EXPLANATORY MEMORANDUM TO

THE CRIME AND DISORDER ACT 1998 (RESPONSIBLE AUTHORITIES) (No.2) ORDER 2005

2005 No. 3343

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 & Disorder Reduction Partnerships (CDRPs) in Somerset to operate as though the local government areas of Mendip District Council and South Somerset District Council formed one combined area. The two CDRPs have been informally working together since January 2004.

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 the application is in the interests of reducing crime and disorder and of combatting the misuse of drugs and that it is supported by the all of responsible authorities concerned with the combined area.

5. Extent

5.1 This instrument applies to England and Wales.

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
- health authorities 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 352 CDRPs in England and 22 Community Safety Partnerships in Wales. These CDRPs 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. In Wales Community Safety Partnerships have responsibility for crime and disorder and substance abuse reduction.

7.3 The two CDRPs in Somerset are already informally working together successfully as a combined partnership. However, it is a requirement of the legislation that each CDRP consults locally on its crime and disorder and misuse of drugs audit, and publishes its joint strategy locally. Without a formal order to combine the CDRPs, those CDRP areas currently working together 'informally' as a merged partnership are still required under the legislation to publish/consult on crime and disorder and drug misuse and audit and publish their separate strategies in each of the local government districts.

7.4 The benefits for these partnerships as a result of combining are large. 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. Merger 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, including the Somerset DAT (Drug Action Team), by reducing the number of CDRPs with whom these services must interact.

8. Impact

8.1 A Regulatory Impact Assessment has not been prepared for this instrument as it has no more than negligible impact on business, charities or voluntary bodies.

8.2 There is no significant impact on the public sector other than a reduction in bureaucracy and an increased focus on delivery.

9. Contact

9.1 Steve Lusted at the Home Office: Tel: 020 7035 4863 or e-mail: steve.lusted@homeoffice.gsi.gov.uk can answer any queries regarding the instrument.