

Impact Assessment: Delivering unitary local government for The Bay and North Cumbria – supporting assessment of the impact on police forces and fire and rescue authorities	
Prepared for MHLCG on 14 January 2021	Development of options stage

Summary: Intervention and Options

What is the matter under consideration?

A Full Proposal was submitted on the 9th December 2020 for the Bay Council and North Cumbria which would cross the boundary of relevant police areas and fire & rescue authorities and therefore needs to consider any consequential impact.

Based on further analysis and engagement with relevant Police and Crime Commissioner (PCC) and Fire & Rescue Authorities (FRA), the assessment suggests the following considerations for the Secretary of State when evaluating:

- the primacy of local government as the building block for administrative boundaries by requesting other local bodies impacted by the proposal to adapt to the new local government boundaries it would create and not vice versa; and
- options for delivering the fire and rescue and Police services as detailed in the assessment.

What are the policy objectives?

The 'Combined Proposal' for the Bay Council and North Cumbria would establish single tier local authorities likely to significantly improve local government in the area, command a good deal of local support, and cover a credible geography. These are the key policy objectives behind the Secretary of State's invitation issued using his powers in the Local Government and Public Involvement in Health Act 2007.

Where there is a consequential impact on other local boundaries as a result of the proposal, costs are, in the proposing councils opinion, likely to be outweighed by unlocking wider benefits from better local government and the type of public service reform described in the proposal. The proposing councils are open to arrangements that facilitates the implementation of the Bay Council and will work with relevant authorities to help adapt to new local government boundaries.

What options have been considered?

Item 1: replacement of the Cumbria FRA currently provided by Cumbria County Council:

- Option a - Create a CFA covering the two proposed unitary authorities.
- Option b - Transfer responsibility to a PCC.

Item 2: approach for managing impact on local police areas and fire & rescue service boundaries:

- Option a – Business as usual. Retain the current position.
- Option b – Amend boundaries.

Summary: Analysis & Evidence

Description: Replacement arrangements for the Cumbria Fire & Rescue Authority (FRA) currently provided by Cumbria County Council

Initial options appraisal

Key	Negative	Neutral	Positive
1.a Creating a Combined Fire & Rescue Authority (CFA) with proportionate representation from the two new unitaries.			
Economy	<p>Establishing a Cumbria CFA would require additional set up costs, and be similar to current arrangements, both are considered negative impacts.</p> <p>Lancashire FRA would be unaffected by the structural change, unless there was a change of boundary or the two new authorities became part of an expanded 'Cumbria & Lancashire' CFA. This could be a positive impact and opportunity to support both bodies in securing future efficiency and effectiveness improvements.</p>		
Efficiency	<p>A Cumbria CFA may not have sufficient scale to be able to secure on-going efficiencies and if it was required to create a new corporate centre this could divert resources from service improvements. However it would enable closer collaborative working with the CFA in Lancashire.</p>		
Effectiveness	<p>Evidence suggests that stand-alone CFAs are in general performing significantly better than county FRAs. A Cumbria CFA may lack the strategic leadership capacity as a stand alone body to secure continuous improvements in effectiveness. It would be supported by two new unitaries so arguably better.</p>		
Deliverability	<p>Views have been requested from the Cumbria FRA, via the County Council, on options for replacing themselves. A request has also been made to Lancashire FRA for comment on these options, including the potential of extending their constituent members to include new authorities formed as a result of the move to single tier local government.</p>		
1.b Creating a PCC-style FRA			
Economy	<p>The cost of transition is considered low. Evidence from the independent assessment of PFCC proposals suggests set up and implementation costs can be repaid within 1-2 years being under £250k. There are no disaggregation costs into separate bodies, just transfer costs to an existing arrangement.</p> <p>Lancashire FRA would be unaffected by the structural change, unless there was a boundary change, or agreement to merge Cumbria and Lancashire PCC areas.</p>		
Efficiency	<p>The approach supports the duty for emergency services to consider scope for collaboration to improve efficiency. Greater operational alignment among emergency services, supported by convergence of systems, staffing and processes offer scope for efficiencies which are arguably stronger than the potential by remaining within councils.</p>		
Effectiveness	<p>The evidence suggests there is scope for greater operational alignment among emergency services in systems, staffing and processes which are arguably stronger in related services than with councils.</p>		
Deliverability	<p>The Cumbria PCC has previously expressed interest in assuming responsibility for fire & rescue services, as has his counterpart in Lancashire. Government policy encourages closer working between emergency services and an increasing number of areas are moving to joint responsibility under a Police, Fire and Crime Commissioner.</p>		

Summary: Analysis & Evidence

Description: Approach to local police areas and fire & rescue service boundaries

Initial options appraisal

Key	Negative	Neutral	Positive
2.a Business as usual – Retain the current position			
Economy	This approach minimises the cost of change by limiting the need for other boundary changes. Although considered possible, it is recognised partners are resistant to arrangements which are untested.		
Efficiency	Each of the police and fire authorities would deal with one local authority. The primary negative efficiency impacts would fall on local authority in dealing with more than one police area. However it is worth recognising that within Lancashire there already exists more than one upper tier authority.		
Effectiveness	The extent to which strategic objectives are achieved in policing and fire should not be materially affected, although there would be some additional co-ordination to ensure no unintended outcomes with respect to public safety.		
Deliverability	Although confident this arrangement works both PCCs and government have expressed concerns and no desire to support such an approach.		
2.b.i Amend boundaries – Transfer of the Bay Council area wholly into an expanded Lancashire police and fire & rescue service area			
Economy	This maintains the principle that police and fire & rescue services would adapt to the arrangements for local government. It is negative due to concerns it creates unsustainable arrangements within the Cumbria region.		
Efficiency	Such an arrangement would have implications for the viability of the residual police force and fire & rescue arrangements in North Cumbria.		
Effectiveness	Cumbria Constabulary and FRS are a small police force and fire & rescue authorities so splitting in half would further limit capacity for maintaining effective services and driving improvement.		
Deliverability	This approach would be resisted by the police and fire & rescue authorities in Cumbria and is unlikely to be supported by relevant local authorities in North Cumbria.		
2.b.ii Amend boundaries – Transfer of the Bay Council area wholly into an expanded Cumbria police and fire & rescue service area			
Economy	This maintains the principle that police and fire & rescue services would adapt to the arrangements for local government. The arrangements in the residual area of Lancashire where proposals for local government reform are at a different stage of development, however this region has previously responded well to changes in boundary.		
Efficiency	Such an arrangement may have implications for maintaining the efficiency of arrangement in Lancashire, which for the police is assessed by HMICRFS as outstanding. It may however, enhance the potential for efficiency gains in an expanded area covering the Bay and North Cumbria.		
Effectiveness	Such an arrangement, including a PFCC arrangement, could provide a robust partner in delivering reform priorities and mirror arrangements for the local NHS at a 'place' level.		
Deliverability	This approach would be resisted by the police and fire & rescue authorities that do not want to see boundary amendments but could support reform priorities in relevant local authorities and the wider public reform agenda for police and fire & rescue services.		
2.b.iii Amend boundaries – Incorporation of the Bay Council area wholly within a merger of the police force and fire & rescue service areas of Cumbria and Lancashire under a single PFCC			
Economy	Although the costs of transition are greater so is the scope. A solution which incorporated all of Lancashire and Cumbria and both fire & rescue and police would focus on a co-ordinated programme.		
Efficiency	A combined and enlarged police and FRA would have the strategic capabilities that both PCCs suggest are needed and ability to align to local areas at the neighbourhood.		

Effectiveness	A combined scale provides opportunities for development of national, regional and local capabilities that would support the reform agenda of local authorities.
Deliverability	Both PCCs would resist a merger but have indicated their preference for a Mayoral Combined Authority. Government policy would be critical in creating the enabling conditions within which all partners could explore the benefits of changes that go beyond individual services and authorities. Historically a merger between the police forces in this geography has been approved by the Government.

Evidence base

A. Strategic overview

A.1 Background

All principal authorities in Cumbria, alongside North Yorkshire and Somerset, have been invited to put forward proposals for unitary local government responding to requests from the County Councils in such areas to do so. As noted in the Secretary of State for Housing, Communities and Local Government statement on 12 October 2020, [county] *'councils in these areas have requested such invitations and have been developing ideas about restructuring local government in their areas for some time. It is right that they should now have the opportunity to take their local discussions to a conclusion, and if they wish, make proposals for unitary reform'*.¹

For councils that had not requested but are affected by an invitation - such as Barrow, Lancaster and South Lakeland - this meant that there was significantly less time to develop and consider views on how a single tier of local government could improve local government and priority services.

The selective nature of areas invited to put forward proposals also means that areas in Lancashire which have been considering proposals, such as Lancashire County Council, are not able to submit proposals unless they are part of proposal in involving Cumbria by virtue of being an adjacent area. Therefore, it is permissible to include Lancaster within the proposal but a proposal without a Cumbria principal authority, such as Lancashire County Council's cannot be considered in this round.

The Secretary of State for Housing, Communities and Local Government issued an invitation under his powers contained in Part 1 of the Local Government and Public Involvement in Health Act 2007, to any principal authority in the area of the county of Cumbria to submit a proposal for a single tier of local government. This required an outline proposal by 9 November 2020 and a full proposal by no later than 9 December 2020.

The terms of the invitation required an authority to have regard to the guidance from the Secretary of State and to any further guidance received from the Secretary of State and allowed for any authority responding to this invitation to either make its own proposal or make a proposal jointly with any of the other authorities invited to respond.

