

REPORT TO: Safer Policy and Performance Board

DATE: 18th September 2012

REPORTING OFFICER: Strategic Director – Communities

PORTFOLIO: Community Safety

SUBJECT: Police and Crime Commissioner (PCC)
Update

WARDS: Borough Wide

1.0 PURPOSE OF THE REPORT

1.1 To update the Safer Halton Policy and performance Board on the progress on the introduction of Police and Crime Commissioners

2.0 RECOMMENDATION: That the report be received and noted.

3.0 SUPPORTING INFORMATION

- 3.1 The Policing & Social Responsibility Act 2011 contained legislation which shifts the decision-making on the strategic management of policing to elected Police and Crime Commissioners in England
- 3.2 The first elections of Police and Crime Commissioners are scheduled to occur on 15 November 2012. PCCs will be elected for four years. PCCs will take office 22 November 2012
- 3.3 Police and Crime Commissioners will determine local policing priorities and shortly after their election (March 2013), will be required to publish a five-year Police and Crime plan. This public document will set out the police and crime priorities and objectives for policing and crime reduction across the force area. The Plan may be refreshed each year and may be fully reopened at the PCC's discretion.
- 3.4 PCCs will set the annual force budget in consultation with chief constables. They will receive the policing grant from the Home Office, various grants from Department for Communities and Local Government and the local precept (as well as other funding streams yet to be determined).
- 3.5 The PCC will commission policing services from the chief constable (**or other providers** - in consultation with the chief constable). These services will be set out in the plan where their objectives and funding will be publicly disclosed. The plan must be published and remain a public document including any updates or amendments made during the five year period

- 3.6 At the end of the financial year the PCC will publish an annual report, which will set out progress made by the PCC against the objectives set out in the plan. Alongside the annual report the PCC will publish annual financial accounts, including showing how resources were consumed in respect of priorities and how value for money was secured.
- 3.7 PCCs will have a general duty to regularly consult and involve the public and have regard to the local authority and national policing priorities.
- 3.8 Chief constables will remain responsible for operational matters, however PCCs will appoint (and will be able to dismiss) chief constables, although the chief constable will appoint all other officers within the force.
- 3.9 PCCs will also exercise regional power and influence over the development and work of local Community Safety Partnerships (CSPs) via powers and duties. These are:
- the reciprocal duty for PCCs and CSP responsible authorities to cooperate with each other for the purposes of reducing crime and disorder
 - the power to bring a representative of any or all CSPs in the PCC's area together to discuss priority issues
 - the power to require reports from CSPs about issues of concern
 - the power to approve mergers of CSPs (on application of the CSPs concerned)
 - the power to commission community safety work from a range of local partners including (such commissioning of crime and disorder reduction work is not limited to CSPs but can include community, voluntary sector or commercial providers)
- 3.10 PCCs will be scrutinised by Police and Crime Panels, which will be formed of a minimum of 10 representatives from the local authorities in the force area. The duties of the panel include requiring the PCC to respond to any concerns they have and making recommendations on the crime plan and annual reports. The Panel is not a replacement for the Police Authority and will not scrutinise the performance of the Constabulary as that is the role of the Police & Crime Commissioner. The Panel will only scrutinise the actions and decisions of the Commissioner. The LGA has produced guidance on the role of Police and Crime Panels. http://www.local.gov.uk/web/guest/publications/-/journal_content/56/10171/3371537/PUBLICATION-TEMPLATE

4.0 Funding

- 4.1 The Minister of State for Policing and Criminal Justice, Nick Herbert wrote to Police Authorities in June 2012, clarifying arrangements for

drug, crime and community safety funding in 2013/14 and beyond (copy of the letter is attached in **Appendix 1**). The letter confirms that funding will be channeled to Police and Crime Commissioners from 12/13.

- 4.2 In 2012/13 there will be a new and un-ringfenced Community Safety Fund (CSF) which will be paid to PCCs. The exact size and basis for allocation of this fund have yet to be determined. The CSF will replace the vast majority of existing drugs and crime funding provided by the Home Office.
- 4.3 From 2014/15 onwards the Home Office intend to roll CSF funding into Police Main Grant. Again the amount of funding has yet to be decided. In his letter, Nick Herbert makes it clear that that the Home Office has no intention of ring-fencing Police Main Grant, nor the setting of a minimum or maximum amount that PCCs must or should spend on community safety activity. It will be up to the PCCs to decide how to use all of the resources at their disposal in pursuit of local priorities.

5.0 Preparations for the PCC nationally

- 5.1 **Home Office** - The PCC pages of the Home Office website (<http://www.homeoffice.gov.uk/police/police-crime-commissioners/>) has distinct areas for the public, partners and candidates. The partners section includes info for health and care agencies and other criminal justice partners, making the links to Health and Well Being Boards, Children's Services, Safeguarding children and adult services. The candidates section includes national level candidate briefings on a number of areas including national policy and strategy and communications.
- 5.3 **HMIC** has developed a **web-portal** where prospective PCC candidates can access performance information and download force specific and national HMIC reports. The site also includes Frequently Asked Questions and links to key partner and police force and authority websites. Visit the website: www.hmic.gov.uk for more information.
- 5.4 **Electoral Commission** has published Regulations about the elections covering registration, conduct of elections, offences and the election campaign. (<http://www.electoralcommission.org.uk/guidance/resources-for-those-we-regulate/candidates-and-agents/police-and-crime-commissioner-elections>) The Elections Order specifies spending limits for each candidate's campaign. In Cheshire, candidates will have a spending limit of £142,720.

