

## SCHEDULES

### SCHEDULE 3

Section 14.

#### DISTRICT POLICING PARTNERSHIPS

##### *Interpretation*

- 1 (1) In this Schedule “a DPP” means a district policing partnership.
- (2) In this Schedule—
- “the council”, in relation to a DPP, means the district council by which the DPP is established;
  - “independent member”, in relation to a DPP, means a member appointed under paragraph 2(3)(b), (4)(b) or (5)(b);
  - “political member”, in relation to a DPP, means a member appointed under paragraph 2(3)(a), (4)(a) or (5)(a).
- (3) In this Schedule “local general election” has the same meaning as in the Electoral Law Act (Northern Ireland) 1962.
- (4) For the purposes of this Schedule an independent member of a council shall be treated as a party.

##### *Size and composition*

- 2 (1) A DPP shall consist of 15, 17 or 19 members as the council may determine.
- (2) In making a determination under sub-paragraph (1), the council shall have regard to—
- (a) the number of members constituting the council; and
  - (b) the duty imposed by paragraph 3(1).
- (3) Where a DPP consists of 15 members, of whom—
- (a) 8 shall be appointed by the council from among members of the council in accordance with paragraph 3; and
  - (b) 7 shall be appointed in accordance with paragraph 4.
- (4) Where a DPP consists of 17 members, of whom—
- (a) 9 shall be appointed by the council from among members of the council in accordance with paragraph 3; and
  - (b) 8 shall be appointed in accordance with paragraph 4.
- (5) Where a DPP consists of 19 members, of whom—
- (a) 10 shall be appointed by the council from among members of the council in accordance with paragraph 3; and
  - (b) 9 shall be appointed in accordance with paragraph 4.

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*Political members*

- 3
- (1) A council shall exercise its power to appoint political members of the DPP so as to ensure that, so far as practicable, the political members reflect the balance of parties prevailing among the members of the council immediately after the last local general election.
  - (2) Subject to the following provisions of this paragraph, a person shall hold and vacate office as a political member in accordance with the terms of his appointment.
  - (3) A political member shall hold office until the date of the local general election next following his appointment.
  - (4) A person appointed to fill a casual vacancy shall hold office for the remainder of the term of the political member in whose place he is appointed.
  - (5) A political member shall cease to hold office if—
    - (a) he resigns by notice in writing to the council;
    - (b) he becomes disqualified for membership of the DPP; or
    - (c) he ceases to be a member of the council.
  - (6) A person whose term of office as a political member expires or who has resigned shall be eligible for re-appointment.

*Independent members*

- 4
- (1) Appointments of independent members shall be made by the Board from among persons nominated by the council in accordance with paragraph 5.
  - (2) Subject to the following provisions of this paragraph, a person shall hold and vacate office as an independent member in accordance with the terms of his appointment.
  - (3) An independent member shall hold office until the date of the local general election next following his appointment.
  - (4) A person appointed to fill a casual vacancy shall hold office for the remainder of the term of the independent member in whose place he is appointed.
  - (5) An independent member shall cease to hold office if—
    - (a) he resigns by notice in writing to the council; or
    - (b) he becomes disqualified for membership of the DPP.
  - (6) A person whose term of office as an independent member expires or who has resigned shall be eligible for re-appointment.

*The council's nominations*

- 5
- (1) Where appointments are to be made of independent members of a DPP, the council shall nominate persons willing to be candidates for appointment.
  - (2) Unless otherwise agreed with the Board, the number of persons to be nominated under sub-paragraph (1) on any occasion shall be twice the number of appointments to be made of independent members.
  - (3) The council shall notify the Board of—
    - (a) the name of each person nominated by it under sub-paragraph (1); and

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- (b) such other information regarding those persons as it considers appropriate.
- (4) A person shall not be nominated under sub-paragraph (1) if he is disqualified for membership of the DPP.
- (5) Where the number of persons nominated by the council is less than twice the number of appointments to be made, the Board may itself nominate such number of candidates as, when added to the number nominated by the council equals twice the number of appointments to be made; and if the Board does so, paragraph 4(1) shall have effect as if those persons had been nominated by the council.

*Code of practice on appointment of independent members*

- 6 (1) In exercising functions under paragraphs 4 and 5, a council and the Board shall have regard to any code of practice under this paragraph.
- (2) The Secretary of State may issue, and from time to time revise, a code of practice containing guidance as to the exercise by councils and the Board of their functions under paragraphs 4 and 5.
- (3) Before issuing, or revising, a code of practice under this paragraph, the Secretary of State shall consult—
  - (a) the Board;
  - (b) district councils; and
  - (c) the Equality Commission for Northern Ireland.
- (4) The Secretary of State shall arrange for any code of practice issued or revised under this paragraph to be published in such manner as appears to him to be appropriate.