The guidance from the Secretary of State was concise, requiring only that:

1. A proposal should seek to achieve for the area concerned the establishment of a single tier of local government, that is the establishment of one or more unitary authorities:
 - a. which are likely to improve local government and service delivery across the area of the proposal, giving greater value for money, generating savings, providing stronger strategic and local leadership, and which are more sustainable structures;
 - b. which command a good deal of local support as assessed in the round overall across the whole area of the proposal; and
 - c. where the area of each unitary authority is a credible geography consisting of one or more existing local government areas with an aggregate population which is either within the range 300,000 to 600,000, or such other figure that, having regard to the circumstances of the authority, including local identity and geography, could be considered substantial.
2. The following matters should be taken into account in formulating a proposal:
 - a. A proposal should describe clearly the single tier local government structures it is putting forward, and explain how, if implemented, these are expected to achieve the outcomes described in paragraph 1 above.
 - b. The need for evidence and analysis to support a proposal and any explanation of the outcomes it is expected to achieve, including evidence of a good deal of local support.

¹ <https://questions-statements.parliament.uk/written-statements/detail/2020-10-12/hcws502>

- c. The impact of any proposed unitary authorities on other local boundaries and geographies. If the area of any proposed unitary authority crosses existing police force and FRA boundaries, the proposal should include an assessment of what the impact would be on the police forces and/or FRA and include the views of the relevant PCCs and FRA.
- d. Any wider context for any proposed unitary authorities around promoting economic recovery and growth, including possible future devolution deals and Mayoral Combined Authorities.

Barrow, Lancaster and South Lakeland councils responded to this invitation by proposing a solution for single tier local government across Cumbria and the adjacent area of Lancaster. The proposal asked the Secretary of State to take forward a Type C proposal to create 'The Bay Council', consolidating the proposing council districts with the relevant geographies of Cumbria and Lancashire County Councils and a parallel Type B arrangement for North Cumbria. It proposed police forces and fire & rescue services remained on their current footprints.

This proposal was overwhelmingly approved at extra-ordinary full council meetings in each of the proposing authorities on 8 December, with resounding cross-party support and reflects the strength of local public opinion.

Further to the submission, officials asked on 21 December 2021 for further information by 7 January 2021 on the assessment undertaken in relation to 2.c of the statutory guidance, considering the impact of any proposed unitary authority on other local boundaries and geographies. This raised a concern that in their view under requirements of the Local Government and Public Involvement in Health Act a unitary authority could not be served by two police force areas. Following a request for an extension until 28 January to allow time for further discussions the assessment deadline was extended until 14 January 2021.

A.2 Groups affected

The proposed unitary authorities for the Bay Council and North Cumbria do impact on other local boundaries and geographies. The Bay Council would cross existing police force and FRA boundaries meaning that for the purposes of this assessment the affected groups are:

- Cumbria Constabulary
- PCC for Cumbria
- Lancashire Constabulary
- PCC for Lancashire
- Cumbria FRA
- Lancashire FRA

A copy of this assessment will be sent to all those affected groups covered in this assessment.

A.3 Seeking the views of relevant parties

Initial conversations in developing the proposal were undertaken to help shape ideas and understand the perspective of local Police & Crime Commissioners, police forces and fire & rescue authorities. The pre-submission development phase also included engagement with a wider range of stakeholders to consider the impact on all local boundaries and geographies.

These conversations informed development of the proposal and were not intended as formal consultation on a proposal. The submission included full written representations received prior to submission, and the proposing council's response where necessary to clarify statements within.

Key messages prior to submission were that:

- Police & Crime Commissioners, police forces and fire & rescue authorities felt that although it was for local government to put forward proposals, they had a general preference for a move to a single tier of local government but different views on how this could be achieved;
- Any proposal the Government agreed would be made to work operationally; and

- A preference to avoid unnecessary disruption to their own organisations at the current time.

Post-submission, this additional assessment has provided a further opportunity to test those messages in considering the impact on affected groups.

The following have been engaged:

- Peter McCall, Cumbria PCC and Vivienne Stafford and Andrew Dobson from the Office of the PCC for Cumbria in person discussion and written correspondence.
- Clive Grunshaw, PCC for Lancashire (comments received by correspondence) and discussion with Angela Harrison, Office of the PCC for Lancashire
- Stewart Young, Cumbria County Council Leader in person discussion
- Katherine Fairclough, Cumbria County Council Chief Executive in relation to Cumbria FRA who is considering comments by correspondence
- Justin Johnston, Lancashire FRA who is considering comments by correspondence

Key messages informing and reflected in the assessment include that:

- Police & Crime Commissioners are opposed any short-term arrangement, but also any amendment to boundaries;
- Their desire for Mayoral Combined Authorities which were not the subject of this reform; and
- There are operational practicalities and disruption arising from any change.

B. Rationale for further consideration

B.1 The issue

The invitation for proposing a single tier of local government allowed for Type C proposals that involved an area adjacent to the county of Cumbria, which because police force and fire & rescue services are aligned to the county boundaries, therefore anticipates an impact on other local boundaries. In requesting additional information officials have confirmed that there is no question on whether the proposal for The Bay Council is in line with the guidance accompanying the invitation. The only issue is over the interpretation of the impact on other local boundaries.

The combined proposal suggests police areas and fire & rescue services remain on existing footprints in the short term whilst leaving open future amendments pending clarity on government intentions on English devolution as well as police and fire & rescue service reform. Officials have asked for the short-term position to be reviewed in relation to the proposed unitary authority and police force and fire & rescue service areas. Therefore, the purpose of this supporting assessment is purely to provide further information in relation to the assessment of the impact of The Bay Council proposal on the police forces and FRA, including the views of the PCCs and Fire & Rescue Authorities in Cumbria and Lancashire.

Issue 1. Alternative arrangements for Cumbria Fire & Rescue Authority

Cumbria Fire & Rescue Service is a county fire & rescue service integrated within a principal authority that has proposed a different approach to single tier local authorities in Cumbria. A consequence of the combined proposal is that this arrangement would no longer be possible. Consideration of this issue and the alternatives is provided in section C.

This issue need not impact on Lancashire FRA, nor Lancashire Constabulary, unless there is an associated change of boundary. No other changes are being considered to either the Lancashire FRA and Lancashire FRS under assessment of this issue.

Issue 2. Whether to maintain current police boundaries and, if not, how to change them to reflect the new unitaries

Consideration of the arrangements for police force areas is more complex.

Government have invited local government reorganisation proposals that cross police boundaries but asked that consequential impacts be considered. Any Type C proposal from a principal authority in Cumbria would have to cross current local police force and fire & rescue service boundaries. Therefore, the invitation to put forward proposals will have anticipated and been prepared to accept any arrangement that did so.

Historical precedent is that police force and fire & rescue service boundaries adapt to reflect local government boundary changes and not vice versa. To prevent the Bay Council on the grounds it would require changes to current local police force and fire & rescue service boundaries would set a new precedent and limit reorganisation options across the country in the future.

This assessment assumes the optimal arrangement for local government takes precedence and should be first determined unconstrained by existing police force and fire & rescue service boundaries; but that if any police force and/or fire & rescue service boundary would be crossed, then the impact on those authorities is a matter to be considered in the proposal. This has been done to an appropriate level in the submission and this subsequent assessment to enable further consultation.

In considering the impact on police force areas it is worth noting:

- uncertainty on government intentions regarding PCCs. The Home Office announced an internal review of PCCs on 22 July 2020 ². Part One of this review, which was due by October 2020, was expected to make recommendations on ‘changes required to strengthen the model which, where possible, can be delivered ahead of the 2021 PCC elections’. It was also expected that the review would map out the longer-term ambition for the expansion of the PCC role, including in relation to further reform of fire & rescue services. The review is considering further options and opportunities to strengthen fire governance and accountability, drawing on the lessons from the first cycle of fire governance transfers to PCCs. Part Two of the review will focus on longer-term reforms and the potential for wider efficiencies to be made within the system with a view to implementation ahead of the 2024 elections.
- the selective invitation to county areas meaning creating a two-speed position where Lancashire based authorities are being asked to comment on Cumbria-triggered proposals without the opportunity to consider the entirety of their area. This is relevant for both police force and fire & rescue service areas.
- the history, where the areas around Morecambe Bay have been considered well suited for a local government administrative unit, both in the Redcliff-Maude Commission proposals before the 1974 reforms and in the aborted North West Regional Assembly proposals in 2005. The police and fire authorities today took their geography from decisions taken at the time of local government reform in 1974.

² <https://questions-statements.parliament.uk/written-statements/detail/2020-07-22/HCWS416#:~:text=Police%20and%20Crime%20Commissioners%20were,over%20policing%20in%20their%20area.&text=T%20o%20deliver%20this%20commitment%2C%20I,and%20myself%20by%20October%202020.>

- The proposing councils' interpretation of the legislation is that it is possible for a unitary authority to be established which crosses existing police force and fire & rescue service boundaries without requiring a consequential amendment to those boundaries. The proposing councils' wrote separately on this point on 12 January 2021.

The assessment on options for boundary changes is in section D onwards.

B.2 Level of analysis

This assessment provides an appropriate and proportionate level of evidence in the time available and in relation to the proposing councils role and responsibilities for developing proposals that would be likely to improve local government, command local support and represent a credible geography.

It is not required under the terms of the invitation nor the statutory guidance from the Secretary of State for the local authorities to undertake a detailed business case for amendments to the structure and organisation of other institutions. Nor would it be appropriate to do so, even where there is a need to do because of actions to improve local government. It would be for those bodies to prepare the detailed assessment to adapt their organisation to any new arrangement agreed for a single tier of local government.

This assessment analyses reasonable options that appear available to the proposing councils and has invited comment from affected bodies building on previous engagement and discussions.

