

# CHESHIRE EAST COUNCIL

## REPORT TO: COUNCIL

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Date of Meeting:	16 <sup>th</sup> May 2012
Report of:	Borough Solicitor
Subject/Title:	<b>Appointments to Cheshire Fire Authority, Cheshire Police Authority and the Cheshire Police and Crime Panel</b>

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### **1.0 Report Summary**

- 1.1 The report invites Council to make Appointments to Cheshire Fire Authority, the Cheshire Police Authority and the Cheshire Police and Crime Panel

### **2.0 Decision Requested**

- 2.1 Council is asked to appoint –
- (a) three Councillors to the Cheshire Police Authority until November 2012;
  - (b) four Councillors to sit on the Cheshire Police and Crime Panel, firstly in its shadow form; and
  - (c) eight Councillors to Cheshire Fire Authority

### **3.0 Reasons for Recommendation**

- 3.1 These bodies carry out statutory functions and appointments are needed to ensure that the Council meets its obligations.

### **4.0 Background and Options**

#### **Police Authority**

- 4.1 Schedule 2 of the Police Act 1996 provides for the establishment of a Joint Committee where there is more than one local authority in the Police Authority area. 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.
- 4.2 As a consequence of local government restructuring in Cheshire. The current allocation is:

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

- 4.3 The allocation of the nine local authority places on the Police Authority needs to be made in accordance with the political proportionality of the constituent Councils taken as a whole and the Clerk to the Authority has provided additional information on this to help each of the constituent Councils make their Party Group nominations to achieve the balance required.
- 4.4 The Council's proportionality in 2011 was 2 Conservative and 1 Liberal Democrat.
- 4.5 Councillors P Findlow, H Murray, and P Nurse were nominated in 2011 to serve on the Joint Committee of the Police Authority, with powers to select Police Authority members, on behalf of the Council.
- 4.6 Under the Police Reform & Social Responsibility Act 2011 the Police Authority will be replaced by an elected Police and Crime Commissioner in November 2012.

#### **Cheshire Police and Crime Panel**

- 4.6 In accordance with the Police Reform and Social Responsibility Act 2011 arrangements are being made for the election of a Police Commissioner to replace the Cheshire Police Authority in November 2012
- 4.7 Section 28 requires each Police area to establish a Police and Crime Panel (PCP). The Local Government Association has produced guidance on the formation of Police and Crime Panels and suggests that their main responsibilities will be to:
  - To review and make a report or recommendation on the draft police and crime plan, or draft variation, given to the panel by the Police and Crime Commissioner.
  - To review, put questions to the Police and Crime Commissioner at a public meeting, and make a report or recommendation (as necessary) on the annual report.
  - To hold a confirmation hearing and review, make a report, and recommendation (as necessary) in respect of proposed senior appointments made by the Police and Crime Commissioner.
  - To review and make a report on the proposed appointment of the Chief Constable.
  - To review and make a report and recommendation (as necessary) on the proposed precept.
  - To review or scrutinise decisions made, or other action taken, by the Police and Crime Commissioner in connection with the discharge of the commissioner's functions.

- To make reports or recommendations to the Police and Crime Commissioner with respect to the discharge of the commissioner's functions.
- To support the effective exercise of the functions of the Police and Crime Commissioner.
- 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.
- To appoint an Acting Police and Crime Commissioner if necessary.
- To suspend the Police and Crime Commissioner if it appears to the panel that the Commissioner has been charged in the United Kingdom or Isle of Man with an offence which carries a maximum term of imprisonment exceeding two years.

4.8 In Cheshire the lead Council is Warrington. and further information on the role and constitution of the Cheshire Police and Crime Panels is not expected until later in the year.

4.9 The Cheshire Police and Crime Panel will comprise 10 Councillors appointed by the constituent Councils and 2 co-opted members. Based upon the size of population it has been agreed that Cheshire East will appoint 4 members, Cheshire West will appoint 3, Warrington 2 and Halton 1.

### **Cheshire Fire Authority.**

5.5 The Fire Authority was the Combined Fire Authority for Cheshire, Halton and Warrington in accordance with the Cheshire Fire Services (Combination Scheme) Order 1997. The constitution of the Cheshire Fire Authority required the appointment of 14 representatives.

5.6 As a consequence of local government restructuring in Cheshire the Authority was changed to the Combined Fire Authority of Cheshire West and Chester, Cheshire East, Halton and Warrington and its membership was increased to 23 places. The allocation of seats is:-

Halton - 3 Member

Warrington - 4 Members

Cheshire West and Chester - 8 Members

Cheshire East - 8 Members.

5.7 The current members who were appointed in 2011 are Councillors M Simon, J Weatherill, J W Livesley, D Topping, G Merry, C Thorley, D Flude and D Brickhill.

## **6.0 Reasons for Recommendations**

6.1 To determine political representation on the different bodies.

***For further information:***

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***Background Documents: None***