



CHESHIRE POLICE AUTHORITY

MINUTES OF THE MEETING OF CHESHIRE POLICE AUTHORITY HELD ON TUESDAY 21 FEBRUARY 2006 IN CONFERENCE ROOM 7, CONSTABULARY HEADQUARTERS, WINSFORD

Present:

P Nurse (Chairman)	J P Findlow
M D Darby (Vice-Chairman)	R Hodson
P J Walker (Vice-Chairman)	C Kirkpatrick
D T Bateman	Ms E Lam
Mrs M Chapman	P Lloyd-Jones
Mrs A Coomer	B Maher
Mrs G A Cousins	Mrs M A Ollerenshaw
Mrs A Doran	Mrs S Proctor
B P Doyle	

Police Authority Officers:
M Sellwood, Clerk & Chief Executive
Ms L Lunn, Treasurer
D Taylor, Deputy Clerk
Miss A Hamilton, Communication & Policy Officer
M Eaton, Senior Administration Officer

Constabulary Officers:
P Fahy, Chief Constable
G Gerrard, Deputy Chief Constable
B Simmons, Assistant Chief Officer
Mrs K Watkins, Director of Performance Development
A Rainford, Head of Finance & Procurement

65. MINUTES

RESOLVED:

That the Minutes of the meeting held on 13 December 2005 be confirmed as a correct record.

66. POLICE SERVICE RESTRUCTURING

The Clerk & Chief Executive presented a report outlining the current position in terms of the police service restructuring proposals which set out a summary of the main issues including protective services; neighbourhood policing; finance; governance and staffing to which satisfactory clarity and assurances had yet to be received by the Authority. The Clerk & Chief Executive reported that a further letter had been received on the day of the meeting from the Home Office which attempted to address some of these outstanding issues but did not resolve them sufficiently to allow the Authority to make an informed decision on the Home Secretary's proposal to merge with Merseyside Police.

The Chief Constable stated that whilst it was accepted that there would be some operational benefits of a merger with Merseyside, the full implications of the merger were far from clear and that there was a serious concern that it

may lead to a shift of Level 1 resources away from Cheshire to the higher crime areas in Merseyside and that before the proposals could be considered further, the areas of concern would need to be sufficiently addressed to ensure the protection of policing services for the residents of Cheshire. The Chief Constable also expressed concern that the ongoing lack of clarity on the way forward would inevitably lead to staff insecurity and that performance was likely to suffer as a consequence.

The Treasurer reported that, in her role as Section 151 finance officer, she felt that there was insufficient information available on which to undertake a due diligence role to satisfy the Authority that the proposed merger was the best option for the Authority to pursue. There were still a number of finance issues which had not been clarified by the Home Secretary, including set up costs and council tax equalisation, which if not resolved to the Authority's satisfaction, could impact heavily on Cheshire council tax payers.

The Clerk & Chief Executive concluded the presentation of the report by stating that he and the Chief Constable were unable to recommend that the Authority agree to a voluntary merger at this time as they were not in possession of sufficient information on which the Authority could make an informed decision.

The Chairman opened the discussion by moving a recommendation, seconded by the Vice-Chairman, that the Authority reject the merger proposals, due to the lack of information at the present time on the full impact of the proposals on the policing of Cheshire. The Chairman expressed concern that he felt that the proposals as they stood were merely an interim solution which did not adequately address Level 2 policing issues and that there was a distinct possibility that it would also impact heavily on local Level 1 resources to the detriment of the public of Cheshire.

Members echoed the sentiments of the Chairman and expressed extreme disappointment with the way the Home office had progressed the proposal to date, and felt that as the situation stood at present, a voluntary merger with Merseyside could not be considered. Members raised several other issues including concern at a possible shift of resources; the impact on local council tax levels as a result of equalisation between the two areas; the impact on staff morale; concern that the case for merger had been made without the development of a business case; concern at the possible reduced level of policing for the citizens of Cheshire; and the likely impact on the council tax to fund set up costs, to which the Chief Constable, Clerk & Chief Executive and Treasurer responded.

The Chairman concluded the debate by underlining the Authority's commitment to securing the best possible policing service for the residents of Cheshire, Halton and Warrington and that it was hoped that further negotiations with the Home Office would lead to greater clarity on the outstanding issues which would enable the Authority to make an informed decision on the way forward for policing in Cheshire.