B.3 Policy objectives

The primary policy objective of the Secretary of State in inviting proposals is to achieve the establishment of a single tier of local government. If a unitary proposal is to be implemented, it must:

- be likely to improve local government and service delivery across the area of the proposal, giving greater value for money, generating savings, providing stronger strategic and local leadership, and which are more sustainable structures;
- command a good deal of local support as assessed in the round overall across the whole area of the proposal; and
- be a credible geography consisting of one or more existing local government areas with an aggregate population which is either within the range 300,000 to 600,000, or such other figure that, having regard to the circumstances of the authority, including local identity and geography, could be considered substantial.

The impact of any proposed unitary on other local boundaries should be taken into account in formulating a proposal although there is no guidance on the criteria or tests for doing so. Therefore, this assessment considers:

- whether an authority is wholly within a single police force as a key consideration.
- impacts in relation to whether they are likely to support or detract from economy, efficiency and effectiveness including whether there is any impact on public safety.
- Opinion on delivery confidence for each option.

This assessment does not attempt to provide a detailed description of the proposed governance or operational model for other public service bodies. It would be inappropriate to expect it to do so.

C. Issue 1 – replacement arrangements for Cumbria Fire & Rescue Authority

Context

In proposing a Bay Council, the proposal requires a replacement governance model for the FRA in Cumbria. Such an authority operates in a system of representative democracy, overseeing and being

responsible for ensuring Fire and Rescue Service (FRS) deliver excellent services as efficiently and effectively as possible. It is the FRA that would be impacted because of the move to unitary local government, with impact on the FRS mainly operational and territorial.

In the current arrangement the FRS shares a boundary with the county council and the council is the FRA. Fire and rescue services are a 'department' alongside functions like education and a cabinet member has lead responsibility, which in Cumbria is a portfolio with Customers, Transformation and Fire and Rescue, and full council is the authority. Of the 45 FRAs in England, only 14 are of this type.

There is no suggestion that the current Cumbria FRS would be sub-divided, and this governance model replicated in each of the two proposed unitaries which was a key concern of the portfolio holder and Chief Officer prior to submission.

Both Cumbria and Lancashire Fire & Rescue services are good, as illustrated by the most recent results of inspections by Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFS). Reflecting on the national picture, it appears Combined Fire Authorities tend to perform better than County FRA arrangements³.

Authority	Efficiency	Effectiveness	People
Cumbria (FRA County) ⁴	Good	Good	Requires Improvement
Lancashire (FRA CFA) ⁵	Good	Good	Good
National overview			
Authority Type	Efficiency (% of authorities rated good)	Effectiveness (% of authorities rated good)	People (% of authorities rated good)
County FRA	43%	43%	21%
Combined Fire Authority	71%	75%	42%
Metropolitan Fire Authority	62%	71%	71%

Options

In replacing Cumbria FRA, there appear to be two main options, either to:

- create a Combined Fire Authority (CFA) covering the two proposed unitaries. Under this arrangement a stand-alone CFA would be responsible for governance of the FRS. The CFA would be comprised of elected councils appointed by the leaders of each consistent council, with the number of members from each based on relative population size, with the largest authorities being under 25 members. There are currently 20 CFAs in England.
- transferring responsibility to the PCC. Under this arrangement the PCC would become a Police, Fire and Crime Commissioner and assume responsibility for governance of the FRS. This has been enabled through the Policing and Crime Act 2017 and associated process for the transfer which would require the PCC to submit a business case to the Secretary of State. There are currently 5 PCC-style FRAs.

A third option for expanding the existing CFA covering Lancashire local authorities could also be considered. This could complicate government policy regarding alignment of police and fire service so should only be considered as part of a wider change and consideration of option 2biii.

Assessment

The Government has not mandated the move to PCC-style FRAs, but it has been encouraging closer collaboration between emergency services for several years and this is being considered in the

³ <https://www.justiceinspectors.gov.uk/hmicfrs/frs-assessment/frs-2018/>

⁴ <https://www.justiceinspectors.gov.uk/hmicfrs/frs-assessment/frs-2018/cumbria/>

⁵ <https://www.justiceinspectors.gov.uk/hmicfrs/frs-assessment/frs-2018/lancashire/>

current PCC review. Subject to the outcome of that review, it is likely that this option should be tested because:

- it is advocated by the Cumbria PCC in his views on ‘blue light’ collaboration (and the Lancashire PCC previously suggested such an approach in his area and drew up proposals following the enabling legislation but dropped plans in late 2018⁶);
- 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 PCCs” and anticipates the direction of travel indicated by the review of PCCs in relation to FRs;
- it provides a relevant basis for shared support services in line with each body’s duty to collaborate in the interests of efficiency and effectiveness;
- it may improve the visibility and transparency of fire and rescue service governance over current arrangements; and
- it need not impact on Lancashire FRA governance and/or operations (unless there is a proposal to change boundaries)

It would be for the Cumbria PCC to lead development of the business case for this transfer in line with the guidance from the Association of Policing and Crime Chief Executives (APCCE)⁷ including whether to develop a governance model or single employer model.

This guidance suggests an implementation timescale from preparing a business case through to the Home Office laying the necessary order over nine months is allowed, meaning that transition could be planned in parallel to local government reorganisation.

Evidence from the independent assessments by CIPFA of recent PCC-style FRAs suggests that set up costs are repaid through savings from closer working⁸. The first such transition was in Essex in October 2017, followed by West Mercia, Cambridgeshire and Staffordshire six months later and North Yorkshire in June 2018. Northamptonshire PFRC assumed responsibilities following the county failure and was finalised at the start of 2019.

Boundary issues are considered in the wider assessment but can be addressed through the order making for the PCC-style FRA. The boundary would need to be coterminous with the police area for which the PCC is responsible. It would therefore be more complicated if the PCC boundaries were to change.

D. Issue 2 – Whether to realign boundaries and consideration of options for changes

Context

The key consideration at the heart of this assessment is whether it is better to (a) maintain current police force and FRA boundaries, accepting Bay Council would be split between two authorities or (b) amend current boundaries resulting in the Bay Council being wholly within a single police force area and if so how best to achieve this.

The proposal development approach considered the optimal solution for local government first, and then how best to manage and mitigate impact on other local public service boundaries. The impact for Cumbria Fire & Rescue Service is considered under issue 1.

There would be an option that any boundary proposal for the police force would want to be mirrored in the arrangements for fire & rescue service, although they would not need to be. There are multiple examples across the country where police and fire & rescue service areas are not coterminous (such as Avon Fire Authority and Avon & Somerset Police).

⁶ <https://www.lancs.live/news/lancashire-news/plans-police-fire-crime-commissioner-15645694>

⁷ https://apace.org.uk/documents/APACE_Police_Fire_Business_Case_Guidance.pdf

⁸ <https://www.gov.uk/government/collections/fire-governance-proposals-independent-assessments>

Issues have been considered at a proportionate level on analysis based on whether they are likely to have a positive, neutral or negative impact in relation to the following criteria:

- Economy – minimising the cost of resources used while having a regard to quality;
- Efficiency – the relationship between outputs and the resources used to produce them;
- Effectiveness – the extent to which strategic objectives are achieved, including any possible unintended outcomes and impact on public safety.

Also indicated is an assessment of the delivery confidence in relation to each approach.

Option 2a. Maintaining current boundaries

The intention within the proposal submission was to maintain effective and efficient policing and FRs for The Bay area and North Cumbria by retaining existing boundaries. The rationale was to minimise the short-term consequential impacts on police areas and fire & rescue services.

This approach would avoid additional transition costs beyond that required for establishment of a single tier of local government and it was the understanding that operationally all authorities would seek to make this arrangement work. It would however set a precedent, which may be appropriate to test for a Type C invitation although it may raise questions for MHCLG, which will need to be tested through further development.

Whilst the legislation is in place to enable this approach, this assessment focuses on achieving the prize of better local government and public service outcomes for residents.

Initial assessment of the impact of such as approach against the criteria is that it would be likely to be:

- **NEUTRAL impact on economy** – This approach minimises the cost of resources used while having a regard to quality by limiting the need for transition and change. There would be more limited organisational impact on police force and FRA. There are some complexities, but these are mainly detailed operational procedures that would need addressing as part of the process of establishing the new unitary interfaces with both areas. Local authorities are used to working with multiple partnerships and police forces and fire & rescue authorities are likewise used to working with multiple local authorities.
- **NEUTRAL impact on efficiency** – There would be a balance of simplification and complication for police forces and fire & rescue authorities. The positive impact for Cumbria police force and fire & rescue service would come from single tier local government arrangement across all areas, while for Lancashire it would increase the proportion of their overall area that operates under a single tier arrangement. The additional complication would come from operational delivery and governance arrangements of a local authority area operating between two police forces, which would currently be unique. It is not correct to suggest that a single local authority could not work with more than one Police or FRA. These efficiency impacts would primarily be on the local authority (1 to 2 relationship) rather than the police forces and fire & rescue authorities who would have a 1 to 1 relationship in the area that they covered. This would require additional effort on the part of the unitary to strengthen collaborative arrangements in each and between the two areas. Across the emergency services, in line with their duties to collaborate, there are already joint working arrangements and services do not stop at existing local authority boundaries.
- **NEUTRAL impact on effectiveness** – The extent to which strategic objectives are achieved should not be materially impacted by a maintenance of existing arrangements although it may increase the co-ordination required to ensure there are no unintended outcomes or uncertainties in responsibilities that impact on public safety.

- **NEUTRAL impact on delivery confidence** – the proposing councils are confident and positive that from a unitary authority perspective such an approach is possible and still allow efficient and effective police and fire & rescue services. It would additionally provide a useful reference case for other areas and an opportunity for formative evaluation and support. However, it needs to be enabled by support from Government and from the impacted bodies, all of whom have expressed concerns. The resistance of both PCCs and, it is understood the relevant departments, is likely to impact on achieving a successful outcome.

Options 2.b for how current police force boundaries could be amended

If the Secretary of State agrees that crossing a police force area is a secondary consideration to the primary objective of establishing the optimal arrangements for local government then there may be value in pursuing a wider realignment now on the boundaries of the new authorities in line with original longer term thinking in the proposal.

