



Cabinet

16 September 2009

Report of the Overview and Scrutiny Committee: Police and Justice Act 2006 – Implications for Overview and Scrutiny

1. Background

- 1.1 The Police and Justice Act 2006 provides that each local authority must designate a 'crime and disorder committee' to deal with crime and disorder scrutiny. It further specifies that the terms of reference of that committee will be to scrutinise the work of the Community Safety Partnership (CSP) and deal with Councillor Calls for Action for crime and disorder issues. That is the minimum required under this Act, however, the Committee has also taken the opportunity to discuss whether scrutiny of crime and disorder issues could be enhanced.

2. Developing scrutiny of crime and disorder

- 2.1 The Committee presently receives an annual report from the West Suffolk CSP, but this is mainly a report for information rather than actual scrutiny. The Committee wishes to explore how those reports, and their subsequent scrutiny, could be developed to be of more use to the CSP, which would have the opportunity to use scrutiny's independent voice to challenge, whilst still respecting sensitivities. Officers will explore this potential with the Council's CSP partners. In particular, officers will discuss the potential to create a local protocol setting out such issues as timescales for responding to requests to provide information or to attend a meeting.
- 2.2 Another issue to be explored with partners is the potential for joint scrutiny of crime and disorder issues with neighbouring councils.
- 2.3 The resolutions made by the Committee are set out below for Cabinet's information:
- (a) That the Council's officers represented on the West Suffolk Community Safety Partnership work with partners to put together a brief protocol for future crime and disorder scrutiny, to include: timescales for responding to requests to provide information; reasonable notice to be given when requesting the attendance of a representative of the Partnership at a meeting of the Committee; level of officer to respond to requests to attend Committee; timescales for responding to recommendations etc;

- (b) That the Council's officers represented on the Partnership, and the Council's Scrutiny Manager, work with partners to develop options for a joint approach to the scrutiny of community safety issues, at the very minimum ensuring effective co-ordination and communication to prevent duplication;
- (c) That the Council's officers discuss with partners whether they would like to take the opportunity to increase the involvement of the Overview and Scrutiny Committee in its work beyond that which is statutorily required, and report back to the Committee;
- (d) That the Council's officers on the Partnership work with partners to identify what training will be required for members of Overview and Scrutiny Committees, should the opportunity be taken to increase scrutiny of crime and disorder issues.

3. Changes to the Constitution

- 3.1 Whilst the majority of the potential new scrutiny actions and issues arising from the Act can be pursued by the Committee and relevant officers, some minor amendments to the Constitution are also required, to formally identify a 'crime and disorder committee' and to set out the new terms of reference required under the Act.
- 3.2 Changes to the Constitution are approved by full Council, therefore, Cabinet is requested to **ENDORSE** that:

the terms of reference for the Overview and Scrutiny Committee, as set out in Paragraph 1.3 of the Overview and Scrutiny Procedure Rules in Part 4 of the Council's Constitution, be amended to add the following additional terms of reference as 1.3 (f) and (g). The existing terms of reference (f) and (g) will be re-numbered (h) and (i):

- (f) **to act as the crime and disorder committee for the purposes of Section 19 of the Police and Justice Act 2006 and associated regulations, and accordingly**
 - (i) **to scrutinise the actions undertaken by the Community Safety Partnership and the partners who comprise it, insofar as their activities relate to the Partnership itself; and**
 - (ii) **to make reports or recommendations to the Council and partner organisations with respect to the discharge of those functions.**
- (g) **to consider local crime and disorder matters in accordance with the Councillor Call for Action Protocol.**

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