
Meeting: Council
Date: 14 June 2012
Subject: Appointments to the Bedfordshire Police and Crime Panel
Report of: Cllr James Jamieson, Leader of the Council
Summary: This report proposes appointments to the Bedfordshire Police and Crime Panel to enable local authority membership of the Panel to be notified to the Secretary of State in line with the Home Office deadline.

Advising Officer: Deb Clarke, Assistant Chief Executive – People and Organisation
Contact Officer: Mel Peaston, Committee Services Manager
Public/Exempt: Public
Wards Affected: All
Function of: Council

CORPORATE IMPLICATIONS

Council Priorities:

The setting up of the Police and Crime Panel (PCP) will contribute to the Council's priority Creating Safer Communities.

Financial:

1. There are no financial implications arising from the appointment of local authority representatives to the PCP. It will be a matter for the Council to determine, when it next reviews its Members' Allowances Scheme, whether it wishes to pay a Special Responsibility Allowance to its representatives on the PCP. Members of the PCP will be entitled to claim mileage or other travelling allowances to attend meetings in accordance with the approved Members' Allowances Scheme. The costs arising from this will be met from within existing budgetary provision.
2. The host authority (Bedford Borough Council) will receive a grant of approximately £53,300 annually from the Home Office to meet PCP and support costs, including the expenses (mileage etc) claimable by co-opted members.

Legal:

3. The law governing the establishment and operation of the Police and Crime Panels (PCPs) is set out in the Police Reform and Social Responsibility Act 2011 and regulations made thereunder.

4. The Act provides that the PCP must consist of 10 local authority members appointed (in the Bedfordshire PCP case) by all three constituent local authorities, and two co-opted or lay members. The PCP may itself (once established) resolve to appoint a larger number of co-opted members (which could include additional local authority members) but this would require the Secretary of State's agreement. Regulations covering the appointment of additional co-opted members are anticipated but their likely content (even at draft stage) is not known.
5. The Act requires each constituent council to appoint at least one Member to the PCP and, collectively, the appointments made must as far as reasonably practical, meet the "balanced appointment objective". This means that, taken together, the Local Authority appointments must:
 - represent all parts of the Force area
 - represent the political make-up of the constituent authorities individually and collectively;
 - have the skills, knowledge and experience necessary for the PCP to discharge its functions effectively.
6. The proposals for local authority membership of the Bedfordshire PCP (set out in paragraph 24 below) reflect these requirements.

Risk Management:

7. There are no risk management implications.

Staffing (including Trades Unions):

8. Not applicable.

Equalities/Human Rights:

9. The appointment of the Council's representatives onto the PCP does not impact on the Council's duties to promote good relations, promote positive attitudes and eliminate unlawful discrimination. An equalities impact assessment is not required.

Public Health

10. Not applicable.

Community Safety:

11. There are no community safety implications in the nomination of members on the Police and Crime Panel.

Sustainability:

12. Not applicable.

Procurement:

13. Not applicable.

Overview and Scrutiny:

14. This matter has not been considered by overview and scrutiny.

RECOMMENDATIONS:

Council is asked to:

1. **appoint 3 Conservative and 1 Independent Member as Central Bedfordshire Council's representatives on the Police and Crime Panel;**
2. **make these appointments for the period until the Council's Annual Meeting in 2015;**
3. **agree that from the Annual Meeting in 2015, the appointments to the Police and Crime Panel will be made for a 4 year term.**

Reason for Recommendation(s): To enable the Police and Crime Panel to be set up in line with the balanced appointment objective to meet the Home Office deadline of 2 July 2012; and also to make provision for future appointing arrangements.

Executive Summary

15. Under the Police Reform and Social Responsibility Act 2011, Police Authorities in England and Wales will be abolished in November 2012 and replaced by a directly elected Police and Crime Commissioner (PCC). The PCC will have responsibility for the totality of policing within their Force area and for holding the Force Chief Constable to account, on behalf of the public, for the operational delivery of policing.
16. The Act also requires a Police and Crime Panel (PCP) to be established for each Force area (the functions of the PCP are set out in **Appendix A** to this report). This will be a Joint Committee of all the local authorities in the Force area and the purpose of this report is to enable the Council to make appointments to the Bedfordshire PCP to enable local authority membership of the Panel to be notified to the Secretary of State for Home Affairs by the Home Office deadline of 2 July 2012.

Allocation of seats on the PCP

17. The three unitary authorities in Bedfordshire must agree an allocation of seats on the PCP between them which meets the requirements set out in paragraph 5 of this report, and are each required to appoint their representatives to the Panel in time for the host authority (Bedford Borough Council) to advise the Secretary of State of the PCP's composition and local authority membership by 2 July 2012.
18. Discussion between senior Members and officers of the three authorities concerned have resulted in agreement that allocation of seats (in terms of numbers) between the authorities should be determined with reference to the relative populations of each local authority area.

19. Based on this approach and using the most up to date population estimates (ie, the 2010 mid year estimates rounded to the nearest 1,000), the initial allocation of seats between the three authorities is as follows:

20. Authority	2010 ONS (in 000s)	Number of PCP seats (actual number in brackets)
Bedford Borough	161	2.62 (3)
Central Bedfordshire	255	4.15 (4)
Luton Borough	188	3.26 (3)
totals	604	10

21. As noted in paragraph 5 above appointments must, as far as practicable, reflect the balance of the political groups across the three councils as a whole as well as their individual political make-up. The political balance calculations for the PCP are as follows:

22. Authority	Conservative	Indepen dent	Labour	Liberal Democrat	Total
Bedford	12	4	12	13	41
Central Beds	49	4	1	5	59
Luton	4	0	36	8	48
% of total seats	43.92%	5.41%	33.10%	17.56%	99.99%
PCP of 10 LA seats (actual in brackets)	4.39 (4)	0.54 (1)	3.31 (3)	1.76 (2)	10

23. This provides the following scheme for the allocation of seats which achieves the balanced appointment objective:

24. Group and total number of places on PCP	Bedford Borough	Central Bedfordshire	Luton Borough	Totals
Conservative - 4	1	3	0	4
Independent - 1	0	1	0	1
Labour - 3	1	0	2	3
Liberal Democrat - 2	1	0	1	2
Totals - 10	3	4	3	10

Restrictions on membership of the PCP

25. There are no restrictions on which Councillors can sit on the PCP; that is, councils can appoint both Executive and non-Executive Councillors. The law requires Bedford Borough Council, as a Mayoral Authority, to nominate its Elected Mayor for membership although the Mayor may decline the nomination in which case another member of that Council may be appointed.

26. In considering its appointments to the PCP the Council should however be aware of the potential for conflicts of interest to arise in the case of the Leader, Executive Members, and in particular the Executive Member with responsibility for community safety. These Members are the most likely to be in discussion with the PCC about local crime and disorder issues and may not be well placed to scrutinise the PCC's arrangements.

Summary of Consultations and Outcome

27. The proposals in this report reflect the outcome of consultations which have taken place between the three unitary authorities in the Force area.

Appendices:

Appendix A – Functions of the PCP

Background Papers: (open to public inspection)

None