

North Tyneside Council

Report to Cabinet

Date: 9 July 2012

Item 7 (c) Appointment of Representatives onto the Northumbria Police and Crime Panel

Portfolios: Elected Mayor	Cabinet Member: Mrs Linda Arkley
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Report from: Chief Executive's Office

Report Author: Graham Haywood, Chief Executive

Wards affected: All

PART 1

1.1 Purpose

To advise Cabinet that North Tyneside Council has been allocated two seats on the Northumbria Police and Crime Panel. One is to be filled by the Elected Mayor who is guaranteed a seat by virtue of the legislation and the other is to be a Labour Councillor to be appointed by Cabinet.

1.2 Recommendation(s)

Cabinet are requested to:

- i. Note that the Elected Mayor will be exercising her right to a seat on the Panel.
- ii. Appoint Councillor Norma Redfearn who has been nominated by the Labour Group, to the other North Tyneside Council seat on the Panel.

1.3 Forward Plan

The report did not appear in the current Forward Plan for the period 1 July 2012 – 31 October 2012.

It is required to be considered at this Cabinet Meeting because the Home Office has recently laid the Regulations in Parliament and require constituent local authorities to nominate and appoint their representatives to the Panel by 16 July 2012.

1.4 Council Plan and Policy Framework

The report has no direct link to the Council Strategic Plan 2012/15.

1.5 Information

- 1.5.1 The Police Reform and Social Responsibility Act 2011 (“the Act”) requires each police area in England, outside London, to have a Police & Crime Panel. These panels will publicly scrutinise the Police & Crime Commissioners, who themselves will hold the Chief Constable of their force to account for the full range of their responsibilities. However, panels may not exercise any function other than those conferred by the Act.
- 1.5.2 A Police & Crime Panel is either:
- A committee of the relevant local authority, if it is the Panel for a single authority police area: or
 - A joint committee of the relevant local authorities, if it is a Panel for a multi-authority police area.
- 1.5.3 In police areas covering 10 or fewer local authorities, such as Northumbria, membership of the Panel will comprise 10 local councillor representatives, and a minimum of two lay members co-opted by the Panel. It is for local authorities to determine which councillors they appoint to sit on the Panel. However, in exercising their nomination, local authorities must secure that the panels should, as far as is reasonably practicable, meet the ‘balanced appointment objective’ i.e. reflect the political and geographical make-up of all the local authorities in the force area with the skills, knowledge and experience necessary for the Panel to discharge its functions effectively.
- 1.5.4 The Panel may resolve to have additional co-opted members up to a total Panel membership of twenty. If the panel considers this appropriate and makes a resolution to increase the number of co-opted members, this resolution is subject to the agreement of the Home Secretary. If a Police & Crime Panel has three or more co-opted members, a member of a local authority within the police area may be a co-opted member as long as at least two of the other co-optees are not members of a local authority. Again, in exercising its power to co-opt additional members of the local authorities, the panel must try to secure the balanced appointment objective.
- 1.5.5 The Police & Crime Panel will provide an important set of checks and balances to the Police & Crime Commissioner. The Panel will be able to scrutinise the activities of the Commissioner, offer advice to them (which they are obliged to consider) and handle any complaints against the Commissioner and, in certain circumstances, require them to resign.

1.5.6 The Police & Crime Panel will have the following powers:-

- Reviewing the draft Police and Crime Plan
- Reviewing the Police and Crime Commissioner's annual report
- Reviewing senior appointments
- A power of veto over the issue of precept
- A power of veto over the appointment of the Chief Constable
- Reviewing or scrutinising decisions made or actions taken by the Police and Crime Commissioner
- Suspending the Police and Crime Commissioner following serious allegations of misconduct
- Appointing acting Police and Crime Commissioners in the event of incapacity, etc.

1.5.7 The Leaders and Elected Mayor for the local authorities within the Northumbria Police area met on 11 June 2012 to agree the political balance on the Panel and this was agreed in accordance with paragraph 3.3 of the report attached as Appendix A. This means North Tyneside has 2 seats (one for the Elected Mayor as of right, which fills the one Conservative place on the Panel and one for a Labour Councillor).

1.6 Decision options

Option 1 – note that the Elected Mayor will be exercising her right to a seat on the Panel and agree the appointment of a Labour Councillor.

Option 2 – as for Option 1, but not to appoint a Labour Councillor, which would trigger default action by the Home Office (see letter from the Home Office dated 15 June 2012 attached as Appendix B).

1.7 Reasons for Recommended Option

Option 1 is recommended to ensure North Tyneside Council is fully and appropriately represented on the new Panel.

1.8 Appendices

- a) Report for LA Leaders and Elected Mayor dated 11 June 2012
- b) Letter from the Home Office dated 15 June 2012.

1.9 Contact Officers

Graham Haywood, Chief Executive (0191) 643 2000.
Alison Campbell, Finance Business Manager (0191) 643 7038.

1.10 Background Information

Appendix A and Appendix B attached to this report were used in its compilation.

PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING

2.1 Finance and Other Resources

From October 2012 the Home Office will provide funding to help panels to do the job required of them under the new legislation. This funding will be a total of £53,300 per annum for support and running costs. In addition, they will make available up to £920 per member of the Panel (including additional co-optees) to fund necessary expenses.

Appendix A 3.5 attached states “It is planned that remuneration is made available by the Home Office to cover expenses (i.e. travel and subsistence). No funding is being made available to cover allowances for councillor or co-opted members. However authorities may choose to provide additional allowance to members sitting on the panel to bring allowances into line with allowances for other committees”.

If necessary this matter will be referred to the Remuneration Panel to agree an appropriate member allowance.

2.2 Legal

The Police Reform and Social Responsibility Act 2011 (the Act) requires each police area in England to have a Police and Crime Panel. The purpose of the Police and Crime Panels will be to publicly scrutinise the work of Police and Crime Commissioner (following their election in November 2012) for the area.

The Act and the supporting Regulations set out the arrangements for the creation of the Police and Crime Panel and the nomination and appointment of members to them. The legal requirements in relation to the nomination of Members of this Council to serve on the Police and Crime Panel are set out in the body of the report.

2.3 Consultation and Community Engagement

2.3.1 Internal Consultation

There has been consultation with the Labour Group as a nomination had to be made from that Group.

2.4 Human Rights

There are no human rights implications directly arising from this report.

2.5 Equalities and Diversity

There are no relevant equalities and diversity implications arising from this report.

2.6 Risk Management

There are no risk management implications arising from this report.

2.7 Crime and Disorder

There are no relevant crime and disorder implications arising from this report.

2.8 Environment and Sustainability

There are no relevant environment and sustainability implications arising from this report.

PART 3 - SIGN OFF

- Strategic Director(s)
- Mayor/Cabinet Member(s)
- Chief Finance Officer
- Monitoring Officer
- Strategic Manager for Policy and Partnerships
- Chief Executive