

**MINUTES OF THE MEETING OF THE POLICE AUTHORITY HELD ON TUESDAY
24 FEBRUARY 2009 IN CONSTABULARY HEADQUARTERS, WINSFORD**

Present:

P Nurse (<i>Chairman</i>)	A Doran
M Ollerenshaw (<i>Vice-Chairman</i>)	J P Findlow
D Bateman	R Hodson
A Bradley	E Lam
D Cargill	B Maher
M Chapman	C Oliver
G Cousins	S Proctor
M Darby	T Savage

Also in attendance: J Ebo, B Silvester and A Walmsley (shadow members)

Police Authority Officers:

M Sellwood, Chief Executive
L Lunn, Treasurer
M Eaton, Member Services Manager

Constabulary Officers:

D Whatton, Chief Constable
B Simmons, Assistant Chief Officer
K Watkins, Director of Performance
Development

Apologies: R McNeil and A Arnold (shadow member)

87. MINUTES

RESOLVED:

That the Minutes of the meeting held on 13 January 2009 be confirmed as a correct record.

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

RESOLVED: That

- (1) the Minutes of the following meetings be received:-

Engagement Committee – 10 February 2009
Performance Panel – 23 December 2008 and 17 February 2009
Service Improvement Panel – 13 January 2009

- (2) the Minutes of the Finance Panel on 29 January 2009 be received, and the recommendations from the Minutes listed below, be adopted:-

- Minute 40 – Revenue Expenditure: Three Quarter Year Review 2008/09
- Minute 41 – Capital Expenditure & Financing: Three Quarter Review 2008/09
- Minute 42 – External Funding
- Minute 44 – Learning & Development Base Budget Review

- (3) the summary of issues raised at the last cycle of 'Have Your Say' meetings be noted.

89. POLICING PLAN 2009-12

The Chief Constable and Chief Executive presented a draft Policing Plan which incorporated the policing objectives for 2009/10 and the arrangements for policing the area over a three year period. In presenting the draft Plan, the Chief Constable proposed a change to one of the targets in response to the comments at Performance Panel on 17 February 2009 (Minute 48) and advised that the efficiency plan for 2008/11 would need to be amended in the light of the decision on the 2009/10 budget.

Members in considering the draft Plan for 2009-12, commented on the well constructed and informative document and discussed with the Chief Constable the content of the Plan; the proposed targets and the public service agreement reward targets; the impact of the economic climate; and the introduction of the Safe Centre.

RESOLVED:

That the Policing Plan 2009-12, including the changes to the target for objective 2 and the revision of the efficiency targets in light of the decision on the 2009/10 budget, be approved.

90. TREASURY MANAGEMENT 2009/10

The Treasurer presented a report which sought endorsement for the Authority's treasury management strategy; the prudential indicators for 2009-12; the Annual Investment Strategy for 2009/10; and the minimum revenue provision statement. The Treasurer updated the Authority on treasury management activity and the impact of the current economic climate. In considering the proposals, Members asked for further information on counter parties, which the Treasurer agreed to circulate separately.

RESOLVED: That

- (1) the Authority's Treasury Management Strategy for 2009/10, as set out in Appendix 1 to the Treasurer's report, be approved,
- (2) the prudential indicators for 2009-12, as set out in Appendix 1 to the Treasurer's report, be approved,
- (3) the 2009/10 Annual Investment Strategy, as set out in Appendix 2 to the Treasurer's report, be approved; and
- (4) the Minimum Revenue Provision Statement, as set out in Appendix 3 to the Treasurer's report, be approved.

91. 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 item of business listed below on the grounds that it involves the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Act in the paragraph indicated:-

<i>Item</i>	<i>Paragraph</i>
Procurement of replacement aircraft: Review of Business Case	(6) Information relating to financial and business affairs

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

92. PROCUREMENT OF REPLACEMENT AIRCRAFT: REVIEW OF BUSINESS CASE

The Chief Constable presented a report on the results of a further detailed review of air support as requested by the Authority on 16 December 2008 (Minute 82).

The Chief Constable reported that the review confirmed there was an operational need for air support and that the principles which underpinned that need, as detailed in the original business case approved by the Authority on 26 February 2008 (Minute 112), remained valid.

Members in considering the report, congratulated Superintendent Hindle on his work in reaching a viable proposal for air support and discussed with the Chief Constable the options available and the financial implications.

