

## **AVON AND SOMERSET POLICE AND CRIME PANEL**

**28<sup>th</sup> June 2022**

### **Panel membership update and Host Authority update**

#### **1. Membership**

##### Summary

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.

##### Elections May 2022

Somerset County Council elections on 5<sup>th</sup> May 2022 put in place 110 councillors who will serve a 5 year term. For the first year, the councillors will take responsibility for all current County Council services and oversee the Local Government Reorganisation to establish a single Unitary Council on 1st April 2023.

From 1<sup>st</sup> April 2023 the 110 councillors of the new Somerset Council will assume the responsibility for all local government functions for Somerset, including those of the current four district councils.

##### Allocation of Seats

Prior to the elections the Panel, the political make-up of the Panel was as follows:-

Liberal Democrat – 6 (B&NES, Mendip, South Somerset, South Glos, SW&TC)

Conservative – 4 (South Glos, North Somerset, Bristol and Sedgemoor)

Labour – 2 (Bristol and North Somerset)

Green – 1 (Bristol)

Independent – 1 (Somerset County)

Following the change in administration at SCC, Councillor Heather Shearer now represents SCC and a new appointee for Mendip has been requested. This is expected to be appointed from the Liberal Democrat administration. This renders the political allocation of seats on the Panel as follows for 2022/23:-

Liberal Democrat – 7 (Somerset County B&NES, Mendip, South Somerset, South Glos, SW&TC)

Conservative – 4 (South Glos, North Somerset, Bristol and Sedgemoor)

Labour – 2 (Bristol and North Somerset)

Green – 1 (Bristol)

The Panel retains its 3 Independent Co-opted Members.

It will be necessary for the Panel to review its membership arrangements in advance of the establishment of the new Somerset Council on 1<sup>st</sup> April 2023. Ideally this review should commence in October 2022.

## **2. Host Authority Arrangements**

It is incumbent on the Constituent Authorities to ensure there are effective Host Authority arrangements in place to enable the Panel to discharge its statutory functions effectively. Members are sighted on the resignation of SCC as Host Authority. This decision was considered necessary in the context of the Local Government Reorganisation and the requirements of implementing the Structural Changes Order. The resignation required 6 months notice in accordance with Paragraph 4.3 of the Panel's Operating Arrangements, and this was provided in writing to the Panel and Local Authority Chief Executives on 17<sup>th</sup> March 2022 and 31<sup>st</sup> March 2022 respectively.

On 17<sup>th</sup> March 2022, Members highlighted the importance of managing the proposed change within a reasonable timescale. The Monitoring Officer was requested to address the issue as expeditiously as possible and within 3 months if possible in order to allay staffing concerns and ensure that the Panel's statutory function was not disrupted.

### Officer Support Implications

Communications with the Panel and Chief Executives have set out the officer support implications and the legal position in the context of a Transfer of Undertakings and Protected Earnings (TUPE). The post is subject to TUPE and automatically transfers to the new employer on existing terms and conditions. The Panel has also indicated its

collective wish to retain the services and specialist knowledge of its dedicated full time Lead Officer.

Since all of the Somerset district councils are being dissolved in April 2023 as part of Local Government Reorganisation in Somerset then they are unable to undertake the role of Host Authority for the Panel. Consequently that leaves just the following councils that could take on the role of Host Authority:

- Bath and North East Somerset Council
- Bristol City Council
- North Somerset Council
- South Gloucestershire Council

The Home Office generally expect upper tier or unitary councils to be a Host Authority. The Panel will be aware that Bristol City Council has already undertaken the role of Host Authority from 2012 until 2017. Somerset County Council has been the Host Authority from 2017.

Bristol City Council has declined the opportunity to undertake the role of Host Authority. As at the time of writing this report, the only potential 'proposal' has been from North Somerset Council but this would require further exploration to fully understand the extent to which the proposal meets the requirements for a Host Authority.

It must be highlighted again that if the Constituent Authorities do not put in place appropriate arrangements for the Panel to undertake its statutory function, then the Panel will be recommended to write to the Home Office in order for a Host Authority to be selected.

### **3. Recommendations**

**That the Panel:**

- i) receives the update in terms of its membership**
- ii) receives the update regarding the selection of a Host Authority and agrees its actions to progress this**