The recommendation was put to the vote and it was unanimously

RESOLVED:- That

- (1) the Home Secretary be reminded of the Authority's position as contained in the Chairman's letter dated 9 February 2006, as set out in Appendix 3 to the Clerk & Chief Executive's report;
- (2) due to the lack of clarity on a number of outstanding issues as set out in the report, the Authority cannot agree to a voluntary merger with Merseyside Police as there is no evidence that the Home Secretary's proposal will provide a more efficient and effective police service for the citizens of Cheshire;
- (3) the Home Secretary be advised that the Authority, acting as a responsible public body, will not be in a position to consider his proposals further until the following critical issues have been clarified and reassurances provided:-
 - (a) that the increased capacity and capability in protective services will produce clear benefits for the people of Cheshire, Halton and Warrington;
 - (b) detailed proposals on dealing with council tax levels which would be acceptable to council tax payers in Cheshire, Halton and Warrington;
 - (c) reassurance that current levels of policing in Cheshire, Halton and Warrington will be maintained particularly in respect of neighbourhood policing and the commitments in this respect made by Ministers;
 - (d) sufficient capital and revenue funding to allow the merger to take place, without detriment to local council tax payers and neighbourhood policing;
 - (e) external validation that any decision to merge meets the legal and financial requirements of due diligence and good government and would not expose the Authority to future legal challenge;
 - (f) an acceptable process for dealing with those staff most directly affected by the merger to allow the Authority to meet its responsibilities as an employer;
 - (g) continued development of regional structures and processes to support the work of the new strategic force; and
 - (h) further clarity in relation to the new governance and accountability arrangements and specifically the selection of members to the new authority
- (4) the Authority's request to discuss its position further with the Home Secretary, be reiterated.

67. POLICE BUDGET AND COUNCIL TAX 2006/07

The Treasurer and the Chief Constable submitted a joint report setting out the draft budget and the implications on the Authority's council tax precept for 2006/07. The report outlined how the police service was financed and detailed the final revenue support grant settlement for 2006/07; the policy and expenditure proposals for the coming year; pay and price changes; police pension costs; reserves; and budgeted staffing levels.

Members were advised that Government funding had increased by 3.5% had been received, which was insufficient to cover inflation, pensions and necessary investments. The Treasurer also reported on the possible capping criteria for the forthcoming budget and stated that an increase in the council tax at the capping level of 5% would still produce a £2.988 million deficit and that further increases in the precept, together with a review of further expenditure reductions and a call on general reserves would be required to balance the budget.

The Chairman proposed a motion which would result in a 5.74% increase in the council tax precept, together with the use of general reserves, which was duly seconded. The Treasurer reported that the proposed budget would allow for an additional 92 Community Support Officers (CSOs) to be recruited, bringing the total number of CSOs to 173 by 31 March 2007. The budget would also enable investment in a further 29 police officers and 11 police staff to deliver improvements in protective services, and an additional 43 police staff would replace police officers currently in desk jobs and enable front line policing to be enhanced.

Members noted the report and discussed the recommendations, as tabled. There was general agreement for the proposed budget and recognition that it would not only enhance local policing, but improve protective services and not require any redundancies in police staff jobs. Members discussed the level of council tax precept and stated that whilst the precept would increase by 5.74%, the Authority would still remain one of the lowest funded in the country and that the overall budget would have increased by only 4.1%.

RESOLVED: That

- (1) the comments made at Police Forums on the proposed budget, be noted;
- (2) the level of the Authority's total budget requirement for the financial year commencing 1 April 2006 be fixed at £153,018,000, to be funded by a contribution from general reserves, Government grant and a Council Tax increase of 5.74% (£5.89), bringing the Council Tax level for 2006/07 for a Band D equivalent property to £108.49;
- (3) the level of the Authority's net total budget requirement (per the Home Office definition) for the financial year commencing 1 April 2006 be fixed at £150,305,000 representing an increase of 4.13% on the Alternative Notional Amount for 2005/06;

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- (4) the prudential indicators for the years 2006/07 to 2008/09, be approved;
- (5) the provision of £4,844,000 for pay and price increases between November 2004 and November 2005 and the provision of £2,728,000 for pay and price increases between November 2005 and March 2007 be approved;
- (6) an additional income budget totalling £135,000 be approved in respect of vehicle maintenance work;
- (7) following the establishment of a pensions holding account to be funded by Government grant, the removal of the pensions revenue budget totalling £3,452,000 be approved, and the year end balance on the pensions commutation reserve which is no longer required be added to general reserves;
- (8) a provision of £741,000 be approved in respect of revenue expenditure commitments;
- (9) a provision of £1,148,000 be approved to meet new revenue expenditure proposals;
- (10) a revenue provision of £1,000,000 be approved to recruit an additional 29 Police Officers and 11 Police Staff on protective services work;
- (11) the capital payments programme totalling £11,464,000 for 2006/07 be approved, together with the method of financing and the associated revenue implications of £36,000, within which the operational training facility provision of £500,000 be denoted as a "starred item";
- (12) the proposed Efficiency Plan, including budget reductions and efficiency cash savings totalling £1,191,000, non cash efficiency savings of £2,393,000 and cash savings that do not constitute a budget reduction of £1,124,000, be approved;
- (13) an additional income budget totalling £65,000 be approved for Police Officer Secondments;
- (14) the proposed budgeted staffing level of 2,215 Police Officers for 2006/07 be endorsed;
- (15) an additional 43 Police Staff be recruited to transfer 43 Police Officers to front line roles;
- (16) a provision of £90,000 be approved to meet an additional commitment in respect of currently employed Community Support Officers (CSOs) plus £155,000 for the employment of a further 92 Community Support Officers during 2006/07, bringing the total number of CSOs to 173 by 31 March 2007;