RESOLVED: That

- (1) the report be noted;
- (2) the operational and financial case for continuing to procure a Eurocopter EC135P2 to be operated, as detailed in Option 3 in the Chief Constable's report, be approved;
- (3) the 2010/11 Medium Term Financial Scenario be amended to include the additional revenue commitment of £296,000 for air support;
- (4) the capital programme for 2009/10 and 2010/12 be amended to include the revised purchase costs for the aircraft; and
- (5) the current work to identify budget savings be intensified to ensure the additional revenue costs are accommodated in future budgets.

PART 1 – MATTERS CONSIDERED IN THE PRESENCE OF THE PRESS AND PUBLIC

93. REVENUE BUDGET, CAPITAL PROGRAMME, EFFICIENCY PLAN AND COUNCIL TAX PRECEPT FOR 2009/10

The Treasurer and the Chief Constable submitted a joint report setting out the draft budget and the implications for the Authority's council tax precept for 2009/10. The report outlined how the police service was financed and detailed the final revenue support grant settlement for 2009/10; confirmed the maximum budget permitted by the Government; the Prudential Code; the policy and expenditure proposals for the coming year; pay and price changes; reserves; and staffing levels.

The Chairman made a statement on the wide consultation which had been undertaken with the public, Chambers of Commerce and local MPs on the Authority's budget; the pressures and impact of the 2.5% Government grant increase; and of the maximum permitted level of increase of 2.9% in the budget. The Chairman proposed a 3.65% increase in the council tax for 2009/10, which would result in an annual increase of £4.95 in council tax for a Band D household and reminded Members that the majority of households in Cheshire, Halton and Warrington were bands A to C, where the increase would be lower. Members were advised that the proposed increase would ensure that the public were protected, by maintaining 2,142 police officers and 237 PCSOs; the continued improvement in call management performance and officer response times; targeting serious and organised criminals; reductions in crime; and ensuring that Cheshire's roads were policed effectively to reduce fatalities.

The Chief Constable welcomed the proposal which would prevent cuts being made in protective services and neighbourhood policing which would impact on performance and the Constabulary's capacity and capability to deal with growing policing demands.

The Treasurer commented on a number of potential issues which may impact on the budget in-year; and the difficult medium term financial scenario.

The Authority undertook a full and frank discussion of the budget proposal and Members recognised the need for the proposed increase in order to maintain the service and meet public demand and expectations. A Member discussed a lower precept based on bringing forward future years' savings; further in-year savings; and additional use of reserves.

RESOLVED: That

- (1) the support of the budget proposals expressed by representatives of the business ratepayers, be welcomed;
- (2) the level of the Authority's total budget requirement for the financial year commencing 1 April 2009 be increased by 2.9% to £172,898,000, to be funded by £576,000 contribution from the workforce modernisation reserve and by £346,000 from general reserves, a net deficit on collection funds, Government grant and a council tax increase of 3.65% (£4.95 per annum or £0.41 per month on a Band D property), bringing the council tax level for 2009/10 for a Band D equivalent property to £140.70;

- (3) the Minister of State for Local Government be advised that the Authority has set its budget at the maximum budget permitted by the Government, as announced in November 2008, and has made significant reductions totalling £2.8m to achieve this budget, as shown in Tables 6 and 9 of the joint report of the Chief Constable and Treasurer;
- (4) the total number of police officers be maintained at 2,142 and the total number of PCSOs at 237, subject to continuing partner funding;
- (5) the provision of £5,202,000 for pay and price increases between November 2007 and November 2008 and the provision of £2,352,000 for pay and price increases between November 2008 and March 2010, be approved;
- (6) a provision of £1,450,000 in respect of commitments, as set out in Table 6 of the joint report of the Chief Constable and Treasurer; be approved;
- (7) a provision of £1,449,000 be approved to meet new revenue expenditure proposals as set out in Tables 7 and 8 of the joint report of the Chief Constable and Treasurer, of which £922,000 be funded from reserves:-

	£000
Operational Training Centre Set Up Costs #	191
Additional Bank Holiday Overtime in 2009/10 #	100
Transforming Business Services *	576
Shortfall in PCSO Funding #	55
Call Management	200
Forensic Services (starred item)	280
National Police Promotions Framework	<u>47</u>
	<u>1,449</u>

(* To be funded from the workforce modernisation reserve.

