

Status: Point in time view as at 30/04/2009.

Changes to legislation: There are currently no known outstanding effects for the Police and Justice Act 2006, SCHEDULE 8. (See end of Document for details)

SCHEDULES

SCHEDULE 8 **E+W**

Section 19

FURTHER PROVISION ABOUT CRIME AND DISORDER COMMITTEES OF CERTAIN LOCAL AUTHORITIES

Introductory

- 1 (1) This Schedule applies in relation to a local authority that is not operating executive arrangements under Part 2 of the Local Government Act 2000 (c. 22).
- (2) In this Schedule “local authority” and “crime and disorder committee” have the same meaning as in section 19.

Commencement Information

- II** Sch. 8 para. 1 in force at 30.4.2009 for E. by [S.I. 2009/936](#), [art. 2\(d\)](#)

Functions of crime and disorder committees

- 2 (1) The crime and disorder committee of a local authority may not discharge any functions other than its functions under section 19 or this Schedule.
- (2) In the case of a committee of a local authority that acts as its crime and disorder committee and also acts in one or more other capacities, the reference in subparagraph (1) to the crime and disorder committee is a reference to that committee in its capacity as crime and disorder committee.

Commencement Information

- I2** Sch. 8 para. 2 in force at 30.4.2009 for E. by [S.I. 2009/936](#), [art. 2\(d\)](#)

Appointment of sub-committees

- 3 (1) The crime and disorder committee of a local authority—
- (a) may appoint one or more sub-committees, and
- (b) may arrange for the discharge of any of its functions by any such sub-committee.
- (2) A sub-committee of the crime and disorder committee may not discharge any functions other than those conferred on it under subparagraph (1)(b).

Commencement Information

- I3** Sch. 8 para. 3 in force at 30.4.2009 for E. by [S.I. 2009/936](#), [art. 2\(d\)](#)

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Meetings etc

- 4 A local authority shall make arrangements—
- (a) for enabling a member of the crime and disorder committee of the authority to ensure that a matter that is relevant to the functions of the committee is included in the agenda for, and is discussed at, a meeting of the committee, and
 - (b) for enabling a member of a sub-committee of such a committee to ensure that a matter that is relevant to the functions of the sub-committee is included in the agenda for, and is discussed at, a meeting of the sub-committee.

Commencement Information

I4 Sch. 8 para. 4 in force at 30.4.2009 for E. by S.I. 2009/936, art. 2(d)

- 5 The crime and disorder committee of a local authority, or a sub-committee of such a committee, may include persons who are not members of the authority, but (subject to section 20(6)) such persons are not entitled to vote, at a meeting of such a committee or sub-committee, on any question that falls to be decided at that meeting.

Commencement Information

I5 Sch. 8 para. 5 in force at 30.4.2009 for E. by S.I. 2009/936, art. 2(d)

Power to compel attendance etc

- 6 (1) The crime and disorder committee of a local authority or a sub-committee of such a committee—
- (a) may require members or officers of the authority to attend before it to answer questions;
 - (b) may invite other persons to attend meetings of the committee.
- (2) A member or officer of a local authority shall comply with any requirement made under sub-paragraph (1)(a).
- (3) A person is not obliged by sub-paragraph (2) to answer any question that he would be entitled to refuse to answer in or for the purposes of proceedings in a court in England and Wales.

Commencement Information

I6 Sch. 8 para. 6 in force at 30.4.2009 for E. by S.I. 2009/936, art. 2(d)

Miscellaneous and supplemental

- 7 The crime and disorder committee of a local authority, or a sub-committee of such a committee, is to be treated as a committee or sub-committee of a principal council for the purposes of Part 5A of the Local Government Act 1972 (c. 70) (access to meetings and documents of certain authorities, committees and sub-committees).

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Commencement Information

I7 Sch. 8 para. 7 in force at 30.4.2009 for E. by S.I. 2009/936, art. 2(d)

- 8 The crime and disorder committee of a local authority, or a sub-committee of such a committee, is to be treated as a body to which section 15 of the Local Government and Housing Act 1989 (c. 42) (duty to allocate seats to political groups) applies.

Commencement Information

I8 Sch. 8 para. 8 in force at 30.4.2009 for E. by S.I. 2009/936, art. 2(d)

- 9 Subsections (2) and (5) of section 102 of the Local Government Act 1972 (appointment of committees) apply to the crime and disorder committee of a local authority, or a sub-committee of such a committee, as they apply to a committee appointed under that section.

Commencement Information

I9 Sch. 8 para. 9 in force at 30.4.2009 for E. by S.I. 2009/936, art. 2(d)

Application to the City of London

- 10 Paragraph 8 does not apply to the crime and disorder committee of the Common Council or to a sub-committee of that committee.

Commencement Information

I10 Sch. 8 para. 10 in force at 30.4.2009 for E. by S.I. 2009/936, art. 2(d)

- 11 (1) The Common Council may discharge its duty under section 19(1) by itself acting as the crime and disorder committee of the Council, and sub-paragraphs (2) to (4) apply if it does so.
- (2) In section 19 or 20 or this Schedule, or in section 5 of the Crime and Disorder Act 1998 (c. 37) (authorities responsible for crime and disorder strategies), a reference to the crime and disorder committee of a local authority includes a reference to the Common Council in its capacity as crime and disorder committee.
- (3) Paragraph 2, in its application to the Common Council, has effect with the omission of sub-paragraph (2).
- (4) Paragraph 9, in its application to the Common Council, applies only so far as it relates to sub-committees.

Commencement Information

I11 Sch. 8 para. 11 in force at 30.4.2009 for E. by S.I. 2009/936, art. 2(d)

- 12 In paragraphs 10 and 11 “the Common Council” means the Common Council of the City of London.

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Commencement Information

I12 Sch. 8 para. 12 in force at 30.4.2009 for E. by S.I. 2009/936, art. 2(d)

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