

**Meeting of the Full Council
Meeting to be held on the 23 May 2013**

Report submitted by the Chief Executive

Part A

Electoral Division affected:
All

**Police and Crime Panel for Lancashire
Constitution, Terms of Reference, Panel Arrangements and Operational
Procedures.**

(Appendices A, B and C refer)

Contact for further information: Roy Jones (01772) 533619, Democratic Services,
Office of the Chief Executive Roy.jones@lancashire.gov.uk

Executive Summary

To consider the constitution of the Police and Crime Panel and note the arrangements and Operational Procedures of the Police and Crime Panel in the light of the outcome of the County Council election and experience gained during the first year of operation.

Recommendation

Full Council is asked to:

- i. confirm the revised constitution of the Police and Crime Panel for Lancashire on the basis as set out in this report;
- ii. appoint a member to the Police and Crime Panel for 2013/14;
- iii. note the Terms of Reference of the Panel and the arrangements/operational procedure as set out in this report;
- iv. reaffirm the appointment of Ian Fisher, County Secretary and Solicitor, as the Secretary to the Panel.

Background and Advice

The Police Reform and Social Responsibility Act 2011 introduced Police and Crime Panels (PCP) as formal joint committees of all the local authorities in a police force area, with the following main responsibilities.

- making recommendations on the Police and Crime Commissioners (PCC) Police and Crime Plan and Annual Reports.
- consider the PCCs appointment of a Chief Constable with the Panel having power of veto over the appointment

- consider the level of precept to be set by the PCC, again with a power of veto,
- review certain senior appointments by the PCC,
- scrutinise and support the activities of the PCC,

For Lancashire the police force area includes the County Council, 12 District Councils and the two Unitary Councils. The first meeting of the Police and Crime Panel for Lancashire was held on the 31 July 2012.

Constitution of the PCP

In Lancashire, the Panel was initially made up of 15 elected members, one from each Authority. Up to an additional 3 elected members can be added in order to achieve the 'balanced appointment objective' so that when taken together the members of the Panel represented the political make up of all the relevant local authorities for the police area and had the skills, knowledge and experience necessary for it to discharge its functions effectively. Having considered the provisions in legislation and options available for applying a political balance to the Panel, it was agreed that the constitution of the PCP for 2012/13 should be based on a calculation of current political balances across the whole membership of authorities, with the Independent members being grouped together as a whole. It was subsequently agreed to appoint an additional three elected members to achieve political balance at that time. The Home Secretary subsequently approved this basis in order to achieve the political balance objective.

In addition to the above members the Panel also agreed to appoint 2 independent co-opted members, who are not elected representatives, to serve on the Panel until July 2016.

The Panel's make up for 2012/13 was accordingly -

18 Elected Members (plus 2 Independent persons)

Labour 8	Conservative 8	Lib Dem 1	Independent Member 1
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It has previously been agreed that Council members of the Panel will serve a 12 month term on the Panel, and that the political balance of the Panel will be reviewed after local elections each May.

Following the County Council elections on the 2nd May the political balance has been recalculated, and the revised balance that now best achieves political balance across the 15 local authorities is:

17 Elected Members (plus 2 Independent persons)

Labour 8	Conservative 7	Lib Dem 1	Independent Member 1
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Each Local Authority is therefore asked to agree to the balance of the Panel for 2013/14 as above and to appoint a member to the Panel (two local Authorities by agreement will be asked to appoint an additional member). The Home Secretary will

be notified of the revised Panel arrangements to satisfy political balance requirements.

As reported previously local authorities combined must 'agree' to the balance of the Panel and the Home Office has powers to intervene and make appointments if agreement cannot be reached locally, though it has been made clear that the best Panel arrangements are those which are locally determined.

Each local authority in the Lancashire police area has been consulted on the proposed establishment of the Police and Crime Panel as outlined above and the names of representatives appointed to serve on the Panel will be provided at Full Council.

Terms of Reference, Arrangements and Roles and Responsibilities

A copy of the current Terms of Reference of the Panel is set out at Appendix 'A' to this report.

The arrangements for the Panel are set out at Appendix 'B' and the Operational Procedure at Appendix 'C'. Both documents are based on legislation, guidance and regulations which were available and updated to reflect further government guidance and decisions taken by the Panel during 2012/13. It should be noted that at the next scheduled meeting in July the Panel will be asked to consider any adjustments that may be required following the operation during the first year.

Programme of Meetings for the Panel

During its first year of operation the PCP met six times with the next scheduled meeting due to be held at 10.00am on the 8 July 2013 in Committee Room 'A' at the Town Hall, Corporation Street, Blackpool.

With the agreement of the Panel meetings have rotated between Preston, Blackburn and Blackpool and in the light of experience the following suggested programme of meetings for 2013/14 is to be put to the PCP in July for consideration.

- Tuesday 15 October, 2013, at the Town Hall, King William Street, Blackburn.
- Monday 27 January 2014 at County Hall, Preston.
- Tuesday 11 February 2014 at the Town Hall, King William Street, Blackburn.
- Monday 7 April 2014 at County Hall, Preston
- Monday 7 July 2014 at the Town Hall, Corporation Street, Blackpool.

Host Authority

Lancashire County Council has previously been appointed as the Host Authority for the administration and support to the PCP, and the County Secretary and Solicitor appointed as Secretary to the Panel.

Allowances

The Home Secretary has previously indicated that members of PCPs will be entitled to an annual allowance of £920 (£460 pro rata for 2012/13). Confirmation of the payment for 2012/13 for members of the panel is awaited from the Home Office.

Decisions Required

Full Council is asked to:

- i. confirm the revised constitution of the Police and Crime Panel for Lancashire on the basis as set out in this report;
- ii. appoint a member to the Police and Crime Panel for 2013/14;
- iii. note the Terms of Reference of the Panel and the arrangements/operational procedure as set out in this report;
- iv. reaffirm the appointment of Ian Fisher, County Secretary and Solicitor, as the Secretary to the Panel.

Consultations

All local authorities represented on the PCP were previously consulted and agreed to the basis of the political balance on the Panel.

Implications:

This item has the following implications, as indicated:

Risk management

The requirement for an independent Police and Crime Panel for Lancashire is in accordance with the provisions of the Police Reform and Social Responsibility Act 2011.

Local Government (Access to Information) Act 1985

List of Background Papers

Paper	Date	Contact
Report to Full Council	May 2012	M Neville, Office of the Chief Executive 01772 533431
Local election results	3 May 2013	
Responses received from Individual local authorities regarding nominated representatives	May 2013	
Reason for inclusion in Part II, if appropriate		
N/A		