

Report to the Thames Valley Police & Crime Panel

Title: Task and Finish Group
on Panel Membership

Date: 24 June 2022

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Consultants and Khalid
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Thames Valley Police &
Crime Panel



Recommendations

1. That the Thames Valley Police and Crime Panel approve the recommendation of the Task and Finish Group on the Panel membership to change the composition of the Police and Crime Panel by allocating one place currently allocated to Buckinghamshire Council to Milton Keynes Council. So that the representation be: (Buckinghamshire Council, 1 Member + 3 Co-Opted Members: Milton Keynes Council, 1 Member + 1 Co-Opted Member).
2. That it be noted that the nomination from Milton Keynes Council will be in compliance with the legislation and reflect political proportionality.

Background

1. The Thames Valley Police and Crime Panel at its meeting on 25 June 2021, established a cross-party Informal Task and Finish Group to review the membership arrangements of the Thames Valley Police and Crime Panel.
2. This decision was taken as discussion took place on the process for the four Co-Opted Members from Buckinghamshire Council. The Panel was reminded that a decision was taken at the Panel meeting in November 2019 which updated the Panel's Rules of Procedure to include the appointment of four Co-Opted Members from Buckinghamshire Council due to local government reorganisation in Buckinghamshire (The Buckinghamshire Local Government Reorganisation came into effect on 1 April 2020).
3. The four Co-Opted members were in addition to the one Member nomination to the Panel from Buckinghamshire Council. The changes were required in order to satisfy the requirements of the Police Reform and Social Responsibility Act 2011 and produce a balanced panel.

4. The representative from Milton Keynes Council expressed concern at these arrangements and referred to the changing populations around Thames Valley, particularly in relation to Milton Keynes who had one Member representative on the Panel and Buckinghamshire, who had one Member representative and four Co-Opted Member representatives. The Member believed the proposal to retain the membership representation for Buckinghamshire Council was unbalanced.
 5. It was agreed that a Task and Finish Group be set up to examine the representation on the Panel, in accordance with the Police Reform and Social Responsibility Act 2011, and after consultation with the Home Office.
 6. The Informal Task and Finish Group met on Wednesday 21 April 2022 and Friday 3 May 2022, to review the membership arrangements for the Police and Crime Panel. The Informal Task and Finish Group was assisted by Frontline Consulting, who were commissioned to provide advice, and the Scrutiny Officer of the Panel.
 7. This report sets out the findings of the Informal Task and Finish Group, which the Panel is requested to endorse.
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Report

8. At the first meeting of the Task and Finish Group on 21 April, Members were provided with details of the legislative framework for the appointments to the Police and Crime Panels. The Police and Reform Act and Social Responsibility Act 2011 and the Police and Crime Panels (Nominations, Appointments and Notifications) Regulations 2012 govern the Panel arrangements. The following extracts from the Regulations are highlighted below:

Schedule 6, Part 2 Paragraph 4

4. Membership and status

(1) A police and crime panel for a police area is to consist of the following members—

- a. the relevant number of persons properly appointed as members of the panel; and
- b. the appropriate number of members co-opted by the panel.

(2) For the purposes of sub-paragraph (1) (a) the “relevant number” is—

- a. ten (if the police area covers ten or fewer local authorities); or
- b. the number that is equal to the number of local authorities which the police area covers (if the police area covers eleven or more local authorities).

Schedule 6, Part 2 Paragraph 31

5. The “**balanced appointment objective**” referred to in this paragraph is the objective that local authority members of a police and crime panel (when taken together) -
- a. represent all parts of the relevant police area;
 - b. represent the political make-up of—
 - i. the relevant local authority, or
 - ii. the relevant local authorities (when taken together);
 - c. have the skills, knowledge and experience necessary for the police and crime panel to discharge its functions effectively.

