



Paul Rowsell
Ministry of Housing Communities and Local
Government
2 Marsham Street
London SW1P 4DF

By e mail

South Lakeland District Council
South Lakeland House
Lowther Street
Kendal
Cumbria
LA9 4DQ

Tel: 01539 733333
www.southlakeland.gov.uk

Date: 14 January 2021

Dear Paul,

Delivering unitary local government for The Bay and North Cumbria – supporting assessment of the impact on police forces and fire and rescue authorities

Further to our full proposal for The Bay and North Cumbria as the means for establishing single tier local government in our area, and our subsequent correspondence and local engagement, we enclose the requested further assessment on the impact on police forces and fire and rescue authorities.

This follows our letter of 6 January 2021 welcoming your acknowledgement that our Type C proposal for the Bay Council is in line with legislation and statutory guidance for local government reorganisation. Our subsequent letter of 12 January 2021 (copy attached) set out our position on the legislative requirements related to Local Government Reorganisation and any consequential changes to police boundaries, further to your suggestion that we take further advice.

We have undertaken a proportionate assessment of the impact of our proposals for unitary local government on other local boundaries. Moreover, the extent to which we have sought to develop and engage local partners in development of our proposal, test public opinion, and reflect views has been more extensive than other locally developed proposals.

The attached assessment is limited purely to the impact of our proposal on police force areas and fire & rescue authorities. It reflects on the received views of the Police and Crime Commissioners in Cumbria and Lancashire. We have attached the written representations we have received from both PCCs and await responses from the Fire and Rescue Authorities. As we are submitting this further assessment to meet the timetable you have described we will continue to correspond with the PCCs and the Fire and Rescue Authorities to explore solutions and reserve a right to make further submissions to you.

Based on this further analysis and engagement, we invite the Secretary of State, when evaluating our submission, to consider:

- enforcing the primacy of local government as the building block for administrative boundaries by requesting other local bodies impacted by our proposal to adapt to the new local government boundaries it would create and not vice versa,



- Options for delivering the fire and rescue and Police services as detailed within our assessment; and
- in doing so, continue to consider the opportunities for innovation in public sector reform in a coherent way as envisaged by The Bay proposal and which supports the levelling up agenda.

In terms of options for fire and rescue and police services we recognise that both Cumbria and Lancashire Police and Crime Commissioners are resistant to changes in local government boundaries that could affect them and both have indicated that they would prefer to see the development of Mayoral Combined Authorities for both Cumbria and Lancashire. Nothing we are proposing would prevent that eventuality, but it is for another time and process, and is not to our understanding currently on offer.

Where there is a consequential impact on other local boundaries as a result of our proposal we do not consider that there are any insurmountable issues that could not be addressed and costs are, in our opinion, likely to be outweighed by unlocking wider benefits from better local government and the type of public service reform described in our proposal.

There is no easy way to satisfy the interests of everyone in what is a competitive process. For our part, we are open to any arrangement for police areas and fire & rescue services that facilitates the implementation of the Bay Council. We will work with relevant authorities to adapt to our new boundaries. What we cannot accept is that they could veto what we consider the optimal arrangements for local government and the communities we serve, recognising the strength of community support for our proposal and the benefits that would be delivered.

Arrangements to replace Cumbria Fire & Rescue Authority

Consequential to the acceptance of our proposal is the need for a replacement for the Fire & Rescue Authority in Cumbria. There appear to be two main options - either to create a Combined Fire Authority covering the proposed unitaries or to transfer responsibility to the Police and Crime Commissioner.

Whilst a simple replacement for the existing fire and rescue service is a clear option it is appropriate to explore transfer to the PCC because:

- it is a view that has been advocated by the Cumbria Police and Crime Commissioner (and is an approach previously advocated by his equivalent in respect of Lancashire);
- it would help take forward the Government's manifesto commitment to "enable fire and police services to work more closely together and develop the role of our elected and accountable Police and Crime Commissioners"

In the case of a new fire and rescue authority for Cumbria it would be for the two new unitary councils to progress governance and operational arrangements for this.

