



CHESHIRE POLICE AUTHORITY

MINUTES OF THE MEETING HELD ON TUESDAY 8 JULY 2008 IN CONSTABULARY HEADQUARTERS, WINSFORD

Present: P Nurse
D T Bateman
D Cargill
M Chapman
G A Cousins
A Doran
J P Findlow

C Kirkpatrick
E Lam
B Maher
M A Ollerenshaw
C Oliver
S Proctor
T Savage

Police Authority Officers:
M Sellwood, Chief Executive
L Lunn, Treasurer
M Eaton, Member Services Manager

Constabulary Officers:
P Fahy, Chief Constable
D Baines, Assistant Chief Constable
G Shewan, Assistant Chief Constable
K Watkins, Director of Performance
Development
C Barton, Director of Human Resources

Apologies: A Bradley, M D Darby and R Hodson.

21. MINUTES

RESOLVED:

That the Minutes of the Annual Meeting held on 8 April 2008 be confirmed as a correct record.

22. AUTHORITY MEMBERSHIP

The Chief Executive reported on a change in membership of the Authority, as a result of Peter Walker not being re-elected on 1 May 2008.

The Chairman welcomed Colin Oliver as the new Member of the Police Authority, who had been appointed by the Joint Committee with effect from 24 June 2008. It was proposed that the committee/panel places previously taken by Mr Walker be allocated to Mr Oliver until the Annual Meeting of the Authority on 7 April 2009.

RESOLVED: That

- (1) the appointment of C Oliver as a Member of the Police Authority be noted; and

- (2) the appointment of C Oliver to the Audit Committee, Staff Committee, Selection Committee and Finance Panel, be approved.

23. APPOINTMENT OF VICE-CHAIRMAN

The Chairman nominated Mrs M A Ollerenshaw for the appointment of Vice-Chairman. The nomination was seconded and no other nominations were received.

RESOLVED:

That M A Ollerenshaw be appointed Vice-Chairman of the Authority until the next Annual Meeting of the Authority.

24. MINUTES OF COMMITTEES AND PANELS AND A SUMMARY FROM THE 'HAVE YOUR SAY' MEETINGS

In relation to Minute 9 of the Service Improvement Panel held on 6 May 2008, Members asked why the Chief Constable had not consulted the Authority on the proposal to extend the role of PCSOs in supporting the Probation Service's community payback scheme. The Chief Constable agreed to present a report to the Service Improvement Panel on 15 July 2008.

RESOLVED: That

- (1) the Minutes of the following meetings be received and the recommendations from the specific Minutes listed below, be adopted:-
 - Engagement Committee – 13 May 2008
 - Staff Committee – 20 May 2008
 - Minute 11: Special Priority Payments: Annual Review
 - Standards Committee – 23 June 2008
 - Audit Committee – 24 June 2008
 - Performance Panel – 22 April & 17 June 2008
 - Service Improvement Panel – 6 May 2008
 - Minute 11: Sexual Assault Referral Centre Project: Update
 - Minute 12: Fleet Management Asset Plan
 - Finance Panel – 10 June 2008
 - Minute 5: Operation Safeguard: Additional Revenue
 - Minute 6: Provisional Capital Outturn 2007/08
 - Minute 7: Provisional Revenue Outturn 2007/08
 - Minute 9: IT Storage: Funding
 - Minute 10: Medium Term Scenario 2009-12
 - Minute 11: Transforming Business Services
 - Minute 15: Efficiency & Productivity Strategy 2008-11
 - Minute 16: Base Budget Review of IT Services: Final Report
- (2) the Chief Constable submit a report on the use of PCSOs to Service Improvement Panel on 15 July 2008; and
- (3) the summary of issues raised at the last cycle of 'Have Your Say' meetings, be noted.

25. BUDGET 2008/09: NOMINATION

The Treasurer presented a report on the implications of the Government's statement on council tax capping, made on 26 June 2008, in relation to the Authority's budgets for 2008/09, 2009/10 and 2010/11.

