

## 1. Lancashire Police and Crime Commissioner



By email only

Leader South Lakeland Council  
CEO South Lakeland Council

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Date: 8<sup>th</sup> December 2020

Dear Sirs

### RE: Local Government Reform – Proposal for the Bay Area

It is my understanding that through a letter of the 9<sup>th</sup> of October 2020 the Secretary of State for Housing, Communities and Local Government, in exercise of his powers under Part 1 of the Local Government and Public Involvement in Health Act 2007, invited any principal authority in the area of the county of Cumbria to submit a proposal for a single tier of local government.

I am aware that along with other proposals, an outline proposal for the "Bay Area" was submitted on the 9<sup>th</sup> of November 2020. Since that date further work has been undertaken to develop a full proposal which needs to be submitted by the 9<sup>th</sup> of December 2020.

The proposal is said to present the case for a new unitary council for the Bay which would include Lancaster administrative area. The proposal, which I have only seen today (7<sup>th</sup> of December 2020) has not been shared with me, as the Police and Crime Commissioner for Lancashire in any way previously, which is very disappointing. Further meaningful engagement with me has also not been undertaken by any party to the Bay proposal. I have not been a party to a Stakeholder meeting. I am unclear where the comments attributed to Lancashire and policing throughout the document have originated, in the absence of detailed engagement with myself and the Chief Constable.

The proposal sets out the case for removing the administrative area of Lancaster from Lancashire and absorbing it into one of two new unitary councils for the Cumbria area. For the avoidance of doubt, Lancaster is not in the administrative area of Cumbria, it is in Lancashire and it is policed by Lancashire Constabulary.

The city of Lancaster has a long and distinguished history being mentioned in the Domesday Book in 1086 and importantly, it is from the city of Lancaster that the County of Lancashire takes its name, previously having been called "Lancastershire". It is my view that the people of Lancaster are proud to be called Lancastrians and are proud to be part of Lancashire. Lancaster is the very bedrock of the Lancashire county footprint and as a principle to decouple it from its natural historical home would be a retrograde step. Administrative history is extremely important and there is no reason why working cross boundary cannot continue and even be enhanced even if Lancaster remains outside the boundary. Indeed prior to the 1974 reorganisation both South Lakeland and Barrow where also in fact part of Lancashire.

Cumbria, like many other areas in England may well benefit local government reorganisation within its own administrative boundary. The opportunity to build on existing strong relationships in Cumbria is one which can be pursued through a local government reorganisation in order to improve economic prosperity and resilience. There are however other models of potential reorganisation that can be considered and it is suggested that these are more appropriate to preserve the coterminosity of policing in the administrative area of Cumbria.

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The proposal to remove the Lancaster City Council administrative region from the county of Lancashire would necessitate a change in the policing boundary and therefore from a policing perspective this proposal is not supported.

It is my view that you have not met the requirement in your proposal as required by the Secretary of State in his letter of the 9<sup>th</sup> of October 2020. I draw your attention to the schedule and the requirement at 2 (c) which states:

"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 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."

As already stated, my views are not presented in the proposal here despite an attempt to imply they are.

Secondly, I see little or no assessment of impact of the proposal on policing in the proposal. It is merely acknowledged that there will be an impact if the Secretary of State chooses to make an Order for reorganisation.

Lancashire Constabulary has an operating model for the whole of Lancashire. It operates as one. It is naïve to think that a part can be cut away and there be no impact.

The model is based on 3 divisions or BCU's (Basic Command Units). They are split into South/West and East divisions. The divisions are broadly balanced geographically and demographically to meet the policing needs in each area. West division consists of the administrative areas of Blackpool, Pylde, Wyre and Lancaster. To remove the Lancaster City Council area from this footprint will have a significant impact on the whole operational model. It would cause resilience issues for policing in the county, particularly with the loss of a custody centre at Lancaster police station (one of only 6 pan Lancashire) and also a briefing base in Morecambe (one of 9 across the county).

Lancashire Constabulary currently have around 23,000 admissions to custody each year the location and utilisation of the custody suites across the county is finely tuned. The suites provide resilience to each other in times of increased demand both locally and across the county. Further resilience is needed when repairs or refurbishment is required of existing custody facilities. Custody is an area that is subject to a complex staffing regime which is dynamic.

The Lancaster custody facility is also a briefing base. However, operationally the operational response on the ground from that facility is for an area wider than just the Lancaster City Council area. There would clearly be an impact on estate requirements for the Constabulary and an associated need to find and utilise other accommodation in the context of the operational model.