6.0 Preparations for the PCC in Cheshire and Halton

- 6.1 **Halton and St Helens VCA**, working with Warrington VA, CVS Cheshire East and Chester Voluntary Action is the local broker for the

Cheshire Safer Future Communities Network. The network aims to support frontline VCSE (Voluntary, Community and Social Enterprise) organisations in preparation for the arrival of PCCs in November 2012, through more effective working between the Sector, Community Safety Partnerships, PCCs and other statutory agencies that impact upon community safety. By engaging with a diverse range of partners, this project aims to ensure that the breadth of Home Office community safety issues (crime, anti-social behaviour, re-offending, substance misuse, violence against women and girls, youth crime) are properly represented in the new local commissioning landscape. Following three events held across Cheshire for interested groups, the Cheshire Network is now established with a membership of over 70 groups. The Network is represented on the Transition Board Partnership and Commissioning Sub Group. A mapping exercise is underway to identify the relevant services that the voluntary sector currently deliver across Cheshire.

- 6.2 **Cheshire Police Authority** will continue to be responsible for maintaining an efficient and effective police service and holding the Chief Constable to account until 22 November 2012. It has established a Transition Board to manage the transition from the existing structures to the new model, splitting the work into eight work streams. As part of the transition process the Police Authority has produced a Candidates Briefing Pack which has been published on their website. An 'Information for Prospective Candidates' section of the Authority's website has also been created and provides relevant, useful briefing information as well as links to the Police Authority protocol on Interaction with Candidates (which ensures equality for all candidates and ensure there is no bias). Further information is available at <http://www.cheshirepa.police.uk/>. All requests for information from prospective candidates are recorded and logged. In order that all candidates have access to the same information, the link provides the [responses provided to requests for information](#). There is also a page on their website which gives further information about Police and Crime Commissioners including why they're being introduced, what their responsibilities will be, and how they are working to ensure a safe and secure transition to the Police and Crime Commissioner model.
- 6.3 As part of the transition arrangements a Partnership and Commissioning Sub Group met for the first time on Friday 20 July to build on the audit of activity undertaken in the Sub Region and bring partners together to understand arrangements within each local authority area and operating jointly across Cheshire in the areas of business directly relevant to the future activities of the PCC. The group will assist the Transition Board in providing relevant information to PCC candidates, to enable them to prepare informed Cheshire-wide election manifestos based on current activity, local priorities and people's needs. In particular the Sub Group is preparing a briefing document with an overview of the partnership landscape in the Cheshire Policing Area to inform the PCC about existing arrangements and the activity

underway. The information being prepared by the SHP will feed into this briefing document. The aim is to have this document in place for 19th October 2012.

- 6.4 **Safer Halton Partnership** is developing a “Welcome Pack” for the PCC. This will provide useful background for the PCC and will identify:
- The current operating arrangement in Halton.
 - The community safety architecture in Halton.
 - The key players and partners involved directly and indirectly in crime and community safety in Halton.
 - The current crime and community safety priorities for Halton based on the JSNA, research and data.

It is hoped this document will provide the new PCC with a quick and comprehensive guide to Halton. This will enable the PCC to quickly understand Halton’s needs and aspirations in respect of crime and community safety. In so doing this should encourage the PCC to invest in Halton, thereby maintaining and building on the progress made by the Police and SHP to prevent crime, tackle crime, punish offenders and rehabilitate.

The CST is also developing separate and distinct Business Plans for each of Halton’s priority community safety activities. Once again this should provide the PCC with clear evidence of the community safety benefits of investing in what we are doing in Halton.

7.0 **Police and Crime Panel update**

- 7.1 The Cheshire Police and Crime Panel will cover the area served by Warrington; Cheshire East (Alsager, Congleton, Crewe, Knutsford, Macclesfield, Middlewich, Nantwich, Poynton, Sandbach, Wilmslow); Cheshire West and Chester (Chester City, Winsford, Northwich, Ellesmere Port, Sandbach); and Halton (Widnes and Runcorn). Warrington Borough Council has taken the lead on this work area. Financial arrangements, protocols, equality impact assessment and an induction pack for members of the Panel are being developed. A web site for the new panel arrangements and associated information is live and is currently hosted on Warrington Borough Council’s website http://www.warrington.gov.uk/info/200727/crime_support_and_prevention/893/police_commissioners_and_crime_panels/2).
- 7.2 The panel will be made up of ten local councillors, representing the four borough councils in Cheshire, and represent, as far as practicable, the political make up of the four councils. The Cheshire Police and Crime Panel will soon be seeking two people from Cheshire to serve as co-opted independent members for a four year term. The panel may co-opt additional members including extra councillors provided the panel does not exceed 20 members and the Home Secretary agrees to the increased size of the panel. A Shadow inaugural meeting of the Cheshire Police and Crime Panel was held on 17th July 2012 and the

next scheduled meeting is due to take place on 11th September. Cllr Shaun Osborne and Cllr Dave Cargill were at the inaugural meeting representing Halton.

