

BRIEFING NOTE

TO: COMMUNITY SERVICES SCRUTINY & PERFORMANCE PANEL

DATE: 8 SEPTEMBER 2009

RE: CRIME AND DISORDER CO-OPTED MEMBERS

Purpose

To make recommendations to Council on appointments for crime and disorder co-opted members to the Panel.

Background

On 1 April 2009 the Police and Justice Act 2006 was enacted which created a requirement for all local authorities operating executive arrangements to have an overview and scrutiny committee that was responsible for considering crime and disorder issues. On 18 May 2009, Council awarded this remit to the Community Services Scrutiny and Performance Panel (CSSPP).

The regulations enacting the Police and Justice Act 2006 created the provision for crime and disorder scrutiny committees to co-opt specific crime and disorder partners.

At its reconvened meeting on 16 June 2009 the CSSPP resolved to invite West Midlands Police Authority and the two local Chief Superintendents to become co-opted members.

Following an invitation Chief Superintendent Kevin Bullas has indicated that he will become a co-opted member on the Panel.

A meeting with West Midlands Police Authority is set to take place to discuss the appointment of their nomination.

Next Steps

In order to formally appoint Chief Superintendent Kevin Bullas it is necessary for the CSSPP to make a recommendation to Council concerning the appointment as all appointments to committees are reserved for full Council.

The Panel were previously advised that the crime and disorder co-opted members could be given voting rights. Further investigations have revealed that the Councils Constitution allows for the appointment of non-voting co-opted members only (except in the case of statutory education co-opted members on the Children and Young Peoples Scrutiny and Performance Panel). Therefore it is recommended that all co-opted member appointments to the CSSPP be on a non-voting basis in line with the provisions contained within the Constitution.

The legislation allows restrictions to the membership of crime and disorder co-opted members, for example: on crime and disorder issues only. In the case of the statutory education co-opted members on the Children and Young Peoples Scrutiny and Performance Panel they are only entitled to vote on education matters but are entitled to stay and speak to

any other matter being considered by the Panel. As it is recommended that crime and disorder co-opted members be non-voting members there is no compelling reason to restrict their membership, however, Members may wish to consider restricting membership to crime and disorder matters only.

The agenda for the next meeting of Council will have been published between the issue of this agenda and the Panel meeting taking place. Therefore should the CSSPP decide to recommend the appointment of Chief Superintendent Bullas his appointment would not be confirmed until 9 November 2009. However, Chief Superintendent Bullas will still be able to participate in meetings of the CSSPP as a witness.

Recommendations

That:

1. Members decide whether or not to place any restrictions on the membership of crime and disorder members;

and;

2. subject to any comments Members may wish to make, Chief Superintendent Bullas be recommended to Council to become a non-voting co-opted member on the Community Services Scrutiny and Performance Panel.

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