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The difference in the makeup of Lancashire Constabulary and Cumbria Constabulary is significant - with Lancashire being one of the biggest forces in the country and Cumbria being one of the smallest. This introduces many issues including what infrastructure and specialist support is currently available to the public of Lancaster City Council area versus the alternative.

The Lancaster base hosts resources and provides support not only to that area but to the whole of Lancashire. There are layers of different types of policing resources in play. For example, the area is massively supported by deployments from other areas of Lancashire at times. There are significant Level 2 threats such as County lines and Child Exploitation and Issues in Lancaster City Council area which benefits from targeted resources from staff outside Lancaster and across the county.

The associated impact in changing the operating model is the impact on the staff at all levels in the Constabulary from senior police officer posts to a range of staffing roles. Over 500 people in Lancashire Constabulary are likely to be directly affected by the Bay proposal and potentially many more indirectly. Any implementation of the Bay proposal would bring with it the need to align resource to facilitate a TUPE type transfer of relevant staff, alongside the need to transfer relevant assets and liabilities. No assessment has been done of the impact of this policing boundary change in this regard.

There would of course be many other associated impacts for Lancashire and Cumbria Constabulary if the administrative area is consumed into the Bay including the need to address the use of systems (as they will not be the same in all respects), the impact on crime recording, the impact on contact management and the need to realign Constabulary resources to address the impact of the reorganisation. This in itself will impact on an already busy policing agenda including for example the delivery of the national uplift of police officers and this may mean that Constabulary cannot deliver what it had hoped to on various agendas. The distraction of this proposed reorganisation is unnecessary outside the administrative boundary of Cumbria.

Council tax harmonisation is referenced in the proposal indicating that it would be "subject to further analysis and agreement". This again is very important to address now.

The issue of council tax harmonisation arises simply because of the differences in the current levels of council tax between the two authorities. It is entirely unconnected with the costs and savings of the reorganisation itself. The issue of Council tax harmonisation is old trodden ground in some respects and was discussed in 2006 with government as part of the proposed merger arrangements for Lancashire and Cumbria 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 has not been addressed or considered to any depth. Further, it appears that the proportional increase in population to Cumbria (a nearly 28 % increase) would be higher than the proportional increase in Council tax base and therefore ability to generate income – this doesn't appear to have been modelled and the impact assessed.

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in terms of government grant funding any change in population to either administrative area will require an adjustment to government policing grant funding for each PCC. I can see no assessment of the impact of potential grant changes for either PCC. I am therefore unable to understand fully the impact that may have on Lancashire's future income and expenditure. In the event of a negative impact in that regard I would be looking to seek or assurances from government that neither PCC suffers any detriment due to a change in grant levels by implementing this proposal.

The proposal suggests at page 91 that there is a short term and long term consideration in respect of police boundaries. It suggest that in the short term collaboration through s22A of the Police Act 1996 could be put in place. Lancashire and Cumbria Constabulary already collaborate both locally and through many national agreements however it is inappropriate to suggest that collaboration agreement could be in place for the short term on reorganisation.

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 11(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 and to suggest otherwise is inappropriate.

For the reasons set out above I am unable to support the Bay proposal.

I do broadly support the move towards local government reorganisation. I do feel that it is time and there is a need and that is the case for Lancashire itself. In fact I would advocate for a reorganised Lancashire with a combined mayoral authority, based on the Divisional policing footprint outlined above. It makes much more sense to develop this proposal for Lancashire and to leave the area intact and for government to work with Lancashire Councils and the PCC to develop this proposition further. It is hoped such an opportunity will arise soon, in the context of the widely anticipated Government White Paper on Devolution.

Yours sincerely

**Clive Grunshaw**  
**Police & Crime Commissioner for Lancashire**

## 2. Cumbria County Council



### Cumbria County Council

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Copied to: Cllr Stewart Young (Leader of the Council); Cllr Peter Thornton (Deputy Leader); Cllr Janet Willis (Cabinet Member for Customers, Transformation and Fire and Rescue); Steve Healey (Chief Fire Officer)

7 December 2020

Dear all,

#### Bay Unitary Proposal – Fire & Rescue Authority

We note the publication, on Friday afternoon, of the full proposal for establishing a new unitary authority for Barrow, Lancaster and South Lakeland (the Bay) in advance of your Executive/Cabinet and Council meetings tomorrow.

In the Secretary of State's invitation of 9 October it states "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."