The Authority welcomed the Government's decision not to cap the Authority's 2008/09 budget of £168.1m in year which would enable the implementation of the budget decisions. Members expressed appreciation to the officers and staff involved in developing the Authority's case and to the people of Cheshire for their support of the 17% increase which would enable a significant improvement in policing services to the public and the capacity and capability of the Constabulary to respond to developing crime trends. Members asked that a report on the lessons learned from this consultation process be submitted to a future meeting of Engagement Committee.

RESOLVED: That

- (1) the Government's decision in relation to the Authority 2008/09 budget, be noted;
- (2) the remaining 2008/09 budget proposals outlined in Table 2 of the Treasurer's report be released for immediate implementation;
- (3) the budget implementation plans be reported to Finance Panel on 16 September 2008, together with progress on expenditure against the previously approved areas of investment;
- (4) any anticipated or planned underspends (capital and revenue) be identified as part of the first quarter's budget review report to Finance Panel on 16 September, 2008 and ringfenced for further consideration by the Authority; and
- (5) a report be submitted to Finance Panel on 16 September 2008 evaluating the options to balance the full £1.327m starred item savings and the most appropriate use of the £2m capital reserve.

26. CHIEF CONSTABLE'S REPORT

The Chief Constable presented an update on operational matters which showed a reduction in the total number of recorded crimes, together with decreases across all the other main crime areas, for the period April - May 2008. Members were introduced to Jacqui Starkey who had received the national award of Special Constable of the Year for her work in the Garry Newlove murder investigation and subsequently the targeting of alcohol related anti-social behaviour and crime in the Northern Area. The Chief Constable reported on a number of issues including changes to the provision of custody arrangements; youth and knife crime; collaboration with neighbouring forces; roads policing initiatives; the increase in customer satisfaction as a result of the introduction of the customer services desks; and the positive work of the Neighbourhood Policing Units.

Members raised a number of issues relating to the report including the lower detection rate in the Northern Area; vehicle thefts in Ellesmere Port; the increase in the finds of cannabis cultivation; and the replacement of the motorcycle fleet, to which the Chief Constable and Assistant Chief Constable (Operations) responded.

RESOLVED:

That the report be noted.

27. MAJOR CRIME/LEVEL 2 ACTIVITY: ANNUAL REPORT

The Assistant Chief Constable (Operations) presented a detailed report on the work of the Level 2 Headquarters Crime and Uniform Departments in 2007/08. The report focused on the work of the intelligence units; the various sections; Force Major Investigation Team; Administration of Justice; Forensic Investigations; Special Branch; Underwater Search and Marine Unit; Motorway Policing; and Vector.

In considering the report, Members raised issues relating to the use of proceeds of crime; the process for individuals who are unable to read to respond to charges issued via the post; the capability for dealing and monitoring violent and sex offenders to which the Assistant Chief Constable (Operations) responded. In relation to the postal charging issue a written response would be provided to Members.

RESOLVED:

That the report be received.

28. CASEY REPORT: ENGAGING COMMUNITIES IN FIGHTING CRIME

The Chief Constable submitted an assessment of the recently published Cabinet Office report "Engaging Communities in Fighting Crime" written by Louise Casey. The Chief Constable commented to the issues raised in the Report.

RESOLVED: That

- (1) the Chief Constable's comments on the review by Louise Casey – 'Engaging Communities in Fighting Crime' be noted; and
- (2) the Casey Report and the Home Office Green Paper be considered at the Authority's Discussion Day on 11 August 2008.

29. DIVERSITY: QUARTERLY REPORT

The Chief Constable presented the quarterly report on diversity issues which included details of the trial collaborative work with North Wales Police; community engagement; the progress against the actions contained in the Constabulary and Authority Race; Disability; and Gender Equality Schemes; the work of the staff networks; training; recruitment/employment; national involvement; and a summary of race crimes and incidents.

Members discussed aspects of the report including the need to focus on other under represented groups such as 'young white males from areas of deprivation' and the reporting of hate crimes in relation to mental health. The Assistant Chief Constable (Territorial) agreed to submit a report to the next Engagement Committee on this issue and the Chief Constable would ensure that the reporting of hate crimes in relation to mental health would feature in future reports.

