

**2008 No. 312**

**POLICE, ENGLAND AND WALES**

**The Policing Plan Regulations 2008**

*Made* - - - - *11th February 2008*

*Laid before Parliament* *12th February 2008*

*Coming into force* - - *14th March 2008*

The Secretary of State, in exercise of the powers conferred by section 6ZB(5), (6) and (7) of the Police Act 1996<sup>(a)</sup> and section 51 of the Police and Justice Act 2006<sup>(b)</sup>, makes the following Regulations.

In accordance with section 6ZB(8) of the Police Act 1996 the Secretary of State has consulted with

- (a) the Association of Police Authorities,
- (b) the Association of Chief Police Officers,
- (c) such other persons as he thought fit.

**Citation, commencement and interpretation**

1. These Regulations may be cited as the Policing Plan Regulations 2008 and shall come into force on 14th March 2008.

**2. In these Regulations**

“local government area” has the meaning given to it in section 5 of the 1998 Act (authorities responsible for strategy)<sup>(c)</sup>,

“local improvement target” has the meaning given to it in section 105 of the 2007 Act (local improvement targets: interpretation),

“plan period” means the three financial years to which the policing plan relates under section 6ZB(1)(b) of the 1996 Act,

“the police force” means the police force for the police authority’s area,

“protective services” means the policing services which relate to counter terrorism, civil contingencies, firearms, major crime, public order, roads policing, serious organised crime, domestic extremism, critical incidents, missing persons, investigating domestic abuse, investigating child abuse and sexual and violent offender management in respect of which the Association of Chief Police Officers have issued the document “Protective Services Minimum Standards” dated 24th December 2007,

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(a) 1996 c.16. section 6ZB was inserted into the 1996 Act by section 2 of, and paragraph 9 of Schedule 2 to, the Police and Justice Act 2006.

(b) 2006 c.48.

(c) Section 5 of the 1998 Act was amended by section 22 of, and paragraph 2 of Schedule 9 to, the 2006 Act.

“relevant responsible authorities” means responsible authorities under section 5 of the 1998 Act for any local government area which forms all or part of the police area of the police authority,

“the 1996 Act” means the Police Act 1996,

“the 1998 Act” means the Crime and Disorder Act 1998(a),

“the 2007 Act” means the Local Government and Public Involvement in Health Act 2007(b).

### **Consideration of Policing Plans**

**3.** Before issuing a police plan a police authority shall consider—

- (a) any performance targets established by the police authority, whether in compliance with a direction under section 38 of the 1996 Act (performance targets)(c) or otherwise, that relate to the plan period;
- (b) any matters relating to the efficiency and effectiveness of the police force
  - (i) arising out of any inspection of the police force by Her Majesty’s Inspectors of Constabulary, or
  - (ii) raised with the police authority by the Secretary of State;
- (c) any direction given to the police authority by the Secretary of State under section 40(d) of the 1996 Act (power to give directions in relation to police force) or any information given to the police authority of the grounds on which such a direction might be given;
- (d) the strategies for the plan period formulated by the relevant responsible authorities under section 6 (formulation and implementation of crime and disorder reduction strategies) of the 1998 Act(e); and
- (e) any local improvement target to which the police authority must have regard under section 108(f) (duty to have regard to local improvement targets) of the 2007 Act.

### **Contents of Policing Plans**

**4.** In addition to the matters set out in section 6ZB(1) (contents of policing plans) of the 1996 Act the policing plan of a police authority shall set out—

- (a) any strategic priorities determined by the Secretary of State under section 37A(g) (strategic priorities for police authorities) of the 1996 Act that relate to the plan period;
- (b) any performance targets established by the police authority, whether in compliance with a direction under section 38 of the 1996 Act or otherwise, that relate to the plan period and how it is proposed to meet those targets;
- (c) a statement of the financial resources the police authority expects to be available for the plan period and the proposed allocation of those resources;
- (d) any planned increases in efficiency and productivity of the police force during the plan period and how it is proposed such increases will be achieved;
- (e) any matters relating to the efficiency and effectiveness of the police force
  - (i) arising out of any inspection of the police force by Her Majesty’s Inspectors of Constabulary, or
  - (ii) raised with the police authority by the Secretary of State, and how the police authority intends to address such matters;

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(a) 1998 c.37.

(b) 2007 c.28.

(c) Section 38 of the 1996 Act was amended by paragraph 26 of Schedule 2 to the 2006 Act.

(d) Section 40 of the 1996 Act was substituted by paragraph 27 of Schedule 2 to the 2006 Act.

(e) Section 6 of the 1998 Act was substituted by paragraph 3 of Schedule 9 to the 2006 Act.

(f) Section 108 of the Local Government and Public Involvement in Health Act 2007 is not yet in force.

(g) Section 37A of the 1996 Act was inserted by section 2 of, and paragraph 25 of Schedule 2 to, the 2006 Act.

- (f) any direction given by the Secretary of State under section 40 of the 1996 Act or any information given to the police authority of the grounds on which such a direction might be given and how the police authority intends to address such matters;
- (g) the strategies formulated by the relevant responsible authorities under section 6 of the 1998 Act for the plan period and how the police authority intends to implement those strategies;
- (h) any planned improvements in the ability of the police force to deliver protective services during the plan period and how it is proposed such improvements will be achieved;
- (i) details of the arrangements required to be made by the police authority in the exercise of functions conferred on it under section 6ZA(a) of the 1996 Act (power to confer particular functions on police authorities) for co-operation between the police force and other police forces;
- (j) details of any co-operation between the police force and other police forces that
  - (i) is taking place at the time the plan is issued, and
  - (ii) is proposed for the plan period;and
- (k) any local improvement target to which the police authority must have regard under section 108 of the 2007 Act.

### **Publication of Policing Plans**

**5.** A police authority shall arrange for every policing plan issued by it to be published in such manner as appears to it to be appropriate by 30th June of the financial year before the beginning of which it was issued, and shall send a copy of the plan to the Secretary of State.

### **Transitional Provisions**

- 6.** For the plan period beginning on 1st April 2008—
- (a) the policing plan shall be modified prior to publication under regulation 5 to include details of the performance of the police authority in the period 1st April 2005 to 31st March 2008 by reference to the statutory performance indicators for the police authority under section 4 (performance indicators and standards) of the Local Government Act 1999(b); and
  - (b) regulations 3 and 4 shall be taken not to include sub-paragraphs (e) and (k) respectively.

Home Office  
11th February 2008

*Tony McNulty*  
Minister of State

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(a) Section 6ZA of the Police Act 1996 was inserted by paragraph 8 of Schedule 2 to the Police and Justice Act 2006. Additional functions in respect of arrangements about cooperation were conferred on police authorities by S.I.2008/82.  
(b) Section 4 of the Local Government Act 1999 was amended by section 139 of the Local Government and Public Health Act 2007 (c.28).

## **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations supplement the provisions in section 6ZB of the Police Act 1996 on policing plans by police authorities. Regulation 3 provides that before issuing a policing plan a police authority shall consider certain matters. Regulation 4 provides for additional matters that the policing plan should set out other than those specified in section 6ZB. Regulation 5 governs publication of the policing plan and regulation 6 makes transitional provision.

The Association of Chief Police Officers' document "Protective Services Minimum Standards" dated 24th December 2007 is available from [www.acpo.police.uk](http://www.acpo.police.uk).

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