

Report of: The Secretary of the West Midland Police and Crime Panel

Date: 6 February 2017

Police and Crime Panel Review of Policing Budget and Precept 2017-2018

1. Introduction

1.1 Under Schedule 5 of The Police Reform and Social Responsibility Act 2011 the Panel is responsible for reviewing the PCC's proposed precept. This report sets out the legal basis for reviewing the precept and the process.

2. Recommendation

2.1 The Panel is asked to note the Police and Crime Commissioner's (PCC's) report and do one of the following:

a) **Support the proposed precept; or**

b) **Veto the proposed precept.**

2.2 If the Panel agrees to support the precept, then they must also agree whether to:

I. Support the precept without qualification or comment ; or

II. Support the precept with recommendations.

2.3 The Panel can only veto if supported by at least two thirds of the total membership of the Panel – 10 Members.

3. Background

Legislation

3.1 Schedule 5 of the Police Reform and Social Responsibility Act 2011 ("the Act") sets out the process for issuing a precept, including the Panel's role in reviewing the proposed precept, its power to veto the precept and the steps to be taken if the Panel does veto the proposed precept.

3.2 If there is a veto, Home Office guidance (issued in 2012) makes it clear that a reissued precept must be lower if the Panel determined it was too high and must be higher if the Panel determined it was too low.

3.3 Part 2 of the Police and Crime Panels (Precepts and Chief Constable Appointments) Regulations 2012 ("the Regulations") provide greater detail to the Act, including time limits applicable to the stages of the process and the process for reviewing and issuing a revised precept.

4. West Midlands Police and Crime Commissioner's Proposed Precept 2017/18

- 4.1 The PCC presented a report to the Panel on 16 January 2017 which stated that he was minded to set a precept increase of £5 on Band D properties and associated increases on all other properties in 2017/18. This report is available: <http://westmidlandspcp.co.uk/meeting-16-january-2pm-wolverhampton-civic-centre/>
- 4.2 The Commissioner is consulting on his proposed precept increase. Consultation closes at 5pm on 27 January 2017 and is located at:
<http://westmidlands-pcc.gov.uk/news/news-2016/police-and-crime-commissioner-wants-to-hear-public%E2%80%99s-views-on-police-budget/>
- 4.3 The PCC will present his final proposals to the Police and Crime Panel meeting on 6 February 2017.

5 Police and Crime Panel Decision

- 5.1 The Panel must review the PCC's proposals and decide to either:
- a) Support the proposed precept; or
 - b) Veto the proposed precept.
- 5.2 If the Panel agrees to support the precept, then they must also agree whether to:
- i. Support the precept without qualification or comment ; or
 - ii. Support the precept with recommendations.
- 5.3 The Panel can only veto if this supported by at least two thirds of the total membership of the Panel – 10 Members.
- 5.4 If the Panel vetoes the precept the PCC is required to consider the Panel's statement and issue a response, including a revised precept.
- 5.5 The Panel would then meet again on 20th February 2016 to consider the PCC's revised precept.

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