RESOLVED:

That the report be noted

30. MOBILE DATA PROJECT: AWARD OF HOME OFFICE FUNDING

The Chief Constable presented a report which outlined the impact on the budget of the successful bid for £2.064m of Home Office funding for the mobile data project.

RESOLVED: That

- (1) the report be noted and the Government award of £2.064m be accepted and allocated to the mobile data project; and
- (2) the revenue and capital implication of being awarded Government Funding for the mobile data project be reported to Finance Panel on 16 September 2008.

31. PEOPLE STRATEGY 2008-11

The Chief Constable submitted the draft People Strategy 2008-11 for approval. The Strategy covered all aspects of people management needed to deliver the policing objectives contained in the Policing Plan.

RESOLVED:

That the People Strategy 2008-11, be approved.

32. HUMAN RIGHTS ACT – COMPLIANCE: ANNUAL REPORT

The Chief Constable submitted a report on the actions taken by the Constabulary to ensure it met its obligations under the Human Rights Act. The report outlined compliance with human rights in relation to training, policy development, operations, complaints and misconduct, use of force/firearms/taser, covert policing and the treatment of suspects.

RESOLVED: That

- (1) the report on the Constabulary's compliance with the Human Rights Act, be received;
- (2) the Chief Constable develop a framework for monitoring future compliance including areas for improvement once the Home Office guidance has been published; and

- (3) the Chief Constable report annually, or when necessary on an exceptional basis, to the Authority each July on compliance with the Human Rights Act.

33. STOPS AND STOP/SEARCH DATA: ANNUAL REPORT 2007/08

The Chief Constable submitted the stops and stop/search data for 2007/08, which detailed that 74,392 stops were conducted, a 5.8% decrease compared to 2006/07. The decrease was attributable to several contributory factors which related in part, to the inputting and recording of the data from Stop and Stop/Search forms.

The Authority was reassured that the data was reviewed on a quarterly basis by the Diversity Monitoring Review Group which found that there was no disproportionality in the number of stop/searches on people from white or from BME groups.

RESOLVED:

That the report, detailing the annual stops and stop/search data for 2007/08, be received.

34. ANNUAL REVIEW OF THE CHARGING POLICY

The Assistant Chief Officer presented the annual review of charging for police services, and sought approval to the proposed charging methodologies.

RESOLVED: That

- (1) the report be noted;
- (2) the current charging policy for services provided under sections 25 and 92 of the Police Act 1996 and Section 31 of the Local Government and Rating Act 1997 be approved, and the associated decisions on charging continue to be delegated to the Chief Constable.

35. EXTERNAL FUNDING: ANNUAL REPORT 2007/08

The Chief Constable submitted a report on the external funding generated in 2007/08. The report detailed funding secured through sponsorship, gifts and loans; income generation; partnership funding; and grant funding. Members also received information on the organisations that had provided sponsorship during the year.

In considering the report, Members requested that future reports include all income/funding received.

RESOLVED:

That the 2007/08 report on external funding, be received.

36. FREEDOM OF INFORMATION: ANNUAL REPORT 2007/08

The Chief Constable and the Chief Executive presented the annual report on requests made to the Constabulary and Authority under the Freedom of Information Act in 2007/08. During the period the Constabulary had received 487 requests of which 320 were refused and the Authority had received five requests.

RESOLVED:

That the Freedom of Information Annual Report 2007/08, be noted.

37. CHESHIRE SAFER ROADS PARTNERSHIP: ANNUAL REPORT 2007/08

The Project Manager of the Cheshire Safer Roads Partnership presented the first Annual Report of the Partnership since inception in April 2007. The Report included details of the agencies involved; the aims and objectives of the partnership; the casualty reduction results; financial implications; and the proposed programme for 2008/09.

Members in considering the report, welcomed the reduction in the number of casualties in Cheshire and nationally.

RESOLVED:

That the report be noted.

