

**MINUTES OF THE MEETING HELD ON TUESDAY 13 JULY 2010 IN  
CONSTABULARY HEADQUARTERS, WINSFORD**

*Present:* M Ollerenshaw, Chairman                      P Findlow  
                  D Bateman    R Hodson  
                  D Cargill    E Lam  
                  M Chapman    R McNeil  
                  M Darby    B Maher  
                  A Doran    C Oliver  
                  J Ebo    T Savage

*Police Authority Officers:*  
M Sellwood, Chief Executive  
M Eaton, Member Services  
          Manager

*Constabulary Officers:*  
D Whatton, Chief Constable  
G Gerrard, Deputy Chief Constable  
B Simmons, Assistant Chief Officer  
I Wiggett, Temporary Assistant Chief Constable  
K Watkins, Director of Corporate Services  
J Steele, Interim Director of Human Resources

*Apologies:* A Arnold, B Maher and B Silvester

**23      CHANGE IN MEMBERSHIP**

The Chief Executive introduced Howard Murray who subject to Joint Committee approval was to replace Brian Silvester on the Authority.

*RESOLVED:* That

- (1)    the proposed appointment of H Murray as a Member of the Authority be noted; and
- (2)    subject to Joint Committee approval of the appointment, H Murray be appointed to the Engagement Committee, Performance Panel and Service Improvement Panel until the next Annual Meeting.

**24      MINUTES**

*RESOLVED:*

That the Minutes of the meeting held on 13 April 2010 be confirmed as a correct record.

25 MINUTES OF COMMITTEES, PANELS AND DISCUSSION DAY

*RESOLVED:* That

- (1) the Minutes of the following meetings be received and the recommendations from the specific Minutes listed below, be adopted:-

Staff Committee – 11 May 2010

Engagement Committee – 18 May 2010

Selection Committee – 27 May & 18 June 2010

Remuneration Committee – 27 May 2010

Standards Committee – 10 June 2010

Audit Committee – 29 June 2010

Performance Panel – 20 April & 22 June 2010

*Minute 4: Policing Plan Targets 2010/11-2012/13*

Service Improvement Panel – 1 June 2010

*Minute 3: Middle Office Review: Update*

*Minute 7: Estates & Property Services: Annual Report 2009/10*

*Minute 8: Cleaning Plus Contract: Annual Report 2009/10*

*Minute 9: HQ PFI Contract: Annual Report 2009/10*

Finance Panel – 8 June 2010

*Minute 4: Provisional Capital Outturn 2009/10*

*Minute 5: Provisional Revenue Outturn 2009/10*

*Minute 6: Efficiency & Productivity Strategy 2008-11*

*Minute 7: Indicative Budget 2011-14*

*Minute 11: HMIC Value for Money Profiles*

Police Authority Improvement Panel – 28 June 2010; and

- (2) the notes of the Discussion Day held on 26 April 2010, be received.

26 NORTH WEST JOINT COMMITTEE FOR REGIONAL COLLABORATION

*RESOLVED:*

That the Minutes of the North West Joint Committee meeting held on 17 May 2010, be noted.

27 CHIEF CONSTABLE'S OPERATIONAL REPORT

The Chief Constable presented the operational report for the period April to May 2010, which showed positive performance against a number of key measures with significant reductions in domestic burglary, serious acquisitive crime and criminal damage offences of 21.8%, 11.8% and 3.4% respectively. The report outlined the work and a number of successful operations performed by the Neighbourhood Policing Units and Crime Teams across the Constabulary.

The Chief Constable specifically reported on the success of the Economic Crime Unit in obtaining an eight year sentence for a person found guilty of a fraud amounting to £1.6m from over 200 victims; a number of youth diversionary activities undertaken throughout the county; the significant reduction in the number of fatal road traffic collisions; the growth in the number of Special Constables and the operations undertaken by them tackling issues raised by the local community, road safety campaigns and alcohol and drug related anti-social

behaviour; and that the Judge presiding over the trial associated with Operation Blackbird had commended the Cheshire officers involved in the investigation.

