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Date: 12 January 2021

Dear Paul,

### **A Unitary Solution for the Bay Council**

We confirm that we will be submitting a full response to your letters of the 21st and 24th December 2020 by the deadline of the 14th January 2021.

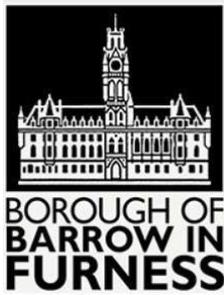
Further to previous correspondence regarding exercising of powers in relation to Police and Fire area boundaries we take the opportunity to provide further detail of our view on the legislative provisions.

Please note that we have taken counsel's advice on this matter and our position is that we have not misunderstood the provisions of Part 1 of the 2007 Act.

The short point is that the requirements of section 13(4) only arise if the Secretary of State elects to exercise his discretion under section 11(1) (b). Should the Secretary of State be satisfied that police boundaries are not required to be changed then it is open to him to make an order without a reference to changing police boundaries.

However, if the Secretary of State judges it appropriate to realign police boundaries using the powers afforded under s11 (4) (g) then s13 (4) applies. We would add it is our view that it would be a relatively straightforward matter under the law to ensure any new unitary authority sits wholly in one police area. This could be achieved by the Secretary of State exercising his discretion now under s11 (1) (b), applying s13 (4); or at a later date under s32 of the Police Act 1996.

We hope you agree therefore that there is no legal barrier to the further development and delivery of our proposal, and indeed we were encouraged by the inclusion of Type C proposal within the criteria for the submission.



If, in the light of this letter you harbour any residual concerns we would welcome the opportunity to convene a meeting between our legal team and your legal advisers to clarify and resolve them. Should you wish to convene such a meeting please suggest some suitable dates.

Yours sincerely,

**Sam Plum**  
**Chief Executive**  
**Barrow Borough Council**

**Kieran Keane**  
**Chief Executive**  
**Lancaster City Council**

**Lawrence Conway**  
**Chief Executive**  
**South Lakeland District Council**