

# CHESHIRE EAST COUNCIL

## REPORT TO: COUNCIL

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Date of Meeting:

13 December 2012

Report of: Borough Solicitor

Subject/Title: **Appointments to Cheshire Police and Crime Panel**

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### **1.0 Report Summary**

- 1.1 The report invites Council to review appointments to the Cheshire Police and Crime Panel

### **2.0 Decision Requested**

Council is asked to confirm its nomination of three Councillors to sit on the Cheshire Police and Crime Panel.

### **3.0 Reasons for Recommendation**

- 3.1 This body carries out statutory functions, and appointments are needed to ensure that the Council meets its obligations.

### **4.0 Background and Options**

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

- 4.4 In accordance with the Police Reform and Social Responsibility Act 2011 arrangements were made for the election of a Police Commissioner to replace the Cheshire Police Authority in November 2012
- 4.5 Section 28 requires each Police area to establish a Police and Crime Panel (PCP). The main responsibilities are 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.

4.6 At the Annual Meeting of Council the Council appointed Councillors Findlow, Fitzgerald, Murray and Nurse to the shadow Cheshire Police and Crime Panel. The shadow Panel would exist until the Police Commissioner elections. At the time Council made its nominations the shadow Panel comprised 10 Councillors appointed by the constituent Councils. Based upon the size of population Cheshire East believed that it would need to appoint 4 members to the Panel. Cheshire West would appoint 3, Warrington 2 and Halton 1.

4.7 Subsequent to the meeting of Annual Council, there was protracted debate between the constituent authorities upon the question of membership of the Panel and how this should be composed after the end of the shadow period. Discussions between the authorities resulted in it being accepted that the allocation of seats would result in Cheshire East having 3 Panel members. Cheshire West would appoint 3, Warrington 2 and Halton 2.

4.8 In the light of this change Council is asked to confirm three Councillors to represent Cheshire East on the Cheshire Police and Crime Panel.

## **5.0 Reasons for Recommendations**

5.1 To determine political representation on the Panel.

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

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***Background Documents: None***