This brings added complexity and cost during the period of transition, but it could result in a shorter overall period of change across local public services within this part of Cumbria and Lancashire. Arrangements could be in place in time for the next PCC elections in 2024. It could also result in a coterminous arrangement being in place whereby the new unitaries - not existing counties - form the building blocks for amendments of police force and fire & rescue service areas from vesting day.

On condition that optimal local government arrangements take precedent, the Secretary of State could recommend a modification to the proposal when agreeing the Bay Council. The proposing councils would work with the relevant PCC on the development of locally agreed proposals to run in parallel to amendments to local government.

The proposing councils cannot accept that an optimal local government arrangement for local government are secondary to maintaining existing police force areas and that these areas are used as a rationale to prevent the preferred approach to single tier local government. To do so would be counter to the primary objective of the invitation to submit proposals for a single tier of local government that would be likely to improve local government, command local support and represent a credible geography.

Should the Secretary of State only be minded to agree the combined proposal only if the Bay Council would be wholly within a single police force and fire & rescue service area, then three boundary change options have been identified for consideration:

- i. Transfer of the Bay Council area wholly into an expanded Lancashire police force and fire & rescue service area;
- ii. Transfer of the Bay Council area wholly into an expanded Cumbria police force and fire & rescue service area; or
- iii. Incorporation of the Bay Council are wholly within a merger of the police force and fire & rescue service areas of Cumbria and Lancashire under a single PCC.

It would be for the relevant Police & Crime Commissioners and Fire & Rescue Authorities to develop a locally agreed proposal based on a detailed assessment of such options. This may require an invitation or direction from government and relevant statutory guidance from the Secretary of State.

Option 2.b.i Transfer of the Bay Council area wholly into an expanded Lancashire police force and fire & rescue service area

If, as has previously been indicated, the Secretary of State agrees that crossing a police force area is a secondary consideration to the primary objective of establishing the optimal arrangements for local government then there may be value in pursuing a wider realignment now on the boundaries of the new authorities in line with original longer term thinking.

Initial assessment of the impact of this approach against the criteria is that it would be likely to have:

- **NEGATIVE impact on economy** - this approach increases the cost of resources used in transition by requiring amendment across all police and fire & rescue authorities to adapt to the new unitary authorities but reaffirms the principle that those authorities adapt to local government boundaries. However, it may create an arrangement which is unsustainable and therefore require further amendment in the future adding greater uncertainty and cost.
- **NEGATIVE impact on efficiency** – this approach would have implications for the viability of residual police force and FRA arrangements in North Cumbria, which would reduce by 17% in total spend on a per person basis.

Policing cost per person per year in Lancashire were £189.90 in 2018/19 compared to £204.40 nationally and £226.30 in Cumbria (equivalent to a cost of £66.7m for the Bay Council area out of a total spend of £399.5m). The cost per firefighter per person per year in Lancashire was £22.67 and in Cumbria £23.73 compared to £22.08 nationally (equivalent to a cost of £7.4m in the Bay Council area out of a total spend of £46m).

Whilst recognising different operational demands and context for both, the variation may indicate potential to support efficiency gains through an expanded arrangement for the Bay and North Cumbria. Applying the Carter Review principles of exploring variation, if the cost of policing in new areas were reduced to the national average there would be potential efficiencies of £1.6m in the Bay Council and £7.2m in North Cumbria, and for fire & rescue £0.4m and £0.5m respectively. Achieving Lancashire costs for policing across Cumbria is equivalent to £18m.

HMICFRS Profile data / ONS population data	Police cost per person per year	Fire cost per person per year	Police total per year	Fire cost per year
Cumbria	£226.30	£23.73	£113.1m	£11.9m
Lancashire-14	£189.90	£22.67	£286.4m	£34.2m
North Cumbria			£74.2m	£7.8m
Lancashire-15 (including the Bay)			£325.4	£38.3m

In 2018, the NAO reported on the financial sustainability of police forces. It reported that central government funding to Police & Crime Commissioners has fallen by 30% in real terms since 2010-11 but that overall commissioners received 19% less funding as local funding through council tax took up some of the reduction. Cumbria total funding reduced by 17% over this period and Lancashire by 20%. Nationally, local as opposed to central funding accounted for 36% of funding in England and Wales, but varies across the country – Cumbria currently relies on local funding for 42% of its funds (above the national average) whilst Lancashire local funding

accounts for 33% (below the national average). The funding formula for any new arrangement will need to be considered alongside the arrangements for council tax harmonisation.

- **NEGATIVE impact on effectiveness** – the extent to which strategic objectives of a reduced Cumbria police force could be achieved may affect their ability to maintain their current ‘Good’ assessment. The impact might be mitigated through collaboration agreements and alliances.
- **NEGATIVE impact of delivery confidence** – This approach would be resisted by the police and fire & rescue authorities in Cumbria and is unlikely to be supported by relevant local authorities that are supporting unitaries in Cumbria. There is a need to ensure long term sustainability of these key partners and local councils across all affected areas.

Option 2.b.ii Transfer of the Bay Council area wholly into an expanded Cumbria police force and fire & rescue service area

This option would also involve the Bay Council being a building block but see the movement in the opposite direction from Lancashire and into Cumbria.

Initial assessment of the impact of this approach against the criteria is that it would be likely to have:

- **NEUTRAL- impact on economy** - this approach increases the cost of resources used in transition by requiring amendment across all police and fire & rescue authorities to adapt to the new unitary authorities but reaffirms the principle that those authorities adapt to local government boundaries. While it offers the potential for stable arrangements for the Bay Council and North Cumbria it does have implications for the remainder of Lancashire. Due to the approach of inviting different areas at different times this means the potential impact of local government reorganisation proposals on the rest of Lancashire cannot be assessed in parallel.
- **NEUTRAL impact on efficiency** – this approach would have less implications for the viability of residual police force and FRA arrangements in Cumbria and could result in more robust arrangements for the future. It would have more negative implications for Lancashire which could lose some of its capacity to operate efficiently and sustainably. Lancashire Constabulary is currently assessed by HMICFRS as outstanding on this measure.

Policing cost per person per day in Lancashire is £0.52 in 2018/19 compared to £0.56 nationally and £0.62 in Cumbria. The cost per firefighter per person per year in Lancashire was £22.67 and in Cumbria £23.73 compared to £22.08 nationally. Whilst recognising different operational demands and context for both, the variation may indicate potential to support efficiency gains through an expanded arrangement for the Bay and North Cumbria.

Policing cost per person per year in Lancashire were £189.90 in 2018/19 compared to £204.40 nationally and £226.30 in Cumbria (equivalent to a cost of £66.7m for the Bay Council area out of a total spend of £399.5m). The cost per firefighter per person per year in Lancashire was £22.67 and in Cumbria £23.73 compared to £22.08 nationally (equivalent to a cost of £7.4m in the Bay Council area out of a total spend of £46m).

Whilst recognising different operational demands and context for both, the variation may indicate potential to support efficiency gains through an expanded arrangement for the Bay and North Cumbria. Applying the Carter Review principles of exploring variation, if the cost of policing in new areas were reduced to the national average there would be potential efficiencies of £1.6m in the Bay Council and £7.2m in North Cumbria, and for fire & rescue £0.4m and £0.5m respectively. Achieving Lancashire costs for policing across Cumbria is equivalent to £18m.

HMICFRS Profile data / ONS population data	Police cost per person per year	Fire cost per person per year	Police total per year	Fire cost per year
Cumbria	£226.30	£23.73	£113.1m	£11.9m
Lancashire-14	£189.90	£22.67	£286.4m	£34.2m
The Bay & North Cumbria			£140.8m	£15.2m
Lancashire-13 (excluding the Bay)			£258.7m	£30.8m

- **NEUTRAL impact on effectiveness** – the extent to which strategic objectives of a reduced Lancashire police force could be impacted may affect their ability to deliver on locally agreed priorities. However, this could be a mitigating impact through enabling an expanded Cumbria arrangement to create a robust partner capable of supporting the reform agenda of the Bay Council and North Cumbria. Local policing arrangements (sitting under the wider strategic functions across both areas) could be aligned to reflect the direction of travel in the local NHS whereby the Bay Council area is an integrated care partnership within the Lancashire and South Cumbria Integrated Care System and North Cumbria is aligned to a different ICS.
- **NEUTRAL impact of delivery confidence** – This approach would be resisted by the police and fire & rescue authorities that do not want to see boundary amendments but could support reform priorities in relevant local authorities in the Bay Council and North Cumbria. Aligned to arrangements for transferring responsibility for fire & rescue services to the PCC it is potentially easier to deliver than a movement in the opposite direction.

Option 2.b.iii Incorporation of the Bay Council area wholly within a merger of the police force and fire & rescue service areas of Cumbria and Lancashire under a single PCC

There is no requirement for a police force merger but the establishment of single tier arrangements for local government could act as a catalyst for change, alongside potential policy changes flowing from the PCC review and local recovery and devolution White Paper. There is a long-standing policy aim, and statutory duties, for collaboration among emergency services.

There have been previous discussions regarding police force mergers, most recently in 2006, when Cumbria and Lancashire were the only area to put forward voluntary proposals, but which ultimately did not proceed. Since that time there have been fundamental changes both public services, their governance, and the pattern of crime at both a national and local level.

This includes the introduction of PCCs and the enabling legislation to permit them to take on additional responsibilities for fire & rescue services.

There is limited track record and reference examples to consider in relation to police force mergers. The most relevant example we are aware of is the business case prepared by Dorset Constabulary and Devon & Cornwall Constabulary in 2018. This also did not proceed when one PCC withdrew support late in the year.

