRS Lincolnshire FRS Northamptonshire FRS	Joint Operational Planning	<ul style="list-style-type: none"> <li>• Reduced costs</li> <li>• Reduce administration</li> <li>• Operational effectiveness</li> <li>• Joint working</li> </ul>
Derbyshire FRS Nottinghamshire FRS Lincolnshire FRS Northamptonshire FRS	Detection Identification and Monitoring (Hazardous and Other Substances)	<ul style="list-style-type: none"> <li>• Reduced costs</li> <li>• Reduce administration</li> <li>• Operational effectiveness</li> <li>• Joint working</li> </ul>

## Future Collaboration Opportunities

With Who	Involving What	Benefits
Leicestershire Police	Shared Accommodation – Western Fire Station	<ul style="list-style-type: none"> <li>• Reduced costs</li> <li>• Joint working</li> </ul>
Leicestershire Police	Shared Accommodation – Eastern Fire Station	<ul style="list-style-type: none"> <li>• Reduced costs</li> <li>• Joint working</li> </ul>
Leicestershire Police	Shared Accommodation – Central Fire Station	<ul style="list-style-type: none"> <li>• Reduced costs</li> <li>• Joint working</li> </ul>
Leicestershire Police	Shared Accommodation – Training and Development	<ul style="list-style-type: none"> <li>• Reduced costs</li> <li>• Reduce administration</li> <li>• Operational effectiveness</li> <li>• Joint working</li> </ul>
Leicestershire Police	Shared Accommodation – Workshops	<ul style="list-style-type: none"> <li>• Reduced costs</li> <li>• Reduce administration</li> <li>• Operational effectiveness</li> <li>• Joint working</li> </ul>
East Midlands Ambulance Service	Expansion of Emergency First Response	<ul style="list-style-type: none"> <li>• Operational effectiveness</li> <li>• Joint working</li> </ul>