



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 6

29 January 2015

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 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 10 of the 15 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

The Commissioner's open letter of consultation on the proposed precept is at appendix 'A'. The PCC's covering paper which includes the precept proposal and The Police and Crime Commissioner's 2015/16 Precept and Budget Proposal report are provided by the PCC with this report as appendices 'B' and 'C'. 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 16 January, the PCP will review and report and if appropriate veto the proposed precept before 30 January, the PCC will respond by 6 February and the PCP will, if required, issue its second report by 13 February. This will allow the PCC to notify billing authorities of the precept by 25 February. The meetings of the PCP tonight and scheduled for 12 February will allow this timetable to be met.

Members are advised that there is government guidance on the review of the precept and this is at Appendix 'D'

The panel is advised to consider the report and proposed precept from the Police and Crime Commissioner, consider whether a proposal to veto the precept should be moved (and if so whether a recommendation to increase or reduce it should be moved) and whether any recommendation to the PCC should be moved. As usual the minutes of this item will reflect comments made during the debate and not just decisions. This can then form the report to the PCC together with any veto or recommendations which may be approved.