

**Local Government Association (LGA) Briefing,
Policing and Crime Bill
House of Lords, Report Stage
Wednesday 30 November**



Amendments

- **The LGA supports Amendment 3, tabled by Baroness Williams of Trafford**, which would ensure emergency services collaboration agreements are subject to the agreement by all parties involved. It is important that local partners have greater flexibility to vary agreements where necessary, as best suited to their local area.
- **We support Amendments 5 and 6 by Baroness Williams of Trafford**, which would prevent the transfer of governance from a Fire and Rescue Authority to a Police and Crime Commissioner if public safety is adversely affected.
- **We support Amendments 7 and 8 by Baroness Williams of Trafford**, which would give greater flexibility to arrangements between the chief police constable and the fire and rescue authority when a transfer of governance occurs.
- **The LGA also supports Amendment 9, tabled by Baroness Williams of Trafford**, which would ensure local residents are consulted when the transfer of governance arrangements are being made. We have called for there to be a comprehensive consultation with the public, before there are any changes to governance arrangements.
- **Amendment 10, tabled by Baroness Williams of Trafford**, ensures employees affected by the transfer of governance from the Fire and Rescue Authority to a Police and Crime Commissioner are consulted on proposals. We are supportive of this.
- **We support Amendment 11, tabled by Baroness Williams of Trafford**, which would require the Police and Crime Commissioner to publish their response to the representations made on the consultation for governance changes. We also support Amendment 12 by Lord Rosser and Lord Kennedy, which expands on Amendment 11, and calls for the Commissioner to publish details of the representations and views they have received on their proposals, and to set out why the benefits of a proposal cannot be achieved by other forms of collaboration.
- **The LGA supports Amendment 14, tabled by Lord Rosser and Lord Kennedy of Southwark**, which places conditions on the consultation period for the transfer of governance arrangements. We would hope the Police and Crime Commissioner considers these conditions as a minimum requirement, and would go beyond this when consulting with local partners and residents.
- **Amendment 16 by Baroness Williams of Trafford**, ensures a summary of views expressed by employees affected by the transfer of governance arrangements, is published. The LGA is supportive of this.

Briefing

- **We support Amendment 17, by Baroness Williams of Trafford**, which calls on the Secretary of State to publish an independent assessment as soon as reasonably possible after making a decision in response to the transfer of governance proposals. We also support Amendment 18, tabled by Lord Rosser and Lord Kennedy of Southwark, which would make the independent assessment available one month before an order is made. This is in the interests of improving transparency in the process.
- **We support Amendment 19, tabled by Lord Paddick and Baroness Hamwee**, which would ensure all relevant local authorities agree with the transfer of governance, before an order is made. Without relevant local authority agreement, the transfer of governance should not go ahead.
- **The LGA welcomes the intention of Amendment 22**, tabled by Baroness Williams of Trafford, which would provide Police and Crime Commissioners with some flexibility around producing joint police and crime plans.
- **We support Amendments 31, 32, 34, 35 and 36, tabled by Baroness Williams of Trafford**, which apply the same consultation measures to Mayoral Combined Authorities, as previous amendments 7, 6, 10 and 11.

Background information

The Secretary of State should only make an order transferring governance of the fire service to the Police and Crime Commissioner where there is local agreement to do so. For this reason, we support the intention behind the amendments, which seeks to ensure that a transfer of fire governance can only occur where the relevant local authorities and local residents agree.

Allowing a Police and Crime Commissioner to take on governance of the fire service where there is no local support would undermine existing collaboration arrangements between the emergency services. It could also make working arrangements between the police and the fire service more problematic, undermining the trusting and good relationships which have been built up so far.

Clause 7 of the Bill allows Police and Crime Commissioners to attend, speak and vote at meetings of county or unitary fire and rescue authorities where the business relates to the functions of the council as a fire and rescue authority. The LGA has suggested the council's monitoring officer should take the final decision when it is unclear as to whether council business relates to the function of the council, and whether the Police and Crime Commissioner is entitled to a vote.