8.0 PCC elections update

- 8.1 Halton Borough Council's Chief Executive David Parr has been appointed as the Police Area Returning Officer (PARO) in Cheshire and will be responsible for overseeing the arrangements for the elections. The elections will be conducted using the supplementary vote system. Under the supplementary vote system, a voter is asked to indicate first and second preferences, if no candidate has 50 per cent of the first preference votes, the two candidates with the highest number of first preference votes proceed to a second round count. In the second round of counting, ballots indicating a first preference for a candidate that lost the first round are reallocated according to the second preference indicated on the ballot paper. The timetable for the election process is tabled below

DESCRIPTION	DATE
Publication of Notice of Election	8 October
First day for the receipt of nominations	9 October
Last time for the receipt of nominations	Noon 19 October
Publish Statement of Persons Nominated	21 October
Publish Notice of Poll	7 November
Polling Day	15 November
Results	16 November

9.0 Candidates Update

- 9.1 As at 4 September 2012, the Labour party has selected Cllr John Stockton and the Conservative party has selected Mr John Dwyer to stand for PCC in Cheshire and there is one Independent Member Sarah Flannery. In order that all candidates are treated equitably and have access to the same information, requests for information and their responses are being logged and published on the Authority's website. The Electoral Commission has published Guidance for Candidates which is available from (<http://www.electoralcommission.org.uk/guidance/resources-for-those-we-regulate/candidates-and-agents/police-and-crime-commissioner-elections>). Nominations for PCC can of course be submitted until the 19th October deadline.

10.0 Communications Update

- 10.1 **Nationally** there has been media coverage recently around how the government will communicate to the electorate about candidates in

their area. Following Government consultation with the Electoral Commission and others Ministers decided on a candidate information website, with hard copies available on request. This went against the Electoral Commission's recommendation for a booklet to be sent to voters with information about all Police and Crime Commissioner Candidates in their area. However on 14th August 2012, Peter Wardle, the Electoral Commission's Chief Executive issued a press statement which said "*We are now working with the Home Office to make sure voters have the information they need to take part in the November elections. We will send a booklet to every household so that people know about the elections and how to cast their vote.*"

Further details will be available in due course, however it now appears that information for voters will be available on the Government website and in addition every household will also receive a booklet from the Electoral Commission.

10.2 Locally the Transition Board has identified Communications and Community Engagement as one of the eight work streams. As part of their work a briefing was held for editors, which resulted in coverage in the local press and radio. A press Release was issued in May, following the local elections, in preparation for the PCC elections and information provided on the Halton Borough Council website (: <http://www3.halton.gov.uk/news/newsroom/262804/>). The Cheshire Police Area Returning Officer (David Parr) has produced a leaflet to publicise the PCC elections (attached in **Appendix 2**) which is being distributed by the Police Authority. A Communications Strategy is also being developed by the PARO which will be available soon. An article has also been prepared for the September edition of Halton Borough council's Inside Halton magazine, which will go to Halton's 57,000 households on 10 September 2012.

11.0 POLICY IMPLICATIONS

11.1 The policy implications of the review relate primarily to the Safer Halton priority as set out below, however this is a cross cutting work area which has wider implications on other areas of council business.

12.0 RISK ANALYSIS

12.1 The future funding implications for non mainstreamed services may seriously impact on the Local Authorities delivery of community safety services and safeguarding issues. Further Briefings will be provided as we receive notification of the final changes to legislation.

13.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

13.1 Children and Young People in Halton

The work of the Community Safety Team links very closely with that of the council's Children's' and Enterprise Directorate and the Youth

Offending Team. They provide a valuable role in addressing anti social behaviour and promoting positive behaviour by young people.

13.2 Employment, Learning and Skills in Halton

The Community Safety Team work closely with the Probation service and YOT, supporting offenders to change their behaviour and to access training and employment opportunities.

13.3 A Healthy Halton

Addressing anti-social behaviour and crime is the key function of the Community Safety Team and without this work it is likely that both will increase having a significant impact on resident's health.

13.4 A Safer Halton

Should funding for community safety no longer be available, there will be an impact on crime and anti-social behaviour with both likely to rise, having a negative impact on residents quality of life.

13.5 Environment and Regeneration

If anti-social behaviour and crime are not fully addressed in Halton this is likely to lead to a deterioration in the quality of the environment and a corresponding reduction in confidence of the public and business in the borough.

14.0 EQUALITY AND DIVERSITY ISSUES

None.

15.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

15.1 There are no background papers under the meaning of the Act.