



CHESHIRE POLICE AUTHORITY

MINUTES OF THE POLICE AUTHORITY HELD ON TUESDAY 27 JUNE 2006 IN CONFERENCE ROOM 7, CONSTABULARY HEADQUARTERS, WINSFORD

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

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

Constabulary Officers:
P Fahy, Chief Constable
G Gerrard, Deputy Chief Constable
D Baines, Assistant Chief Constable
G Shewan, Assistant Chief Constable
Mrs K Watkins, Director of
Performance Development
Ms Christine Barton, Director of
Human Resources
A Rainford, Head of Finance &
Procurement

21. QUEEN'S BIRTHDAY HONOURS LIST

The Chairman congratulated PCs Sarah Douglas and Diana Woodward for their award of the Queens Police Medal and MBE respectively in the recent Queen's Birthday Honours List.

22. MINUTES

RESOLVED:

That the Minutes of the annual meeting held on 4 April 2006 be confirmed as a correct record.

23. AUTHORITY MEMBERSHIP

The Clerk & Chief Executive presented a report which set out the revised membership of the Authority, following the local elections on 4 May 2006, and sought nominations for the vacancies on a number of committees, panels and outside bodies. An addendum report was also circulated which sought

authority to undertake the recruitment process for independent and magistrate members.

The Chairman and Chief Constable paid tribute to both B P Doyle and P Lloyd-Jones, who had recently lost their seats on the Authority, and thanked them for the commitment they had shown during their time on the Authority. The Chairman also welcomed the two new Members, D Cargill and R Giltrap to their first meeting of the Authority.

RESOLVED: That

- (1) the local authority membership of the Authority be noted;
- (2) the following allocation of committee and panel places to D Cargill and R Giltrap, be approved:-
 - D Cargill - Best Value & Audit Committee; Human Resources Committee; and Policy & Finance Panel
 - R Giltrap - Statutory Purposes Committee; Human Resources Committee; Policy & Finance Panel
- (3) the following appointments be made:-
 - Chairman, Human Resources Committee - Mrs M A Ollerenshaw;
 - Chairman, Chester Police Forum - Mrs S Proctor;
 - Chairman, Halton Police Forum – D Cargill
- (4) D Cargill be appointed to respond to questions relating to the functions of the Police Authority at meetings of Halton Borough Council;
- (5) the following appointments be made to the vacancies on outside bodies and internal appointments:-
 - APA Race & Diversity Group – Mrs M Chapman/Ms E Lam
 - APA Training Network – Chairman of Human Resources Committee
 - APA Criminal Justice System Task Group – Ms E Lam
 - North West Region Training Strategy Group – Chairman of Human Resources Committee
 - Training Lead Member – Chairman of Human Resources Committee
 - Chester Outer NPU Link Member – Mrs S Proctor
 - Widnes NPU Link Member – Mr D Cargill
 - Congleton NPU Link Member – Mr R Giltrap (with Mrs A Coomer)
 - Congleton CDRP (Deputy) – Mr R Giltrap
 - Taking Control Key Work Area Resource Use - Chairman of Human Resources Committee
 - Taking Control Key Work Area Performance Monitoring – Mrs A Coomer to replace Mrs M A Ollerenshaw

- (6) the Clerk & Chief Executive be authorised to undertake recruitment of independent and magistrate members, as outlined in the addendum report, in consultation with the appropriate selection panels.

24. POLICE SERVICE RESTRUCTURING

The Clerk & Chief Executive, the Treasurer and the Chief Constable submitted a joint report on the latest position regarding the proposals for police service restructuring, and invited the Authority to consider its current position on the Home Secretary's notice of merger between Cheshire Constabulary and Merseyside Police.

The Chairman of the Authority made an opening statement on the current proposals and reiterated the concerns that had been expressed at previous meetings that the proposal to merge Cheshire and Merseyside Police was not in the best interests of the people of Cheshire, Halton and Warrington.

The Chairman reported that he and the Chief Constable had recently met with the Policing Minister, Tony McNulty MP, and had relayed the Authority's concerns about the proposal, and that consultation had shown that the proposed merger would prove very unpopular with the local community. The Chairman also updated the Authority on a number of meetings which had been held with Merseyside Police Authority.

The Chief Constable reported that the timetable for the restructuring agenda was now unclear and that he believed that it was time to take a more fundamental look at the original proposals, and develop a solution to policing which was more far reaching than the limited merger with Merseyside Police and would more effectively address the concerns raised in the O'Connor report. Both Members and the Chief Constable also raised concerns about the potential impact on staff of the uncertainty brought about by the delay in the process.

The Treasurer gave a presentation on the financial aspects of the merger and reported that both forces had worked closely together in developing the figures which were before Members. Current calculations suggested that the set up costs for the merger would total a minimum of £36m. It was also clear that the original aspirations to improve protective services had been down graded through the process, and that a minimum payback period of 4 years would mean that no enhancement in protective services would be undertaken during this period.

The Treasurer expressed concern about the impact on council tax in Cheshire, and stated that in her role as Section 151 Officer, she could not at this time recommend that the Authority agree to a voluntary merger. This was based on a number of serious concerns and outstanding issues which had yet to be clarified, including the risk that excess costs would fall on the Authority; it was clear that there were no savings in the short to medium term to invest in protective services; the potential funding difficulties in the Home Office; no solution being provided for precept equalisation; and the likelihood that savings in the short term would not be achieved.

