



Home Office

Rt Hon Nick Hurd MP
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Councillor Spencer Flower
Chair, Dorset and Wiltshire
By Email: s.g.flower@dorsetcc.gov.uk

26 November 2018

Dear Councillor Flower,

Government response to representation model inquiry.

I would like to thank you for taking part in the independent inquiry into your authority's objection to the Government's proposal to amend your combination scheme.

The inquiry has concluded that the objection did not carry sufficient strength to successfully object to, and as a result prevent, the relevant amendments being made to your authority's combination scheme. As such, the independent inquirer was of the view that the scheme should be amended to enable the PCC to sit on the authority as a member with voting rights, if the FRA agrees to such a request. I have carefully considered the outcome of the inquiry and the objection from the authority and have decided to give effect to these enabling provisions by making amendments to Dorset & Wiltshire FRA's combination scheme.

Applying the 'representation model' to Combined FRAs will enable PCCs to sit on these FRAs with voting rights, where the FRA agrees, and will ensure that the same level of transparency over the decision of the FRA to accept or reject the PCC's proposal applies to Combined FRAs as it does to County or Metropolitan FRAs. The decision to grant membership rests with the FRA, and these amendments do not mandate the granting of membership. I hope the authority recognises the opportunities for closer working and cooperation these provisions enable and will carefully consider the relevant PCC's membership request, should it be made.

The Government accepts the recommendation from the inquiry to offer further clarification on the issues raised by the authority which I have set out below.

Deputy PCCs (DPCC)

Section 18 of the Police Reform and Social Responsibility Act 2011 enables a PCC to delegate certain functions to a Deputy PCC (DPCC) or arrange for any person not the DPCC to exercise these functions (a deputy). I am clear that a PCC should be able to appoint a deputy to attend and speak at FRA meetings on their behalf, but that the deputy cannot vote or be treated as an authority member. However, I accept that the authority may come to a local agreement with the PCC not to delegate any PCC functions in respect of the FRA.

I understand from the inquiry that both PCCs for Dorset and Wiltshire were content with the proposal that a PCC is be able to send a deputy to represent them but they should not be able to vote. Although legislation provided for the deputy to substitute for the PCC at a FRA and undertake the full role (including having voting rights), they were satisfied that the Government policy was a sensible way forward. I accept that the authority may come to a local agreement with the PCC not to delegate any PCC functions in respect of the FRA.

We are currently in the process of drafting a negative statutory instrument to amend the combination schemes of FRAs who were supportive of the amendments. Our intention now is to also incorporate amendments to both the combination schemes of Dorset & Wiltshire and Cleveland FRAs as part of this statutory instrument, which is expected to be laid before Parliament in Spring next year.

I am copying this letter to Angus Macpherson, the PCC for Wiltshire and Martyn Underhill, the PCC for Dorset.

A handwritten signature in blue ink that reads "Nick Hurd". The signature is written in a cursive, slightly slanted style.

RT HON NICK HURD MP
Minister of State for Policing and the Fire Service