

## North Yorkshire Police, Fire and Crime Panel

6 February 2025

### Panel Scrutiny of the Mayor's Precept Proposals

#### **1.0 Purpose of report**

1.1 To outline the key statutory provisions for the Panel's scrutiny of the Mayor's Council Tax precept proposals.

2.0 Schedule 5 of the Police Reform and Social Responsibility Act 2011 and Part 2 of the Police and Crime Panels (Precepts and Chief Constable Appointments) Regulations 2012 set out the statutory process for scrutiny of the Mayor's Council Tax precept proposals. The guidance note below sets out the key provisions and timescales from the governing legislation.

3.0 The Mayor must notify the Panel of her proposed precepts for both policing and fire and rescue by 1<sup>st</sup> February.

4.0 The Panel must review the proposals and make a report to the Mayor by 8<sup>th</sup> February. The report may include recommendations, including recommendations as to the precept that should be issued for the financial year.

5.0 **In respect of the policing precept only:** The Panel may, having reviewed the proposed precept, choose to exercise its power of veto. This can only be done where the decision to veto is made by at least two-thirds of voting members of the Panel (that is, 9 members). As the fire budget sits under the Mayor's general budget requirement and as such is a matter for the Mayoral Combined Authority to determine, the Panel does not have a power of veto in respect of the fire precept but may comment and make recommendations.

6.0 It is for the Panel to determine how a response from the Mayor to a report or recommendations is to be published.

#### **Where the Panel does not exercise the veto**

7.0 The Mayor must have regard to the Panel's report and any recommendations made therein. The Mayor must provide a response to the Panel's report and publish this response.

8.0 The Mayor may subsequently:

- (a) issue the proposed precept as the precept for the financial year; or
- (b) issue a different precept, but only if this would be in accordance with a recommendation made in the Panel's report to do so.

9.0 If the Panel fails to make a report to the Mayor by 8<sup>th</sup> February then the scrutiny process effectively comes to an end and the Mayor may issue the proposed precept.

## **Where the Panel does exercise the veto (policing precept only)**

- 10.0 Where the requisite majority vote is passed in favour of a veto of the proposed precept (see paragraph 5), the Panel must include a statement within its report that it has vetoed the proposal.
- 11.0 The Mayor must not issue the proposed precept as the precept for the financial year.
- 12.0 The Mayor must have regard to and respond to the Panel's report (including any recommendations therein), and publish her response, including her revised precept proposal, by 15<sup>th</sup> February.
- 13.0 Where the panel's report indicates that they vetoed the precept because it was:
- too high, the revised precept must be lower than the previously proposed precept.
  - too low, the revised precept must be higher than the previously proposed precept.
- 14.0 On receipt of a response from the Mayor notifying them of her revised precept, the Panel must review the revised precept and make a second report to the Mayor by 22<sup>nd</sup> February. The Panel may indicate whether it accepts or rejects the revised proposal (although there is no further power of veto) and may make recommendations on the revised precept.
- 15.0 The Mayor must have regard and respond to the Panel's second report and any recommendations – and publish this response – by 1<sup>st</sup> March 2025.
- 16.0 The Mayor may then:
- (a) issue the revised precept as proposed; or
- (b) issue a different precept, although:
- they must not issue a precept that is higher than the revised precept if the revised precept was lowered following the Panel's initial report on the first proposed precept indicating it was vetoed because it was too high;
  - they must not issue a precept which is lower than the revised precept if the revised precept was raised following the Panel's initial report on the first proposed precept indicating it was vetoed because it was too low.
- 17.0 Where the Panel fails to make a second report to the Mayor by 22<sup>nd</sup> February, the Mayor may issue the revised precept proposal.

## **18.0 Financial Implications**

- 18.1 There are no significant financial implications arising from this report.

## **19.0 Legal Implications**

- 19.1 There are no significant legal implications arising from this report.

## **20.0 Equalities Implications**

- 20.1 There are no significant equalities implications arising from this report.

## **21.0 Climate Change Implications**

21.1 There are no significant climate change implications arising from this report.

**22.0 Recommendation**

22.1 The Panel is asked to note the report.

**Background Documents:** None

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