Members discussed with the Chief Constable the good work undertaken by police officers and PCSOs in the provision of diversionary activities; the timescale involved in examining IT equipment and subsequent investigations by the Paedophile Unit and the level of support given to those officers; and concern that cuts in local authority funding would impact on the Constabulary's ability to tackle anti-social behaviour and road safety issues. The Chief Constable stated that he had a duty of care to offer welfare checks to all officers working in sensitive roles and with regard to the impact of reduced funding, a number of areas of policing may be affected. There was scope for other agencies and the voluntary sector to assist in tackling anti-social behaviour.

*RESOLVED:*

That the overview of operational activity and Neighbourhood Policing Unit priorities as detailed in Chief Constable's report, be received.

## 28 REVISED REVENUE BUDGET AND CAPITAL PROGRAMME 2010/11

The Assistant Chief Officer presented a report which sought approval to the implementation of measures to reduce the 2010/11 revenue budget and capital programme, following the Government's reduction of in-year grant allocations to the Authority and the treatment of underspending on the 2009/10 budget. The report also detailed the key points within the Coalition Government's Emergency Budget and other possible funding threats.

The Chief Constable reported on the difficult decisions that would be required to be made over the next twelve months and for the need to protect the neighbourhood policing and specialist officer roles.

Members discussed with the Chief Constable and the Assistant Chief Officer, the feasibility for redundancy costs being capitalised; the resolution of the outstanding issues associated with the Tactical Training Unit; the impact of reductions in funding on police officer overtime; and the implications of a freeze in council tax. The Authority considered in detail the need to freeze police officer recruitment and develop a more robust workforce planning process to protect and maintain resources on the frontline.

*RESOLVED:* That

- (1) the joint report by the Chief Constable and the Treasurer on the implications of the Coalition Government's announcement on 27 May 2010 to reduce the Authority's 2010/11 revenue grant by £1.7m be received;
- (2) the 2010/11 budget be reduced by £900,000, reflecting £600,000 permanent outturn savings and reduced police officer intakes of £300,000;
- (3) the police officer recruitment intakes for November 2010, January and March 2011 estimated to total 54 officers be cancelled, and the budgeted staffing level of police officers at 31 March 2011 be amended from 2115 to 2061;

- (4) the package for the remaining £814,000 revenue savings in 2010/11 be considered by Finance Panel on 7 September 2010 and include proposals to reduce overtime costs together with any cost implications of reducing the number of police officers;
- (5) the capital programme financing as set out in the report be amended to reflect £148,000 loss of capital grant, offset by a compensating increase in receipts;
- (6) additional carry forward proposals of 2009/10 underspending, totalling £215,000, as set out in Appendix 1, be approved;
- (7) a benefit evaluation report from the three participatory budget pilots be submitted to Performance Panel on 21 December 2010;
- (8) the remaining £754,000 underspend in 2009/10 be credited to the general revenue reserve;
- (9) any implications for the Authority of road safety grant reductions be addressed at Finance Panel on 7 September 2010; and
- (10) the potentially severe implications of the Coalition Government's emergency Budget for the Authority's financing be noted with concern and the work to update the Medium Term Financial Strategy be strongly supported.

## 29 CHESHIRE SAFER ROADS PARTNERSHIP: ANNUAL REPORT 2009/10

The Manager of the Cheshire Safer Roads Partnership presented the annual report for 2009/10. The report included details of the agencies involved; the activities and initiatives undertaken during the year; the casualty reduction results; and the Partnership's expenditure. It was reported that the number of people and children killed and seriously injured as a result of vehicle collisions had exceeded the reduction targets set by the Government at 48% and 53.6% respectively.

Members raised a number of issues including road safety education work in schools; drink drive figures; future funding arrangements for the Partnership; and the need for the Health Service to recognise the importance of casualty reduction; road safety campaigns; the effectiveness of average speed cameras with the Cheshire Safer Roads Partnership Manager.

