

## Minutes of the County Council Meeting held on 31 August 2017

Present:

<b>Attendance</b>		
Charlotte Atkins	Phil Hewitt	Jonathan Price
Philip Atkins, OBE	Jill Hood	Natasha Pullen
Ann Beech	Syed Hussain	Kyle Robinson
David Brookes	Keith James	David Smith
Gill Burnett	Julia Jessel	Paul Snape
Ron Clarke	Trevor Johnson	Mike Sutherland
Tina Clements	Dave Jones	Mark Sutton
John Cooper	Jason Jones	Stephen Sweeney
Mike Davies	Ian Lawson	Simon Tagg
Derek Davis, OBE	Alastair Little	Martyn Tittley
Mark Deaville	Robert Marshall	Carolyn Trowbridge
Alan Dudson	Johnny McMahon	Ross Ward
Janet Eagland	Paul Northcott	Philip White
Helen Fisher	Jeremy Oates	Bernard Williams
Keith Flunder	Ian Parry	Mark Winnington
Colin Greatorex	Kath Perry	Susan Woodward
Michael Greatorex (Chairman)	Jeremy Pert	Mike Worthington
Gill Heath		

Apologies for absence: Ben Adams, Maureen Compton, Ann Edgeller, John Francis, Bernard Peters, Alan White, Conor Wileman, David Williams and Victoria Wilson

### **PART ONE**

#### **35. Declarations of Interest under Standing Order 16**

There were no declarations of interest on this occasion.

#### **36. Local Business Case for Joint Governance of Police and Fire & Rescue In Staffordshire**

The Council considered a report of the Director of Strategy, Governance and Change regarding the consultation on the Business Case proposing that the Police and Crime Commissioner takes on the functions of the Stoke-on-Trent and Staffordshire Fire and Rescue Authority.

Members were informed that the Policing and Crime Act 2017 received Royal Assent on 31 January 2017 and contained, among other things, a statutory duty for all emergency services to collaborate and the opportunity for Police and Crime Commissioners to make a local case for taking on responsibility for the governance of their Fire and Rescue Services.

The Act offered three options for future governance:

- A Representation Model: which enables the Police and Crime Commissioner (PCC) to have representation on their local Fire and Rescue Authority (FRA) with voting rights, where the local FRA agrees;
- A Governance Model: where the Police and Crime Commissioner takes on the functions of the FRA;
- A Single Employer Model: where a Police and Crime Commissioner (PCC) takes on the responsibilities of their local FRA, further enabling him or her to create a single employer for police and fire personnel.

Where a PCC proposed to adopt either the Governance or Single Employer models, the PCC must demonstrate, through a local business case, that a change in governance was in the interests of economy, efficiency and effectiveness; or of public safety.

Staffordshire's PCC was looking to maximise the possible synergies between local police and fire and rescue services, potentially by taking on responsibility for the governance of Staffordshire Fire and Rescue Service. He had therefore commissioned an independent business case which considered whether a change to the governance of Staffordshire Fire and Rescue Service would be in the interests of economy, efficiency and effectiveness; or public safety.

Prior to submitting a business case to the Secretary of State, the Police and Crime Commissioner was required to meet a number of consultation duties as set out in the Schedule 1 Part 1 to the Act. These are:

- Consulting each relevant upper tier local authority about the business case;
- consulting people in their local police force area about the business case;
- consulting those who the PCC considers represent the views of employees who may be affected by the PCC's proposal including fire and rescue personnel and police staff;
- consulting those who the PCC considers represent the views of members of the police force who may be affected by the PCC's proposal.

The consultation on the Business Case commenced on 10 July and was to expire on 4 September 2017. The Business Case was submitted to the Council County Council at its meeting on 20 July 2017 and it was resolved that "the county council involve all Members in looking carefully at this business case by –

(i) using the Safe and Strong Communities Select and Corporate Review Committees to review the Business Case for Joint Governance of Police and Fire and Rescue in Staffordshire, consult with stakeholders and report thereon to the Full Council at its meeting on 12 October 2017.

(ii) to seek an extension to the consultation period until 20 October 2017 to fit with the Council's cycle of meetings and, if that is not possible, to request the Chairman to call a special council meeting at the beginning of September, so the county council can consider the Safe and Strong Communities Select and Corporate Review Committees recommendations on the Council's response to the Consultation on the Business Case."

In accordance with the above-mentioned decision of the County Council, the Safe and Strong Communities Select and Corporate Review Committees held a joint workshop on 14 August 2017 to consider the Business Case. The Committees concluded as follows

–

“This business case considers changes that will impact across the whole of the County and concern was expressed that the PCC had chosen to have an 8 week rather than a 12 week consultation period and that the consultation had taken place throughout the summer holiday period. Members also noted that a PCC can now stand for more than 2 terms of office.

