

County Council

28 September 2021

Police and Crime Commissioner Representation

Recommendation

That the Warwickshire Police and Crime Commissioner be reappointed as a co-opted member of the full Council for the purposes of Section 7 Policing and Crime Act 2017

1. Executive Summary

- 1.1 The Policing and Crime Act 2017 ('the Act') places a statutory duty on Police and Crime Commissioners and other blue light emergency services to keep collaboration opportunities under review and to collaborate where this would improve the efficiency or effectiveness of emergency services.
- 1.2 Section 7 Policing and Crime Act 2017 ("the 2017 Act") enables a Police and Crime Commissioner (PCC) to seek representation on the Fire and Rescue Authority.
- 1.3 Warwickshire County Council, by a decision of full Council on 19th March 2019, invited the Warwickshire PCC to become a co-opted member of the full Council for the purpose of exercising his functions in relation to emergency services collaboration under the 2017 Act. His appointment was for the remainder of his then term to May 2021, at which point his co-option lapsed. At the May 2021 elections the incumbent Warwickshire PCC was re-elected.
- 1.4 By letter of 14 September 2021 (attached at Appendix) the Warwickshire PCC formally requested that he be re-appointed to the full Council as a co-opted member so that he may attend, speak and vote on matters to the extent that the business of the Council meeting relates to the functions of the Council as a fire and rescue authority including in respect of any overlapping police/fire and rescue matters. The request has been made on the same grounds as were previously approved by the Council in 2019 and for the same period, namely for the remainder of his term of office to May 2025.
- 1.3 The Council is obliged to consider the request and if granted the PCC would become a co-opted member of the Council with rights to speak and vote on matters relating to fire and rescue services. If the Council does not wish to grant the request it must give reasons.
- 1.4 As a co-opted member of the Council the PCC would be subject to the Council's member Code of Conduct in the same way as any other elected

member. The only difference is that in the event of a complaint being made against the PCC the complaint must be referred to the Police and Crime Panel (PCP) before the Council can take action. If the Panel make a report or recommendation to the PCC it may also make a report back to the Council.

- 1.5 If the Council agrees the recommendation above a Dispensations Sub Committee would be invited to sit to enable the Police and Crime Commissioner to receive the same dispensations under the Member Code of Conduct as other elected members. This would allow him to fulfil his role under the legislative regime.

2. Financial Implications

- 2.1 None

3. Environmental Implications

- 3.1 None

4. Timescales associated with the decision and next steps

- 4.1 As a Council decision, this would have immediate effect

Appendix

Letter from the Warwickshire PCC dated 14th September 2021

Background Papers

None

	Name	Contact Information
Report Author	Nichola Vine - Strategy & Commissioning Manager - Legal and Democratic	nicholavine@warwickshire.gov.uk Tel: 01926 736379
Chief Fire Officer	Ben Brook	benbrook@warwickshire.gov.uk Tel: 01926 412058
Strategic Director	Strategic Director for Communities – Mark Ryder	markryder@warwickshire.gov.uk Tel: 01926 412705
Portfolio Holder	Portfolio Holder for Fire & Rescue and Community Safety – Cllr Andy Crump	cllrcrump@warwickshire.gov.uk Tel: 01926 815745

The report was circulated to the following members prior to publication: The Chair and Party Spokes of the Resources and Fire and Rescue Overview and Scrutiny Committee

Local Member(s): none

Other members: none