



FOR PUBLICATION

DERBYSHIRE POLICE AND CRIME PANEL

8 September 2022

Report of the Director of Legal and Democratic Services

Appointment of Co-opted Members

1. Purpose

To formally co-opt Council Members to the Police and Crime Panel following the decisions taken at the meeting held in June 2022.

2. Information and Analysis

2.1 Members will recall that at the last meeting of the Panel, a decision was taken to co-opt additional Councillor members to the Panel in order to meet the balance appointment objective as defined by Schedule 6 to the Police Reform and Social Responsibility Act 2011. The guidance states that for a balanced panel three criteria must be met:

- Panellists must represent all parts of the relevant police area (geographical balance)
- Panellists must represent the political make-up on the relevant authorities (when taken together (political balance), and
- Panellists should have the skills, knowledge, and experience necessary for the police and crime panel, to discharge its functions effectively.

The decision taken at the meeting held on was as follows:

- 1) To approve to co-opt 7 additional councillor members subject to the agreement of the Secretary of State, to enable the Panel to better fulfil its duty to meet the balanced appointment objective;
- 2) To agree to delegate authority to the Director of Legal and Democratic Services, to make the necessary arrangements to determine which authority or authorities should be approached to provide the additional members, and in doing so, they should consider the geographical balance and the skills and knowledge of potential co-optees in ensuring

the balanced appointment objective can be met, subject to the agreement of the Secretary of State; and

3) To agree that the Director of Legal and Democratic Services makes the necessary application to the Secretary of State to appoint the nominated co-optees upon receipt of the nominations from the identified authority or authorities

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2.2 The Panel determined that in order to best meet the objective, seven members should be co-opted as follows:

Council	Co-opted member
Bolsover District Council	1 Independent
Chesterfield Borough Council	1 Liberal Democrat
Derby City Council	1 Labour + 1 Conservative
Derbyshire County Council	1 Conservative
Erewash Borough Council	1 Labour
High Peak Borough Council	1 Liberal Democrat

2.3 Following the meeting, and in accordance with the Panel's wishes, nominations were sought from the relevant councils as follows:

Council	Co-opted member
Bolsover District Council	Councillor Deborah Watson
Chesterfield Borough Council	Councillor Paul Niblock
Derby City Council	Councillor Hardyal Dhindsa (LAB) Councillor Matthew Eyre (CON)
Derbyshire County Council	Councillor Robert Flatley
Erewash Brough Council	Councillor John Frudd
High Peak Borough Council	Councillor David Lomax

2.4 It is therefore proposed that Members formally co-opt the above-named councillors, subject to the agreement of the Secretary of State, onto the Derbyshire Police and Crime Panel for this municipal year.

3. Alternative Options Considered

3.1 The Panel could decide not to appoint the members that are suggested for co-option. This will not create a balanced panel and will fail to meet the statutory requirements outlined in the Police and Social Responsibility Act 2011.

4. Implications

4.1 Appendix 1 sets out the relevant implications considered in the preparation of this report.

5. Consultation

5.1 Not applicable.

6. Background Papers

6.1 None identified.

7. Appendices

7.1 Appendix 1 – Implications.

8. Recommendations

That the Panel:

- 1) Agrees to formally co-opt the Councillors specified at paragraph 2.3 of the report as members of the Derbyshire Police and Crime Panel; and
- 2) Notes that the appointments are subject to formal approval by the Secretary of State.

9. Reasons for Recommendation(s)

9.1 To ensure that the Derbyshire Police and Crime Panel meets the balanced appointment objective as part of the legislative requirements in respect of constituting a Police and Crime Panel for Derbyshire.

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Appendix 1

Implications

Financial

1.1 None directly arising out of this report.

Legal

2.1 Under Schedule 6 to the Police Reform and Social Responsibility Act 2011 a Police and Crime Panel may resolve that the Panel is to have a number of co-opted members. However, no such resolution may be passed unless:

- a. The number of co-opted members is greater than two;
- b. The Secretary of State agrees that the Panel should have that number of co-opted members; and
- c. The total membership of the Panel, including that number of co-opted members, would not exceed 20

2.2 Paragraph 31 of Schedule 6 puts the duty to produce a “balanced panel” on councils and panels. A “balanced panel” is one where the councillors on the panel (when taken together with any co-optees as necessary):

- Represent all parts of the relevant police area (geographical balance)
- Represent the political make-up on the relevant authorities (when taken together (political balance), and
- Have the skills, knowledge, and experience necessary for the police and crime panel, to discharge its functions effectively.

2.2 Supporting regulations, namely the Police and Crime Panels (Nominations, Appointments and Notifications) Regulations 2012 confirm that where a Panel decides it wishes to co-opt additional members Home Office approval must be sought and the reasons for determining that the requested number of co-optees will contribute to meeting, or better meeting the balanced appointment objective must be provided.

2.3 Therefore, co-optees do not become members of the Panel until the Secretary of State has approved the proposed resolution to co-opt in principle, the number of co-optees and the nominated co-optees themselves. Should the Panel agree a resolution to co-opt, the Secretary of State will be notified immediately following the Annual General Meeting to endeavour to ensure that the co-optees would be able to be invited as members to the next scheduled meeting of the Panel. Until approval has been received the co-optees cannot participate in Panel business.

2.4 A police and crime panel must, in co-opting person who are members of relevant local authorities, secure that as far as is reasonably practicable, the balanced appointment objective is met.

Human Resources

3.1 None directly arising out of this report.

Information Technology

4.1 None directly arising out of this report.

Equalities Impact

5.1 None directly arising out of this report.

Corporate objectives and priorities for change

6.1 None directly arising out of this report.

Other (for example, Health and Safety, Environmental Sustainability, Property and Asset Management, Risk Management and Safeguarding)

7.1 None directly arising out of this report.

