

REPORT OF THE

Leader

PART 1

227. CONSULTATION ON PROPOSED CHANGES TO THE SIZE AND GOVERNANCE STRUCTURE OF HAMPSHIRE FIRE AND RESCUE AUTHORITY.

Background:

1. The Hampshire Fire and Rescue Authority (HFRA) was established by the Hampshire Fire Services (Combination Scheme) Order 1996 (Combination Scheme Order), for the combined areas of Hampshire County Council, Portsmouth and Southampton. Currently under the terms of the Combination Scheme Order, 25 Members are appointed to the HFRA according to the ratio of electors in the areas of constituent members. The County Council currently appoints 19 County Councillors to the HFRA. Three Members are also appointed by each of Portsmouth and Southampton City Councils to result in an overall Authority of 25 Members. In accordance with legislative requirements, each Council makes its appointments on a proportionate basis, to reflect the political balance amongst its own Councillors.

2. HFRA has recently been exploring opportunities to become more efficient and effective, to put itself in the best position to continue to lead the Hampshire Fire and Rescue Service in delivering quality services to the residents of Hampshire, whilst remaining resilient and responsive to change and challenges into the future. This is in the context of increasing pressure on public sector finances, the shift of responsibility for the fire service to the Home Office, and also draft legislation contained within the Policing and Crime Bill referred to below.

Emerging Legislation:

3. Provisions proposed within the Policing and Crime Bill include the introduction of a statutory duty to collaborate on all three emergency services, to improve efficiency or effectiveness. There is also proposed provision in the Bill to enable Police and Crime Commissioners (PCCs) to take on the functions and duties of Fire and Rescue Authorities, where a local case is made. Alternatively, in areas where a PCC has not become responsible for Fire and Rescue, in accordance with provisions proposed in the Bill, to enable a PCC to have representation on their local Fire and Rescue Authority with voting rights, where the Fire and Rescue Authority agrees.

Governance Review by HFRA:

4. In light of the above, HFRA has initiated a cross-party member-led working group (working group) to review its governance arrangements and framework. To ensure that the HFRA is in the best position to continue to lead the Hampshire Fire

and Rescue Service in delivering quality services to the residents of Hampshire, whilst remaining resilient and responsive to change and challenges in the future. As a result of the outcome of the work of the working group, a report was considered by the HFRA on 9 June 2016, following which a number of proposals as to the size and future governance arrangements of the HFRA have emerged, on which the County Council, in its role as one of the three Councils which appoints members to the HFRA, is being consulted. A copy of a letter dated 24 June 2016 from the Chairman of HFRA to the three Councils, together with a report 'Hampshire Fire and Rescue Authority Governance Review – Report of the Working Group – Efficiency (Consultation Document)' is contained at Annex 1. The deadline for a response to the consultation is 5 August 2016. Within this document is information regarding the legal context of the potential inclusion of the PCC as a member of HFRA, as well as detailed rationale behind options for the proposed size and structure models of the HFRA in the future.

5. Consultation questions and options which the County Council is being asked to consider are set out below:

- i. **Do you support an application to the Secretary of State for an amendment to the current combination order, to add the Hampshire Police and Crime Commissioner as a full member of Hampshire Fire and Rescue Authority, from the annual meeting of the Authority in 2017?**
 - a) Yes
 - b) No

- ii. **Taking into account the enclosed background documentation and the working group analysis as well as your response to question 1, please indicate which of the proposed size and structure models for HFRA set out below you consider puts the Authority in the strongest position to most efficiently and effectively lead Hampshire Fire and Rescue Service in the future:**
 - a) 25 Councillor Members (the status quo)
 - b) 18 Councillor Members
 - c) 10 Councillor Members

Please provide any explanation you feel is pertinent to your responses.

Commentary:

6. **Addition of the Police and Crime Commissioner as a full voting member of the HFRA**

As indicated in the Consultation Document, it is considered that there is benefit in offering the PCC a voting seat on the HFRA. This would further promote the direction of travel in respect of better collaboration between the emergency services, in line with the direction of travel in the Policing and Crime Bill and enable

closer working between the HFRA and the PCC. It should be noted that within the draft legislation, there is provision for the PCC to make a request to the HFRA to become a voting member of the HFRA, and it is considered that offering the PCC a seat on the HFRA would help to retain the broader democratic representation as well as the specialist experience and detailed local connection of the HFRA going forward, and would thus be the better option for proposals relating to involvement of the PCC in the governance of the HFRA going forward.

7. Evaluation of Options for Future Size and Structure Model for HFRA

As indicated above, the Consultation Document contained at Appendix 1 contains a detailed rationale behind options for the proposed size and structure models of the HFRA in the future. It is considered that of the three options tabled in the Consultation Document, the third option (Option C – 10 Councillor Members plus PCC) provides the most benefit in terms of efficiency, effectiveness and cost going forward. It is also considered that this option provides more resilience for the future of the HFRA following implementation of proposed legislative changes. Savings associated with, and suggested governance merits of this model, are rehearsed in detail in the consultation document. It is considered that notwithstanding proposed legislative changes, that this model has a clear advantage over the 'status quo' and a governance model comprising 18 Councillor Members plus the PCC, in that it could establish a dynamic and responsive HFRA that would be more fully engaged and be better able to play a leadership role in the work and responsibilities of the HFRA, as the majority of decisions would be taken by the full HFRA.

RECOMMENDATIONS

That the County Council:

- a) delegates authority to the Monitoring Officer, in consultation with the Leader of the Council, to formulate a response to HFRA by the 5 August 2016 deadline confirming:
- b) The County Council's support for an application to the Secretary of State for an amendment to the Combination Scheme Order for the addition of the Hampshire Police and Crime Commissioner as a full member of Hampshire Fire and Rescue Authority, from the annual meeting of the Authority in 2017, and that in the meantime the Police and Crime Commissioner be welcomed in a non-voting capacity but with ability to comment on items of business.
- c) The County Council's support for option C, a reduction to 10 Councillor Members (plus the PCC), as the size model for HFRA which puts the Authority in the strongest position to most efficiently and effectively lead Hampshire Fire and Rescue Service in the future.

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