As part of the "Bay" stakeholder engagement, and at your request, Cllr Janet Willis, Steve Healey, Chief Fire Officer and Mark Askew, senior manager, met with Tim Pope and Nathan Elvery (PA Consulting), Sam and David Sykes to enable you to understand their perspectives on the potential impact of any change and their own priorities.

In advance of the meeting, Steve clarified his role as the professional officer responsible for running the Fire and Rescue Service and that his views did not represent the views of the Fire Authority. In Cumbria the Fire Authority is the Full Council and comprises all 84 Elected County Council Members. Cllr Willis is the Cabinet Member with lead responsibility for Fire and Rescue services in addition to a broader portfolio.

I also outlined the nature of the Fire Authority governance in a subsequent meeting with Lawrence and Sam.

It is disappointing therefore to see that you did not, share your proposal in advance of publication, or sought the views of the Fire Authority on this proposal.

During the stakeholder meeting Cllr Willis and Steve highlighted their views, including:

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## Cumbria County Council

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- The advantages of the Cumbria footprint for the service in terms of simplicity
- The benefits of the Fire & Rescue Service being part of the County Council
- The recent positive inspection outcome, confirming the high performance of the service
- The day-to-day service delivery of all Fire & Rescue Services operated across boundaries with the nearest resources responding to incidents
- That there didn't appear to be any easy answers on the model for how the service could be governed and organised to fit with the Bay unitary proposal

At this meeting your team did not put forward a specific model for the governance and organisation of the Fire & Rescue Service for County Council colleagues to comment on.

Given the points I have set out above it is therefore surprising to see the statements included in your proposal which suggest that there are no reasons why it would not be possible to continue to deliver good Fire & Rescue services across the current footprint, including the Bay. These do not fully represent the stakeholder meeting and, for the reasons outlined above do not constitute the formal view of the Fire & Rescue Authority.

We therefore request that this is made known to all members of your authorities, in your forthcoming meetings and that the proposal is amended in advance of submission to MHCLG.

Yours sincerely,

Katherine Fairclough  
Chief Executive



### 3. Cumbria Police and Crime Commissioner

#### REORGANISATION OF LOCAL GOVERNMENT AND DEVOLUTION FOR CUMBRIA

##### INTRODUCTION

1. As Police and Crime Commissioner I have been asked to comment on proposals for local government reorganisation for the county. Policing is of course one of the key infrastructure services for the county in order to maintain public safety for residents, businesses and the many millions of tourists who visit each year. In Cumbria we are fortunate to have a highly performing Constabulary and governance process as assessed by Her Majesty's Inspectorate of Police and Fire Services and I believe it very important in any restructuring of local services that we do not undermine the delivery of this strong performing and essential public service. To that end, I make my contribution to the debate on restructuring for the county in the context of policing and strictly from a non Political Party Partisan view but also as an elected representative who, uniquely, is elected with a remit to serve across the whole county. I would further add that until we are able to consider the detailed proposals for all options, it is unwise to discount any options and indeed we may in the end be best served by a unique Cumbria Hybrid Option.

##### THE NEED FOR CHANGE

2. It is apparent to me that within a county of circa half a million residents, to have six District Councils and a County Council is a luxury we can ill afford. Beyond the obvious cost of running 7 administrations and Head Offices there is inevitably duplication and inefficiencies which I believe can be driven, though this will clearly need to be developed in the respective detailed business cases. The previous studies have demonstrated a range of potential savings to local taxpayers of millions of pounds which could be better spent delivering services. Whilst we do not yet know the full cost of Covid to the country or the county it seems inevitable that there will have to be significant efficiency in government both locally and no doubt nationally and reorganisation can contribute to this process. In addition and possibly more important is the need to prepare and plan now for recovery of our local economy in a coherent and efficient manner. In my view this needs to be achieved with strategic leadership taking a holistic county wide view and with the levers to drive forward economic action and delivery as well as giving 'voice' to the county in Whitehall, for that reason I support the requirement for a directly elected leader or Mayor. I believe it is important for such a leader to be directly elected from the entire county in order to have a real mandate to speak for all corners of the county - particularly in a county like Cumbria where our geography creates natural, economic, cultural and heritage differences between the North and the South. Even with a county wide electoral mandate, it will be a challenge to speak for the whole county.