### *RESOLVED:*

That the Cheshire Safer Roads Partnership Annual Report be received and the reduction in the number of people killed or seriously injured, be welcomed.

## 30 POLICE REFORM AND SOCIAL RESPONSIBILITY BILL

The Chief Executive presented a report on the Coalition Government's proposals for police reform. The report detailed the aims of the Police Reform and Social Responsibility Bill; the views of the Association of Police Authority Chief Executives and the APA; and issues relating to the proposals for directly elected individuals.

The Chief Executive advised the 'paving document' containing more details about the reform proposals was expected to be published by the Coalition Government on 19 July 2010.

*RESOLVED:* That

- (1) the information on the Coalition Government's proposals for police reform be received; and
- (2) the Chief Executive make arrangements for Members to consider the reform proposals as they are published by the Coalition Government.

### 31 POLICING THE OLYMPICS 2012

The Chief Constable presented a report on the current known level of impact on the Constabulary of policing the Olympic and Paralympic Games between July and September 2012. The Chief Constable agreed to submit a further report on the implications of the likely deployment of 170 Cheshire police officers to the next meeting. The Authority also received a detailed briefing from SACPO and the APA on planning for the Olympics and details of primary venues.

*RESOLVED:*

That the Constabulary's approach to preparing for any impact on policing in Cheshire as a result of the Olympics and Paralympics Games in 2012, be supported and the Authority receive regular update reports.

### 32 CONFIDENCE STRATEGY: REVIEW

The Deputy Chief Constable reported on the actions and progress undertaken by the Constabulary towards improving public confidence prior to the Coalition Government's recent announcement to scrap the confidence target and the Policing Pledge. The report detailed the recent work to develop a co-ordinated and comprehensive response to tackling anti-social behaviour, following the Authority's agreement of the strategy on 23 February 2010 (Minute 89).

The Chief Constable reported that significant efforts had been made to meeting the objective to improve public confidence. Whilst there had been progress in many areas, some measures, particularly within the British Crime Survey, continued to cause concern and the Constabulary was taking positive action to identify the causes and address under-performance.

Members, whilst noting the Coalition Government's decision to scrap the confidence target and the Policing Pledge, commented on the continued need for the Authority and the Constabulary to ensure and maintain confidence in the police service and satisfaction levels.

*RESOLVED:* That

- (1) the actions undertaken and progress towards improving public confidence report be received; and

- (2) progress reports be presented to the Engagement Committee and Performance Panel.

### 33 POLICE PROPERTY ACT FUND

The Chief Constable submitted a report on the background and management of the Police Property Act Fund following a request by the Authority on 13 April 2010 (Minute 6). The report detailed the procedure for determining the allocation of payments of up to £500 to charitable organisations which involved young people and supported the work of the Constabulary. In 2009/10, charitable payments from the Police Property Act Fund totalled £17,370.

*RESOLVED:*

That the report on the operation of the Police Property Act Fund in 2009/10, be received.

### 34 SCRUTINY OF DIRECTION AND CONTROL COMPLAINTS

The Chief Executive reported on the emerging guidance on police authorities' additional responsibilities in relation to direction and control complaints.

Members considered the report which detailed the guidance developed by the APA and the action required to ensure the Authority full discharged its oversight role. The Chief Executive proposed a procedure for scrutinising directional and control complaints.

*RESOLVED:* That

- (1) the report on the implications of the Police Authorities (Particular Functions and Transitional Provisions) (Amendment) Order 2010 and the APA guidance on the new function of oversight of direction and control complaints be received; and
- (2) the dip sampling process for discharging the new functions to scrutinise direction and control complaints, as set out in the Chief Executive's report be approved.

### 35 SUB-REGIONAL ARCHITECTURE

The Chief Executive presented a report on the governance arrangements for sub-regional partnership working following the introduction of the new council structures in Cheshire. The report outlined the membership and role of the Leadership Board; the membership of the Management Team; and the areas of activity that the seven Commissions would be focusing on.

*RESOLVED:*

That the progress in the development of the sub-regional architecture and the opportunities for significant efficiency savings and improvements to service delivery, be welcomed.

