

<b>STRONG AND SUPPORTIVE COMMUNITIES SCRUTINY COMMITTEE</b>	<b>Agenda Item No. 9</b>
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## **CRIME AND DISORDER SCRUTINY – PROTOCOL AND WORKING ARRANGEMENTS**

### **1. PURPOSE**

- 1.1 This report outlines the implications of the Police and Justice Act 2006 for the scrutiny of crime and disorder in Peterborough.

### **2. RECOMMENDATIONS**

- 2.1 That the Committee notes the nomination of Mr Ansar Ali as the Police Authority's representative on the Crime and Disorder Committee and that a nomination has also been sought from the Fire Authority.
- 2.2 That the Committee agrees that the co-opted members will be non-voting at this time and that a review of this position is taken ready for the next municipal year.
- 2.3 The Committee is asked to approve the draft Protocol attached at Appendix 1.

### **3. BACKGROUND**

- 3.1 The Police and Justice Act 2006 requires every local authority to designate a 'crime and disorder committee' to undertake scrutiny of crime and disorder issues. In Peterborough this role has been delegated to the Strong and Supportive Communities Scrutiny Committee.
- 3.2 The basic function of the Crime and Disorder Committee is to consider the decisions and actions undertaken by the partners of the Safer Peterborough Partnership and to make recommendations or reports to those partners.
- 3.3 The intended outcomes from the new scrutiny arrangements for crime and disorder are to:
- Support and strengthen existing governance arrangements
  - Oversee and review delivery of joint responses
  - Enhance partnership working
  - Provide transparency
- 3.4 Regulations have been issued by the Home Office and came into force on 30 April 2009. Supporting guidance was issued in late May 2009. The Regulations cover:

#### **Co-option of additional members to crime and disorder committees**

- The crime and disorder committee may co-opt additional members to serve on the committee.
- Any co-opted members will not be entitled to vote on a matter, unless the committee determines.
- The crime and disorder committee will only co-opt a person to serve on the committee who is an employee, officer or member of a responsible authority or of a co-operating person or body; and not a member of the Executive of Peterborough City Council.

## **Frequency of meetings**

- A crime and disorder committee will meet to review or scrutinise decisions made or action taken as it considers appropriate but no less than once in every twelve month period.

## **Information**

- When a crime and disorder committee makes a request in writing for information, the authorities, or person or bodies must provide such information, subject to it being depersonalised or the information being likely to prejudice legal proceedings or current or future operations.

## **Attendance at committee meetings**

- The crime and disorder committee may require the attendance of an officer or employee of a responsible authority or of a co-operating person or body. However, the committee may not require a person to attend unless reasonable notice of the intended date of attendance has been given.

## **Reports and recommendations**

- When the committee make a report or recommendations to a responsible authority or co-operating person or body, the responses to the report or recommendations shall be in writing and submitted to the committee within a period of 28 days from the date of report or recommendations, or as soon as reasonably practical afterwards.

3.5 Whilst it is not explicit in the legislation, the Home Office has an expectation that the Police Authority should be involved on crime and disorder committees. The Guidance suggests that the Council should presume that the Police Authority should play an active part in the committee when crime and disorder matters are discussed. The Police Authority undertakes a role similar to that of the crime and disorder committee, in relation to the Police, and it is important that the Committee and the Police Authority work together to ensure that their activities are complementary. The Cambridgeshire and Peterborough Fire Authority also has a similar role in relation to the Fire and Rescue Service.

## **4. KEY ISSUES**

- 4.1 Discussions have been held with the Safer Peterborough Partnership about how to take crime and disorder scrutiny forward. This has included sending out invitations to the Cambridgeshire Police Authority and Cambridgeshire & Peterborough Fire Authority to appoint a representative to become co-opted members of the Committee, when it is acting as the Crime and Disorder Committee.
- 4.2 The Police Authority has appointed Mr Ansar Ali as their representative. A nomination is still awaited from the Fire Authority.
- 4.3 It is proposed that at this time these two co-opted members should be non-voting at this time but that a review of the position should be taken ready for the next municipal year.
- 4.4 This action is being proposed to meet the intended outcomes of scrutiny by strengthening existing governance arrangements and enhancing partnership working.
- 4.5 A detailed protocol on how the new arrangements will work, including requirements for attendance at meetings and the provision of information, are attached at Appendix 1 and the Committee is asked to consider, make any comments on them and if felt appropriate, to approve them. The Protocol has been considered by the Safer Peterborough Partnership and they have no comments to make on it.

## **5. CONSULTATION**

- 5.1 Consultation has been undertaken with the Safer Peterborough Partnership and the Cambridgeshire Police Authority.

