

Jessica Morden MP, Chair JCSI

26 May 2020

Dear Jessica,

**Greater Manchester Combined Authority (Fire and Rescue Functions)  
(Amendment) Order 2020**


I am writing with regard to the draft Greater Manchester Combined Authority (Fire and Rescue Functions) (Amendment) Order 2020 which was debated on the floor of the House on 5 May 2020 and in the House of Lords later the same day. I am sorry to report that because of a failure in the final step to make this Order, it has not been brought into effect as was intended. I want to apologise to your Committee for this failure.

As you are aware, the draft SI received cross-party support and was agreed by those members participating in the debate in both Houses. The SI should therefore have been made shortly afterwards, ready to come into force on its published commencement date of 9 May 2020.

Unfortunately, due to human error in the Home Office, the final stage of the process, obtaining the Ministerial signature required to “make” the SI, was not undertaken. This failure to complete the process is a matter of great concern to me and to the department and I would like to apologise unreservedly. Internal communication between policy, legal and parliamentary teams was reduced as a result of remote working. This meant that the usual steps were not taken to ensure the finalised SI was produced for Ministerial signature. I have met the Permanent Secretary and officials to agree process changes that will provide a further layer of assurance and ensure that training and guidance is clarified to ensure that this cannot happen again. Unfortunately, this error only came to light last week. The draft SI that was considered by both Houses provides that the SI was to come into force on 9 May 2020. This poses very significant challenges in signing the SI now.

Having considered appropriate legal advice, regrettably, we believe that to ensure the Order’s legal validity it will need to be re-laid and reconsidered by both Houses. A laying date of 2 June 2020 is proposed, and I would be grateful if your Committee could reconsider this SI at your earliest opportunity. I sincerely apologise for the inconvenience caused.

I am arranging for a copy of this letter to be placed in the Library of the House of Commons.

*Yours sincerely,*  


**The Rt Hon James Brokenshire MP**

**Minister of State for Security**