##### OPTIONS

3. At this early stage two outline options are being proposed, as Police and Crime Commissioner I think it important to state that I believe together with the Chief Constable that we can and would deliver Policing Service to either option but that this is most definitely best delivered by maintaining the current county border and our current policing footprint. I am confident we could deliver this in either of the scenarios currently being proposed. Until we see detailed options for restructuring it is difficult to make further comment but I would offer initial views as follows:

##### A SINGLE UNITARY AUTHORITY

4. In principle I would wish to see as few levels of administration as possible to achieve financial efficiency, coherence of public service delivery and to drive economic development and recovery. This argument would support a single unitary authority and intuitively, delivery of this option should be simpler given it would be building on an 'in place' structure, but does not take account of the geographic and cultural make up of the county. It has been clearly stated by the Southern Districts that they are vehemently opposed to a single administration and from my

own experience of working closely with communities in the South of the County, I would support the contention that residents in the South Lakes and Barrow and Furness areas would not support the idea of one unitary and in their perception (rightly or wrongly) be 'governed from Carlisle.' Aligned to the vast geography of the county and the geographic barriers to communications of all type and not least roads, I believe the cultural and heritage arguments are persuasive in suggesting that the county is too large for a single Unitary Authority at this stage - it is my view that it may be a natural evolution but I do not believe the public (and certainly not in the South of the County) would support this proposal currently. If we were to adopt the Single Unitary Authority option, I believe that a mechanism should be developed to ensure that a directly elected leader or Mayor is created to lead on strategic economic development.

## **TWO UNITARY AUTHORITIES**

5. Creating two Unitary Authorities and disaggregating services currently delivered by the County Council will be challenging and potentially more challenging than aggregating up to a Single Authority; furthermore it would seem axiomatic that two authorities would cost more to run than a single one. Notwithstanding these challenges I believe there are powerful arguments to suggest that public opinion would favour the two Unitary Option which would deliver greater local democratic accountability. The southern districts of the county certainly feel greater affinity and align themselves with the Morecambe Bay/ Peninsula construct and this would follow the proven Health Provision footprint from MBNHT. A North South split does seem like an obvious solution if we are to have two Authorities but the proposal does cross the county boundary which is a complication potentially, not least with differences in Council Tax rates and some disaggregation of accountability for services etc but none of which is insurmountable.
6. In the two Unitary model I would most strongly advocate that the Policing boundaries do not need, nor should they be changed and that governance arrangements would sit outside, the Unitary Authorities as they do today. If this model were adopted, Fire Services could be disaggregated from the County Council under the PCC to deliver Blue Light services and develop further efficiency and delivering to the same footprint as currently. This latter structure for Blue Light Services could be reviewed in due course as and when a Mayoral Structure is effected and matures. Whilst I believe that a workable solution is possible to develop, consideration will need to be given to the need for robust protocols for resilience planning and responsibilities. Currently this is covered by the County Council over the County footprint, and much of the delivery of support in resilience scenarios is delivered by the Blue Light Services. Clearly having a part of the Southern Unitary in a different county will be a complication- not insurmountable, but this will need to be addressed and very clear lines of communication and responsibility for Blue Light Support to resilience planning and measures must be built into SOPs for the new Unitary Authorities. In the short term my strong advice would be to maintain geographic responsibilities as now following county boundaries and Blue Light Services remaining outside changes to the Unitary structures in the short to medium term.
7. As noted above, it is difficult to give unequivocal support to any options till we develop detail, but I believe that the two Unitary Model is that most likely to receive public support in the short to medium term, delivers closer democratic accountability, would undoubtedly save public money and is more likely to be well placed to develop economic development dealing with the discrete local needs which are different from North and South of the Lake District mountains.

## **DIRECTLY ELECTED LEADER/MAYOR**

8. Whilst we do not yet know the full cost of Covid to the country or the county it seems inevitable that there will have to be significant efficiency in government both locally and no doubt nationally, and reorganisation can contribute to this process. In addition and possibly more important is the need to prepare and plan now for recovery of our local economy in a coherent and effective manner. In my view this needs to be achieved with strategic leadership taking a holistic county wide view and with the levers to drive forward economic action and delivery as



well as giving 'voice' to the county in Whitehall, for that reason I support the requirement for a directly elected leader or Mayor. I believe it is important for such a leader to be directly elected from the entire county in order to have a real mandate to speak for all corners of the county - particularly in a county like Cumbria where our geography creates natural, economic, cultural and heritage differences between the North and the South. Even with a county wide electoral mandate, it will be a challenge to speak for the whole county, but I believe it will be a huge benefit to the future economic recovery and development of Cumbria.

9. Whilst the above cannot at this stage be unequivocal I hope it is a useful contribution to the debate around local government reorganisation and I am of course happy to contribute further as more detailed proposals are developed.