

EXPLANATORY NOTE

(This note is not part of the Regulations)

Section 28 of the Police Reform and Social Responsibility Act 2011 (“the 2011 Act”) provides for each police area listed in Schedule 1 to the Police Act 1996 to have a police and crime panel with the function of scrutinising the actions and decisions of the police and crime commissioner.

Schedule 6 to the 2011 Act makes provision in relation to the establishment and maintenance of police and crime panels. Paragraphs 6 to 9 of Schedule 6 provide for local authorities covered by the police area (“relevant local authorities”) to nominate and appoint members of a police and crime panel in England. In the event of a failure by a relevant local authority to exercise the power to nominate or appoint, paragraph 10 of Schedule 6 requires the Secretary of State to nominate and appoint the appropriate number of members.

Paragraph 3(2)(b) of Schedule 6 requires the relevant local authority or authorities to make panel arrangements, which are arrangements for the establishment and maintenance of the panel.

Regulation 2 of these Regulations modifies paragraph 3(3) of Schedule 6, in circumstances where a relevant local authority has failed to exercise its powers to nominate or appoint. The effect is that the panel arrangements must be agreed by the other relevant local authorities, but not the defaulting local authority.