

**Local Government Association (LGA) Briefing,
Policing and Crime Bill
House of Lords, Third Reading
Monday 19 December 2016**



Key messages

- **Collaboration agreements (Chapter 1):** The proposals in Chapter 1 of the Bill to allow the three 'bluelight' services to enter collaboration agreements will assist areas in building on the arrangements already in place across the country. It is however important that any new duty should not limit the ability of Fire and Rescue Authorities (FRAs) to collaborate on a wider basis, such as with the health service.
- **Police and Crime Commissioners: Fire and Rescue Functions (Chapter 2):** We have supported amendments to Chapter 2 of the Bill, to ensure any proposals for the transfer of fire governance to Police and Crime Commissioners are supported by the relevant local authorities and local people following consultation. It is positive to see Police and Crime Commissioners will publish their response to the representations made on the consultation for governance changes.
- **Licensing (Part 7):** We supported a new clause the on cumulative impact assessments, which clarifies that licensing authorities have a legal right to publish cumulative policies that enable them to take into account the impact of multiple existing premises in an area when considering new applications in that area. We have also called for the Licensing Act 2003 to be amended to promote the health and wellbeing of the local area.
- **Late night levy requirement (Clause 144):** We welcome the amendment to give licensing authorities the power to decide whether a late night levy should apply to premises in a particular part of their area, rather than to whole local authority areas.
- **Establishment and conduct of homicidal reviews (Clause 187)** This clause proposes the introduction of homicide reviews for unsolved murders involving victims aged over 16. We are calling for further clarity on what councils could add to the review process, and whether this new provision will be appropriately funded.

Further information

Police and Crime Commissioners: Fire and Rescue Functions (Chapter 2)

The Secretary of State should only make an order transferring governance of the fire service to the Police and Crime Commissioner where there is local agreement to do so. It is positive to see amendments passed that would ensure emergency services collaboration agreements are subject to the agreement by all parties involved. It is important that local partners have greater flexibility to vary agreements where necessary.

Briefing

Allowing a Police and Crime Commissioner to take on governance of the fire service where there is no local support would undermine existing collaboration arrangements between the emergency services. It could also make working arrangements between the police and the fire service more problematic, undermining the trusting and good relationships which have been built up so far.

Establishment and conduct of homicidal reviews (Clause 187)

Clause 187 proposes the introduction of homicide reviews for unsolved murders involving victims aged over 16. We are calling for further clarity to set out how councils could contribute to the review process. We would also like further details explaining the circumstances and timeframes within which the legislation would apply.

The detail for these reviews is to be set out in separate guidance. This has the potential to require local authorities to undertake new homicide reviews, alongside existing duties to undertake domestic homicide reviews. While local authorities welcome the opportunity to learn lessons from previous cases and improve service responses as a result, we would be concerned that any new burden introduced should be sufficiently resourced under the new burdens doctrine. Homicide reviews could require local authorities to review historic cases, which is likely to increase costs significantly.

It is unclear why councils would be given a new duty to undertake new homicide review, and what the benefits of council involvement would be. There has been no mention of the Crown Prosecution Service, the National Probation Service, the Independent Police Complaints Commission or the Forensic Science Regulator, all of whom would be better placed than councils to contribute to a review of an unsolved murder, and possibly identify flaws in the investigatory process.