- (17) the 2006/07 budget deficit be funded by a contribution from general reserves of £2,713,000;
- (18) any final 2005/06 net budget underspend (net of pensions), be carried forward by the Constabulary for use as a 2006/07 Force budget contingency providing it does not exceed £500,000;
- (19) the following sums be separately earmarked from general revenue and capital reserves for the following purposes:
 - (1) from general revenue reserves a sum of £2.1m as an earmarked revenue reserve for the projected budget deficit in 2007/08, the main liability being the additional cost of CSOs in 2007/08; and
 - (2) from capital reserves a sum of £2.9m as an earmarked capital reserve for the development of operational training facilities at Constabulary HQ;
- (20) The policies on the robustness and adequacy of reserves, and the use of general revenue reserves, be approved. Due consideration should also be given to remedial action in the event of any in-year unbudgeted expenditure arising, which cannot be absorbed by the Constabulary nor funded from the Constabulary's contingency; and
- (21) precepts on Collection Funds be levied as follows:-

	£
Chester	4,950,598
Congleton	3,776,150
Crewe & Nantwich	4,343,383
Ellesmere Port & Neston	2,949,501
Halton	4,007,814
Macclesfield	7,221,994
Vale Royal	5,002,879
Warrington	7,180,152
Total Precept	<u>39,432,471</u>

68. COUNCIL TAX LEAFLET 2006/07

The Clerk & Chief Executive reported on the production of the council tax leaflet which as a precepting authority, the Authority was required to issue. It was reported that Policy & Finance Panel on 24 January 2006 (Minute 56) had considered and agreed the format and content of the draft leaflet.

RESOLVED:

That the Council Tax leaflet for 2006/07, be approved

75. POLICING STRATEGY 2006-09

The Chief Constable submitted the final draft of the Authority's Policing Strategy for 2006-09, for approval. It was reported that the Strategy had been developed in consultation with the Authority and the community, and had

regard to local circumstances as well as national initiatives, and took account of the National Policing Plan.

RESOLVED:

That the Policing Strategy 2006-09, be approved.

76. POLICING PLAN 2006/07

The Chief Constable and the Clerk & Chief Executive submitted the draft Policing Plan for 2006/07. The Plan gave particulars of the Ministerial priorities for policing set by the Home Secretary in the National Policing Plan, the local objectives set by the Authority; and incorporated the Best Value Performance Plan and Efficiency Plan.

The draft local objectives contained within the Plan had been the subject of consultation with core representatives on police forums and the outcome of this process was reflected in the Plan. Policy & Finance Panel on 24 January 2006 (Minute 46) had considered the draft Plan and supported the proposed content, format and distribution.

RESOLVED:

That the 2006/07 Policing Plan, be approved.

77. CHIEF CONSTABLE'S REPORT

The Chief Constable presented his operational report to the Authority which included updates on the Taking Control programme; force performance; Operation Crackdown; roads policing; Community Action Team initiatives; and recruitment to the Special Constabulary. The report also included details of the HMIC report on managing sex offenders in the community; the domestic violence abuse investigation policy; and enquiries made under the Freedom of Information Act 2000.

The Chief Constable reported on the performance of the Call Management Department which had answered 94% of 999 calls and 83% of non-emergency calls within target. It was also reported that the increase in overall recorded crime had begun to come down and that regular performance monitoring meetings, chaired by the Chief Constable, had helped drive up performance. It was also reported that the force had recorded the fourth highest level of breath tests in its pre-Christmas drink drive enforcement campaign.

Members noted the report and raised a number of issues including the impact of the new licensing laws; the targeting of road traffic enforcement; the investigation of domestic violence cases; and the use of mini motorbikes and anti-social behaviour in Ellesmere Port; to which the Chief Constable responded.