Schedule 6, Part 1, Paragraphs 4 and 2

4. The Secretary of State may make an order under sub-paragraph (2) in relation to a multi-authority police area only if the Secretary of State is of the opinion that all the relevant local authorities have (whether at the same time or at different times) failed to nominate or appoint one or more of their councillors as members of the panel –
- a. in accordance with paragraphs 7 and 9 (in the case of a police area which covers ten or more local authorities), or
 - b. in accordance with paragraphs 8 and 9 (in the case of a police area which covers nine or fewer local authorities).
2. But the Secretary of State may, by order, provide that any such police area is to have (for as long as the order has effect) a police and crime panel established and maintained in accordance with Part 3 of this Schedule (instead of a panel established and maintained in accordance with Part 2).
9. Taking account of the legislation the Informal Task and Finish Group was advised that options were limited. In addition, the Informal Task and Finish Group was reminded that:
- The trigger for the review was the Local Government Reorganisation.
 - The Local Government restructure in Buckinghamshire had made the membership arrangements on the Panel a little more complicated.
 - All constituent authorities within the Force Area are entitled to a place on the Panel.
 - The Panel is required to have a ‘balanced appointment objective’ in terms of area and political representation.
 - In the event of the Panel not agreeing membership it will be for the Secretary of State to decide.

- Panels are required to be strategic in focus and to consider strategic matters, whilst referring to local experience.
10. For the first meeting of the Task and Finish Group, Members were provided with comparisons from other Police and Crime Panels who had gone through similar local government re-organisation which had affected the Panel's Constituent Authorities. However, the Task and Finish Group noted the unique nature of Thames Valley, Police and Crime Panel which covered three counties, which made comparisons difficult.
- Avon & Somerset – to be determined
 - Dorset – The size of the Panel was changed
 - Northamptonshire – The formation of two Unitary Councils but retained the same number of Panel Members
 - Nottinghamshire – Panel reduced from 14 to 10, with 4 Co-Optees to ensure political proportionality
 - North Yorkshire – to be determined
11. Thames Valley PCP currently, as it stands has the maximum of 20 Panel Members as allowed under the Police Reform and Social Responsibility Act 2011. It was noted that legislation dictated that Police and Crime Panels should have at least two Independent Members.
12. From April 2020, the population figures for the three counties of Thames Valley were: Berkshire population 905,000 (6 Panel reps), Combined Buckinghamshire population 765,800 (6 Panel reps) (Buckinghamshire Council: 535,900; Milton Keynes Council: 229,900) and Oxfordshire population 682,000 (6 Panel reps).
13. Members were provided with details of the percentage population by County + Milton Keynes:
- Berkshire – 38.5%
 - Buckinghamshire – 22.8%
 - Oxfordshire – 29%
 - Milton Keynes – 9.8%
14. The Informal Task and Finish Group was provided with a series of options which were discussed. The options are set out below:

Option A – allocate places per population size



The total population size for Thames Valley PCP area is approximately 2,362,800. Assuming 18 places in total, seats would be allocated per 131k

Buckinghamshire 4 (1 + 3 co-optees)
Milton Keynes 2 (1 + 1 co-optee)
Bracknell Forest and West Oxfordshire would lose out

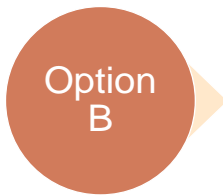
COMMENTS

This model does not work given:

(a) Panels with more than 10 Members are entitled to one place per authority; and

(b) it would not comply with the terms of the 'balanced appointment objective'

Option B – allocate places for Bucks and MK per population size



Population size for Buckinghamshire (535,900) and Milton Keynes (229,000) is 765,800 combined.

Given the comments in relation to Option A, it is considered sensible to continue with 6 representatives for each area.

