

REPORT TO THE MEETING OF THE EXECUTIVE 19 SEPTEMBER 2012

PORTFOLIO: YOUNG PERSONS, ADULT SERVICES, COMMUNITY CARE AND WELL-BEING, HEALTH AND COMMUNITY SAFETY

REPORT FROM THE CHIEF EXECUTIVE

SUBJECT: ESSEX POLICE AND CRIME PANEL – UPDATE ON PROGRESS

1 DECISION BEING RECOMMENDED

1.1 That, pending confirmation by Full Council:-

- The terms of reference now agreed for the Essex Police and Crime Panel, attached as Appendix B, be endorsed.
- Who will attend as the substitute Member in the absence of Cllr Mrs J E McPherson, the Council's representative on the Panel, be agreed.

2 REASON FOR RECOMMENDATION

2.1 To ensure the District Council plays a full and active role in the operation of the Panel

3 SALIENT INFORMATION

3.1 A report to the Executive in February (Min. 25/12) on the Police Reform and Social Responsibility Act 2011 and its implications for the District Council, covered, amongst other things, the imminent establishment of an Essex Police and Crime Panel and our representation on that Panel, which was agreed should be Cllr Mrs J McPherson, given her portfolio holder responsibilities relating to Community Safety.

3.2 The Panel is now operating in shadow form prior to the election of the Police and Crime Commissioner in November. Two meetings have been held to date. The current membership of the Panel is attached as Appendix A. County Councillor John Jowers has been elected as Chairman, with Cllr Malcolm Buckley appointed as Vice-Chairman. The Panel has agreed to expand its membership to secure a Liberal Democrat presence on the Panel to ensure all the main parties are represented, subject to Home Office approval.

3.3 In addition, a Member sub-group has been established to progress the appointment of the two independent Members. Terms of reference for the Panel have been agreed and these are set out in Annex B. The Executive is now asked to endorse these terms of reference. The Panel has also agreed that each constituent Authority should be asked to appoint a substitute

Member, who can represent the Authority and have voting rights in the absence of the nominated representative. Hence the Executive is asked to identify who should be Cllr Mrs J E McPherson's deputy in this respect.

4 RISK IMPLICATIONS

- 4.1 The emerging new arrangements involving Police and Crime Commissioners and Police and Crime Panels pose a variety of risks on a number of levels relating to the Policing and Community Safety agenda. It will be important to recognise those risks and respond to them as the arrangements develop.

5 RESOURCE IMPLICATIONS

- 5.1 There are no specific resource implications associated with this report as such.

6 LEGAL IMPLICATIONS

- 6.1 The details outlined above are in accordance with the new legislation.

I confirm that the above recommendations do not depart from Council policy and that appropriate consideration has been given to any budgetary and legal implications.

SMT Lead Officer Signature: _____

Chief Executive

Background Papers:-

None.

For further information please contact Paul Warren (Chief Executive) on:-

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If you would like this report in large print, Braille or another language please contact 01702 318111.

Panel Membership

Appendix A

Name	Authority	Political party
Malcolm Buckley	Basildon	Conservative
Graham Butland	Braintree	Conservative
Lionel Lee	Brentwood	Conservative
Jeffrey Stanley	Castle Point	Conservative
Bob Shepherd MBE	Chelmsford	Conservative
Tim Young	Colchester	Labour
Mary Sartin	Epping Forest	Conservative
John Jowers	Essex	Conservative
Daniella Pritchard	Harlow	Labour
Penny Channer	Maldon	Conservative
Jo McPherson	Rochford	Conservative
Ian Robertson	Southend-on-Sea	Conservative
Peter Halliday	Tendring	Conservative
Gerard Rice	Thurrock	Labour
Robert Chambers	Uttlesford	Conservative
TBC (<i>awaiting HO approval</i>)	-	Liberal Democrat
TBC	-	Independent
TBC	-	Independent

ESSEX POLICE AND CRIME PANEL

TERMS OF REFERENCE

1. To scrutinise the work of the Police and Crime Commissioner, exercising the function as a critical friend, in support of the Commissioner.
2. To review and produce a report on the proposed appointment of the Chief Constable.
3. To hold a confirmation hearing, and produce a report or recommendations (as necessary) in respect of proposed senior appointments made by the Commissioner.
4. To scrutinise the proposed precept and make recommendations. If not satisfied with the precept the Panel can veto it, provided there is a two thirds majority in agreement. The Commissioner will then have to respond to the Panel and publish the response.
5. To review the Commissioner's Police and Crime Plan, and produce and publish a report or make recommendations on the Plan.
6. With regard to the Commissioner's annual report, produced in accordance with section 12 of the Police Reform and Social Responsibility Act 2011, to question the Commissioner at a public meeting and scrutinise the decisions made by the Commissioner. The Panel must also produce recommendations or a report which is sent to the Commissioner and published.
7. To review or scrutinise decisions made, or other action taken, by the Commissioner in connection with the discharge of the Commissioner's functions.
8. To fulfil functions in relation to complaints about conduct matters, in accordance with the responsibilities accorded to the Panel by the Police Reform and Social Responsibility Act 2011.
9. Where required (i.e. if the Commissioner resigns, is disqualified from office, is suspended or incapacitated), appoint an Acting Police and Crime Commissioner from amongst the Commissioner's staff.

The Panel will be governed by schedule 12A of the Local Government Act 1972.