*Removal of members from office*

- 7 (1) The Board, or the council with the approval of the Board, may remove a person from office as a political or independent member of a DPP if satisfied that—
  - (a) in the case of an independent member, he failed to make the necessary disclosure in relation to a conviction of his for a criminal offence in Northern Ireland or elsewhere;
  - (b) he has been convicted of a criminal offence in Northern Ireland or elsewhere committed after the date of his appointment;
  - (c) he has become bankrupt or made a composition or arrangement with his creditors;
  - (d) he has failed to comply with the terms of his appointment; or
  - (e) he is otherwise unable or unfit to discharge his functions as a member of the DPP.
- (2) “The necessary disclosure”, in relation to a conviction of an independent member, means full disclosure of it—
  - (a) before his nomination, to the council which nominated him; and
  - (b) before his appointment, to the Board.

*Disqualification*

- 8 (1) A person is disqualified for membership of a DPP if he is—
  - (a) a police officer;

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- (b) a member of the police support staff;
  - (c) a member of the Board; or
  - (d) an employee of the council.
- (2) A person is disqualified for being an independent member of a DPP if he has at any time been convicted in Northern Ireland or elsewhere of any offence and has had passed on him a sentence of imprisonment (whether suspended or not).

*Chairman and vice-chairman*

- 9 (1) There shall be a chairman and a vice-chairman of a DPP appointed by the council from among the political members.
- (2) In making appointments under sub-paragraph (1), the council shall ensure that, so far as is practicable—
- (a) the offices of chairman and vice-chairman are at all times held by members of different political parties;
  - (b) a person is appointed to the office of chairman or vice-chairman for a term of 12 months at a time or, where that period is shorter than 12 months, for a period ending with the date of the local general election next following his appointment;
  - (c) the office of chairman is held in turn by each of the four largest parties represented on the council immediately after the last local general election.
- (3) Subject to the following provisions of this paragraph, a person shall hold and vacate office as chairman or vice-chairman in accordance with the terms of his appointment.
- (4) A person may at any time resign as chairman or vice-chairman by notice in writing to the council.
- (5) If the chairman or vice-chairman ceases to be a member of the DPP, he shall also cease to hold office as chairman or vice-chairman.

*Allowances*

- 10 The council may pay to the chairman, vice-chairman and other members of the DPP such allowances as the council, with the approval of the Board, may determine.

*Finance*

- 11 The Board shall for each financial year make to the council a grant equal to three-quarters of the expenses reasonably incurred by the council in that year in connection with the establishment of, or the exercise of functions by, a DPP.

*Procedure*

- 12 (1) The quorum for a meeting of a DPP shall be 5.
- (2) Every question at a meeting of a DPP shall be determined by a majority of the votes of the members present and voting on the question, and in the case of an equal division of the votes, the chairman of the meeting shall have a second or casting vote.
- (3) If the chairman and vice-chairman are absent from a meeting of a DPP, the members present shall elect one of their number to act as chairman of the meeting.

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- (4) Subject to sub-paragraphs (1) to (3) and to section 19, a DPP may regulate its own procedure.

*Validity of proceedings*

- 13 The validity of any proceedings of a DPP or a committee thereof shall not be affected by—
- (a) any defect in the appointment of the chairman or vice-chairman or any other member; or
  - (b) any vacancy in the office of chairman or vice-chairman or among the other members.

*Disclosure of pecuniary interests, family connections, etc.*

- 14 Sections 28 to 33, 42, 46, 47 and 146 of the Local Government Act (Northern Ireland) 1972 (and section 148 of that Act so far as applying for the interpretation of those sections) shall apply to a DPP and its members as if—
- (a) in those sections—
    - (i) any reference to a council were a reference to the DPP;
    - (ii) any reference to a councillor were a reference to a member of the DPP;
    - (iii) any reference to the clerk of the council were a reference to the person acting as secretary to the DPP;
  - (b) in section 28(4) of that Act for the words from “by any local elector” to the end there were substituted the words “by any person”;
  - (c) in section 29 of that Act any reference to the Minister were a reference to the Secretary of State.

*Committees*

- 15 (1) A DPP may—
- (a) constitute committees of such 5 or more of its members as the DPP may appoint; and
  - (b) delegate to a committee so constituted any of the functions of the DPP.
- (2) The powers of any committee of a DPP shall be exercised, and the proceedings of the committee shall be regulated, in accordance with and subject to directions given by the DPP.

*Joint partnerships*

- 16 (1) The Secretary of State may by order provide that two or more councils may by agreement establish a single DPP for their districts.
- (2) An order under this paragraph may—
- (a) provide for Part IV and this Schedule to have effect in relation to—
    - (i) the councils in question and their districts, and
    - (ii) any DPP established by virtue of this paragraph,with such modifications as the Secretary of State thinks necessary or expedient;

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- (b) make such other provision as the Secretary of State thinks necessary or expedient for the proper functioning of any such DPP.
- (3) Before making an order under this paragraph, the Secretary of State shall consult—
- (a) the Board; and
  - (b) any council affected by the order.