

SCHEDULES

SCHEDULE 11

Section 88

CRIME AND DISORDER STRATEGIES

- 1 The Crime and Disorder Act 1998 is amended as follows.
- 2 (1) Section 5 (authorities responsible for strategies) is amended as follows.
 - (2) Omit subsection (1)(c).
 - (3) For subsections (1A) and (1B) substitute—
 - “(1A) The relevant local policing body in relation to two or more local government areas in England may make a combination agreement with the responsible authorities in relation to those areas (the “combined area”).
 - (1B) A combination agreement is an agreement for the functions conferred by or under section 6 or by section 7 to be carried out in relation to the combined area as if it constituted only one local government area.
 - (1BA) The responsible authorities in relation to a combined area are all the persons who are the responsible authorities in relation to each local government area that falls within the combined area.
 - (1BB) Section 5A contains further provision about the making and contents of combination agreements.”.
 - (4) In subsection (1C) for “An order under subsection (1A) above” substitute “A combination agreement”.
 - (5) In subsection (1D), in the definition of “crime and disorder scrutiny functions”, for “an order under subsection (1A) above” substitute “a combination agreement”.
 - (6) After subsection (1D) insert—
 - “(1E) The “relevant local policing body”, in relation to a combined area, is—
 - (a) if the area falls (wholly or partly) within the police area of a police and crime commissioner, the commissioner,
 - (b) if the area falls (wholly or partly) within the metropolitan police district, the Mayor’s Office for Policing and Crime, and
 - (c) if the area falls partly within the City of London, the Secretary of State.
 - (1F) If there is more than one relevant local policing body in relation to a combined area by virtue of subsection (1E), the references in subsection (1A) above and section 5A(2) to the relevant local policing body in relation to the combined area are references to each of the relevant local policing bodies for that area acting jointly.”.

- (7) In subsection (2) for “those functions” substitute “the functions conferred by or under section 6”.
- (8) In subsection (5), omit—
- (a) the word “and” at the end of the definition of “fire and rescue authority”, and
 - (b) the definition of “police authority”.
- 3 After section 5 insert—

“5A Combination agreements: further provision

- (1) A combination agreement for a combined area may be made only if every responsible authority in relation to that area is a party to the agreement.
- (2) The relevant local policing body for a combined area may enter into a combination agreement for that area only if it considers that it would be in the interests of one or more of the following to do so—
 - (a) reducing crime and disorder;
 - (b) reducing re-offending;
 - (c) combating the misuse of drugs, alcohol and other substances.
- (3) Subsections (4) to (6) apply if a combined area in relation to a combination agreement includes (wholly or partly) the area of more than one police area.
- (4) The combination agreement must include arrangements for securing effective and efficient co-operation—
 - (a) between each of the relevant local policing bodies in relation to the combined area, and
 - (b) between the responsible authorities for the area and those relevant local policing bodies.
- (5) The Secretary of State must be a party to the agreement (if not already a party by virtue of being a relevant local policing body in relation to the combined area).
- (6) The Secretary of State may enter into the agreement only if the Secretary of State—
 - (a) considers that it would be in the interests of one or more of the matters mentioned in subsection (2), and
 - (b) is satisfied that the arrangements mentioned in subsection (4) are adequate for the purposes of securing effective and efficient co-operation in the carrying out of functions under section 6.
- (7) A combination agreement—
 - (a) must be in writing, and
 - (b) may be varied by a further combination agreement.
- (8) A combination agreement may be terminated by agreement in writing between the parties to it; and subsection (2), and (as the case may be) (6)(a), applies to an agreement under this subsection.
- (9) In this section “combination agreement”, “combined area” and “relevant local policing body” have the same meanings as in section 5.”.

- 4 (1) Section 6 (formulation and implementation of strategies) is amended as follows.
- (2) In subsection (1), after “section 5” insert “, with subsection (1A),”.
- (3) After subsection (1) insert—
- “(1A) In exercising functions under subsection (1), apart from devolved Welsh functions (as defined by section 5(8)), each of the responsible authorities for a local government area must have regard to the police and crime objectives set out in the police and crime plan for the police area which comprises or includes that local government area.”.
- (4) In subsection (3) after paragraph (c) insert—
- “(ca) the conferring of functions on a police and crime commissioner for a police area in England in relation to the formulation and implementation of a strategy for any local government area that lies in that police area;”.
- (5) After subsection (4) insert—
- “(4A) Provision under subsection (3)(ca) may include provision—
- (a) for a police and crime commissioner to arrange for meetings to be held for the purpose of assisting in the formulation and implementation of any strategy (or strategies) that the commissioner may specify that relate to any part of the police area of the commissioner,
- (b) for the commissioner to chair the meetings, and
- (c) for such descriptions and numbers of persons to attend the meetings as the commissioner may specify (including, in particular, representatives of the responsible authorities in relation to the strategies to be discussed at the meetings).”.
- 5 (1) Section 7 (supplemental) is amended as follows.
- (2) In subsection (1)—
- (a) for “Secretary of State” (in the first place) substitute “relevant local policing body for that area”,
- (b) for “the Secretary of State” (in the second place) substitute “that body”, and
- (c) after “section 6 above” insert “, apart from devolved Welsh functions (as defined by section 5(8)),”.
- (3) After subsection (1) insert—
- “(1A) The relevant local policing body in relation to a local government area may require a report under subsection (1) only if—
- (a) the body is not satisfied that the responsible authorities for the area are carrying out their functions under section 6 in an effective and efficient manner, and
- (b) the body considers it reasonable and proportionate in all the circumstances to require a report.”.
- (4) In subsection (3)—
- (a) for “Secretary of State” substitute “relevant local policing body”, and
- (b) for “him” substitute “the body”.

Status: This is the original version (as it was originally enacted).

(5) After subsection (3) insert—

“(4) Relevant local policing body”, in relation to a local government area, means—

- (a) if the area (or any part of it) falls within the police area of a police and crime commissioner, the commissioner,
- (b) if the area (or any part of it) falls within the metropolitan police district, the Mayor’s Office for Policing and Crime, and
- (c) if the area (or any part of it) is the City of London, the Secretary of State.

(5) If there is more than one relevant local policing body in relation to a combined area that is to be treated as one local government area under a combination agreement (see section 5(1A))—

- (a) a report submitted under subsection (1) is to be submitted to each of the relevant local policing bodies for the combined area, and
- (b) references in this section to any requirement or arrangement made by the relevant local policing body are references to a requirement or arrangement made by each of the relevant local policing bodies for the combined area acting jointly.”.