Beyond police, FRs there are additional considerations about local bodies working together including:

- Further development of local NHS bodies supporting development of the Integrated Care System, where the Bay is part of Lancashire & South Cumbria. NHS Improvement and NHS England are consulting on proposals and options for placing such bodies on a statutory footing, reinforcing place-based leadership, and supporting the ambitions of the NHS Long Term Plan.
- Establishment of Mayoral Combined Authorities and the potential within areas of Cumbria and Lancashire for such as an approach, where police and fire responsibilities can also come under the responsibility of the Mayor.

This illustrates the direction of travel of national policy although there continues to be a reliance on voluntary arrangements coming forward and no national obligation.

Such an approach would significantly increase the degree of change and complexity but by considering arrangements for local government, police and fire and rescue, alongside wider responsibilities, in parallel there could be a unique and ambitious opportunity for public service reform.

The high-level assessment of the impact of such an approach against the criteria is that it would be likely to have:

- **POSITIVE impact on economy** - this approach increases the overall cost of resources used in transition because it uses the establishment of a single tier of local government as a catalyst for wider reform across all police and fire & rescue authorities and wider public services. It could consolidate potential transition effort and costs over the next decade within a more comprehensive and co-ordinated programme. Alignment could be planned to coincide with future PCC elections in 2024 and for adjacent reform in the remainder of Lancashire.
- **POSITIVE impact on efficiency** – this approach would require significant input from all affected bodies but offers the potential for truly redesigning services around citizens in relation to local policing and preventative services and creates a strategic level for functions and activities that need scale – both in policing but also across other functions including economic development and transport. Merging police areas could be the first step on such a journey.

The more recent consideration of merger between Dorset Constabulary & Devon & Cornwall Constabulary would be a better reference point for the strategic case for change than reflecting on previous merger discussions in 2006. This failed in part due to concerns on council tax harmonisation. Much has changed since 2006 and, could change through local government reorganisation, to suggest that looking forward rather than back to the past is necessary.

In 2018-19, the government allowed commissioners to raise annual council tax precept contributions by £12 per household. Since 2013-14, the Department's local council tax support grant has compensated forces for a reduction in council tax contributions following legislative changes. In 2018-19, the local council tax support grant was £434 million. This was available during the last consideration of police force mergers.

Wider efficiency gain potential could be significantly enhanced, and local boundary issues would be removed – enabling local placed based approaches aligned to unitary authorities and strategic system level co-operation for issues that need a response at scale.

- **POSITIVE impact on effectiveness** – the arguments of both PCCs about the need for strategic capabilities would be reinforced in by a move to an enlarged area with the scale and capacity to be a national, regional and local partner. It would enable local government to work at different scales with policing, fire & rescue services and provide strategic leadership to the system.

The proposing councils would be able to work with emergency colleagues on preventative services, such as mental health and well-being, that would reduce demand on their responsive

services. It would also support their ability to better tackle the causes of demand on council services which do not care about local boundaries, such as county lines and cyber-crime.

- **NEUTRAL impact of delivery confidence** – engagement has suggested that there is currently no appetite for a merger. Both PCCs have indicated their preference for a Mayoral Combined Authority, which they propose on current county lines, but which would potentially be stronger at a larger scale. The appetite and/or requirement for a merger of police force and/or fire & rescue authorities may in the future be influenced by government policy decisions, including the outcome of the current PCC review and proposals in the English devolution and White Paper. The Government could create the incentives for exploring strategic collaboration across public services in this part of the North West through its decisions over the coming months – including using local government reorganisation as a catalyst for wider change.

At present there has been no development of such a proposal, nor incentive to do so. The timing and complexity of such changes makes this option appear less likely if it is to coincide with local government proposals.

E. Risks and assumptions

A core assumption is the primacy of arrangements for securing better local government will continue to use in determining whether to proceed to the next stage of engagement. Existing police force boundaries should not and cannot restrict options for local government reform.

- **Lack of Type C precedents:** There have been relatively few local government reorganisations over recent years and no Type C proposal have been forward where an adjacent area beyond the upper tier boundary is considered. The Government’s invitation to consider such proposals is welcome and suggests a willingness to adopt such proposals where they represent the optimal solution for local government.
- **Uncertainty on PCC arrangements:** The governance and accountability framework for police forces under PCCs has changed since most reorganisations took place. Recent examples of unitary local government (Northamptonshire, Bedfordshire and Dorset etc) are wholly within the relevant police force and FRA areas so this issue has never been tested to our knowledge. To exclude consideration of such a proposal would risk setting a precedent that local government reorganisation proposals are bounded by police force areas and/or PCC views.
- **Over-emphasising the value of coterminous arrangements -** The instinctive belief in the benefits of coterminous arrangements across all local public authorities has less evidence of a need to operate on similar footprints to deliver effective joint working. Local public service organisations are involved in multiple arrangements involving different partners and across different geographies for different purposes. The Institute for Government report ‘Joining up around local, citizen needs’ suggests five reasons why joining up has frequently proved elusive, only one of which is that “misaligned geographies and the patchwork of commissioning, funding and regulatory processes can make it difficult for local actors to design services around a ‘whole person’. The others include short term policy and funding cycles, cultural differences between professions, barriers to data sharing and limited sharing of what works. Being coterminous is only one of many ways of joining up services and a relatively weak one if other factors are not in place.

F. Wider impacts

This assessment and the recommendations have positive potential impacts for system working in the future, including:

- Alignment of police, fire & rescue services maintains the current position but would also increase alignment to the direction of travel for the local NHS. Closer collaboration between the 'blue light' services and wider health, care and well-being responsibilities, including prevention, support the proposals reform priorities.
- Strengthening the basis for further development of collaboration an alliance working on public service reform and in preparation for potential English devolution opportunities in line with the Government's manifesto commitments and the anticipations 'Local Recovery and Devolution White Paper'.

G. Monitoring and Evaluation

Our Type C proposal would provide a useful test for monitoring and evaluation, generating the evidence base for consideration in future proposals elsewhere in the country (either in support of or to demonstrate issues and learning).

Post reorganisation, Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS), would continue to monitor and evaluate whether the changes are likely to make improvements in policing and fire & rescue services to make everyone safer.

A formative evaluation of the local government reorganisation process in relation to the impact on police forces and fire & rescue services by HMICFRS research and evaluation specialists would be welcomed.

This assessment has been able to identify a range of local solutions, while there remains uncertainty on the national position over the medium term, and the different status of local partners in terms of whether they are able to put forward proposals. Engagement and active participation from Government will help realise these policy ambitions.

Annex A

Summary of engagement undertaken

Summary

In the time available it has been something of a challenge to create the conditions for fully informed and considered debate. The proposing councils have sought a joint meeting facilitated and supported by Government for open and transparent conversation.

Written correspondence post submission

Formal written representations have been received from:

- a. Peter McCall, Cumbria PCC letter of 13 January 2021.
- b. Peter McCall, Cumbria PCC letter of 13 January 2021 to Luke Hall MP.
- c. Clive Grunshaw, PCC for Lancashire letter of 11 January 2021

Engagement with Lancashire representatives

In addition to regular engagement and discussion the following actions relate to engagement with Lancashire PCC and Lancashire FRA:

- Letters regarding the proposals were issued to Lancashire PCC and Lancashire FRA were issued on 10 November
- A meeting with Lancashire stakeholders was held on 27 November 2020 – LFRS attended but the PCC did not.
- The PCC wrote in response to the original proposal on 8 December 2020 (which was included, alongside the proposing council's response, in the submission)
- A meeting with the PCC was held on 10 December 2021
- A meeting with Office of the PCC was held on 6 January 2021
- A letter to Chief Fire Officer was issued on 13 January 2021
- The PCC wrote in response of further engagement on 13 January 2021 (which is included in this submission)

Engagement with Cumbria representatives

In addition to regular engagement and discussion the following actions relate to engagement with Cumbria PCC and representatives on behalf of Cumbria FRA:

- Meeting with PCC and Chief Officer on 17 November 2020
- Meeting with Chief Constable on 20 November 2020
- Meeting with Cabinet Member for Cumbria Fire & Rescue and Chief Officer on 20 November 2020
- Leaders of Barrow and South Lakeland meeting with the Leader of Cumbria County Council, who declined to arrange a meeting on the FRA but invited a written proposal for comment
- Chief Executives of Barrow and South Lakeland and Cumbria County Chief Executive exchanges on meeting 7 and 10 January 2021. Meeting postponed as it was conditional upon the prior receipt of written proposals as opposed to a more open discussion to co-design solutions.
- Written approach to Cumbria County Chief Executive on 12 January 2021
- There is a possibility of meeting later in the month of January 2021
- Meeting with PCC, his chief officer and legal adviser on 7th January 2021.

Formal correspondence pre-submission

Formal written representations received in relation to the request to prepare a proposal and to consider the views of affected bodies were included in the Full Combined Proposal submitted on 9 December 2020 (pages 93 to 104).

- a. Peter McCall, Cumbria Police and Crime Commissioner letter of 13 January 2021.

Peter McCall
Police and Crime Commissioner for Cumbria
Carleton Hall
Penrith CA10 2AU



Sam Plum
Chief Executive - Barrow Borough Council

Lawrence Conway
Chief Executive – SLDC

In case of enquiry please
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13 January 2021

Dear Sam & Lawrence,

Thank you for taking the time to meet with me on 7 January 2021 to briefly discuss your preferred proposal concerning the Bay Area unitary authority. I do of course welcome the engagement as it is important that we arrive at the best solution for the whole of Cumbria. I understand that the timeline for your response to MHCLG is tight, and I have therefore put this early response together with Operational advice from the Chief Constable, clearly we may need to give further consideration in due course. This letter, which I am copying to MHCLG and the Home Office contains my reflections on your proposal and should therefore be incorporated into the impact assessment I assume you will be undertaking.

