

REPORT REFERENCE NO.	DSFRA/16/24
MEETING	DEVON & SOMERSET FIRE & RESCUE AUTHORITY (ORDINARY MEETING)
DATE OF MEETING	19 DECEMBER 2016
SUBJECT OF REPORT	POLICING AND CRIME BILL – INVOLVEMENT OF POLICE AND CRIME COMMISSIONERS WITH FIRE AND RESCUE AUTHORITIES
LEAD OFFICER	Director of Corporate Services (Clerk to the Authority)
RECOMMENDATIONS	<i>That the Authority extends a formal invitation to the Police and Crime Commissioners for Devon & Cornwall and Avon & Somerset to attend and speak at future Authority meetings.</i>
EXECUTIVE SUMMARY	<p>The Policing and Crime Bill provides, amongst other things, for a new statutory duty for the emergency services to collaborate and for Police and Crime Commissioners to assume responsibility for fire and rescue authorities (subject to approval of an appropriate business case).</p> <p>The Bill also provides for the Commissioner, where they do not wish to assume full responsibility for a fire and rescue authority, to request appointment to the authority. On receipt of such a request, the authority has to either reject or approve the request, giving and publishing reasons for its decision, but if it is minded to approve the request then the Commissioner is duly appointed to the authority, with speaking and voting rights.</p> <p>The Authority has previously been informed of endeavours, in advance of enactment of the Bill, to promote further collaboration between the emergency services. These include establishment of the Emergency Services Forum chaired by this Authority's Chair.</p> <p>In this spirit of enhanced co-operation and given the provisions of the Bill relating to involvement of Police and Crime Commissioners with fire and rescue authorities, it is now suggested that this Authority may wish at this stage to extend a formal invitation to the Police and Crime Commissioners of Devon & Cornwall and Avon & Somerset to attend and speak at future Authority meetings.</p>
RESOURCE IMPLICATIONS	Nil
EQUALITY RISKS AND BENEFITS ANALYSIS (ERBA)	The contents of this report are considered compatible with existing equalities and diversity legislation.
APPENDICES	None.
LIST OF BACKGROUND PAPERS	The Policing and Crime Bill

1. BACKGROUND

- 1.1. Following a consultation in the Autumn of 2015, the government published (in February of this year) the Policing and Crime Bill. The Bill, once enacted, will amongst other things:
- a. introduce a new statutory duty for collaboration by the emergency services (Sections 1 – 5);
 - b. provide for a Police and Crime Commissioner to assume responsibility for fire and rescue functions where, in the view of the Secretary of State and following submission of an appropriate business case, it is considered to be in the interests of economy, efficiency and effectiveness and public safety (Section 6 and Schedule 1);
 - c. provides that, where a Police and Crime Commissioner does not wish to assume responsibility for fire and rescue functions in an area, they may nonetheless request appointment to the fire and rescue authority concerned. The authority must either approve or reject this request (giving and publishing reasons for doing so) and where the request is approved the Police and Crime Commissioner will be duly appointed to the authority with speaking and voting rights (Section 7).

2. CURRENT POSITION

- 2.1 Prompted by the consultation exercise and ahead of publication of the Bill, this Authority has already taken positive steps to further collaborative effort amongst the emergency services across the region including establishment of the Emergency Services Forum chaired by this Authority's Chairman. Membership of the Forum includes senior political and officer representation from each of the emergency services in the region.
- 2.2 As referenced in paragraph 1.1 above, the Policing and Crime Bill envisages much closer working between the emergency services – particularly fire and police. With this in mind and in the spirit of promoting closer working relationships, it is therefore suggested that this Authority may wish to consider extending an invitation to the Police and Crime Commissioners for Devon & Cornwall and Avon & Somerset to attend and speak at future Authority meetings albeit that the legislative governance arrangements for the Authority do not currently allow for Police and Crime Commissioners to otherwise actively participate in the decision making process.
- 2.3 This proposal has been discussed with the Authority and Committee Chairs who are supportive of the approach. It is, therefore, commended for approval.

MIKE PEARSON
Director of Corporate Services
(Clerk to the Authority)