

Police and Crime Panel for Lancashire
Meeting to be held on the 15th October 2013

Electoral Division affected:
All

Terms of Reference and Administrative Update for the Police and Crime Panel.

(Appendices 'A', 'B' and 'C' refer)

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Executive Summary

To update members of the Police and Crime Panel on the terms of reference and administration arrangements following the report to the panel at the last meeting on the 8th July 2013 relating to Constitution, Terms of Reference, Panel Arrangements and Operational Procedures for the Panel.

Recommendation

Panel is asked to:

i.] Note the Home Secretary's office has been notified of the revised constitution of the Police and Crime Panel for Lancashire on the basis as set out in this report and the appointments to the Panel which have been made by constituent authorities.

ii] Note the Terms of Reference of the Panel remain unchanged.

iii] Approve the amended Panel arrangements

iv] Note the minor alteration to the Operational procedure to include reference to sub committees as well as task groups.

v] Note the Panel will continue to adopt the standing orders of Lancashire County Council, as set out in their Constitution and that the Operational procedure has been updated to confirm the Panel has adopted Lancashire County Council's Standing Orders, insofar as they relate to the rules of debate at Committees.

vi] Note the arrangement for payment of allowances.

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 PCC's 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

It was reported at the last meeting on the 8th July 2013 that following the County Council elections on 2nd May 2013, the political balance of the Panel had been recalculated adopting the previously agreed model for achieving the political proportionality requirements. Options for the revised balance of the Panel on this basis were presented to the Panel.

It was resolved that the constitution of the Police and Crime Panel for Lancashire, on the basis of appointments made by each local authority, be noted and agreed as 18 Elected Members on the basis of 9 Labour, 7 Conservative, 1 Liberal Democrat and 1 Independent Member, reflecting the political leadership of each authority and three additional appointments, as now reported, to satisfy political balance requirements.

The Secretary to the Panel wrote to the Home Secretary on the 6th September 2013 to notify his office of the revised Panel arrangement, to satisfy political balance requirements. The Secretary updated the Home Office on developments regarding a change in calculation of the political balance [as set out above] and to the hosting of the Police and Crime Panel for Lancashire, including support from the Secretary and dealing with administrative costs.

Terms of Reference

Following the change to hosting arrangements agreed at the last meeting as set out above, it is confirmed the Terms of Reference of the Panel remain unchanged. A copy of the current Terms of Reference of the Panel is attached at Appendix 'A' to this report.

Arrangements and Roles and Responsibilities

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.

The Panel Arrangements have been revised as highlighted in italics, to reflect the change to hosting and political balance.

The Operational procedure at Appendix C has been altered at paragraph 9 to include sub committees as well as task groups, in accordance with the regulations and guidance.

At the Panel meeting on 31st July 2013 the Panel resolved to adopt the County Council's Standing Orders, where they relate to the operation of and proceedings for Committees, as the default Standing Orders for the Panel.

At the meeting on 8th July 2013, it was further resolved that the Operational Procedure should be amended so that the County Councils Standing Orders regarding the rules of debate at Committees be adopted in relation to future meetings of the Panel and a copy of the revised document circulated to all members of the Panel. Accordingly, this amendment is highlighted at paragraph 11, Appendix C.

Host Authority

Lancashire County Council had 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. The Home Secretary has been notified of the change of hosting to Blackburn With Darwen Council as outlined above.

Allowances

The Home Secretary has indicated that Members of PCP's will be entitled to an annual allowance of £920 (£460 pro rata for 2012/13).

Lancashire County Council will be making arrangements as the former Host Authority to make payments for 2012/13, to members of the PCP.

For 2013/14 Blackburn with Darwen Council will arrange to claim the allowances from the Home Office and to pay members of the PCP the allowance in February 2014.

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

<u>Paper</u>	<u>Date</u>	<u>Contact</u>
Report [agenda item 3] and minutes of PCP meeting	8/7/13	S.Roxborough Legal Services 01254585252

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