

Select Committee on Community Safety and Community Services – 11th June 2009

Report of the Chief Executive

The Crime and Disorder (Overview and Scrutiny) Regulations 2009

Purpose of Report

1. To apprise the Community Safety and Community Services Select Committee of new regulations with regard to Crime and Disorder (Overview and Scrutiny) Committee.

Background

2. Following the review of the Crime and Disorder Act 1998, including extensive consultation regarding the best ways to achieve effective partnership working, the Government has published new Regulations with regard to Crime and Disorder Overview and Scrutiny Committees (CDOSS) which became law on 30th April 2009.

The key points of this legislation are listed below in summary form:

Enacted:

Co-opted members:

3. The Council's select committee on community safety and community services may co-opt any additional members it feels are appropriate.
4. Such a person must have equal voting rights with existing members.
5. Such a person's involvement may be limited by the committee to a particular matter.
6. The committee cannot co-opt a person who is wholly or partly responsible for the decisions it is scrutinising, or who is in any way directly involved in a matter it is scrutinising.
7. The number of co-opted members cannot exceed the number of ordinary members.
8. The committee cannot co-opt anyone who:-
 - (a) is not an employee or officer of a responsible authority or of a co-operating person or body; or

(b) is a member of the executive of the local authority for the area covered by the crime and disorder reduction partnership, which is known as the safe and sound board.

9. The committee must consult the agency involved to establish the most suitable person to co-opt.
10. The committee can withdraw the membership of a co-opted member at any time.

Frequency of meetings:

11. The committee must meet to scrutinise the decisions or actions of the board **with regard to the discharge of its crime and disorder functions**, at least twice a year.

Information:

12. Where the committee requests any information from any agency represented on the board, they must provide it in accordance with 2 and 3 below:
13. The information must be provided by the date indicated in the request, or in any case, as soon as possible.
14. Any reference within the information that allows a living individual to be identified should be removed unless it is necessary and appropriate for the exercise of the committee's powers.
15. The submission shall not include any information that would prejudice an agency's current or future operations, whether acting alone or with another agency.

Attendance:

16. The committee can require the attendance of an employee or officer of any agency represented on the board in order to answer questions or provide information, subject to 2 and 3 below:
17. The committee must give that person at least two weeks notice, unless the person agrees to a shorter notice period.
18. Such a person must then attend on the agreed date unless they have a reasonable excuse.
19. Where a committee makes a report or recommendation to an agency or person on the board, they shall respond in writing to the committee within a month of the report or recommendation, or as soon as possible.
20. The committee shall review the response and actions taken in accordance with its powers.

Finance

21. There are no financial implications.

Law

22. Crime and Disorder (Overview and Security) Regulations 2009 are made under section 20(3) of the Police and Justice Act 2006.

23. The Regulations supplement the provisions of Section 19 of that Act by making provision for the exercise of powers by Crime and Disorder Committees of local authorities.

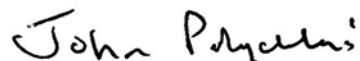
Equality Impact

23. This report is in accordance with the council's equality and diversity policy.

Recommendation

24. It is recommended that the committee note the information contained in this report.

FURTHER GUIDANCE ON THE IMPLEMENTATION OF THESE REGULATIONS SHOULD BE AVAILABLE BY EARLY MAY 2009.



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Chief Executive

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