



Home Office

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Ray Bisby  
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Dear Ray,

I write regarding your predecessor's proposal to take responsibility for fire governance in Cambridgeshire and the associated judicial reviews (JRs) of the former Home Secretary's decision to approve the transfer.

After a lengthy legal process since June 2018, I am pleased that the Court of Appeal found in our favour by refusing permission to appeal the High Court judgment of 29 July 2019, bringing to an end the legal action on the first JR. This reaffirms that, whilst there were nuances in the decision-making process on the statutory tests, the former Home Secretary's decision to approve the transfer of governance from the FRA to the PCC was lawful. I am grateful for your patience and support throughout this process.

I am conscious that whilst that original decision was certainly the right one at the time and has been upheld by the High Court, some time has now passed since the approval decision in March 2018 due to protracted legal proceedings. It is right that, given the passage of time, we take stock of any significant developments that may affect the business case and reconsider whether the proposal is still in the interests of the statutory tests, based on all available evidence. In order to do that we will require an updated business case.

Unfortunately, both the exceptional circumstances relating to COVID-19, and the timescales involved in considering a business case and implementing the necessary legislation if the Home Secretary approves the proposal, mean that it will not be possible for the Department to make a transfer prior to the elections in May 2021. The response to the current emergency may also provide learning that is relevant to the business case. It is therefore my expectation that the earliest we would reconsider a business case is after the elections. I know that this will come as a disappointment to you and your team, but I firmly believe that this is the best route to allow the Home Secretary to make a robust, considered decision, based on current information.

The Government Legal Department (GLD) will be writing to Cambridgeshire and Peterborough Fire and Rescue Authority to inform them of this pause and to ask that they withdraw the further JR proceedings which have already been issued, as these further JRs now become redundant in light of the Appeal outcome and current developments.

I must underline that we remain strongly committed to supporting PCCs to take on fire governance where a case exists and to close collaboration between our emergency services. It is disappointing that legal action by the FRAs has meant that we have not yet been able to implement a transfer of governance that we considered to be in the interest of your local community. I look forward to reviewing any updated proposal the newly elected PCC may decide to bring forward after the elections in May 2021 and to working with you in the meantime to consider the lessons learned from this process.

I am copying this letter to the Leader of Cambridgeshire County Council (Councillor Steve Count), the Leader of Peterborough City Council (Councillor John Holdich OBE), the Chief Fire Officer for Cambridgeshire Fire and Rescue Service (Chris Strickland), all local MPs and the Chair of the Cambridgeshire and Peterborough FRA (Kevin Reynolds).



**Kit Malthouse MP**  
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