

Mayoral Combined Authority Board

05 June 2023

Future of Police and Crime Commissioner Functions

Is the paper exempt from the press and public?	No
<i>Reason why exempt:</i>	Not applicable
Purpose of this report:	Discussion
Is this a Key Decision?	No
Has it been included on the Forward Plan?	Not a Key Decision

Director Approving Submission of the Report:

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Executive Summary

PCCs were elected for the first time in November 2012. A PCC represents every force area, except West Yorkshire, Greater Manchester, and London, where PCC responsibilities rest with the Mayor. The Government is committed to the further roll out of Police and Crime Commissioner (PCC) functions to Mayoral Combined Authorities (MCA) where the MCA geographical area is coterminous with a police force area.

This report outlines discussions that have taken place between South Yorkshire MCA, the Office of the Police and Crime Commissioner (OPCC), and Government officials regarding a future transfer of PCC functions to the Mayor in South Yorkshire and seeks approval for a number of next steps.

What does this mean for businesses, people and places in South Yorkshire?

The governance and scrutiny of policing alongside the provision of services delivered directly by or through contracted services through the OPCC and Violence Reduction Unit (VRU) are critical to the ongoing and improving safety and security of South Yorkshire communities.

Any change to the governance model must be carefully considered and delivered in a playful and measured way.

Recommendations

This paper sets out above, the policy environment and invites leaders to:

- Note that a joint letter from the Mayor, MCA Leaders and PCC will be submitted to the Secretaries of State for the Department of Levelling Up, Housing and Communities and the Home Office to request that Government officials work with South Yorkshire officers to draft legislation to allow decisions to be made in the Autumn.
 - Agree that the Mayor and the MCA Chief Executive will continue negotiations with Home Office and DLUHC officials through the summer.
 - Agree to a period of engagement with police, crime and criminal justice system partners to scope in detail a project plan.
 - Agree to a period of engagement with local authority members, victims and their representatives and VCSE partners.
 - Agree that the MCA Board receives an update on progress during the summer.
 - Note the timetable included and that decisions to consent to Orders will be sought from the MCA and Local Authorities in the Autumn.
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1. Background

- 1.1 The Mayor and South Yorkshire Local Authority Leaders have indicated their support for the transfer of Police and Crime Commissioner (PCC) functions to the Mayor of South Yorkshire. The PCC has also indicated his support. The South Yorkshire geographical area the Mayor is elected to serve is coterminous with the police force area covered by the PCC for South Yorkshire.
- 1.2 The Government's White Paper, 'Levelling Up the United Kingdom' contained the following commitment,

"The UK Government will take steps to remove barriers to combined authority mayors taking on public safety functions. Where there are existing or planned mayoral combined authorities with coterminous boundaries to PCCs and Fire and Rescue Authorities, the UK Government will look to transfer these functions to the Mayor."
- 1.3 Discussions with Home Office and Department of Levelling Up, Housing and Communities officials have confirmed government support for the transfer of PCC powers to the Mayor of South Yorkshire from 2024. The Mayor, PCC and four Local Authority Leaders have also indicated their support for the transfer.
- 1.4 If agreed by the Government and all other parties this would mean that the role of the PCC for South Yorkshire would be abolished in May 2024 and that the term of office of the current Mayor would be reduced and a Mayoral election, including PCC functions, would be held in May 2024.

2. Consultation on Proposal

2.1 None at this stage as no decision has yet been taken.

3. Timetable and Accountability for Implementing this Decision

3.1

Action	When (estimated dates)	Who
Submission of letter to DLUHC and Home Office for Ministerial agreement in principle	w/c 29/05/23	MCA Board
Consideration of paper at MCA Board meeting	05/06/23	MCA Board
Discussions with key stakeholders	Throughout the summer	MCA Board
MCA meeting to receive further update	To be agreed in the summer	MCA
Ministers approve scheme and agree to lay draft orders	October	Department of Levelling Up Housing and Communities/Home Office
MCA and Council meetings to consider providing consent to orders	October CA/LA meetings	MCA and each LA
Draft order to Joint Committee on Statutory Instruments legal advisers	November	Joint Committee on Statutory Instruments
Final consent to orders	November	MCA CX and Mayor with delegated authority from October meeting
Order laid	November/December	Secretary of State
Order made	Early 24	Parliament

4. Financial and Procurement Implications and Advice

4.1 None at this stage as no decision has yet been taken.

5. Legal Implications and Advice

5.1 The Local Democracy, Economic Development and Construction Act 2009 allows the Secretary of state, by order, to provide for the mayor for the area of a combined authority to exercise functions of a police and crime commissioner in relation to that area. A further report will be brought to the MCA Board to approve order and provide the Mayor's consent. The Constituent Councils will also be required to consent for an order to be made.

6. Human Resources Implications and Advice

6.1 None at this stage as no decision has yet been taken.

7. Equality and Diversity Implications and Advice

7.1 None at this stage as no decision has yet been taken.

8. Climate Change Implications and Advice

8.1 None at this stage as no decision has yet been taken.

9. Information and Communication Technology Implications and Advice

9.1 None at this stage as no decision has yet been taken.

10. Communications and Marketing Implications and Advice

10.1 The Office of the Police and Crime Commissioner have provided a high-level update to their partners and staff to notify them of the work to be undertaken and potential for a change in the governance model next year.