## **6. BACKGROUND DOCUMENTS**

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

- 6.1
- Police and Justice Act 2006
  - The Crime and Disorder (Overview and Scrutiny) Regulations 2009
  - Guidance for the Scrutiny of Crime and Disorder Matters (Home Office)

## **7. APPENDICES**

- 7.1 Appendix 1 - Draft Protocol for the Scrutiny of Crime and Disorder Issues

## PROTOCOL FOR THE SCRUTINY OF CRIME AND DISORDER ISSUES

### 1. Introduction

- 1.1 The Police and Justice Act 2006 requires every local authority to have a Crime and Disorder Committee, with the power to:
- Review or scrutinise decisions made, or action taken, in connection with the discharge by the Responsible Authorities and Co-operating Bodies of the Safer Peterborough Partnership of their crime and disorder functions;
  - Make reports or recommendations to the Responsible Authorities and Co-operating Bodies.

- 1.2 The Responsible Authorities of the Safer Peterborough Partnership are:

- Peterborough City Council
- Cambridgeshire Police Authority
- Cambridgeshire Constabulary
- Cambridgeshire and Peterborough Fire & Rescue Service
- NHS Peterborough

The Co-operating Bodies are:

- Cambridgeshire Probation Service
- Parish Councils
- NHS Trusts
- NHS Foundation Trusts
- Proprietors of independent schools
- Governing bodies of schools
- Governing bodies of an institution within the further education sector
- Registered social landlords

### 2. The Crime and Disorder Committee

- 2.1 The Strong and Supportive Communities Scrutiny Committee has been designated as the Council's Crime and Disorder Committee.

### 3. Role of the Crime and Disorder Committee

- 3.1 The role of the Crime and Disorder Committee will be focussed on the work of the Safer Peterborough Partnership as a whole and the partners who comprise it, insofar as their activities relate to the Partnership itself.

### 4. Co-Option of Additional Members

- 4.1 The Crime and Disorder Committee may co-opt additional members to serve on the Committee where it is considered appropriate for the exercise of its functions.
- 4.2 A co-opted person's membership may be limited in relation to the Committee's discharge of its functions in relation to a particular matter or type of matter.
- 4.3 The Committee shall not co-opt any person to consider a matter where that person was wholly or partly responsible for a decision or action, or otherwise directly involved.

4.4 The Committee shall not co-opt any person who is:

- A member of the Executive of Peterborough City Council
- Not an employee, officer or member of the responsible authority or co-operating body

## **5. Co-option and the Police and Fire Authorities**

5.1 Cambridgeshire Police Authority has a clear statutory role to hold the Cambridgeshire Constabulary to account. The Police Authority should play an active part at the Crime and Disorder Committee when crime and disorder issues are being discussed, particularly when the police are to be present. The Cambridgeshire and Peterborough Fire Authority also have a similar role in relation to the Fire and Rescue Service.

5.2 Cambridgeshire Police Authority and the Cambridgeshire & Peterborough Fire and Rescue Service have an invitation to co-opt one of their members to serve on the Committee.

## **6. Frequency of Meetings**

6.1 The Crime and Disorder Committee will meet to review or scrutinise decisions or actions taken in connection with crime and disorder functions, no less than once in every twelve month period.

## **7. Requests for Information**

7.1 When the Crime and Disorder Committee requires information in relation to the discharge of its functions, the Partnership and/or the responsible authority or co-operating body must provide that information no later than the date requested or as soon as reasonably possible.

7.2 Any information provided shall be depersonalised, unless the identification of an individual is necessary or appropriate in order to enable the Committee to properly exercise its powers.

7.3 Information shall not be provided if it will likely prejudice legal proceedings or current or future operations carried out by the responsible authorities or co-operating bodies.

7.4 All requests for information will be notified to the Safer Peterborough Partnership Manager who will seek to coordinate an appropriate response by the date requested.

## **8. Attendance at Meetings of the Crime and Disorder Committee**

8.1 The Crime and Disorder Committee may require the attendance of a representative of the Partnership and/or a responsible authority or co-operating body in order to answer questions or provide information, giving reasonable notice to that representative. Notice shall be at least 10 working days unless the representative agrees a shorter period of notice.

8.2 All requests for attendance at the Committee will be notified to the Safer Peterborough Partnership Manager who will seek to ensure appropriate attendance on the date requested.

## **9. Reports and Recommendations**

9.1 When the Crime and Disorder Committee makes a report or recommendations which have an impact on crime and disorder matters they will send a copy of the report and recommendations to the relevant responsible authorities or co-operating bodies, Safer Peterborough Partnership Manager, and as otherwise appropriate.

9.2 Responses to any reports and recommendations shall be in writing and within a period of 28 days from the date of the report or recommendations, or if this is not reasonably possible, as soon as possible thereafter.

9.3 The Committee will review such responses and agree with the relevant partner(s) how the actions will be monitored.

**10. Councillor Call for Action**

10.1 The Crime and Disorder Committee will consider any Councillor Call for Action requests which relate to crime and disorder matters.