RESOLVED:

That the Chief Constable's operational report, be noted.

78. POLICE & JUSTICE BILL

The Clerk & Chief Executive presented a report which set out the main provisions contained within the Police & Justice Bill, and in particular, those which directly impacted on the role of police authorities. The report included a briefing from the Association of Police Authorities which highlighted the key issues for consideration, and a number of proposals, such as the establishment of the National Policing Improvement Agency and the new inspectorate for Justice, Community Safety and Custody were welcomed.

Members noted the report but expressed concern at a number of the proposals which significantly reduced the powers of police authorities whilst at the same time, increasing the Home Secretary's control of local policing. Members agreed with the issues of concern raised by the APA and suggested that a letter be sent to local MPs, based on the APA's briefing, setting out the Authority's concerns.

RESOLVED: That

- (1) the report be noted; and
- (2) the Clerk & Chief Executive write to local MPs, after consultation with the Chairman, Vice-Chairmen and Mr J P Findlow, expressing the Authority's views on the proposed Bill.

79. CHESHIRE AND WARRINGTON INFORMATION CONSORTIUM

The Director of Performance Development provided an update on the achievements and developments of the Cheshire and Warrington Information Consortium.

RESOLVED:

That the report be noted.

80. LOCAL STRATEGIC PARTNERSHIPS: CONSULTATION

The Clerk & Chief Executive presented a summary of the key issues and draft response to the Office of the Deputy Prime Minister's consultation on the effectiveness and future of Local Strategic Partnerships.

RESOLVED: That

- (1) the report be noted; and
- (2) the proposed response to the ODPM consultation paper, as detailed in the Appendix to the report, be agreed.

81. THE FUTURE OF LOCAL SERVICES INSPECTION: CONSULTATION

The Clerk & Chief Executive presented a report which set out the key issues arising from the Office of the Deputy Prime Minister's consultation on inspection reform, and sought agreement to the Authority's response.

RESOLVED: That

- (1) the report be noted; and
- (2) the response, as set out in the Appendix to the report, be approved.

82. TREASURY MANAGEMENT 2005/06 AND 2006/07

The Treasurer presented a report which sought endorsement for the Authority's treasury management strategy and the Annual Investment Strategy for the year 2006/07. The report also updated Members on treasury management activity undertaken to date, together with background information on the prudential indicators in respect of treasury management activities for 2005/06.

RESOLVED: That

- (1) approval be given to the Authority's treasury management strategy for the year 2006/07; and
- (2) the 2006/07 Annual Investment Strategy, as detailed in the Appendix to the Treasurer's report, be formally adopted and a limit of £15m in total be approved for non-specified investments.
- (3) the treasury management activities undertaken in the year 2005/06 to date be noted.

83. CHAIRMAN'S APPROVAL

The Clerk & Chief Executive reported that, in accordance with the urgency procedures under Standing Order No.11, the Chairman had been consulted on the Authority's December 2005 submission to the Home Secretary on police restructuring.

RESOLVED:

That the action taken by the Chairman, be noted.

84. MEMBERS' ACTIVITY

The Clerk & Chief Executive submitted a report on Members' attendance at recent meetings which included the Association of Police Authorities, Crime and Disorder Reduction Partnerships and other meetings to which Members had been appointed by the Authority.

RESOLVED:

That the report on Members' activity, be noted.

85. ASSOCIATION OF POLICE AUTHORITIES

The Chairman and Vice-Chairmen reported on their recent attendance at meetings of the Association of Police Authorities, where the main topic of debate had been police service restructuring.

RESOLVED:

That the report be noted.

86. MINUTES OF COMMITTEES, PANELS AND FORUMS

RESOLVED: That

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

- Selection Committee – 20 December 2005 and 3 & 4 January 2006;
- Best Value & Audit Committee – 7 February 2006
- Statutory Purposes Committee – 14 February 2006

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

- Performance Review Panel – 20 December 2005
- Policy & Finance Panel – 24 January 2006

Minute 45: Performance Targets 2006/07

That the proposed targets for performance indicators, as set out in the Appendix to the Chief Constable's report, be approved and included in the 2006/07 Policing Plan and recommended to the Authority for approval.

Minute 47: NSPIS Command and Control: Upgrade

That the early commitment of funds to progress the full refresh option for the replacement of the NSPIS Command and Control system, be approved.

Minute 48: Community Support Officers Recruitment and Training

That

- (1) the report be noted;
- (2) the potential use of reserves for the recruitment and training of CSOs, if Home Office funding proves to be inadequate, be approved in principle; and

- (3) the permanent costs be included in future years' Budget proposals as a commitment.