It is my understanding that Paul Roswell from MHCLG has recently responded to your proposal for the Bay Area local government restructure. I haven't seen the letter and no one has spoken to me directly about this, but I understand it states "you might wish to update your proposal, providing an assessment of its impact on the local police forces, including the views of the Police and Crime Commissioners." Further on looking at the initial letter from Paul Roswell sent on 9 October 2020, I note that what appears to be being requested now was requested then, as in the attached schedule at Paragraph 2(c) it stated:-

"The impact of any proposed unitary authorities on other local boundaries and geographies. If the area of any proposed unitary authority crosses existing police force and fire and rescue authority boundaries, the proposal should include an assessment of what the impact would be on the police forces and/or fire and rescue authorities and include the views of the relevant Police and Crime Commissioners and Fire and Rescue Authorities."

Having viewed your proposal I do not believe that it included any assessment of what the impact would be on the Cumbria Constabulary and did not adequately include the views of the Police and Crime Commissioner. I assume that Paul Roswell is in agreement in respect of this, hence the content of his most recent letter. As I read the current Bay proposal, the only reference to policing seems to focus on the short term and the use of collaboration agreements by both Cumbria Constabulary and Lancashire Constabulary to address operational issues arising, rather than identifying the impacts upon the two Forces. I will

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return to the potential use of collaboration agreements later within this letter. Whilst I fully understand the local desire to pursue the Bay Proposal I have very serious concerns about the short term solution proposed within the bid as it will not, in my view, work and fundamentally misses some significant legal issues.

I acknowledge and am grateful that through the meeting we held on 7 January 2021, you sought my views and I will endeavour to summarise these below. However, this still, in my view, falls short of the impact assessment which has been requested by MHCLG. I would welcome sight of the impact assessment once you have completed it.

To assist in the impact assessment which I assume you are now undertaking, I can provide you with some initial views on your proposal. I did share some initial views with MHCLG when I wrote to them on 14 December 2020. I attach a copy of this letter for your attention. I made it clear within that letter that any reorganisation would 'most definitely be best delivered by maintaining the current county border and our current policing footprint'. My view has not changed. At the meeting we held on 7 January 2021, you made it clear that your proposal was to progress the Bay Area new unitary authority with no change to the policing areas currently policed by both Cumbria Constabulary and Lancashire Constabulary, therefore supporting my view on policing boundaries. However, under your proposal, the two police forces would each have policing responsibility for part of the Bay Area, Cumbria Constabulary policing the northern part and Lancashire Constabulary policing the southern part. I am therefore focusing this response on this proposal, and the impact on policing, as you have clearly stated this is your preferred way forward.

My position, as Police and Crime Commissioner for Cumbria is that the existing administrative areas of both South Lakeland District Council and Barrow Borough Council need to remain within what is currently the County of Cumbria and the policing boundary needs to remain as is. This is my preferred position and my preferred boundary, in other words the status quo should remain.

I am supportive of local government reform within Cumbria as long as any such changes take place within the existing Cumbria policing boundary on a coterminous basis only. My previously stated preferred option would be for a coterminous combined authority approach with a Mayor.

For the avoidance of any doubt, having considered the Operational Policing advice I am unable to support the proposition of undertaking local government reform in line with your preferred option whilst leaving the policing boundary unchanged, I regret that it remains highly problematic for reasons I shall set out below.

May I first of all begin with the definition of policing areas as defined within the Police Act 1996. The Police Reform and Social Responsibility Act 2011 defines, at Section 2, what a 'police force' means. It states that it means the police force for a police area listed in Schedule 1 to the Police Act 1996. In section 2(1) of the Police Act 1996 it states that a police force shall be maintained for every police area for the time being listed in Schedule 1 (underlining is my emphasis).

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Schedule 1 to the Police Act 1996 lists at paragraph 1 all of the Police areas. Every single policing area listed in the schedule is defined by reference to a county or counties, a metropolitan district or districts and/or a non metropolitan district or districts. In short, all are defined by reference to local government boundaries. Cumbria Constabulary is identified as being responsible for policing the County of Cumbria. Lancashire Constabulary is identified as policing the county of Lancashire and the non-metropolitan districts of Blackburn with Darwen and Blackpool.

If there is no longer a county of Cumbria (as under your preferred proposal) how will the geographical area to be policed by Cumbria be defined? This is not something which we can leave to be resolved in the longer term, as the proposal would seem to suggest. It must be addressed at the outset and amendments would have to be made to the Police Act to come into effect at the same time as any change to the current local government boundaries. In simple terms, the Police Act 1996 would have to be amended as the County of Cumbria would no longer exist. If there is no local government area coterminous with the current Cumbria County boundaries, as under your preferred proposal, the question arises; how do you propose to define the area to be policed by Cumbria Constabulary? The same would be true for the area to be policed by Lancashire Constabulary. I have not been able to find any examples within England and Wales of any Police Force being responsible for policing part of a county, metropolitan district or non metropolitan district. It would appear that every Police Force must be coterminous with a local government boundary. Your preferred proposal would make this impossible.

In fact, it is my understanding that when making an order for reorganisation under the Local Government and Public Involvement in Health Act 2007, section 11(4)(g) allows a consequential alteration to police force boundaries to be made. Section 13(4) provides that the Secretary of State must use the power to alter police force boundaries in a way that ensures no county in which there are no district councils, district or London borough is divided between two or more police areas. This therefore covers all possible unitary councils that could be formed using the powers under the 2007 Act, and so the Secretary of State must, if necessary, use their power in section 11(4)(g) to alter the police force area to ensure the new unitary is covered in its entirety by one police force area. In my view there is no short term solution which is inappropriate and legally incorrect.

Aside from the obvious legal issue above, if local government reform were to proceed as you propose, there would be an issue of a two tier council tax position in the new unitary authority. As the PCC for Cumbria, I would still be levying the policing element of the council tax for the old Cumbria administrative area. From a residents perspective this does not seem to be desirable and from a pure administrative position it would seem to unnecessarily complicate things in a new unitary, when the starting point should be one of clarity. This would be further compounded if in due course we have a Combined Authority and Elected Mayor who would be required to either harmonise Precept across the two current county areas or have two different rates within his own jurisdiction.

The issue of council tax harmonisation arises simply because of the differences in the current levels of council tax between the two current authorities. It is entirely unconnected with the costs and savings of the reorganisation itself. The issue of council tax

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harmonisation is old trodden ground in some respects and was discussed in 2006 with government as part of the proposed merger arrangements for Cumbria and Lancashire Constabulary. It has to be said that at that time it was a major factor in both parties reaching an agreement not to proceed with the amalgamation.

For 2020/21

- Residents of Lancaster have a Band D Council Tax of £211.45 for the PCC for Lancashire
- The current Band D Council Tax for the PCC for Cumbria is £265.59 - **£54.14 higher**

The process of how to equalise council tax does not appear to have been addressed or considered in any depth in your proposal.

As highlighted above, the current policing element of the council tax within Lancashire is currently significantly less than the Cumbria element for a Band D property. Logically, you would not be able to charge the residents of the Bay Area a different police precept depending upon whether or not they resided in the old Cumbria County jurisdiction or the old Lancashire County jurisdiction? How do you propose to harmonise the policing precept for the Bay Area without significantly affecting the funding of each Constabulary? Any changes to the policing precept would have significant ramifications upon the current funding of Cumbria Constabulary and would potentially impact upon the Core Grant Funding and the Police Funding Formula.

Further, as Police and Crime Commissioner for Cumbria I am charged with setting a Police and Crime Plan with associated priorities for my area and the PCC for Lancashire is charged with the same duty for his area. In this new unitary proposal, those priorities may not be exactly the same for each PCC, yet both sets of priorities will exist in the one administrative area. I don't feel that this is a desirable situation to be in. I feel the residents of any new unitary council deserve to have clarity on policing priorities and be clear as to who is their PCC without any doubts over political accountability.

There is then the further governance issue concerning Police and Crime panels. Under the Police Reform and Social Responsibility Act 2011 (section 28) each police area is to have a Police and Crime panel established and maintained in accordance with Schedule 6 of that Act. The functions of a Police and Crime panel are set out in that section and in schedules 1, 5 and 8 which includes scrutiny of senior appointments, issuing precepts and the appointment of police and crime commissioners. It is for the local authority or local authorities which such a police area covers to establish and maintain a Police and Crime panel for the police area. Under your proposal, the Bay Area would have statutory responsibility for being involved in the establishment and maintenance of two separate Police and Crime panels, one for Cumbria Constabulary and one for Lancashire Constabulary. I am not aware of any such model in respect of the current Police and Crime panels. I envisage that the Bay Area unitary authority would be the minority member of each Police and Crime panel due to the population and geography of the policing areas.

There are also some commissioning implications from your preferred proposal. In respect of commissioning, whilst Health commissioning may already follow the proposed (or similar)

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Bay footprint, other services such as those for victims service, as an example, are currently commissioned centrally across Cumbria, and allow an alignment with policing services. If Cumbria Constabulary and Lancashire Constabulary were to both given statutory responsibility for policing their respective 'parts' of the Bay Area unitary authority they would each have their own policing stance and have to respond to the policing objectives set by their respective Police and Crime Commissioners. This would again would lead to potentially differing levels of service to residents within the same unitary authority.

In addition, it is inconceivable that a local authority would want to commission these types of services twice and inevitably this would change the way services were delivered across the new area. Again this would further complicate policing practices and could lead to a very inconsistent level of service provision, based on geographic location, for victims and vulnerable people. There would also be a serious concern in the ability of a small unitary area to have the capability and capacity to deliver the services that are critical in preventing crime and providing services to those at risk of crime or already subject to serious victimisation i.e. CSE, Child Abuse, and Domestic Abuse.

