

DERBYSHIRE POLICE AND CRIME PANEL

13 July 2017

Report of the Director of Legal Services of Derbyshire County Council

CO-OPTION OF COUNCILLOR MEMBERS

Purpose of the Report

To enable the Panel to review its composition following the commencement of the new municipal year and to co-opt six additional Councillor Members to ensure that the Panel meets the statutory balance requirements.

Information and Analysis

Schedule 6 of the Police and Reform and Social Responsibility Act 2011 outlines the responsibilities councils have in establishing and maintaining a police and crime panel.

The Act makes detailed provisions for panel composition under Parts 2 and 4 of Schedule 6. In brief, these include:

- Where a force area consists of ten (as in Derbyshire) or fewer councils, the number of members of the panel will be ten, not including the co-opted members.
- Additional councillors may be co-opted onto the panel, as long as the three lay co-optees are also included, the total size of the Panel does not exceed 20 and the Secretary of State approves the co-options.
- Composition should be carried out in accordance with the “fair representation objective” – essentially, each council in the force area must be represented by one member if the number of councils is ten or more.
- Panels should be politically proportionate. This means that they should be proportionate according to the total number of councillors in the force area.

Paragraph 31 of Schedule 6 puts the duty to produce a “balanced panel” onto 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,
- represent the political make-up of the relevant authorities (when taken together), and

- have the skills, knowledge and experience necessary for the police and crime panel to discharge its functions effectively.

Each of the ten constituent authorities in Derbyshire has nominated a Panel Member for the new municipal year from its majority group and this has resulted in a Panel of four Labour Members and six Conservative Members. It is considered that balance may be best achieved by co-opting an additional six Councillor Members: four Labour, one Liberal Democrat and one Conservative. Such co-options will be subject to the approval of the Secretary of State.

The constituent councils and the political groups have liaised together and the following six Councillors are proposed for co-option:-

- Councillor Asaf Afzal, Derby City Council (Labour)
- Councillor John Frudd, Derbyshire County Council (Labour)
- Councillor Christine Dale, Bolsover District Council (Labour)
- Councillor John Frudd, Erewash Borough Council (Labour)
- Councillor Ged Potter, Derby City Council (Conservative)
- Councillor Beth Atkins, Derbyshire County Council (Liberal Democrat)

In putting these Councillors forward for co-option, the constituent councils have had regard to the wider objectives of balance (geography, population etc.) as well as political balance.

The Panel's three co-opted Independent Members are not covered by this report since they have been co-opted for a four year term.

Other considerations

In preparing this report the relevance of the following factors has been considered: financial, legal, prevention of crime and disorder, equality and diversity, human resources, environmental, health and transport considerations.

Background papers

File held by the Director of Legal Services

OFFICER'S RECOMMENDATIONS

That the Panel fulfils its duty of having balanced representation by co-opting six additional Councillor Members, as detailed in the report.

**John McElvaney
Director of Legal Services
Derbyshire County Council**