

**EXPLANATORY MEMORANDUM TO
THE LOCAL POLICING BODIES (CONSEQUENTIAL AMENDMENTS)
REGULATIONS 2011**

2011 No. 3058

1. This explanatory memorandum has been prepared by the Home Office and is laid before Parliament by Command of Her Majesty.

2. Purpose of the instrument

2.1 The instrument makes amendments to a number of other instruments in consequence of changes made by the Police Reform and Social Responsibility Act 2011 to policing governance arrangements in England and Wales.

3. Matters of special interest to the Joint Committee on Statutory Instruments

3.1 None.

4. Legislative Context

4.1 The Act makes significant changes to the governance arrangements for policing in England and Wales, with the exception of the City of London police area. The Act abolishes the police authorities responsible for maintaining police forces outside London and replaces them with directly elected Police and Crime Commissioners (“PCCs”). The Act also abolishes the Metropolitan Police Authority and replaces it with the Mayor’s Office for Policing and Crime (“MOPC”) – an office held by the Mayor of London.

4.2 The Act further establishes Chief Officers of Police (Chief Constables of police forces outside London, and the Commissioner of Police of the Metropolis) as corporations sole with the capacity to employ staff in their official capacity. At present all police staff are employed by the police authority.

4.4 In the City of London the Common Council retains its role as the police authority, and the status of the Commissioner of the City of London Police remains unchanged. The Act refers to PCCs, the MOPC and the Common Council collectively as “local policing bodies”.

5. Territorial Extent and Application

5.1 This instrument applies to all of the United Kingdom.

6. European Convention on Human Rights

6.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. Policy background

- *What is being done and why*

7.1 This instrument amends various existing instruments in order to reflect the replacement of police authorities with local policing bodies, and the new arrangements for the employment of police staff. It does not change the substantive effect of the instruments being amended, other than for that purpose

- *Consolidation*

7.4 As very limited amendments are being made to the existing instruments, the Government does not intend to consolidate the legislation.

8. Consultation outcome

8.1 In light of the nature of the amendments made by the instrument, public consultation was not thought to be appropriate.

9. Guidance

9.1 Bearing in mind the limited extent of the amendments made to existing instruments, there is no intention to issue guidance.

10. Impact

10.1 There is no impact on business, charities or voluntary bodies.

10.2 There is no impact on the public sector.

10.3 An Impact Assessment has not been prepared for this instrument.

11. Regulating small business

11.1 The legislation does not apply to small business.

12. Monitoring & review

12.1 Bearing in mind the limited extent of the amendments made to the existing instruments, there is no intention to review the impact of this instrument.

13. Contact

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Oscar.ramudo2@homeoffice.gsi.gov.uk can answer any queries regarding the instrument.