There is then the issue of emergency services having to work with only some of the new unitary authority area. The current geographical area of the County of Cumbria is coterminous with both the Policing area of Cumbria Constabulary and the Fire and Rescue area of Cumbria Fire and Rescue. It would not in my view be sensible to compliance matters by both emergency services having to also work with another new unitary authority in respect of only some of that new unitary authority area. This will only complicate and confuse matters and would potentially undermine community safety objectives relating to vulnerability, information sharing, and equitable service delivery.

Further, as you are no doubt aware there are a number of alternative proposals as regards local government reform within the existing boundary of Cumbria County which would all be coterminous with the current policing boundaries of Cumbria Constabulary. As I have previously stated I am keen to support local government reorganisation within Cumbria and my preferred option is for a coterminous combined authority approach with a Mayor. I am unable to support any proposal that takes policing outside its existing policing boundary for reasons set out within this letter. I am therefore very concerned about the impact of your preferred option as it is in conflict with my preferred option. If your preferred option were to proceed I believe this would leave Cumbria Constabulary in a compromised position potentially and we would not be coterminous with the administrative area of Cumbria as policing would cover an area outside Cumbria, namely the northern part of your proposed Bay Area. It seems to me that proceeding with local government reform through the Bay proposal will merely be creating further problems at a future point in the event of future local government reform.

Further, from a partnership landscape perspective, your preferred option would appear to me to pose difficulties which are potentially confusing for those working and living within the new unitary. To introduce two policing bodies in one unitary area seems to over complicate the landscape and introduce unnecessary risks into those new arrangements, even if all were to be committed to working collaboratively.

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I have also sought the views of the Chief Officers of Cumbria Constabulary as to the potential operational impacts of your preferred option. They have advised the following:-

The preferred Bay Area proposal envisages a hybrid model where the Cumbria and Lancashire forces would need to provide a number of key functions across an increased number of organisational boundaries. Each statutory boundary that is encountered in these areas of work tends to increase complexity and reduce the likelihood of providing a coordinated and effective policing response.

These risks are particularly concerning in the following areas where considerable impact would arise and public risk is likely to increase as a result:

- Cumbria Constabulary has well developed contingency and emergency planning arrangements in place with local partners that are based on a shared geography, shared situational awareness of threat and risk, and many years of experience in addressing adverse weather events and other public emergencies. These relationships and structures have been particularly valuable in meeting the threat from COVID. Indeed only in the last week the SCG/LRF response, police led, has been praised by Cabinet Office Covid19 field team who conducted a 2 day visit to assess the effectiveness of the local Covid response. An unpicking of these relationships into a more complex model operating across two or more different geographies and governance structures would present a risk to the effective protection of the public. Changes would be required to the currently county-wide Local Resilience Fora, and this would generate risks in relation to governance and increase complexity regarding preparedness and planning obligations within the Civil Contingencies Act. This would affect the response to a civil emergency, particularly as the Detailed Emergency Planning Zone would span two LRF's. The Constabulary would have an additional layer of local government to manage in the LRF in what is an already excessively complex situation
- Safeguarding of vulnerable children and adults relies on multi-agency assessment of risk and coordination of the response to it. Cumbria discharges this through county-wide Multi-Agency Safeguarding Hub (MASH) and Multi Agency Public Protection Arrangements (MAPPAs) with current statutory partners. It is difficult to see how the Bay Area proposal could facilitate an effective response across multiple statutory boundaries in a way that didn't increase complexity, reduce consistency of service provision, or increase timescales of response, all of which would be likely to increase risk to vulnerable individuals. The proposed model would require the disaggregation of current MASH and MAPPAs arrangements to ensure that the current bodies did not encompass populations that they did not 'police'. This would add complexity of processes, and duplicate internal demand across forces leading to a real risk of urgent public safety responses being delayed and the distribution of partnership information becoming frustrated.

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- **Management of child death investigations and efforts to reduce the levels of suicide** rely on a shared approach being taken across a police and partnership area. It would be difficult to envisage how these tasks could be performed as effectively if they were further complicated by overlapping county boundaries and priorities.
- A unitary local authority non-contiguous with police boundaries will complicate and adversely affect the current provision of specialist countywide assets e.g. serious organised crime investigation, provision of armed response. This is likely to increase the risk to residents.
- The residents within the proposed unitary local authority area would experience differing policing approaches from the two forces policing within that area. These different approaches may create inconsistent experiences across the area and may adversely impact on confidence and satisfaction levels.
- Victims of crime, particularly vulnerable victims, will receive an inconsistent level of service and experience a different level of support within the unitary local authority area due to varying services commissioned by different Police and crime Commissioners.

Having spoken with Chief Officers and sought advice I do not believe that the governance and operational impacts identified within this letter can simply be addressed in the short term by the use of collaboration agreements under s.22A of the Police Act 1996. Such agreements address how police forces can and will work together to discharge policing functions in the interests of the efficiency or effectiveness of one or more police forces. The issues identified within this letter cannot simply be resolved by Cumbria and Lancashire Constabularies working together, as it is more fundamental than that. The issues are more legal and concern how those two Forces can work with one new Unitary authority for which both Forces will have some policing responsibilities and the confusion and complexities arising from that model. Contrary to your stated belief within the Bay Proposal document, s.22A collaboration agreements do not offer a short term solution. There needs to be a fundamental review now of the impacts of your proposal upon both Cumbria Constabulary and Lancashire Constabulary and detailed plans put in place to address these impacts now, rather than leaving it to be 'sorted out later' as you seem to suggest.

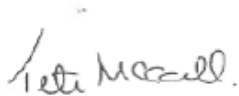
Whilst I have not been asked to comment upon this yet, should the preferred model in the Bay Area proposal be found to be ineffective from a policing point of view after instigation, it is likely that this would lead to consideration of changed police boundaries in order to mitigate the increased levels of threat and risk. If this was the case, it would require a fundamental reorganisation of the policing response, back to core architecture. ICT systems, intelligence systems, command & control systems, the force vision and identity would all need to be revised. Whilst some local policing assets might be able to be 're-badged', it would necessitate the un-picking and redistribution of force level assets and headquarters functions on a pro-rata basis. As these are the functions that deal with the higher level crime threats (e.g. County-Lines criminality, armed policing functions, surveillance functions, management of serious sex offenders) this would involve considerable complexity, time, cost and risk.

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Should a manageable way of doing this be found, and a portion of Cumbria Constabulary transfer to Lancashire, it would inevitably leave the remainder of the force below a critical mass needed to protect the public, so would necessitate the remainder being amalgamated into another policing area. This may then lead to a domino effect on connected forces with further examination and rationalisation needed of those other force structures. I could not and do not support such a move and indeed campaigned for election as PCC on a clear policy to retain a stand alone Cumbria Constabulary and carry that mandate from our residents.

I do appreciate that the arguments in this letter are not helpful for your proposal but I am obliged to give my advice on the basis of the best outcome for the safety, security and resilience of all residents of Cumbria and my comments are given in that context. Clearly in light of the many issues raised above, further detailed work as regards the impact of your proposal upon policing in Cumbria is required before the proposal can be advanced. If you want to explore any of these issues with me further, please do not hesitate to get in contact.

Yours sincerely,



Peter McCall
Police and Crime Commissioner

CC'd
MHLCG
Home Office
PCC Lancashire
Chief Executive Lancashire
Chief Constable Cumbria Constabulary
Head of Legal Cumbria Constabulary
Chief Executive Cumbria OPCC

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b. Peter McCall, Cumbria Police and Crime Commissioner letter of 13 January 2021 to Luke Hall.

Peter McCall
Police and Crime Commissioner for Cumbria
Carleton Hall
Penrith CA10 2AU



Luke Hall MP
Minister of State for Housing, Communities & Local Government
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Via email : Helen.McStravick@communities.gov.uk

14 December 2020

Dear Minister,

Since I wrote to you concerning proposals for reorganisation of local government here in Cumbria, it has been made clear to me that any future unitary council boundaries would have to be co-terminus with the delivery of policing and fire services. This has a material and highly significant influence on my opinion as Police and Crime Commissioner for Cumbria.

You may be aware that I have written twice previously to Ministers at the Department of Housing, Communities and Local Government (MHCLG) asking that as Police and Crime Commissioner an open dialogue and engagement concerning the developments for local government reform in the county is maintained. I have been frustrated that I have been in receipt of information often third hand and not directly from MHCLG. I would have expected given the significance of any proposals and the potential impact upon policing, arguably one of the most important local public services, that Police and Crime Commissioners both in Cumbria and Lancashire would have been afforded the professional courtesy of being invited directly to share their views and not have them represented by third parties.

I have now seen some, but not all, of the submissions and the guidance from MHCLG. In Cumbria, we were invited by just one proposal to be involved in their consultation process. This was very much focused around partnership working and at no point were details of changing any police boundaries discussed. In fact, in my first submission with very limited detail I firmly stated that any reorganisation would 'most definitely be best delivered by maintaining the current county border and our current policing footprint.'

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I have read in detail the 'Bay Proposal' and taken time to reflect and digest. I must clarify my position vis a vis the section of the Bay Proposal (not written by me) at para 5.8 concerning policing. It is accurate to note that I together with the Chief Constable agree that we would endeavour to continue to manage delivery of a policing service if the Bay Proposal was taken forward. It would be much more complicated than other proposals by breaching the county boundaries and it would carry significant operational risk, however, I did and do caveat this entirely on the premise that Policing Boundaries i.e. the County borders, remain unchanged.

To be absolutely clear, and I am aware that both the PCC and Chief Constable for Lancashire are entirely in agreement, that for operational, governance and financial reasons, the two respective forces must retain their current county boundaries. I have seen the letter recently written to you by my counterpart the PCC for Lancashire and do not need to repeat the arguments therein, and with which I and the Chief Constable for Cumbria entirely agree. I would be obliged in the interests of effective policing and most importantly the safety and security of the residents of Cumbria to oppose any proposal which compromises the integrity of the current policing footprint.