38. CHESHIRE POLICE DOG WELFARE INSPECTION SCHEME: ANNUAL REPORT

The Chief Executive reported on the annual review of the performance and operation of the Cheshire Police Dog Welfare Inspection Scheme. The report detailed the various inspections undertaken by the Lay Inspectors, the Veterinary Surgeon and the Supervisors of the Dogs Unit.

RESOLVED:

That the report be noted.

39. HEALTH & SAFETY EXECUTIVE INSPECTION REPORT AND ACTION PLAN

The Chief Constable submitted the Health and Safety Executive (HSE) report from the inspection carried out in November 2007 and the Constabulary's action plan to implement and manage the HSE's recommendations.

Members considered the HSE Report and the action plan.

RESOLVED: That

- (1) the HSE Report following the inspection in November 2007, be received; and
- (2) the action plan developed in response to the Report, be approved.

40. STANDARDS COMMITTEE: LOCAL ASSESSMENT OF COMPLAINTS

The Chief Executive presented a report on the new requirements to undertake local assessment of complaints against breaches in the Members Code of Conduct. The main changes required the Authority to increase the membership of the Standards Committee with external independent and Authority members and to establish two additional sub-committees to the Standards Committee.

RESOLVED: That

- (1) the report be noted;
- (2) the proposed revised composition of the Standards Committee, as set out in the Chief Executive's report, be agreed;
- (3) D Cargill and E Lam be appointed as additional Members to the Standards Committee;
- (4) the principle of 'sharing' independent members with neighbouring authorities, be agreed; and
- (5) the shortlisting and appointment of independent members be delegated to the Standards Committee and that the Standards Committee Independent Member Shortlisting Panel, be abolished.

41. DEVELOPMENT OF COMMUNITY SAFETY PARTNERSHIPS IN EAST & WEST CHESHIRE

The Chief Executive submitted a report on the ongoing work to develop partnership structures in the new East and West Cheshire shadow authority areas and to seek Member representation on the shadow bodies. As a statutory partner in CDRPs, the Authority was required to nominate Members on the shadow CDRPs to ensure that the Authority's interests and views were represented.

The Chief Executive also briefed Members on the draft regulations published by the Department of Communities and Local Government on the proposed appointment of members from shadow authorities to Police Authority and the extent of their involvement in authority business and the budget making process prior to 1 April 2009.

Members inquired about the consultation process of the establishment of area working in the new shadow council areas and the relationship of those areas with the neighbourhood policing boundaries. The Chief Executive and Chief Constable agreed to report on the proposals to an appropriate meeting of the Authority.

RESOLVED: That

- (1) the report be noted; and

(2) the following Member appointments be approved:-

East shadow CDRP -	P Nurse
West shadow CDRP -	M Chapman

(3) the Chief Executive respond to Department of Communities and Local Government on the draft membership regulations outlining the Authority's support for the proposals.

42. MEMBER APPOINTMENTS

The Chief Executive reported that following the local elections on 1 May 2008, appointments to the following Committees; outside bodies; and internal groups; and the appointment of a Chairman of the Warrington 'Have Your Say' meeting were required.

RESOLVED: That

(1) the following appointments be approved:-

- Remuneration Committee – S Proctor
- APA Health & Safety Network – T Savage
- Health & Safety Steering Group – T Savage
- Cheshire Branch of the Local Government Association – M Ollerenshaw
- Cheshire Police Museum Trust – C Kirkpatrick
- Children's & Young People's Strategic Partnerships – Warrington – C Oliver
- People Programme Board – C Oliver
- Lead Member – Warrington South NPU – C Oliver
- Member to respond to questions at Warrington Borough Council – C Oliver

(2) B Maher be appointed Chairman to the Warrington 'Have Your Say' meetings.

43. MEMBERS' ACTIVITY

The Chief Executive submitted a report which contained Members reports on their attendance at recent meetings where they represented the Authority which included the North West Regional Meeting of Chairmen, Chief Executives and Chief Constables; the APA and other bodies. The Chairman and Vice-Chairman reported on their attendance at the ACPO/APA Conference in Liverpool on 24 June 2008.

