

EXPLANATORY MEMORANDUM TO
THE CRIME AND DISORDER ACT 1998 (RESPONSIBLE AUTHORITIES)
ORDER 2008

2008 No. 2163

1. This explanatory memorandum has been prepared by the Home Office and is laid before Parliament by Command of Her Majesty.

2. Description

2.1 This Order allows two Crime and Disorder Reduction Partnerships (CDRPs) in Warwickshire to operate as though the local government areas of Stratford on Avon District Council and Warwick District Council formed one combined area. The two CDRPs have been informally working together since 8 November 2006. It also allows two CDRPs in Northamptonshire to operate as though the local government areas of Daventry District Council and South Northamptonshire District Council formed one combined area. The two CDRPs have been informally working together since 26 February 2008.

3. Matters of special interest to the Joint Committee on Statutory Instruments

3.1 None

4. Legislative Background

4.1 This Order is made under section 5(1A) of the Crime and Disorder Act 1998. The Secretary of State is satisfied that both applications are in the interests of reducing crime and disorder and of combatting the misuse of drugs, alcohol and other substances and that it is supported by all of the responsible authorities, which comprise the CDRPs, within the combined areas.

5. Territorial Extent and Application

5.1 This instrument extends to England and Wales. This instrument applies to part of England.

6. European Convention on Human Rights

6.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. Policy Background

7.1 Sections 5 to 7 of the Crime and Disorder Act 1998 set out the statutory framework for responsible authorities to work with other local agencies and organisations to develop and implement strategies to tackle

crime, disorder, misuse of drugs and anti-social behaviour in their area. These statutory partnerships are known as CDRPs. The responsible authorities are:

- the police
- local authorities
- fire and rescue authorities
- police authorities
- primary care trusts in England
- local health boards in Wales.

7.2 Section 97 of the Police Reform Act 2002 amended section 5 of the Crime and Disorder Act 1998 to allow CDRPs to combine if it was in the interests of reducing crime and disorder or of combatting the misuse of drugs. There are 348 CDRPs in England and 22 Community Safety Partnerships in Wales. These partnerships are organised on local government boundaries and are sited at unitary authority level in single tier authorities and district level in two-tier authorities in England.

7.3 The two sets of CDRPs being merged are already informally working together successfully as combined partnerships. However, certain requirements remain on each local CDRP until they are formally merged. Previously, the central duty on CDRPs had been the production of audits and strategies on a three-year cycle. These duties were replaced by national standards for partnerships in England from 1 August 2007. Without a formal order to combine the CDRPs, those CDRP areas currently working together 'informally' as a merged partnership will each be required to fulfil these statutory duties independently. Therefore, they will need to consult, engage and involve their local communities separately in each of the local government districts. In addition, each partnership will need a separate strategy group, strategic assessment and partnership plan. Following merger, these statutory responsibilities will relate to the merged partnership area.

7.4 It is the CDRPs' responsible authorities themselves who have requested formal mergers and the benefits for these partnerships as a result of combining are manifold. The pooling of expertise, knowledge, skills and resources will enable partners to more effectively tackle crime and disorder and the misuse of drugs at local level. Mergers will also be beneficial in overcoming the practical barriers of partnership working in two tier areas. It will enable closer, more streamlined working between the county level services by reducing the number of CDRPs with whom these services must interact.

7.5 While this merger will be beneficial for the communities involved and all the relevant bodies have signed the application, it will be of limited interest outside the Warwickshire and Northamptonshire areas.

7.6 Guidance originally produced by the Home Office in 2004 for Home Office Regional Directors and CDRPs on the procedure for mergers has been followed in this application.

7.7 Partnerships' obligations to consult their communities under the national standards introduced from the 1st August 2007 will ensure that any changes resulting from this merger will be communicated to local communities.

8. Impact

8.1 A Regulatory Impact Assessment has not been prepared for these instruments as it has no impact on business, charities or voluntary bodies.

8.2 The impact on the public sector is insignificant other than a reduction in bureaucracy and an increased focus on delivery.

9. Contact

9.1 Charlie Storer at the Home Office: Tel: 020 7035 4861 or e-mail: charlie.storer3@homeoffice.gsi.gov.uk can answer any queries regarding the instrument.