

ESTABLISHMENT OF A POLICE AND CRIME PANEL

Relevant Portfolio Holder

Portfolio Holders for Corporate Management / Community Safety and Regulatory Services

Relevant Officer

Claire Felton – Head of Legal, Equalities and Democratic Services

Recommendation

The Council is RECOMMENDED to

- (1) approve the establishment of a West Mercia Police and Crime Panel as a joint committee of the 10 principal local authorities in the West Mercia police force area, to be administered by Worcestershire County Council as lead authority;**
- (2) approve the proposed membership of the Police and Crime Panel, the Panel arrangements and any consequential actions required under the Act;**
- (3) delegate authority to the Head of Legal, Equalities and Democratic Services to finalise the details of the proposals, including nominating Council representatives, in consultation with the Leader; and**
- (4) appoint a Member to the Panel (ideally Leader / Deputy Leader level appointment) for a term of office expiring May 2013.**

Setting up the Police and Crime Panel for West Mercia

1. The Police Reform and Social Responsibility Act 2011 introduced significant changes in police governance and accountability. These changes include the election of a Police and Crime Commissioner (PCCs) from November 2012 and the placing of a statutory duty on local authorities (including District Councils) in each police force area to establish and maintain a PCP as a formally constituted joint committee of the local authorities in that area.
2. The Police and Crime Panel (PCP) will be set up to support, challenge and monitor the effectiveness of the PCC. It will have powers to scrutinise decisions of the PCC and make recommendations in respect of the PCC's functions. The Panel will also have powers to veto the police precept and review certain senior appointments. The draft proposed terms of reference are attached as an Appendix.
3. The PCP will be a joint committee composed of 1 Councillor from each local authority area in West Mercia and two co-opted lay independent members.

Composition of the PCP will need to take account of political and geographical proportionality (the 'balanced appointment objective') as well as have the necessary skills and experience required to fulfil the role.

4. The minimum number of members for a PCP is 10 councillors (1 from each authority) and 2 co-opted lay independent members, and up to a maximum of 20 members through co-option to achieve the balanced appointment objective. In order to ensure that objective, it has been proposed that in addition to the 1 member from each of the 10 authorities in the West Mercia force area, 5 further councillors be co-opted to the PCP from the three non-Worcestershire authorities in the area (3 Shropshire, 1 Telford and Wrekin and 1 Herefordshire). Each local authority will need to agree this proposed composition and, as additional co-options are being sought, further approval will be required from the Home Secretary. These proposals are still under discussion with the other authorities.

5. Worcestershire County Council has agreed that it will take responsibility for the establishment, setting up and operation of the PCP on behalf of the West Mercia Local Authorities.

6. Although further regulations and guidance is still awaited from the Home Office, the Director of Adult and Community Services and the Head of Legal and Democratic Services and their staff are actively developing procedures and operating protocols for the future PCP. This includes consideration of training and induction requirements for Panel members and establishing a timeline and framework for the nomination of Panel members. The intention is that the PCP will operate in shadow form from Summer 2012 in advance of the election of the PCC in November 2012, at which point the Panel will receive its statutory functions.

7. Agreement from all the 10 local authorities to the Panel arrangements (including composition) is required to establish the PCP in shadow form in time for the Home Office deadline of 1 July 2012. Should there be a failure to reach an agreement, the Secretary of State could invoke backstop powers to allow the Home Office to step in and appoint the PCP. The clear intention is for the local authorities themselves to agree the arrangements for the PCP, and further discussion will be needed to get to a consensus position. Arrangements are in place with the 10 local authorities in the West Mercia force to ensure that the establishment of the PCP is considered by the full Council of each local authority in advance of the 1 July 2012 deadline.

Supporting Information

- Draft proposed Terms of Reference
(Appended)

Contact Points

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Background Papers

In the opinion of the Proper Officer the following are the background papers relating to the subject matter of this report:-

Police Reform and Social Responsibility Act 2011

Police and Crime Panels – Guidance on role and composition (Local Government Association 2011)