



HERTFORDSHIRE POLICE AND CRIME PANEL

CONSIDERATION OF THE POLICE AND CRIME COMMISSIONER'S PROPOSED PRECEPT

Gavin Miles, Head of Legal Services,
Broxbourne Borough Council

Item 5

24 January 2013

RECOMMENDATIONS

- 1 That the Panel reviews the proposed precept of the PCC.
- 2 That the Panel makes a report (which may include recommendations) to the PCC on the proposed precept.
- 3 That the Panel determines whether it vetoes the proposed precept.

Purpose of Report

To allow the Panel to carry out its statutory functions with regard to the PCC's proposed precept. In addition the Panel will have the opportunity to discuss the proposals and associated budget and how it fits with the developing police and crime plan with the PCC.

Background

The PCC has a duty under Schedule 5 of the Police and Social Reform Act 2011 to issue a proposed precept to the PCP by 1 February. The PCP has to review that proposal by 8 February. The PCP must then make a report to the PCC which may include recommendations as to the precept that should be issued. The report must be published and must be sent to each of the constituent councils. The PCP may veto the proposed precept before 8

February if the veto is approved by at least two thirds of the membership of the PCP (currently that means 9 of the 14 members must vote in favour of a veto).

If the PCP does not veto the precept the PCC must then have regard to the report, give a response to the PCP's report by 15 February and publish that response. The PCC must then issue the proposed precept or amend it in line with the PCP's recommendations.

If the PCP does veto the proposed precept the PCC must not issue that precept and must respond to the PCP's report, still by 15 February. The response must indicate what precept is now proposed. Where the PCP report indicates that the veto has been approved because the precept is too low the PCC's new proposal must be higher, and where it is indicated it is too high it must be lower, but how much higher or lower is up to the PCC. The Panel must review the revised precept and report to the PCC by 22 February. The report may accept or reject the revised precept and may make recommendations. However, the PCP may not veto the revised precept. The PCC must then respond to the report by 1 March and issue the precept. The PCC may then issue the precept which must be either as proposed in the second response or amended in line with a recommendation of the PCP.

Review of the Proposed Precept of the PCC

Budgetary papers in support of the proposal are provided by the PCC with this agenda. The Panel is invited to review the proposed precept in discussion with the PCC. The protocol agreed with the PCC provides that the statutory timescales will be brought forward a little to assist each in carrying out their functions and notifying billing authorities of the level of precept in time for the appropriate council tax bills to be sent out. The agreed timescales are that the precept will be notified by 17 January, the PCP will review and report and if appropriate veto the proposed precept before 31 January, the PCC will respond by 7 February and the PCP will, if required, issue its second report by 14 February. This will allow the PCC to notify billing authorities of the precept by 26 February. The meetings of the PCP tonight and scheduled for 14 February will allow this timetable to be met.

Members are reminded that guidance on review of the precept was provided with the agenda for last month's meeting. Members have also previously seen a graphic that sets out the statutory and protocol timescales. For ease of reference this is attached at *Appendix 'A'*.

**Police and Crime
Commissioner**
for Hertfordshire

Precept Timetable

Legislative deadlines

31 Jan

•PCC proposes precept

8 Feb

•PCP reports with recs (can veto)

15 Feb

•PCC responds (revising if veto used)

22 Feb

•PCP reports with recs (opinion only)

1 Mar

•PCC responds and sets the precept

Herts local agreement

17 Jan

•PCC proposes precept

24 Jan

•PCP meets and reports live (can veto)

7 Feb

•PCC responds (revising if veto used)

14 Feb

•PCP meets and reports live (opinion only)

26 Feb

•PCC responds and sets the precept

Background note

- Draft legislation required a proposed precept by 21 December. We have agreed to make our proposal before the new deadline.
- Financial planning may be based on changeable LA tax-base or policing funding assumptions which will become clearer into the new year. A further key variable is outsourcing, on which we will produce financial plan for 2 approaches.
- The 2012 panel meetings will be preceded by a first meeting on 6 Dec 2012 where the commissioner can lay out their vision and direction of travel, taking early soundings from the panel.