To be funded from general reserves)

- (8) the capital payments programme totalling £15,059,000 for 2009/10, as set out in Table 12 and Appendix 4 of the joint report of the Chief Constable and Treasurer; and the associated revenue implications of £44,000, together with the method of financing, set out in Table 13 of the joint report of the Chief Constable and Treasurer, resulting in £73,000 additional borrowing costs, be approved;
- (9) the three year Efficiency Plan for 2008-11, with a minimum target of £16.8m, as set out in Appendix to the joint report of the Chief Constable and Treasurer;, be confirmed, with progress reported quarterly to Finance Panel;
- (10) £515,000 of savings be met from the civilianisation funds earmarked in the 2008/09 budget; the remaining civilianisation funds of £341,000 be ringfenced and used as a force contingency;
- (11) other savings proposals, totalling £1,725,000, as set out in Table 9 of the joint report of the Chief Constable and Treasurer, be approved for

implementation, except custody transport, which be treated as a “starred item”;

- (12) the Deputy Chief Constable report progress against the planned fundamental service reviews to Finance Panel on 16 June 2009;
- (13) the policies on the robustness and adequacy of estimates (paragraphs 40-46) and on general revenue reserves (Appendix 7), be approved and due consideration be given to remedial action in the event of any in-year unbudgeted expenditure arising, which cannot be absorbed by the Constabulary, before any call on reserves is contemplated;
- (14) the financial health targets for monitoring purposes set out below, be approved:-

(i) *Reserves*

That the Authority maintains its level of general reserves, after allowing for potential financial risks, at no lower than 3% of the net budget and that this be monitored by Finance Panel on a quarterly basis.

(ii) *Revenue Spending*

That the Authority maintains its revenue spending within 0.75% of its net budget and that this be monitored by Finance Panel on a quarterly basis.

(iii) *Capital Programme Management*

That the Authority sets a target for 60% expenditure to be incurred against the total Capital Programme in 2009/10. (The total Capital Programme includes the 2009/10 capital programme and the slippage brought forward from previous years). This be monitored by Finance Panel on a quarterly basis.

(iv) *Debt*

That the Authority collects at least 50% of debtor income within one month of the invoice being raised.

(v) *Prudential Indicators*

That the Authority continues to monitor actual prudential indicators on an annual basis against the indicators set in the budget.

- (15) council tax income of £115,401 from second homes for 2009/10 be set aside and urgent discussions take place with Warrington, Cheshire West and Chester and Cheshire East Councils regarding the Authority’s contribution to CDRPs, for subsequent determination by the Authority.
- (16) the following policy on the Annual Minimum Revenue Statement be approved:-

For capital expenditure incurred before 1 April 2009 or which in the future will relate to supported capital expenditure, the Minimum Revenue

Provision be based on the capital financing requirement at 4% of the opening balance.

From 1 April 2009, for all unsupported borrowing exercised under the Prudential Code, the Minimum Revenue Provision be based on the Asset Life Method: i.e. the estimated life of the assets for which the borrowing is undertaken, in accordance with the proposed regulations.

(17) precepts on collection funds be levied as follows:-

	£
Cheshire West & Chester	17,024,153
Cheshire East	20,368,293
Halton	5,374,834
Warrington	<u>9,725,071</u>
Total Precept	<u>52,492,351</u>

(18) the highly challenging financial scenario for 2010-13, in respect of both revenue and capital pressures, be noted.

94. CHIEF CONSTABLE'S OPERATIONAL REPORT

The Chief Constable presented the operational report which showed a reduction in the total number of recorded crimes, with decreases across all the main crime areas except incidents of anti-social behaviour and non-domestic burglary, for the period December 2008 to January 2009. The report outlined call management performance and quality of service; operational activity in roads policing and crime; force developments in relation to ANPR, custody and crime mapping; Restorative Justice; and the work and operations undertaken within the Areas and Departments.

The Chief Constable specifically reported on the performance of call management; the 28% decrease in the number of arrests for drink/driving compared with the previous year; and the success of Operation Dragonfly in targeting anti-social behaviour and volume crime on the Colshaw Farm estate in Wilmslow.

Members raised a number of issues including the identification of efficiency savings by the release of officers in the North West Motorway Policing Group; the Constabulary and Authority's role in the provision of diversionary youth activities; the positive results arising from the previous years' investment in surveillance and mobile data; the allocation of resources in urban and rural areas; and the work undertaken by police officers and PCSOs when visiting schools. The Chief Constable responded to the issues raised.

RESOLVED:

That the report be noted.

95. 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.

96. POLICING AND CRIME BILL

The Chief Executive reported on the publication of the Policing and Crime Bill and circulated the Association of Police Authorities initial views on the proposals. The Chief Executive also commented on the review of the Government's policy on police accountability and the proposals announced by the Conservative Party in their Green Paper on accountability in public authorities. The Authority would have an opportunity to debate these issues as the proposals were developed and published.

RESOLVED:

That the APA analysis of the Policing and Crime Bill be noted, and the initial views on the proposals in the Bill, be supported.

97. REVIEW OF THE AUTHORITY'S COMMITTEE & PANEL STRUCTURE

The Chief Executive presented a report on a proposal to revise the Authority's governance structures following a review at the Discussion Day on 26 January 2009.