There was no agreement among members present on the most suitable governance model but there was a consensus in a number of areas:

- Members felt that the opportunities for savings identified within the business case should be pursued irrespective of the model adopted. A lot of good work had already been implemented and/or planned for joint working between the Police and Fire and Rescue Services and this should be commended and further consideration of shared back office services should be pursued irrespective of the option chosen;
- Members agreed that the representation model, whereby the PCC is represented on the Police and Fire Authority, should be implemented if the Governance Model is not implemented;
- If the Governance Model is implemented, the current Police and Crime Panel scrutiny arrangements are not strong enough to hold the PCC to account and would need to be enhanced;
- Collaboration/joint working should be explored with the Ambulance Service, and particularly between Fire and Rescue and Ambulance Services;
- Wider collaborative approaches amongst police forces and amongst NHS as a whole and 3<sup>rd</sup> sector services should be explored.”

With regard to the Council’s request for an extension to the consultation period until 20 October 2017, the Police and Crime Commissioner indicated that “the timetable has been set with government so would be difficult to change.” In view of this, the Chairman of the County Council had agreed to convene a Special Meeting of the Council.

In considering the Business Case, Members expressed the following views and concerns:

- The business case indicated that the governance model would enable greater collaborative working but collaborative working was already evident between the two organisations and amongst a wider partnership group.
- Whilst the Business case contained some good ideas around integration and cost-saving, these could be implemented under the existing governance arrangements or through the Representation Model.
- The costs of change were not clear with limited information hidden within the Business Case.
- The Business Case contained very little information about collaborative working with the Ambulance Service.

- The “do nothing” baseline option could be viewed as misleading as there was no intention not to work more closely together under the current governance arrangements - the real test should be the extent to which the change to governance would enable savings or benefits over and above those that would still happen without a change in governance.
- The Business Case lacked substance, with a number of unsubstantiated assertions and it was not proven in terms of efficiency, effectiveness and public safety.
- Some statements within the document were inaccurate as they gave the impression that the PCC was wholly responsible for initiatives which were, in fact, examples of successful collaborative working.
- The existing “cross-party” arrangements for the scrutiny of the Fire and Rescue Service were fit for purpose and it was felt that under the Governance Model scrutiny of the Service would be less effective.
- Proposed savings were already underway irrespective of any decision on governance.
- Parts of the proposals for the rationalisation of the estate were around a suggestion to sell some of the existing police stations and move these into existing fire stations as a shared facility. Although there may be some scope for sharing buildings, there were concerns that, whilst there may be room to include a police hub, there was no room to include a police station on these sites without losing the community facilities currently available. It was also felt that a visible police presence was important in local communities.
- The business case failed to evidence that a governance change would improve the safety of the people of Staffordshire. Furthermore, there was no evidence that the pace of change would increase through the adoption of the Governance Model.
- The existing governance arrangements for the Fire and Rescue Service were considered to be fit for purpose
- Members felt the most appropriate way forward was option a, the representation model, which gave the PCC representation on the Fire and Rescue Authority (FRA) with voting rights, where the FRA agreed
- It was felt that a much better fit for collaborative working would be between the ambulance and fire services. (It was noted that all full-time Firefighters were trained emergency responders as were most Retained Firefighters)
- Concerns were expressed that the Police and Crime Panel (PCP) had limited authority to effectively challenge the PCC. Whilst they have the power of veto over some decisions, any such veto required the PCC to consider again his decision but did not require him to make any changes. The limitations to the power of the Panel made effective scrutiny difficult and all Members felt that whatever changes were made to future governance there was a need to ensure better and more accountable scrutiny with PCPs being given greater powers to hold the PCC to account.

Members expressed their thanks to the working group, and the officers who had supported them, for their scrutiny of the Business case.

Members concluded by indicating that they supported closer working between the Police and Fire Services, and also with the Ambulance Service, and that the best way to achieve this would be through the Representation Model.

**RESOLVED** - (a) That the County Council submits the following response to the consultation on the Business Case:

- (i) Staffordshire County Council believes all emergency services should work more closely together to provide better public protection.
- (ii) Staffordshire County Council expresses its opposition to the recommendation in the Business Case that the Governance Model be adopted; and
- (iii) Staffordshire County Council expresses its support for the Representation Model.

(b) That delegated Authority be given to the Director of Strategy, Governance and Change, following consultation with the Leader of the Council, to prepare a full written response to the Police and Crime Commissioner for Staffordshire by the deadline of 4 September 2017.

(c) That delegated authority be given to the Chief Executive, following consultation with the Leader of the Council, in the preparation of a letter to the Minister responsible for emergency services, the PCC and the Chairmen of the Ambulance Trust and Fire Authority setting out this Council's view that a hub, based around the Fire and Ambulance service, is looked at in greater detail and the reasons behind this, including the clear and historical synergy between both of these important public services, and their impact on the wider public health and ongoing work of the county council.

### **37. Committee Membership**

The Leader informed the Council that, following the by-election on 7 September 2017, it was his intention to make a small number of changes to the membership of some of the Council's Committees and Panels.

Mrs Woodward requested that she be kept informed of any proposed changes.

**Chairman**