Based on population size places could be allocated as follows:

1 place per 127,633 of the population

- Buckinghamshire = 4.2 (4) *
- Milton Keynes = 1.8 (2) **

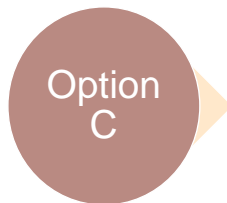
* = 1 + 3 co-optees ** = 1 + 1 co-optee

COMMENTS

Provides a potential concentrated solution given the issues highlighted, by apportioning membership to population size

May not fully comply with the regulations in terms of the 'balanced appointment objective', given geographic area for Buckinghamshire has not changed. There is also an inconsistency in approach across the locality

Option C – maintain status quo



Allocate places as follows:

Buckinghamshire = 5 *
Milton Keynes = 1

* = 1 + 4 co-optees

Oxfordshire = 6

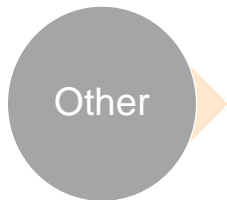
Berkshire = 6

COMMENTS

Retains requirement to appoint to one place per constituent authority, meets the 'balanced appointment objective' given the area covered by the new Buckinghamshire unitary, provides consistency across the three County areas

Does not resolve the issue regarding population size and representation

Other



Allocate places per authority as follows:

Buckinghamshire = 1
Milton Keynes = 1

Oxfordshire = 6

Berkshire = 6

COMMENTS

Retains requirement to appoint to one place per constituent authority and provides consistency across the three County areas

Does not meet the 'balanced appointment objective' given the area covered by the new Buckinghamshire unitary

15. On 3 May 2022, the Informal Task and Finish Group was provided with details of the 2030 population projections, as recorded by the Office of National Statistics (ONS). These figures were used in the Informal Task and Finish Groups deliberations. The ONS 2030 projections are set out below.

Thames Valley Population Information ONS			
Area	2020	2030	% variation
Buckinghamshire	547,060	564,319	3%
Milton Keynes	270,203	277,620	3%
Berkshire	917,762	939,295	2%
Oxfordshire	696,880	725,092	4%

Conclusions

1. The Informal Task and Finish Group acknowledged the complexity of the matter following the Local Government Reorganisation in Buckinghamshire. It was highlighted that it was for the purposes of consistency that the initial proposal to retain the status quo had been identified. This meant that the representation in Buckinghamshire would have remained the same with 6 representatives including one representative from Milton Keynes Council.
2. However, given the comments from colleagues in Milton Keynes Council and the projected increase in population size in that area, the Informal Task and Finish Group expressed sympathy with the concerns raised. In doing so, the Informal Task and Finish Group quickly ruled out options A and 'Other' as it was felt both options were inoperable as they did not comply with the legislation. The Informal Task and Finish Group also highlighted that they did not wish to leave the matter to the Secretary of State to advise.
3. In considering options B and C, the Informal Task and Finish Group, as stated above, understood the rationale for suggesting no change. However, given the population increase particularly when the estimated % variation based on 2021 Census indicated a 16% growth much in excess of the ONS 2020 projections in Milton Keynes, notwithstanding population increases elsewhere, and given the issues impacting on Milton Keynes; Option B was considered the most favourable option. During the discussion, the Informal Task and Finish Group was informed this approach was supported by representatives from Buckinghamshire Council and, to that end, Buckinghamshire Council was willing to relinquish one of their places to Milton Keynes Council.

4. It was agreed unanimously by the Informal Task and Finish Group that the Police and Crime and Panel be asked to confirm the membership change with immediate effect – Option B. **(Buckinghamshire Council – 1 Member + 3 Co-Opted Members: Milton Keynes Council 1 Member + 1 Co-Opted Member)**

Membership of Informal Task and Finish Group Membership:

Cllr Balvinder Bains, Slough Borough Council

Cllr Adele Barnett-Ward, Reading Borough Council

Cllr Robin Bradburn, Milton Keynes Council

Cllr David Carroll, Buckinghamshire Council (Vice-Chair)

Cllr John Harrison, Bracknell Forest Council

Cllr Richard Newcombe, Co-opted Member, Buckinghamshire Council (Chair)

Cllr Mark Winn, Co-opted Member, Buckinghamshire Council

Background papers

None

Appendices

Report to Thames Valley PCP, 22 November 2019