36 STANDING ORDERS: REVISION

The Chief Executive sought approval to amend the Authority's Standing Orders to revise the process for the appointment of Vice-Chairman and to amend the delegation to the Chief Executive in relation to complaints against chief officers.

*RESOLVED:*

That the proposed amendments to Standing Orders as set out in the Chief Executive's report, be approved.

37 MEMBERS' ATTENDANCE

The Chief Executive presented a report on the Standards Committee's deliberations on the failure by some Members to achieve the required attendance, as set out in the Members Allowances Scheme, in respect of the former 'Have Your Say' meetings in 2009/10.

It was reported that following consideration of the reasons for not meeting the required attendance, the Standards Committee had unanimously agreed to recommend to the Authority that no further action be taken in respect of this matter.

*RESOLVED:*

That the decision of the Standards Committee in relation to Members' attendance during 2009/10 be noted and supported.

38 HEALTH & SAFETY: ANNUAL REPORT

The Chief Constable submitted the annual report on progress and developments in health and safety matters during 2009/10. The report outlined changes in legislation and Health and Safety management structure; progress against the recommendations following the Health and Safety Executive (HSE) Inspection; training; and injury reporting and investigation.

The Authority's Lead Member attends the Health & Safety Strategic Steering Group meetings and was satisfied with the progress being made in particular the integration of actions from the HSE Inspection into Area and Departmental action plans.

*RESOLVED:*

That the report be received.

39 STOPS AND STOP SEARCH: ANNUAL REPORT 2009/10

The Chief Constable submitted the stops and stop search data for 2009/10, which showed that 41,490 stops were conducted, a 26.50% decrease compared to 2008/09. The decrease was attributable to changes in the recording process

nationally and the introduction of mobile data. The number of stop searches had increased by 0.2% to 8,470.

The Authority was reassured that the data was reviewed on a quarterly basis by the Diversity Monitoring Review Group which included the Authority's Lead Members for diversity and had not raised any concern over the proportionality of stops and stop searches.

*RESOLVED:*

That the annual report on Stops and Stop Search data for 2009/10, be received.

40 FREEDOM OF INFORMATION: ANNUAL REPORT 2009/10

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 2009/10. During the period the Constabulary had received 648 requests, an increase of 5.7% on the previous year, of which 262 were refused in part or in full and the Authority had received nine requests. 33% of requests for information where the identity was known were from the media.

*RESOLVED:*

That the Freedom of Information Act annual report for 2009/10, be received.

41 CHESHIRE POLICE DOG WELFARE INSPECTION SCHEME: ANNUAL REPORT

The Chief Executive reported on the annual review of the Cheshire Police Dog Welfare Inspection Scheme for 2009/10. The report detailed the various inspections undertaken by the Lay Inspectors, the Veterinary Surgeon and the Supervisors of the Dogs Unit.

Members noted that the scheme continued to operate effectively with no major issues being raised in 2009/10.

*RESOLVED:*

That the annual report on the operation of the Police Dog Welfare Inspection Scheme for 2009/10, be received.

42 REPRESENTATION ON CHESHIRE COMMUNITY ACTION

The Chief Executive presented a report on the role and activities of Cheshire Community Action and an invitation for the Authority to be represented on the Board as a Trustee. Members considered the capacity within the Authority's office in the current climate to become trustees of third sector organisations.

*RESOLVED:* That

- (1) the report on the role and activities of Cheshire Community Action, be received; and

- (2) following a review of capacity within the Authority's staff to effectively participate in potentially a number of third sector boards, the invitation to become a trustee of the Cheshire Community Action Board be declined.

#### 43 MEMBERS' ACTIVITY

The Chief Executive submitted a report which contained Members' reports following their attendance at recent meetings, which included the Sub-Regional Community Safety & Justice Commission; Cheshire Warrington Sub-Regional Leadership Board; the annual APA/ACPO Conference; training events and visits as part of the Members' Training Plan; and the Chairman's activities.

*RESOLVED:*

That the report be noted.

