

Item A

EXTRACT FROM THE MINUTES OF THE GOVERNANCE AND CONSTITUTION COMMITTEE MEETING HELD ON 19 NOVEMBER 2009

144 POLICE AUTHORITY REPRESENTATION ON THE SUSTAINABLE COMMUNITIES SCRUTINY COMMITTEE

Members considered proposals for Police Authority representation on the Sustainable Communities Scrutiny Committee.

The Council had designated the Sustainable Communities Scrutiny Committee as the committee to discharge the Council's responsibilities for crime and disorder functions in accordance with Section 19 of the Police and Justice Act 2006. The Home Office had issued guidance in connection with Sections 19 and 20 of the Act which stated that 'Local Authorities should, in all cases, presume that the Police Authority should play an active part at committee when community safety matters are being discussed – and particularly when the police are to be present'.

The guidance contained three options for ensuring Police Authority involvement in community safety matters. Members considered the merits of each in relation to the circumstances of Cheshire East Council and its representation on the Police Authority. Option 2, which involved issuing the Police Authority with a standing invitation to attend the Sustainable Communities Scrutiny Committee as an 'expert adviser', appeared to give the Police Authority flexibility to send different representatives to individual meetings of the Scrutiny Committee depending on the subject matter before the Committee.

The guidance also recommended developing a protocol between partners.

RESOLVED

That Council be recommended that

- (1) Cheshire Police Authority be informed that the Council supports the appointment of a Police Authority representative to the Sustainable Communities Scrutiny Committee in accordance with option 2 as contained in the Home Office Guidance on Sections 19 and 20 of the Police and Justice Act 2006;**
- (2) the Borough Solicitor be authorised to make such changes to the Council's Constitution as he considers necessary to give effect to the wishes of Council to recognise that Cheshire Police Authority receives a standing invitation to attend meetings of the Sustainable Communities Scrutiny Committee, in order for the**

Police Authority representative to act as an 'expert adviser' in respect of Community Safety matters; and

- (3) the Sustainable Communities Scrutiny Committee be requested to develop a Protocol which sets out the mutual expectations of Scrutiny Members and partners in connection with the involvement of the Committee in the Community Safety Scrutiny Process.**