

BROMSGROVE DISTRICT COUNCIL

JOINT OVERVIEW & SCRUTINY BOARD

5th October 2010

SCRUTINY OF CRIME AND DISORDER – APPOINTMENT OF ADVISOR

Responsible Portfolio Holder	Cllr G. N. Denaro
Responsible Head of Service For Overview and Scrutiny	Mrs. C. Felton – Head of Legal, Equalities and Democratic Services
Non-Key Decision	

1. SUMMARY

1.1 This report is to agree the appointment of a Crime and Disorder Advisor to the Joint Overview and Scrutiny Board.

2. RECOMMENDATIONS

2.1. That Councillor Brandon Clayton be appointed as an Advisor on Crime and Disorder to the Joint Overview and Scrutiny Board.

3. BACKGROUND

3.1 Sections 19 – 21 Police and Justice Act 2006 (effective as from 30th April 2009) and the Crime and Disorder (Overview and Scrutiny) Regulations 2009 refer to the requirement to introduce procedures for the scrutiny of the Crime and Disorder Reduction Partnerships (CDRPs), including the introduction or designation of a scrutiny committee for this purpose. In Bromsgrove the Joint Overview and Scrutiny Board (JOSB) has been designated as the committee responsible for scrutiny of the CDRP.

3.2. The statutory powers a crime and disorder scrutiny committee has are:

- To scrutinise how the CDRP partnership members are discharging their crime and disorder functions,
- To require information to be provided by partners, and require attendance at meetings, and
- To require partners to respond to reports and 'have regard' to recommendations.

3.3. In Bromsgrove, the JOSB has been designated as the crime and disorder scrutiny committee. At its meeting on Wednesday 29th April 2009, the Council made amendments to the Overview and Scrutiny functions and resolved:

“(a) that a Joint Overview and Scrutiny Board be created to enable the Council to discharge the following functions: Councillor Calls for Action,

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Crime and Disorder Calls for Action, Petitions, scrutiny of the budget; and that it be designated as the Crime and Disorder Committee in accordance with the Police and Justice Act 2006”.

- 3.4. According to the Home Office Guidance for the Scrutiny of Crime and Disorder Matters – England, Implementing Sections 19 and 20 of the Police and Justice Act 2006, “local authorities should, in all instances, presume that the police authority should play an active part at committee when community safety matters are being discussed” (p.29). It goes on to outline different options that may be followed to involve police authorities in the process, including the cooption of a member of the police authority or the appointment of a member of the police authority as an advisor to the crime and disorder scrutiny committee.
- 3.5. The option in the guidance as the probable preference for most district authorities is the appointment of an advisor on crime and disorder matters.

“The second option is for all other circumstances – covering most districts, and those counties and unitaries where having a police authority member on the committee will not be possible.

In these circumstances, a member of the police authority should be issued with a standing invitation to attend the committee as an “expert advisor”. Ideally this would be a police authority member”.

- 3.6. The appointment of an advisor on crime and disorder to the Board will also enhance the capacity of the Board to carry out its scrutiny of crime and disorder functions more effectively.
- 3.7. Councillor Brandon Clayton has been indentified as a suitable person, being both a member of the police authority and with experience of serving on a crime and disorder reduction partnership. Councillor Clayton is also a County Councillor at Worcestershire County Council and personal profile is available at www.worcestershire.gov.uk
- 3.8. Upon the appointment of Councillor Clayton as advisor to the Board a standing invitation to attend JOSB when crime and disorder issues are being discussed will be made and requested to attend when expert advice is envisaged to be required.

4. KEY ISSUES

The appointment of an advisor on crime and disorder to the JOSB.

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5. FINANCIAL IMPLICATIONS

5.1 There are no financial implications envisaged for the purposes of this report.

6. LEGAL IMPLICATIONS

6.1 The following legislation, regulations and Government Guidance is relevant to the discharge of the scrutiny of crime and disorder function, as outlined in this report:

- The 1998 Crime and Disorder Act
- Police and Justice Act 2006 Sections 19 – 21.
- The Crime and Disorder (Overview and Scrutiny) Regulations 2009.
- The National Support Framework, Delivering Safer and Confident Communities, guidance for the scrutiny of crime and disorder matters – England.

7. POLICY IMPLICATIONS

There are no policy implications arising from this report.

8. COUNCIL OBJECTIVES

8.1 The scrutiny of crime and disorder links to the Council Objective Three: One Community.

9. RISK MANAGEMENT INCLUDING HEALTH & SAFETY CONSIDERATIONS

9.1 None for the purposes of this report.

10. CUSTOMER IMPLICATIONS

10.1 None for the purposes of this report.

11. EQUALITIES AND DIVERSITY IMPLICATIONS

11.1 The consideration of crime and disorder issues by Bromsgrove Overview and Scrutiny Committees will routinely give extra consideration of the equality and diversity implications of matters under consideration, including identification of particular issues for minority groups and access to services by all sections of the community.

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12. VALUE FOR MONEY IMPLICATIONS, PROCUREMENT AND ASSET MANAGEMENT

12.1 There are no value for money implications for the purpose of this report.

13. CLIMATE CHANGE, CARBON IMPLICATIONS AND BIODIVERSITY

13.1 There are no climate change and carbon implications for the purposes of this report.

14. HUMAN RESOURCES IMPLICATIONS

There are no human resources implications arising from this report.

15. GOVERNANCE/PERFORMANCE MANAGEMENT IMPLICATIONS

The proposals set out in this report will further develop the governance arrangements for Overview and Scrutiny through the scrutiny of crime and disorder partnerships.

16. COMMUNITY SAFETY INCLUDING SECTION 17 OF CRIME AND DISORDER ACT 1998

The appointment of an advisor on crime and disorder to the JOSB will help facilitate the process of scrutiny of crime and disorder partnerships and thereby help to reduce crime and disorder in the District.

17. HEALTH INEQUALITIES IMPLICATIONS

There are no health inequalities implications arising from this report.

18. LESSONS LEARNT

None for the purposes of this report.

19. COMMUNITY AND STAKEHOLDER ENGAGEMENT

The appointment of a member of the police authority as an advisor to the Board will help facilitate stakeholder engagement through the Overview and Scrutiny process in the scrutiny of crime and disorder partnerships.

20. OTHERS CONSULTED ON THIS REPORT

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Portfolio Holder	No
Chief Executive	No
Executive Director - Partnerships and Projects	No
Executive Director - Services	No
Assistant Chief Executive	No
Head of Service	Yes
Head of Financial Services	No
Head of Legal, Equalities & Democratic Services	Yes
Head of Organisational Development & HR	No
Corporate Procurement Team	No

21. WARDS AFFECTED

All Wards.

22. APPENDICES

None.

23. BACKGROUND PAPERS

- The Crime and Disorder (Overview and Scrutiny) Regulations 2009.
- The National Support Framework, Delivering Safer and Confident Communities, guidance for the scrutiny of crime and disorder matters – England.

CONTACT OFFICER

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