

Overview & Scrutiny Committee

Date	26 November 2018
Report title	Consultation for the Transfer of West Midlands Police & Crime Commissioner Functions
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Recommendation(s) for action or decision:

The Overview & Scrutiny Committee is recommended to:

1. Note the presentation provided on the consultation for the transfer of West Midlands Police & Crime Commissioner Functions.
2. Note the Stage 1 consultation questions and agree how to provide a response as the WMCA Overview & Scrutiny Committee to the Stage 1 consultation questions.

1. Purpose

- 1.1. To provide an overview of the consultation process for the transfer of West Midlands Police & Crime Commissioner Functions and to seek the views of the Overview & Scrutiny Committee to the stage 1 consultation questions.
- 1.2. To provide an overview of the development of the Governance Review and Scheme, including feedback received from Constituent Councils, the Police and Crime Commissioner and West Midlands Police

2. Background

- 2.1. The legislative and policy background to this proposed governance transfer are outlined in some detail within the reports considered at the September and November WMCA Board meetings – with the overall mandate of effecting a transfer of governance to enable the election of a Mayor with PCC responsibilities for the West Midlands in 2020 in line with the region's second Devolution Deal.
- 2.2. At the September Board meeting, WMCA members and the PCC agreed to take the Governance Review and Scheme back for consideration within their authorities – and to send feedback to WMCA officers for consideration. The Governance Review outlined the current and proposed PCC model, with specific reference to areas where clarity on governance, accountabilities and operational detail were required. The Scheme provided for the underlying legislative basis for the transfer. The WMCA Board also requested that more work be carried out on an appropriate consultation design
- 2.3. At the November Board meeting, WMCA Members noted the feedback received to date on the Governance Review and Scheme, agreed to a 2 stage consultation process and timetable, agreed on a revised Governance Review and Scheme to be consulted upon and agreed to receive a further report in March 2019 detailing the outcome of the consultation.

3. Overview & Scrutiny Committee

- 3.1. A presentation has been prepared for the Overview and Scrutiny Committee that will:
 - a. Explain further the development process of the Consultation exercise for the transfer of West Midlands Police & Crime Commissioner Functions
 - b. Explain the methodology of the consultation exercise
 - c. Present the Stage 1 consultation questions to the Overview and Scrutiny Committee
- 3.2. This presentation is attached at Appendix A.
- 3.3. Overview and Scrutiny Committee Members are advised to review the papers that were considered by the WMCA Board on the 9th November 2018 which outlines the consultation process and timeline.
- 3.4. To further assist the Overview and Scrutiny Committee the Consultation Plan is attached at **Appendix B**. Members of the Committee are reminded that the Consultation Plan is an evolving document and is being updated as required as it is developed further, therefore the version attached is the most up to date version at the time Overview and Scrutiny Committee papers were dispatched.

4. Financial Implications

- 4.1. The Financial implications of progression of governance arrangements and the statutory order are being met through internal resources of the WMCA, with support from the Home Office and OPCC as appropriate.
- 4.2. Wider costs of transition are being developed with a view to resources for transition planning being earmarked with the WMCA's annual budgeting and Medium-Term Financial Planning processes.

5. Legal Implications

- 5.1. The legal implications in terms of legislation are outlined in previous reports. Further legal implications are reported through the Governance Review and Scheme for consideration.

6. Equalities Implications

- 6.1. There are no direct equalities implications arising out this report.

7. Inclusive Growth Implications

- 7.1. The WMCA Board has asked for the inclusive growth implications of each board paper to be outlined in this section. We are developing a set of materials that will allow officers and partners to do this robustly, which will be reflected in WMCA Board reports from January 2019 onwards.

8. Geographical Area of Report's Implications

- 8.1. These proposals only have effect within the Constituent Council areas, ie the WM metropolitan area.

9. Other Implications

- 9.1. There are no other implications highlighted in regards to this report.

10. Schedule of Background Papers

- Governance Review
- Governance Scheme
- Report to WMCA Board 14 September 2018
- Report to WMCA Board 9 November 2018

11. Appendices

- Appendix A – Presentation to Overview and Scrutiny Committee
- Appendix B – Consultation Plan