Minute 57: Local Public Service Agreement: Allocation of Reward Grants

That the PSA2 maximum performance reward grant allocation model, as set out in the Treasurer's report, be approved, with the exception for Target 8 "Reducing deaths and injuries on Cheshire roads" which will be considered at a future meeting.

- Organisation & Service Development Panel – 31 January 2006

Minute 30: Capital Programme 2005/06: Slippage

That:-

- (1) the underspend of £1,406,000 be noted, and taken into account in the assessment of reserves and the 2006/07 capital programme;
- (2) the estimated slippage on projects as at 31 March 2006 continue to be kept under review using the revised methodology adopted recently; and
- (3) the transfer of approved capital funds to the data warehouse project, as detailed in the Treasurer's report, be approved.

Minute 31: Premises Improvement Fund: Legal Advice

That:-

- (1) the legal advice from Counsel on the PIF 1 Project as detailed in the Chief Constables' report, be noted;
- (2) further clarification from Gleeds be sought on the issue of the preliminaries as outlined in the Chief Constables' report; and
- (3) if evidence of negligence is not identified by Gleeds, no further action be taken in respect of a claim for damages.

Minute 36: Development of land to the rear of Headquarters, Winsford

That:-

- (1) the report be noted;
- (2) the outline business case for the proposed development of an operational training facility, be presented to the Panel on 28 March 2006 for consideration; and

- (3) a detailed costed proposal for the relocation of the Dogs Unit be submitted to the Panel on 28 March 2006.

Minute 38: Area Facilities Management Contract: Progress

That:-

- (1) the progress in the procurement of a new facilities management contract, as outlined in the Chief Constables' report, be noted;
- (2) the extension to the existing cleaning contract by the Clerk & Chief Executive for a period of three months, expiring on 30 June 2006, as detailed in the Chief Constables' report, be noted; and
- (3) a further extension of the existing cleaning contract with CBS for a period of one month expiring on 31 July 2006, be approved.

Minute 39: North Wales Police: Collaboration Agreement for the repair and maintenance of vehicles

That:-

- (1) the use of the Constabulary's VMU to repair and maintain vehicles from North Wales Police, be approved; and
- (2) an appropriate collaborative agreement between the Cheshire and North Wales police authorities, be developed and signed by the Clerk & Chief Executive.

Minute 40: Air Operations Unit: Performance 2005

That the performance of the Air Operations Unit in 2005, be noted, and the continued provision of air support, be supported.

- (3) the Notes of the following Forum meetings, be received:-
 - Chester – 9 January 2006
 - Warrington – 10 January 2006
 - Ellesmere Port & Neston – 17 January 2006
 - Vale Royal – 18 January 2006
 - Halton - 25 January 2006

87. URGENT BUSINESS: PROPOSED INDUSTRIAL ACTION BY UNISON

In accordance with Standing Order 5.3, the Chairman reported that there was one item of urgent business that required consideration by the Authority.

RESOLVED:

That the urgent item of business relating to proposed industrial action by Unison be considered in Part 2 of the agenda.

88. EXCLUSION OF THE PRESS & PUBLIC

RESOLVED:

That under Section 100(A)(4) of the Local Government Act 1972, as applied by the Police Act 1996, 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>
Urgent Business: Proposed Industrial Action by Unison	(11) Industrial Relations
Chief Constable's Report	(14) Prevention of a crime

89. URGENT BUSINESS: PROPOSED INDUSTRIAL ACTION BY UNISON

In accordance with Standing Order 5.3, the Chairman was of the opinion that this matter be considered as an item of urgent business as it was necessary to discuss the arrangements for contingency plans in the event of forthcoming industrial action.

The Chief Constable presented a report which set out the proposed industrial action by Unison, in relation to changes to the Local Government Pensions Scheme and the proposed contingency arrangements to be put in place.

RESOLVED: That

- (1) the operational contingency arrangements, developed by the Constabulary in the event of industrial action and strike by Unison, as set out in the Appendix to the Chief Constable's report, be noted;
- (2) the APA be advised of the impact that the proposed changes to pension arrangements would have on the proposals for restructuring the police service; and
- (3) a report be submitted to the Human Resources Committee on the proposed change to the Local Government Pension Scheme to enable the Committee to respond to the Government consultation.

90. CHIEF CONSTABLE'S REPORT

The Chief Constable presented his quarterly operational report which included updates on a number of incidents and new and ongoing investigations which the Constabulary were undertaking.

RESOLVED:

That the report be noted.

Duration of Meeting: The meeting commenced at 9.30am and concluded at 12.35pm