If the fire and rescue responsibilities are transferred to the PCC it would be for the PCC to lead development of a business case to transfer responsibility and detail new arrangements under the process established by the Policing and Crime Act 2017. This could be parallel to local government reorganisation and would only impact Lancashire Fire and Rescue Authority if there was to be a change in the police areas. A PCC-style Fire and Rescue Authority would create a coterminous boundary between police, fire & rescue services.



Whether to maintain current boundaries

The intention within our submission is to maintain effective and efficient policing and fire and rescue services whilst minimising the consequential impact on police areas and fire & rescue services. Whilst the legislation is in place to enable this approach, the appetite of the PCCs and fire authorities is not. As neither PCC would support this option and believe it would be more complex than a coterminous relationship with local authority boundaries, we have focussed additional assessment on achieving the prize of better local government and public service outcomes for our residents.

These options would address your key concern and reinforce the principle that local authority boundaries are the building blocks for adapting police force and fire & rescue service areas, not vice versa.

How current police force boundaries could be amended

Should the Secretary of State be minded to agree the Bay proposal, subject to a modification to ensure that the Bay Council would be wholly within a single police area, then we have identified three boundary change options for consideration – transferring the entire Bay Council area into either Lancashire or Cumbria or incorporating the Bay Council area within an enlarged area covering Cumbria and Lancashire.

It would be for relevant authorities to develop a locally agreed proposal based on their assessment of options. Incorporating the Bay Council within Lancashire would mean that North Cumbria may not be a viable scale for a separate police, fire and rescue authority. Incorporating Lancaster within an expanded Cumbria creates a different set of issues.

Expanding the footprint could work well for wider public service alignment, including the local NHS. It could enable development of local policing areas that reflect the unitary boundaries whilst also supporting strategic capabilities for functions that need to operate at scale, such as those indicated in the various PCC responses.

The approach will be shaped by the Government's intentions relating to further stages of both police and fire reform and devolution and local recovery, the details of which are not currently available.

Concluding points

You will have anticipated the potential of such a situation when recommending the Secretary of State issue an invitation to put forward local proposals including Type C arrangements and your prior knowledge of our alignment across current county boundaries. We therefore expect that you will also be keen to evaluate fully how our proposal can deliver on the primary policy objective of establishing single tier local government arrangements that improve local government and local services, command local support and represent credible geographies. As highlighted, we are open to any arrangement for police areas and fire & rescue authorities that facilitates and supports our proposal for the Bay Council.



What we cannot accept is that optimal local government arrangements are secondary to maintaining existing police force or fire & rescue service areas.

In relation to replacing the Cumbria Fire & Rescue Authority, we have highlighted credible options, including potential to advance government policy intentions and wider public sector reform.

We expect that this update satisfies your request for further assessment of the impact of our proposal on police and fire services and demonstrates our on-going and firm commitment to reflect on feedback and refine proposals to enable creation of the Bay Council and unlock the benefits it will bring. We look forward to the next stage of the process and continuing to work with you and the team.

We are copying this response to the relevant Police and Crime Commissioners and Fire and Rescue Authorities and relevant government departments for information.

Yours sincerely,

CLLR ANN THOMSON
Leader of the Council
Barrow Borough Council

CLLR DR ERICA LEWIS
Leader of the Council
Lancaster City Council

CLLR GILES ARCHIBALD
Leader of the Council
South Lakeland District Council

SAM PLUM
Chief Executive
Barrow borough Council

KIERAN KEANE
Chief Executive
Lancaster City Council

LAWRENCE CONWAY
Chief Executive
South Lakeland District Council

Enclosures

Impact Assessment

Copy of correspondence 12th January 2021

CC's-

Secretary of State for Housing, Communities and Local Government

Secretary of State Home Office

Minister of State for Regional Growth and Local Government

Cumbria PCC

Lancashire PCC

Cumbria Fire and Rescue Authority

Lancashire Fire and Rescue Authority