#### 44 CHAIRMAN'S APPROVAL

The Chief Executive reported that in accordance with the urgency procedures under Standing Order No.11, the Chairman had been consulted on the purchase of a replacement Police Support Unit vehicle and the decision of Performance Panel on 20 April 2010 (Minute 4) to amend several targets in the Policing Plan 2010-13 to reflect outturn performance.

*RESOLVED:*

That the action taken by the Chairman, be noted.

#### 45 URGENT BUSINESS:

It was reported that one item of urgent business had been received relating to the Chief Constable's conditions of service.

*RESOLVED:*

That in accordance with Standing Order 11.1 the item of urgent business be considered in Part 2 of the meeting.

#### 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>
Strategic Risk & Threat Assessment	(7) information relating to the prevention, investigation or prosecution of crime
Air Support Unit: Collaboration with North Wales Police	(7) information relating to the prevention, investigation or prosecution of crime
Annual Report on Civil Claims	(5) Information relating to legal proceedings
Redundancy and Relocation/Redeployment Procedures	(4) Information relating to labour relations
Urgent Business: Chief Constable - Conditions of Service	(1) Information relating to an individual

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

47 STRATEGIC RISK AND THREAT ASSESSMENT

The Chief Constable submitted the results of the most recent National Intelligence Model strategic risk and threat assessment and explained how this informed the Constabulary's and Authority's overall strategic planning process. The Authority considered the organisational strategic assessment which included the business, organisational and operational threats and opportunities over the short to medium term and the crime and incident mapping overview together in the ACPO National Strategic Assessment.

*RESOLVED:*

That the strategic risk & threat assessment for 2009/10, be received.

48 AIR SUPPORT UNIT: COLLABORATION WITH NORTH WALES POLICE

The Chief Constable submitted an update on the current and potential collaborative arrangements regarding the Cheshire Air Support Unit.

Members discussed a number of issues including hours of operation; fuel; and collaborative arrangements with North Wales Police with the Chief Constable.

*RESOLVED:* That

- (1) the outcome of the review of the business case for air support and the proposals not to proceed with a formal joint air support unit with North Wales Police, be approved; and
- (2) the existing collaborative arrangements with North Wales Police to make joint savings and to provide an effective air support service be approved until the national police air support service is operational in 2012.

49 CIVIL AND OTHER CLAIMS: ANNUAL REPORT 2009/10

The Chief Constable submitted the annual report on civil and personal injury claims; and employment tribunals. The report contained information on the claims processed and settled during the year.

*RESOLVED:*

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

50 REDUNDANCY AND RELOCATION/REDEPLOYMENT PROCEDURES

The Interim Director of Human Resources reported that a programme of reviewing and re-drafting key procedures had commenced and explained the consultation process that had been undertaken, the training programme for line managers and the proposed implementation process.

The Redundancy Procedure and Relocation/Redeployment Procedure for all staff employed by the Police Authority (both those under the direction and control of the Chief Constable and Police Authority) were the first procedures to be reviewed and submitted for approval.

The Authority supported the need to review current employment procedures and the work being undertaken by the Interim Director. Members welcomed the clear and easy to read format of the revised procedures and discussed a number of issues with the Interim Director of Human Resources.

*RESOLVED:* That

- (1) the Redundancy and Relocation/Redeployment Procedures for all staff employed by the Police Authority (both those under the direction and control of the Chief Constable and Police Authority) be approved subject to the outstanding issues and the final procedures being approved by the Chief Executive in consultation with the Chairman and Vice-Chairmen of Staff Committee; and
- (2) the implementation plan commence once the procedures have been approved.

51 URGENT BUSINESS: CHIEF CONSTABLE - CONDITIONS OF SERVICE

The Chief Executive presented a report which sought approval to amend one of the conditions of service relating to the Chief Constable.

*RESOLVED:*

That the proposed amendment to the Chief Constable's conditions of service, as detailed in the Chief Executive's report, be approved.

*Duration of meeting: The meeting commenced at 9.30am and finished at 12.47pm.*

