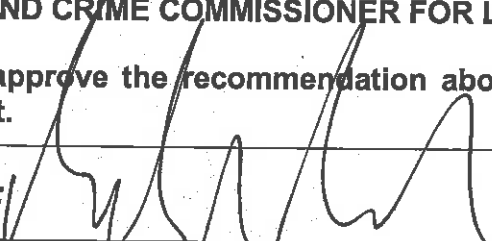


# POLICE AND CRIME COMMISSIONER (PCC) FOR LINCOLNSHIRE REQUEST FOR DECISION

REF: 032 - 2015

DATE: 9 October 2015

<b>SUBJECT</b>	<b>COLLABORATION OVER THE PROVISION OF ARMED POLICE FROM THE CIVIL NUCLEAR CONSTABULARY</b>
<b>REPORT BY</b>	<b>CHIEF CONSTABLE</b>
<b>CONTACT OFFICER</b>	Heather Roach, Deputy Chief Constable Ext: 8005.
<b>EXECUTIVE SUMMARY AND PURPOSE OF REPORT</b>	
The purpose of this report is to seek approval of the Police and Crime Commissioner for Lincolnshire to enter into a National Collaboration Agreement for the coordination of the deployment of officers from the Civil Nuclear Constabulary.	
<b>RECOMMENDATIONS</b>	<p><i>Following receipt of legal advice it is recommended that:</i></p> <ol style="list-style-type: none"> <li><i>1. the Police &amp; Crime Commissioner for Lincolnshire supports the inclusion of Lincolnshire in this National Collaboration;</i></li> <li><i>2. the Police &amp; Crime Commissioner sign the S22 National Collaboration Agreement appended to this report.</i></li> </ol>

<b>POLICE AND CRIME COMMISSIONER FOR LINCOLNSHIRE</b>	
I hereby approve the recommendation above, having considered the content of this report.	
<b>Signature:</b> 	<b>Date:</b> 9/10/15

**A. NON-CONFIDENTIAL FACTS AND ADVICE TO THE PCC****A1. INTRODUCTION AND BACKGROUND**

1. The Civil Nuclear Constabulary (CNC) is an armed police service created by the Energy Act 2004 responsible for the armed protection of civil nuclear material at various sites across the UK. It is also responsible for the armed protection of certain categories of nuclear material in transit within the UK and internationally.
2. As part of the broader police family, the CNC also has a duty to support Home Office police forces in times of national and local need. CNC officers have the full powers of a Constable at licensed sites and 5 Kilometres beyond the boundary

and anywhere whilst escorting material. These powers come from the Energy Act and are limited by statute. This can create complications in rapid deployment when CNC officers are called upon to provide support to Home Office police forces.

3. As a result of the legislative position, the CNC has sought legal advice to ensure that it is in the strongest legal and least bureaucratic position to allow armed CNC officers to move between Home Office police forces. As a result of that advice, it has been recommended that the CNC enter into a Section 22A Collaboration Agreement with all Home Office Police Forces. This will ensure that CNC officers are in the best position to provide armed support should it be requested and authorised to do so.

## **A2. LINKS TO POLICE AND CRIME PLAN AND PCC'S STRATEGIES/PRIORITIES**

None.

## **B. FINANCIAL CONSIDERATIONS**

The Local Policing Body maintaining the receiving force will pay the Civil Nuclear Police Authority for the costs of deployed officer's overtime, any necessary accommodation and any costs reasonably incurred as a result of the deployment of the officers under the S.22A Agreement.

## **C. LEGAL AND HUMAN RIGHTS CONSIDERATIONS**

*[This should include the legal powers the PCC has for making the decision]*

The Collaboration Agreement is pursuant to Sections 22A to 22C, 23, 23A to 23I and 101 of the Police Act 1996 (as amended by the Policing and Crime Act 2009 and Police Reform and Social Responsibility Act 2011) and Section 59 of the Energy Act 2004.

## **D. PERSONNEL AND EQUALITIES ISSUES**

CNC officers deployed under the Collaboration Agreement will come under the direction and control of the Chief Officer of the receiving force and will have the same powers and privileges as a member of that force.

## **E. REVIEW ARRANGEMENTS**

None planned.

## **F. RISK MANAGEMENT**

The agreement in effect provides for an operational contingency whereby armed officers from the CNC would be deployed in an emergency situation.

## G. PUBLIC ACCESS TO INFORMATION

Information in this form along with any supporting material is subject to the Freedom of Information Act 2000 and other legislation. Part 1 of this form will be made available on the PCC's website within one working day of approval. However, if release by that date would compromise the implementation of the decision being approved, publication may be deferred. An explanation for any deferment must be provided below, together with a date for publication.

**Is the publication of this form to be deferred?** No

**If Yes, for what reason:**

**Until what date:**

Any facts/advice/recommendations that should not be made automatically available on request should not be included in Part 1 but instead on the separate part 2 form.

**Is there a part 2 form?** Yes

**If Yes, for what reason:** The Section 22A Collaboration Agreement is a Restricted document.

## ORIGINATING OFFICER DECLARATION

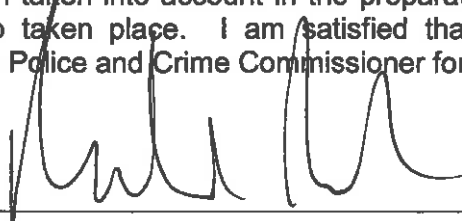
	Initial to confirm
Originating Officer: DCC recommends this proposal for the reasons outlined above.	*
Financial advice: The PCC's Deputy Chief Finance Officer has been consulted on this proposal.	GdH
The CC's Chief Finance Officer has been consulted on this proposal.	AB
Monitoring Officer: The PCC's Monitoring Officer has been consulted on this proposal	WJ
Chief Constable: The Chief Constable has been consulted on this proposal	* HR.

## OFFICER APPROVAL

### **Chief Executive**

I have been consulted about the proposal and confirm that financial, legal and equalities advice has been taken into account in the preparation of this report. Consultation outlined above has also taken place. I am satisfied that this is an appropriate request to be submitted to the Police and Crime Commissioner for Lincolnshire.

**Signature:**



**Date:** 9/10/15.