

AGENDA ITEM

**REPORT TO CLEVELAND
POLICE & CRIME PANEL**

15 SEPTEMBER 2020

**REPORT OF LEGAL
ADVISER TO THE PANEL**

PROPOSED APPOINTMENT OF AN ACTING POLICE AND CRIME COMMISSIONER

PURPOSE

This report is submitted to the Panel following the resignation of Barry Coppinger as the Police and Crime Commissioner for Cleveland Police on Tuesday 8th September 2020.

The report is submitted to the Panel to assist the Panel to appoint an Acting Police and Crime Commissioner under section 62(1)(a) of the Police Reform and Social Responsibility Act 2011 (the Act).

RECOMMENDATION

That the Panel reviews the information provided in this report and appendix, any further information provided by the person proposed for appointment (or by others at the meeting) and appoints an Acting Police and Crime Commissioner.

DETAIL

The Police and Crime Commissioner, Barry Coppinger, gave notice of his resignation from office on Tuesday 8th September 2020 with immediate effect in accordance with section 61 of the Act. The office was accordingly declared vacant.

Section 62 of the Act requires the Police and Crime Panel to appoint an Acting Police and Crime Commissioner (Acting Commissioner) in such circumstances.

The Act provides that the Panel may only appoint a person to the office of Acting Commissioner if that person is a member of the Police and Crime Commissioner's staff at the time of the appointment.

Once appointed the Acting Commissioner can exercise all of the functions of the Police and Crime Commissioner except the issuing or variation of the Police and Crime Plan.

The appointment of the Acting Commissioner will continue until a new Police and Crime Commissioner is elected or the appointment is terminated by the panel or the acting commissioner.

Ordinarily the election of a new Police and Crime Commissioner would take place within 35 days of the declaration of the vacancy of the office however the Local Government and Police and Crime Commissioner (Coronavirus) (Postponement of Elections and Referendums) (England and Wales) Regulations 2020 postponed all PCC elections until 6 May 2021, and by-elections to fill vacancies cannot be held before that date. The Acting Commissioner will therefore perform the role until a substantive Commissioner takes office (or earlier termination by the Panel or Acting Commissioner).

The current Assistant Chief Executive of the Office of the Police and Crime Commissioner, Lisa Oldroyd, has indicated a willingness to be considered for the role of Acting Commissioner.

The Chief Executive & Monitoring Officer Simon Dennis, and Chief Finance Officer, Michael Porter, whilst willing in principle to be considered, in practice do not propose themselves for Members' consideration. They consider that as the serving senior statutory officers, their first order of priority is to offer all support to the Acting Commissioner and to the Panel. Both Mr Dennis and Mr Porter also have existing statutory officer roles at the Office of the Police, Fire & Crime Commissioner for North Yorkshire in respect of both the PCC as local policing body and the PFCC Fire & Rescue Authority. These roles cannot appropriately be combined with the role of Acting Commissioner in Cleveland.

The Chief Executive and Chief Finance Officer, together with the remainder of the Senior Management Team of the OPCC, have expressed their absolute commitment to working as a team to achieve the stewardship of the role in the best interests of the public of the Cleveland force area and will provide their full support to the Acting Commissioner, regardless of who that may be, following appointment by the Panel.

All other Members of the Senior Management Team have similarly indicated a willingness to be considered in principle but have not proposed themselves for Members' consideration, on the basis they will work closely with the Acting Commissioner to ensure all the powers and duties of the Commissioner can be delivered to their full potential.

As a small and committed team, the Office of the Police & Crime Commissioner commit collectively to the stewardship of the role of Police & Crime Commissioner in the public interest and to the delivery of the Police & Crime Plan.

Accordingly, the OPCC Senior Management Team wish to commend Lisa Oldroyd to Members and will provide her with their full support.

Lisa Oldroyd is, therefore, respectfully proposed by the Office of the Police & Crime Commissioner for Members' consideration, as the appropriate person to serve the public in the role Acting Police & Crime Commissioner for Cleveland.

A personal statement by Lisa Oldroyd is appended to this report (to follow) for the information of members.

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