

**Sandwell Metropolitan Borough Council**

**20 October 2015**

**Reports from members nominated pursuant to  
Section 41 of the Local Government Act 1985  
and the Council's representative on the West Midlands  
Police and Crime Panel**

**1. Summary Statement**

- 1.1 The Council, at its annual meeting on 24 May 2011, approved an arrangement whereby members nominated pursuant to Section 41 of the Local Government Act 1985 to answer questions on the discharge of the functions of any joint authority or any joint board of which the Council is a constituent authority (Section 41 members) would report to the Council twice a year on important and contentious matters relating to the joint authority/board, and on any other occasion by exception. Procedural Standing Orders provide that any member of the Council shall be entitled to ask questions of the relevant members and the Council on these reports.
- 1.2 In the past the Council received a report from the Section 41 member appointed to the West Midlands Police Authority. That body has now been dissolved and replaced by the West Midlands Police and Crime Commissioner, who is accountable to a Police and Crime Panel on which the Council is represented by the Leader of the Council. In accordance with the Council's Procedural Standing Orders, the Council's representative on the West Midlands Police and Crime Panel reports to the Council on the activities of the Panel.
- 1.3 Reports are attached in respect of the West Midlands Fire and Rescue Authority (Councillor Edwards), the West Midlands Integrated Transport Authority (Councillor R Horton) and the West Midlands Police and Crime Panel (Leader of the Council).

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## **2. Recommendation**

- 2.1 That the reports from the Section 41 members in relation to the West Midlands Fire and Rescue Authority, West Midlands Integrated Transport Authority and West Midlands Police and Crime Panel be received.

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## **3. Strategic Resource Implications**

- 3.1 There are no direct resource implications arising from this report.

## **4. Legal and Statutory Implications**

- 4.1 Under Section 41 of the Local Government Act 1985, arrangements have been made for enabling questions on the discharge of a joint authority's functions to be put in the course of the proceedings of any constituent district council. A member is nominated by the joint authority for that purpose (the Section 41 member).

## **5. Implications for the Council's Scorecard Priorities**

The involvement of Council representatives in the decision making process of joint authorities will encourage better understanding of local and wider needs and viewpoints and can support the Council's Scorecard Priorities.

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## 6. **Background Details**

It is customary for the Council to receive six monthly reports from those members appointed pursuant to Section 41 of the Local Government Act 1985 to answer questions put to them at council meetings relating to the discharge of functions of joint authorities. This was the case in respect of the West Midlands Police Authority until the Police and Crime Commissioner [PCC] took office on 22 November 2012. The West Midlands Police Authority ceased to exist at that point. The West Midlands Police and Crime Panel, on which the Council is represented, now holds the Police and Crime Commissioner to account.

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