

Police and Crime Panel for Lancashire

Meeting to be held on the 8th July 2013

Electoral Division affected: All

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

(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/membership of the Police and Crime Panel and note the arrangements and Operational Procedures in the light of the outcome of the County Council election and experience gained during the first year of operation.

Recommendation

Panel is asked to:

- i. consider the revised constitution of the Police and Crime Panel for Lancashire on the basis as set out in this report and in view of the appointments to the Panel which have been made by constituent authorities.
- ii. note the Terms of Reference of the Panel and arrangements/operational procedure as set out in this report;
- iii. determine the rules of debate and whether to allow public participation at future meetings of the Panel
- 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 31st 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. At that time it was agreed to appoint an additional three elected members to achieve political balance and 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 coopted members) on the following basis

Labour 8	Conservative 8	Lib Dem 1	Independent Member 1
----------	----------------	-----------	----------------------

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 is felt best achieves political balance across the 15 local authorities is:

17 Elected Members (plus 2 Independent persons) on the following basis

Labour 8	Conservative 7	Lib Dem 1	Independent Member 1
----------	----------------	-----------	----------------------

Each Local Authority was consulted on the revised balance of the Panel for 2013/14 as above and asked to appoint a member to the Panel, with the intention that two local Authorities by agreement would be asked to appoint an additional member.

The Home Secretary would then 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 following representatives have been appointed to serve on the Panel.

Local Authority	Representative(s)	Political party
Lancashire	J Mein	Labour
Blackburn with Darwen	K Hollern	Labour
Blackpool	S Blackburn	Labour
Burnley	J Cooper M Brindle	Labour Liberal Democrat
Chorley	A Bradley	Labour
Fylde	D Eaves L Oades	Conservative Independent
Hyndburn	P Barton	Labour
Lancaster	D Smith M Thomas	Labour Conservative
Pendle	M Foxley	Conservative
Preston	R Boswell	Labour
Ribble Valley	S Hirst	Conservative
Rossendale	A Barnes	Labour
South Ribble	Mrs M Smith	Conservative
West Lancashire	I Grant	Conservative
Wyre	P Gibson	Conservative

As can be seen from the table above the nominations received have resulted in the political balance of the panel being **18 Elected Members** (plus the 2 independent persons) on the following basis.

Labour 9	Conservative 7	Liberal Democrat 1	Independent Member 1
----------	----------------	--------------------	----------------------

The Panel are asked to consider the constitution of the Panel in view of the above and the requirement to 'agree' the membership in order to achieve the 'balanced appointment objective', including the requirement for the Panel to be politically balanced.

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 of these 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.

Attention is drawn to the requirement in the Panel arrangements for the Panel to determine its own arrangements in relation to the rules of debate and with regard to public participation at the meeting.

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.

Consultations

All local authorities represented on the PCP were previously consulted in relation to the constitution/membership and 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
Local election results	3 May 2013	
Minutes from Urgency Committee	24 th May 2013	01772 533431
Responses received from Individual local authorities regarding nominated representatives	May/June 2013	

Reason for inclusion in Part II, if appropriate N/A