

# CHESHIRE EAST

## GOVERNANCE AND CONSTITUTION COMMITTEE

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**Date of meeting:** 6 October 2008  
**Report of:** Governance Lead Officer  
**Title:** Appointments to Cheshire Police Authority

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### **1.0 Purpose of Report**

- 1.1 To advise the Committee of the arrangements for the appointment of Members to the Cheshire Police Authority, initially with observer status.

### **2.0 Decision Required**

- 2.1 To appoint three Members to the Police Authority Shadow Joint Appointments Committee, in order that the Council's representation on the Cheshire Police Authority can be determined.

### **3.0 Financial Implications for Transition Costs**

- 3.1 None, apart from the payment of travel and subsistence allowances for Members attending Police Authority meetings.

### **4.0 Financial Implications 2009/10 and beyond**

- 4.1 There are no financial implications for 2009/10 and beyond.

### **5.0 Legal Implications**

- 5.1 An Order will be laid before Parliament in October, which makes the transitional arrangements for membership of the Police Authority. The implications are set out fully below.

### **6.0 Risk Assessment**

- 6.1 Action to identify and appoint the Council's representatives on the Police Authority should be taken in advance of the confirmation of the Order, so that the Members concerned can begin their induction and undertake Member development and familiarisation with the work of the Authority. Failure to make the appointments would mean that the Council would not be able to participate appropriately in the budget setting and policing plan developments for 2009/10.

### **7.0 Background and Information**

- 7.1 The Department of Communities and Local Government has produced a draft Order on transitional arrangements relating to the membership

of the Police Authority as a consequence of local government restructuring in Cheshire. The Order will be laid before Parliament in early October 2008.

7.2 The Order will enable Cheshire West and Chester, Cheshire East, Halton and Warrington Councils to form a Shadow Joint Committee to appoint the local authority Members to the Police Authority with effect from 1 April 2009. Once these appointments are made, however, those Members will be entitled to attend meetings of the Authority in an observer capacity prior to 1 April 2009 and the Authority will be required to seek their views on its budget/precept and policing plan for 2009/10.

7.3 Schedule 2 of the Police Act 1996 provides for the establishment of a Joint Appointments Committee where there is more than one local authority in the Police Authority area.

7.4 The Joint Committee for Cheshire was first established in 1997, when it was agreed that the Committee would consist of nine Members allocated on the basis of population. The allocation was therefore:

Halton Borough Council - 1 Member  
Warrington Borough Council - 2 Members  
Cheshire County Council - 6 Members

Using the same criteria, the Shadow Joint Committee would consist of:

Halton - 1 Member  
Warrington - 2 Members  
Cheshire West and Chester - 3 Members  
Cheshire East - 3 Members.

7.5 The Shadow Committee will need to consider:

- i) the allocation of the nine local authority places on the Police Authority in accordance with the political proportionality of the constituent Councils taken as a whole
- ii) how each of the constituent Councils should make their Party Group nominations to achieve the balance required above.

7.6 In order that the Shadow Committee can be convened, the constituent Councils have been invited to make nominations on the basis set out in para 7.4 above. Accordingly Cheshire East needs to appoint 3 Members. The Council's proportionality would suggest a 2 Conservative and 1 Liberal Democrat basis.

7.7 In order to make the appointments to the Police Authority itself, the Joint Committee will then meet to review and take into account the political proportionalities across the four Councils which are as follows:

	<b>Con</b>	<b>Lab</b>	<b>Lib Dem</b>	<b>Indep</b>
Cheshire East	59	6	12	4
Cheshire West and Chester	55	13	4	0
Warrington	7	22	28	0
Halton	9	33	14	0
	130	74	58	4
Giving a "raw" proportionality across 9 places of:	4.398	2.503	1.962	0.135
"Rounded" places	4	3	2	0

- 7.8 If it is assumed that Halton continue to appoint one Labour Member and Warrington appoint one Labour and one Liberal Democrat Member, this would leave the two Cheshire Unitaries to appoint the four Conservatives, plus one Labour and one Liberal Democrat Members. The Appointments Joint Committee will need to determine how all of the 9 places are allocated, and to make the necessary appointments.

## **8.0 Conclusion**

- 8.1 The Committee is asked to consider the position and appoint the Council's three representatives to the Police Shadow Joint Appointments Committee.

### ***For further information:***

*Officer: Mike Flynn (Governance Lead East)*

*Tel No: 01244 972260*

*Email: mike.flynn@cheshire.gov.uk*

### ***Background Documents:***

- *Letter dated 4 September 2008 from the Chief Executive of Cheshire Police Authority.*