

Mayoral Combined Authority Board

31 July 2023

Police and Crime Commissioner Update

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

The Government has committed to the further transfer of Police and Crime Commissioner (PCC) functions to Mayoral Combined Authorities (MCA) where the MCA geographical area is coterminous with a police force area. At its meeting on 5 June 2023 the MCA agreed to,

- Submit a joint letter from the Mayor, MCA Leaders and PCC 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 MCA Chief Executive continue negotiations with Home Office and DLUHC officials through the Summer.
- Commence a period of engagement with police, crime and criminal justice system partners to scope in detail a project plan.
- Commence a period of engagement with local authority members, victims and their representatives and VCSE partners.

- Receive an update on progress during the summer.

This paper provides an update on progress since 5 June 2023.

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. It is essential that risks and opportunities identified through the proposed transfer are well understood and addressed.

Recommendations

Leaders are asked:

1. To note progress to date, including the response received/awaited from the Home Secretary and Secretary of State for the Department of Levelling Up, Housing and Communities.
2. To agree that the MCA Board will receive a further update at the September Board meeting.

1. Background

1.1 Transfer request

On 31st May 2023 the Mayor, MCA Leaders and PCC wrote to the Secretaries of State for the Department of Levelling Up, Housing and Communities and the Home Office to request that Government officials undertake the necessary work with South Yorkshire officers to draft legislation to transfer PCC powers to the Mayor in May 2024.

We are currently awaiting a response from Ministers indicating their support for a transfer of PCC functions. Following receipt of a positive response, work will begin to draft the required statutory instruments and ensure that they are appropriate for South Yorkshire circumstances.

1.2 Programme design

In anticipation of a positive response from Ministers, senior officers of the MCA, OPCC and SYP have formed a working group to scope and jointly agree the programme of work required to affect the transfer of functions and ensure an orderly transition.

Additional programme management capacity is being scoped and sought and will report jointly to MCA and OPCC officers.

MCA Executive Directors will maintain oversight of programme delivery and resources. An appropriate sub-group with OPCC and SYP representation will be established to manage the programme on a day-to-day basis.

1.3 Engagement

A detailed communications and engagement plan is being scoped by MCA, OPCC and SYP officers as part of the work programme.

Initial meetings between the Mayor and members of the Police and Crime Panel and other key stakeholders have taken place or been arranged. These meetings will continue throughout the summer.

The MCA Executive Director for Policy and Strategic Development and Assistant Director of Finance held positive discussions with staff of the OPCC and VRU earlier this month to explain the proposed transfer and answer any questions. These conversations will continue throughout the summer.

2. Next Steps

Action	When	Who
Discussions with key stakeholders	Throughout the summer	Mayor and MCA Officers
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 Local Authority
Draft order to Joint Committee on Statutory Instruments legal advisers	November	Joint Committee on Statutory Instruments
Final consent to orders	November	SYMCA CX and Mayor with delegated authority from October meeting
Order laid	November/December	Secretary of State
Order made	Early 24	Parliament

2.2 If agreed this change would result in the abolition of the role of Police and Crime Commissioner for South Yorkshire from May 2024. This change would also require a Mayoral election to take place in May 2024 reducing the current Mayoral term of office by two years.

3. Financial and Procurement Implications and Advice

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

4. Legal Implications and Advice

4.1 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.

5. Human Resources Implications and Advice

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

6. Equality and Diversity Implications and Advice

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

7. Climate Change Implications and Advice

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

8. Information and Communication Technology Implications and Advice

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

9. Communications and Marketing Implications and Advice

9.1 A communications plan will be developed as part of the transfer programme design.