

AVON AND SOMERSET POLICE AND CRIME PANEL

23rd June 2020

Title: Panel Membership 2020/21

Recommendation: The Panel is invited to consider supporting a request to the Constituent Authorities to agree an extension of 1 year to the Panel's current Membership as detailed in Annex 1 and a 1 year exception to the Panel's current Operating Arrangements to provide continuity in order to make the membership extension possible.

1. Context

At the June 2019 AGM the Panel agreed the Panel Membership report for 2019/20, however within that report it was noted that some panel members were entering the final year of their second term on the Panel. Therefore 2019/20 should have been their last year on the Panel, however due to the exceptional circumstances with the current pandemic and the cancellation of many Local Authorities Annual General Meetings in May, making new nominations and representatives impossible, the Panel is asked to endorse an extension of the current terms of office by 1 year through to June 2021, with a further Panel Membership report to be considered at the next AGM. Detailed within the report below is the background context to the Panel's membership. Subject to the Panel's endorsement, approval will then be sought from the Constituent Authorities as this requires an exception to the Panel's Operating Arrangements.

The composition of a Police and Crime Panel should take account of, as far as is practicable, both political and geographical proportionality, as well as necessary skills and experience.

Councillor membership should reflect the geography and population size of the force area, and when taken together should reflect the political balance of the force area. In essence, the local authorities combined must 'agree' to the balance of the Panel.

This forms a 'balanced appointment' objective specifically cited in Paragraph 31 of Part 4, Schedule 6 of the Police Reform and Social Responsibility Act 2011. Reaching the balanced appointment objective is a collective responsibility of the component authorities and the Panel. Whilst the Home Secretary has made it clear that the best arrangements are those which are locally determined, powers have been reserved under the Act to intervene if local agreement is not reached.

As a result of the creation of the Somerset West and Taunton Council in place of West Somerset and Taunton Deane Councils, there are now 9 Local Authorities across the Avon and Somerset Force area. Following the district elections in May 2019 and a percentage assessment of the political churn across the force area, the desired geographical and political proportionality is considered to be 6:5:2:1 (LD/Con/Lab/Independent).

Each authority is required under the legislation to have at least one seat. The Home Office also made provision for perceived inequalities to be redressed through additional co-option of elected members. In 2011 the Constituent Authorities agreed that the Unitary authorities should have 2 seats and Bristol was allocated a third seat as a result of the city's population size and comparatively high crime levels.

The nomination process is largely down to the authorities involved and there is no single right approach. Ultimately, it is the responsibility of each authority to ensure that the member appointed has the appropriate skills, knowledge and experience for their role on the Panel.

Constituent Authorities nominate their members for a 4 year term and the appointments put forward by the constituent authorities (Appendix A to the report) rendered the political allocation of seats on the Panel as follows:-

- 6 – Liberal Democrat
- 5 – Conservative
- 3 – Labour

Under the legislation, councils with Elected Mayors are under a duty to nominate the Mayor on to the PCP or delegate the role to someone else (Schedule 6, para 33). Irrespective of the political affiliation of the Mayor, the starting point is that the Mayor or representative is on the Panel and fills one of the two seats allocated to the Unitary Councils. **Term of Office**

The term of office of members is the same as the Commissioner – a 4 year term unless a Panel member ceases to be an elected Member, or is removed from the Panel by their Authority. Members are entitled to be re-appointed for a maximum of two consecutive 4 year terms provided that the balanced appointment objective is met by that re-appointment and the same applies to the Independent Co-opted Members. Some Panel Members are now in the final year of their second term of office.

As required, the Host Authority will retain a mechanism at all times to enable the membership to be reviewed following any significant change in the political balance on the councils following relevant elections.

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