Cumbria, is a strong performing force with equally strong local connections. Policing by consent is pivotal to our policing ethos. The communities of South Lakeland and Barrow would not want to be policed by Lancashire and I suspect that the same would apply to Lancaster being policed by Cumbria and in fairness I can only concur with that view point. We already know following the discussions around mergers between Lancashire and Cumbria in 2006 that were ended as a result of the Treasury intervention due irreconcilable difference on council tax harmonisation, that situation pertains. Throughout my term as Police and Crime Commissioner I have articulated many times that a merger of police forces is not in the interest of the people of Cumbria, indeed this was a significant aspect of my campaign for election as PCC and I carry that mandate from Cumbria residents. Any reduction in the policing footprint in Cumbria from the existing county boundary is unacceptable, it is an unnecessary and serious risk to operational policing and the very residents we serve. The legislation under the Local Government and Public Involvement in Health Act 2007, section 11(4)(g) also compels this view.

In summary, I am keen to support local government reorganisation and my preferred option would be for a coterminous combined authority approach with a Mayor. Please can I be clear that I am unable to support any proposal that takes policing outside its existing Cumbria policing boundary for the reasons explained.

I would strongly urge as the only directly elected politician in the county that we continue with an open dialogue moving forward to avoid submissions be made with limited detail.

Yours sincerely

Peter McCall
Police and Crime Commissioner

CC'd

- Kit Malthouse
- Chief Constable Cumbria Police
- PCC Lancashire
- Chief Constable Lancashire Police
- CEO Lancashire OPCC
- Kayleigh Chapman
- Peter Cordingley
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Date: 11th January 2021

Dear Sirs

RE: Local Government Reform – Proposal for the Bay Area

It is my understanding that Paul Roswell from MHCLG has recently responded to your proposal for the Bay Area local government restructure. I haven't seen the letter but I understand it states "you might wish to update your proposal, providing an assessment of its impact on the local police forces, including the views of the Police and Crime Commissioners."

Further to a short telephone call with my Office, you wrote to us, as set below (6/1/21) setting out what you views you want from me as the police and Crime Commissioner for Lancashire. You said;

"....., the options we believe are open to the Secretary of State should he accept our proposal for local government re-organisation are as follows:-

Option 1 – Make an Order and remain silent on police boundaries. In effect maintain the status quo through collaborative agreements (or any other such measure)

Option 2 – Make an Order with consequential amendments that realign police area boundaries using powers afforded by s.11(4)(g) of the Local Government and Public Involvement in Health Act 2007 in accordance with the approach set out in s.13(4) of the 2007 Act

Option 3 - Make an Order now and remain silent on police boundaries with the intention to keep the situation under review and, if necessary, use powers under the Police Act 1996 to realign boundaries at a future date

As mentioned our primary position in the proposal is Option 1, however we are happy to work with partner agencies to find efficient and effective solutions in any of the above scenarios.

Our reading of the legislation and understanding from initial discussions was that Option 1 would also be preferable to you – namely that changes to council structures should not force a change to policing service boundaries.

Are we right in understanding your preferred position would be no changes to operational boundaries?

Clive Grunshaw Police & Crime Commissioner for Lancashire
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And further, if this could be achieved would there be any basis to resist the Bay Council, and if so what would you see the barriers?

Should changes be required by the SoS to existing boundaries what would be your preference for the operational area and why? "

My position, as Police and Crime Commissioner for Lancashire is that the administrative area of Lancaster City Council needs to remain within the County of Lancashire and the policing boundary needs to remain as it is currently. This is my preferred position and my preferred boundary, in other words the status quo should remain.

If local government reform is thought necessary for Cumbria, then any such changes could and should take place within the Cumbria policing boundary on a co-terminus basis only.

For the avoidance of doubt, the proposition of undertaking local government reform whilst leaving the policing boundary as is (option 1 as you put it above) is not supported and for reasons I shall set out below, is highly problematic and an unwanted approach.

Firstly, if local government reform were to proceed there would be an issue of a two tier council tax position in the new unitary, as the PCC for Lancashire would still be levying the policing element of the council tax for the Lancaster administrative area. From a residents perspective this does not seem to be desirable and from a pure administrative position it would seem to unnecessarily complicate things in a new unitary, when the starting point should be one of clarity. I have referenced the issues around council tax previously and I refer you to my letter of the 8th of December 2020.

From an operational perspective it is highly likely, that should option 1 proceed it would be necessary to restructure the current divisional policing offer or at least the leadership approach in order to service adequately part of the new unitary. This is likely to cause disruption in the short term and increase operational costs immediately. It is suggested that the current arrangements could not just be "left alone" they would need to be reviewed and tailored to give the best operational model so as to achieve the best service for victims and vulnerable people. This additional activity is an unnecessary distraction and would give rise to additional costs, in the context of a budget that is already stretched, having saved £86m since 2010.

Further, from a partnership landscape perspective, option 1 would appear to me to pose difficulties which are potentially confusing for those working and living within the new unitary. To introduce two policing bodies in one unitary area seems to over complicate the landscape and introduce unnecessary risks into those new arrangements, even if all were to be committed to working collaboratively.

I am aware that the relatively recent changes to child safeguarding brought about by The Children and Social Work Act 2017 and revisions to Working Together (2018) created a

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significant amount of work to revise the existing arrangements to how local authorities, police and health work together to keep children safe. Lancashire is only 12 months into those new safeguarding arrangement through the Children's Safeguarding Assurance Partnership (CSAP) and this required significant coordination and agency investment. The proposal at Option 1 would not assist the parties instead it would bring unnecessary changes to what is already a very complex arena in Lancashire.

In respect of the legislation covering how those arrangements must be made, it states that whilst multiple local authorities can form a single partnership, a safeguarding partnership cannot split a local authority area. Therefore, the consequences to the safeguarding partnerships that separately currently serve both Lancashire and Cumbria would, create irreconcilable issues in respect of the new arrangements and require the creation of a further separate partnership including both Lancashire and Cumbria police for the newly established unitary area. Not only would this have a wider impact on the provision of service it is fundamentally contrary to what we have been trying to achieve in Lancashire in recent years in respect of a consistent offer for the children of Lancashire.

Policing across local authority boundaries in Lancashire is already challenging in respect of consistency in child and adult safeguarding. The further impact of having two separate police forces, policing one local authority area, would create inevitable issues for both police forces both practically and strategically.

In respect of commissioning, whilst Health commissioning may already follow the proposed (or similar) Bay footprint, other services, domestic abuse as an example are currently commissioned centrally across Lancashire, and allow an alignment with policing services. Whilst we do get variation between Blackpool/Blackburn with Darwen Councils (2 unitary councils) and Lancashire County Council they do have a mature pathway that ensures any divergence is managed with the knowledge to those agencies that operate across their boundaries. It is very important that Lancashire Constabulary set their own policing stance and respond to the strategic priorities set by myself as the Police and Crime Commissioner for the area.

It is inconceivable that a local authority would want to commission these types of services twice and inevitably this would change the way services were delivered across the new area. Again this would further complicate policing practices and could lead to a very inconsistent level of service provision, based on geographic location, for victims and vulnerable people. There would also be a serious concern in the ability of a small unitary area to have the capability and capacity to deliver the services that are critical in preventing crime and providing services to those at risk of crime or already subject to serious victimisation i.e. CSE, Child Abuse, DA.

I would also suggest that Option 1 offers up further challenges in the arena of civil contingencies. Option 1 would necessitate Lancashire Constabulary working with two Local Resilience Fora (LRF) – i.e. Lancashire LRF and the Cumbria LRF. The Constabulary would have an additional layer of local government to manage in the LRF in what is an already

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excessively complex situation. Smaller districts (and the proposed unitary would be large geographically but small in all other terms) are not well equipped to deal with civil disasters as they operate on a scale that simply can't flex when it needs to, and will rely on the support of county or partners.

As Police and Crime Commissioner for Lancashire I am charged with setting a Police and Crime Plan with associated priorities for my area and the PCC for Cumbria charged with the same duty for his area. In this new unitary those priorities may not be exactly the same for each PCC yet both sets of priorities will exist in the one administrative area. I don't feel that this is a desirable situation to be in. I feel the residents of any new unitary council deserve to have clarity on policing priorities and be clear as to who is their PCC without any doubts over political accountability.

I think we have concluded that the political landscape across Lancashire is already excessively complex and the proposed changes could undermine future community safety objectives relating to vulnerability, information sharing, and equitable service delivery.

Finally, as you are no doubt aware Lancashire County Council have submitted to Government their case for local government reform in Lancashire (<https://www.lancashire.gov.uk/media/919064/proposition-for-local-government-reorganisation-in-lancashire.pdf>). I wholly support the principles of local government reform in Lancashire and further I wholly support the move towards a Combined Mayoral Authority for Lancashire. I am therefore very concerned about the impact of option 1 on these aspirations and plans. If option 1 were to proceed I believe this would leave Lancashire in a compromised position potentially and we would not be coterminous with the administrative area of Lancashire as policing would cover an area outside Lancashire. It seems to me that that proceeding with local government reform through the Bay proposal will merely be creating further problems at a future point in the event of future local government reform in Lancashire and I therefore cannot support Option 1, 2 or 3.

For the avoidance of doubt I have already indicated my views on the suggestion of changing of the police boundary (as set out by option 2) in my letter of the 8th of December 2020. Further in relation to Option 3, this is really the same as Option 1 except you reference the ability of the Secretary of State to be able in certain circumstances to make changes to policing boundaries at any point in the future. Again in this regard I repeat my point made above in that you are creating problems for the future.

Yours faithfully,

Clive Grunshaw
Police and Crime Commissioner for Lancashire