



Police Reform and Social Responsibility Act 2011

2011 CHAPTER 13

PART 1

POLICE REFORM

CHAPTER 3

FUNCTIONS OF ELECTED LOCAL POLICING BODIES ETC

Community safety and crime prevention

5 Police and crime commissioners to issue police and crime plans

- (1) The police and crime commissioner for a police area must issue a police and crime plan within the financial year in which each ordinary election is held.
- (2) A police and crime commissioner must comply with the duty under subsection (1) as soon as practicable after the commissioner takes office.
- (3) A police and crime commissioner may, at any time, issue a police and crime plan.
- (4) A police and crime commissioner may vary a police and crime plan.
- (5) In issuing or varying a police and crime plan, a police and crime commissioner must have regard to the strategic policing requirement issued by the Secretary of State under section 37A of the Police Act 1996.

[^{F1}(5A) Subsections (5B) to (5E) apply to a police and crime commissioner for a police area—

- (a) which corresponds to the area of a fire and rescue authority created by an order under section 4A, or
- (b) within which the area of such a fire and rescue authority falls.

Changes to legislation: There are currently no known outstanding effects for the Police Reform and Social Responsibility Act 2011, Section 5. (See end of Document for details)

- (5B) Subject to subsection (5E), in issuing or varying a police and crime plan, the police and crime commissioner must have regard to—
- (a) the current Fire and Rescue National Framework prepared under section 21 of the Fire and Rescue Services Act 2004, and
 - (b) the last document prepared and published by the fire and rescue authority in accordance with that Framework which sets out the authority's priorities and objectives, for the period covered by the document, in connection with the discharge of the authority's functions.
- (5C) A police and crime plan which the police and crime commissioner is required to prepare may be prepared jointly by the commissioner and the fire and rescue authority.
- (5D) If the police and crime commissioner and the fire and rescue authority prepare a joint police and crime plan, the plan must also set out the fire and rescue authority's priorities and objectives, for the period of the plan, in connection with the discharge of the authority's functions.
- (5E) Subsection (5B)(b) does not apply to a joint police and crime plan.]
- (6) Before issuing or varying a police and crime plan, a police and crime commissioner must—
- (a) prepare a draft of the plan or variation,
 - (b) consult the relevant chief constable in preparing the draft plan or variation,
 - (c) send the draft plan or variation to the relevant police and crime panel,
 - (d) have regard to any report or recommendations made by the panel in relation to the draft plan or variation (see section 28(3)),
 - (e) give the panel a response to any such report or recommendations, and
 - (f) publish any such response.
- (7) In complying with subsection (6)(c), the police and crime commissioner must ensure that the relevant police and crime panel has a reasonable amount of time to exercise its functions under section 28(3).
- (8) A police and crime commissioner must consult the relevant chief constable before issuing or varying a police and crime plan if, and to the extent that, the plan or variation is different from the draft prepared in accordance with subsection (6).
- (9) A police and crime commissioner must—
- (a) keep the police and crime plan under review, and
 - (b) in particular, review the police and crime plan in the light of—
 - (i) any report or recommendations made to the commissioner by the relevant police and crime panel under section 28(4), and
 - (ii) any changes in the strategic policing requirement issued by the Secretary of State under section 37A of the Police Act 1996;
 and exercise the powers under subsection (3) or (4) accordingly.
- (10) A police and crime commissioner who issues or varies a police and crime plan must—
- (a) send a copy of the issued plan, or the variation, to the relevant chief constable and to each of the other persons and bodies that are, for the purposes of section 5 of the Crime and Disorder Act 1998, responsible authorities in relation to local government areas that are wholly or partly within the relevant police area, and

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- (b) publish a copy of the issued plan, or the variation.
- (11) The duty under subsection (10) to send or publish a copy of the variation may instead be satisfied by sending or publishing a copy of the plan as varied.
- (12) It is for the commissioner to determine the manner in which—
- (a) a response to a report or recommendations is to be published in accordance with subsection (6)(f), and
 - (b) a copy of the plan or variation is to be published in accordance with subsection (10) (b).
- (13) In this section—
- “financial year” means the financial year of the police and crime commissioner;
 - “ordinary election”, in relation to the police and crime commissioner for a police area, means an election held under section 50 in relation to that area.

Textual Amendments

- F1** S. 5(5A)-(5E) inserted (31.1.2017 for specified purposes, 3.4.2017 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), **Sch. 1 para. 88**; S.I. 2017/399, reg. 2, **Sch. para. 38**

Modifications etc. (not altering text)

- C1** S. 5 applied (with modifications) (8.5.2017) by The Greater Manchester Combined Authority (Transfer of Police and Crime Commissioner Functions to the Mayor) Order 2017 (S.I. 2017/470), art. 1(2), **Sch. 1 para. 18**
- C2** S. 5 modified (20.12.2023) by The York and North Yorkshire Combined Authority Order 2023 (S.I. 2023/1432), arts. 1(2), 33(2), **Sch. 5 para. 18**
- C3** S. 5(6)-(12) applied (with modifications) by 2004 c. 21, **Sch. A2 para. 3** (as inserted (31.1.2017 for specified purposes, 3.4.2017 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), **Sch. 1 para. 13**; S.I. 2017/399, reg. 2, **Sch. para. 38**)

Commencement Information

- I1** S. 5 in force at 22.11.2012 by S.I. 2012/2892, **art. 2(a)**

Changes to legislation:

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