Members discussed with the Chief Executive the need to formalise the Police Authority Improvement Panel to prepare the Authority for the forthcoming inspection and to review its terms of reference; and the viability of splitting the functions of the Staff Committee.

RESOLVED: That

- (1) the annual review of the Authority's governance structures undertaken at the Discussion Day on 26 January 2009, be noted;
- (2) the formalisation of the Police Authority Improvement Panel, with the membership of Chairman, Vice-Chairman and Chairmen of Committees and Panels, be agreed; and
- (3) no change be made to Staff Committee.

98. POLICE AUTHORITY SCRUTINY ACTIVITY

The Chief Executive presented a report which reviewed the proposed scrutiny activity for 2009. The Authority on 16 December 2008 (Minute 73) had established scrutiny groups to look at the Constabulary's response to the Policing Pledge and the Authority's partnership working. A number of workstreams had been introduced by the Constabulary to monitor the Policing Pledge, therefore, it

was proposed that the scrutiny be deferred. It was proposed that scrutiny of the Authority's community consultation and communication activities and performance monitoring duty, be undertaken.

RESOLVED: That

- (1) the proposed scrutiny of the Constabulary's implementation of and adherence to the Policing Pledge, be deferred;
- (2) a Scrutiny Group be established, consisting of B Hodson, E Lam, P Nurse and T Savage, be established to review community consultation and communication activities by statutory partners to inform the Authority's Contact Plan, as outlined in the Chief Executive's report; and
- (3) a Scrutiny Group be established, consisting of B Hodson, M Ollerenshaw, P Nurse and A Walmsley, to develop a performance monitoring framework to ensure the Police Authority discharges its monitoring duty effectively.

99. MEMBERS' ACTIVITY

The Chief Executive submitted a report which contained Members reports following their attendance at recent meetings, which included the Police Museum Trust and the Cheshire Criminal Justice Board Consultative Group. The Chairman reported on his attendance at the APA Chairman's away day in Bristol on 7 February 2009.

RESOLVED:

That the report be noted.

100. AUTHORITY BUSINESS PLAN 2008/09: PROGRESS AGAINST ACTIONS

The Chief Executive submitted a report on progress against the Authority's 2008/09 Business Plan. The report detailed the progress made in the five key areas - achieving a consistently high performing force; robust governance and scrutiny; more effective engagement with stakeholders; improved partnership working; and community leader in policing and community safety. Members welcomed the significant progress that had been made during the year in delivering the Plan.

RESOLVED:

That the progress in delivering the 2009/10 Business Plan, be noted.

101. CHAIRMAN'S APPROVALS

The Chief Executive reported that in accordance with the urgency procedures under Standing Order No.11, the Chairman had been consulted and approved the submission of a joint North West funding bid for £2m over two years to tackle serious and organised crime.

RESOLVED:

That the action taken by the Chairman, be noted.

102 URGENT BUSINESS: ADDITIONAL DISCUSSION DAYS

In accordance with Standing Order 5.3, the Chairman was of the opinion that the report on Additional Discussion Days be considered as matter of urgent business as it was necessary to identify opportunities for the Chief Constable to discuss and develop his proposals for strengthening the organisation and further improve performance, with Members.

RESOLVED:

That additional Discussion Days be held on 8 June, 2 September and 30 November 2009.

103 PETER NURSE, CHAIRMAN

The Vice-Chairman commented that this was the last Authority meeting for four retiring Members – Adrian Bradley, Gretta Cousins, Sue Proctor and Peter Nurse.

In thanking the Members for their contribution, the Vice-Chairman specifically wished to record the Authority's appreciation to Peter Nurse who had been a member of the Authority for over 23 years and the Chairman for the last seven. The Vice-Chairman outlined the changes the police service had faced, both operationally and financially, under Peter's chairmanship, during which the Authority had overseen continued improvements in service, whilst minimising the financial burden on taxpayers. Tribute was paid to the significant time Peter had dedicated to the Authority and the decisions he had promoted sometimes contrary to his own political party's stance but in the interests of policing and the people of Cheshire. Reference was also made to his work with the former Chief Constable to champion the modernisation of the Constabulary; to develop the sound business case for last years investment; and his support for neighbourhood policing. Peter Nurse had, without doubt, raised the profile of the Police Authority both locally and nationally during his period as Chairman.

RESOLVED:

That the Authority's appreciation be conveyed to Peter Nurse for his valuable contribution to the work of the Authority, policing and to the citizens of Cheshire.

Duration of meeting: The meeting commenced at 9.30am and finished at 12.05 pm.