

ESTABLISHMENT OF A POLICE AND CRIME PANEL FOR THE WEST MERCIA POLICE FORCE AREA

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1. Summary

- 1.1 The Police Reform and Social Responsibility Bill which received Royal Assent on 15th November 2011 sets out provisions for Police and Crime Commissioners to be directly elected in force areas across England and Wales. A Police and Crime Panel, comprised of local councillors and independent members, will also be established in every force area, including West Mercia, to scrutinise the performance of the Commissioner, providing both support and challenge. The intention is that the Panels will operate in shadow form from Summer 2012 in advance of the election of the Commissioners in November 2012.
- 1.2 This report sets out for Members consideration the work carried out to date amongst the West Mercia principal local authorities in relation to the establishment and maintenance of the West Mercia Police and Crime Panel.
- 1.3 Agreement from all the 10 local authorities to the Panel arrangements is required to establish the Police and Crime Panel in shadow form in time for the Home Office deadline of 1st July 2012.

2. Recommendations

- (a) That Council approves the establishment of a West Mercia Police and Crime Panel (PCP) 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 the lead authority.
- (b) That Council approves the proposed membership of the West Mercia Police and Crime Panel, the Panel arrangements and any consequential actions required under the Act.
- (c) That on behalf of Shropshire Council the Chief Executive be authorised to agree the final details of the proposals in consultation with the Leader.

REPORT

3. Risk Assessment and Opportunities Appraisal

- 3.1 Should there be a failure amongst the 10 local authorities to reach an agreement, the Secretary of State could invoke backstop powers to allow the Home Office to step in and appoint the Panel. However the clear intention is for the local authorities themselves to agree the arrangements for the Panel and discussions are being held on a continuing basis in order to reach a consensus position. Arrangements are in place with the 10 local authorities in the West Mercia force area 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.

4. Financial Implications

- 4.1 The Home Office is to provide funding to help PCPs to do the job required of them under the new legislation. If agreed, the proposal for Worcestershire County Council to be the host authority for the West Mercia Police Force area will mean that the funding allocation will be allocated to them direct for support and running costs. See point 4 of the draft Panel arrangements set out in the appendix.

5. Background

- 5.1 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 (PCC) 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 Police and Crime Panel (PCP) as a formally constituted joint committee of the local authorities in that area.
- 5.2 The 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 Panel's draft proposed terms of reference are attached as an annex to the draft Panel Arrangements which are set out in the Appendix to the report.
- 5.3 The PCP will be a joint committee composed of at least 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.

- 5.4 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 therefore 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 will be co-opted to the PCP from the three non-Worcestershire authorities in the area (3 Shropshire, 1 Telford and Wrekin and 1 Herefordshire). The proposed representation for Shropshire Council is therefore 4 members. Each local authority is being requested 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.
- 5.5 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. Additional Information

- 6.1 Whilst further regulations and guidance are still awaited from the Home Office, officers from Worcestershire County Council (as lead authority) in consultation with officers from the other local authorities, 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.

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information):

- Police Reform and Social Responsibility Act 2011
- Police and Crime Panels – Guidance on role and composition (Local Government Association 2011)

Cabinet Member (Portfolio Holder):

- Keith Barrow - Leader
- Steve Charmley – Portfolio Holder for Health and Wellbeing.

Local Members: All

Appendices:

- Appendix – West Mercia PCP Draft panel arrangements including terms of reference in the annex.