RESOLVED:

That the report be noted.

44. CHAIRMAN'S APPROVALS

The Chief Executive reported that in accordance with the urgency procedures under Standing Order No.11, the Chairman had been consulted on the award of

the vehicle accident repair contract; adoption of the Code of Corporate Governance; the appointment of a Member to the Selection Panel; the submission of a response to the APA Review on Section 44 Stop and Search; and the extension of the support contract for ICCS.

RESOLVED:

That the action taken by the Chairman, be noted.

45. URGENT BUSINESS

(There were no items of urgent business)

46. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED:

That under Section 100(A)(4) of the Local Government Act 1972, as applied by the Police Act 1996, and as amended, the press and public be excluded from the meeting for the items of business listed below on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Act in the paragraphs indicated:-

<i>Item</i>	<i>Paragraph</i>
Civil and Other Claims: Annual Report	(5) Information relating to legal proceedings
Custody: Future Arrangements	(6) Information relating to the proposed actions of the Police Authority
Workforce Modernisation: Business Case	(4) Labour relations
Police Authority Commendation	(1) Information likely to reveal the identity of individuals

PART 2 – MATTERS CONSIDERED IN THE ABSENCE OF THE PRESS AND PUBLIC

47. CIVIL AND OTHER CLAIMS: ANNUAL REPORT 2007/08

The Chief Constable submitted the annual report on civil claims and personal injury and employment tribunal claims. The report also detailed the claims processed and settled during the year.

RESOLVED:

That the annual report on civil and other claims, be noted.

48. CUSTODY SERVICES: FUTURE ARRANGEMENTS

The Chief Constable and Chief Executive submitted a joint report on the conclusion of the Custody PFI transition project and the provision of custody services 'in-house'. Members noted that with effect from 1 May 2008, the Authority took ownership and responsibility for the provision of custody. The report outlined how this impacted on the provision of medical services, transport, interpreter services, cleaning, building maintenance and custody support.

RESOLVED:

That the report be noted.

49. WORKFORCE MODERNISATION: BUSINESS CASE

The Chief Constable submitted a report and the business case for workforce modernisation within Neighbourhood Policing Units and provided additional information addressing the issues raised by Members at the briefing on 23 June 2008.

Members considered the report and business case which provided details of the proposal including staffing, operational risks, performance, implementation and financial issues. The Chairman acknowledged that the business case had been developed at length by the Constabulary and was worthy of further consideration by the Authority before a final decision was made. The Chairman accepted that the Chief Constable had addressed many of the concerns raised at the Authority Briefing Session on 23 June 2008 and referred to the Home Secretary's comments at the recent ACPO conference about maintaining police officer numbers. The Chairman stressed the need for recommendations arising from the Quest review of investigation to be fully evaluated prior to any structural changes being implemented.

The Authority in considering the business case raised a number of issues and concerns relating to the size of the trial; the relationship between police officers and the proposed civilian investigators; the benefits; the lessons learned from other forces and the proposed evaluation of the pilots.

RESOLVED:

That consideration of the report and the business case for Workforce Modernisation be deferred pending the various issues raised by Members being addressed in a further report to be considered at a special meeting of the Authority in August/September 2008.

50. POLICE AUTHORITY COMMENDATION

The Chief Executive invited the Authority to consider the award of a Police Authority Commendation, which was the highest internal award and was awarded for meritorious acts which fell short of the requirements of Royal recognition.

The Authority considered the nomination by the Chief Constable of Brian Simmons for his outstanding work in leading the procurement process for forensic services which resulted in significant savings for the 14 forces involved

and national benefits by opening up the forensic market. Mr Simmons' actions, which had been recognised by Chairmen and Chief Constables regionally and nationally were worthy of consideration for a Police Authority commendation.

RESOLVED:

That a Police Authority Commendation be awarded to Brian Simmons, Assistant Chief Officer.

Duration of meeting: The meeting commenced at 9.30am and finished at 1.15pm.