Members raised a number of issues including concern that the pay back period for the proposals could take longer than 4 years; the need to support staff throughout this difficult process; acceptance that the proposals did not address the issues surrounding Level 2 policing and the need therefore to find a more radical approach to these issues; and the need to re-focus the organisation's efforts on the people of Cheshire, Halton and Warrington, to ensure the maintenance of local policing and local accountability.

In unanimously opposing the proposed merger with Merseyside Police, Members stressed the importance that an alternative vision and direction needed to be developed in the short term to present to the Home Office as a viable alternative to enforced mergers and agreed that this would be further explored at the Members' Discussion Day on 17 July 2006.

RESOLVED: That

- (1) the Authority welcomes the announcement by the Home Secretary on 19 June 2006 that he is delaying the enforced merger process to enable greater consideration of the issues and other options, and wider consultation with local communities and key stakeholders;
- (2) the Authority's position on 21 February 2006 be re-affirmed, and the Authority continue to oppose the proposed merger with Merseyside Police for the following reasons:-
 - (a) it is not in the best interests of the people of Cheshire, Halton and Warrington;
 - (b) it will not improve Level 2 capacity in the new force area for a minimum of 5 years, or address the level 2 demands across the region as a whole;
 - (c) the threat to the current level of policing in Cheshire, Halton and Warrington;
 - (d) significant financial concerns, including set up costs, long term funding consequences, guarantees over sufficient capital and revenue funding for the merger, pay harmonisation and human resource issues;
 - (e) uncertainty on the process of Council Tax equalisation which would inevitably impact adversely on the residents of Cheshire, Halton and Warrington;
 - (f) ongoing concern about governance arrangements and the accountability gap between new strategic police authorities and the local communities; and
 - (g) overwhelming opposition to a merger from the public of Cheshire, Halton and Warrington;

- (3) the Home Secretary be requested to use the extra time to look at alternative and more effective solutions, other than enforced mergers, to the issues highlighted in the O'Connor Report; and
- (4) the Home Secretary be requested to provide clarity on the new timetable for reform to enable the appropriate procedures and planning to be put in place, to ensure that Authorities and Forces have sufficient time and capacity to respond accordingly.

25. CHIEF CONSTABLE'S REPORT

The Chief Constable presented his operational report, which included updates on performance issues; the knife amnesty; outcome of major investigations; the work of the Neighbourhood Policing Units; individual officers' performance; new initiatives including the alcohol misuse enforcement campaign and operational issues surrounding the World Cup; and an update on Community Action Team activity.

The Chief Constable reported that performance during the first two months of the year was showing a decrease of 4.4% on overall crime levels, compared to the same period the previous year. It was also reported that all priority crime areas had seen a reduction in crime when compared with last year. This included an 18.9% reduction in vehicle crime, 11% reduction in acquisitive crime, 5% reduction in commercial burglary, 3.9% reduction in burglary and a 2.2% reduction in violent crime. In addition to the decrease in crime levels, the Force had also achieved a 17.9% increase in the volume of sanction detections, when compared to the same period the previous year.

The Authority welcomed the report, and in particular the reduction in volume crime and the continuing improved performance in call management. Members raised a number of issues, including the links between domestic violence and the World Cup; the seizure of alcohol; concern about the high levels of road traffic collisions and incidents of arson; the use of the force aircraft; the illegal use of power bikes; and the policing of the forthcoming 'Creamfields' event, to which the Chief Constable responded. A Member also encouraged the Constabulary to participate in Cheshire County Council's 'Set the Pace' traffic speed campaign and requested that the Chief Executive consider promoting the campaign at a future cycle of Forums.

The Chief Constable commented that a number of operations and initiatives were under way to address many of the issues raised by Members, and that details of these would be provided in future reports to the Authority.

RESOLVED:

That the operational report of the Chief Constable be noted.

26. DIVERSITY: QUARTERLY REPORT

The Chief Constable presented his quarterly report on diversity issues, which included details of the new requirements on both the Force and Authority to have in place a Disability Equality Scheme; the training and development

work in diversity which had been undertaken; the development of staff networks; progress against the Constabulary's Race Equality Scheme; and raised a number of other diversity issues which had been addressed since the last report.

Members noted the report and raised a number of issues, including the use of quotas in staff recruitment and retention; and the need for the organisation's staff to be reflective of the local population, to which the Chief Constable responded.

RESOLVED:

That the quarterly report on diversity, be noted.

27. HUMAN RESOURCE STRATEGY 2006-09

The Director of Human Resources presented the draft Human Resource Strategy 2006-09 for approval. It was reported that the Strategy covered all aspects of people management needed to deliver the policing objectives contained the Policing Plan, and in addition, included a costed training plan summary for 2006/07.

Members welcomed the report and raised a number of issues, including the outcome of recent staff surveys; the use of the Force's occupational health advisor; and the need to continue to improve performance in relation to sickness levels, to which the Director of Human Resources responded.

RESOLVED: That

- (1) the report be noted; and
- (2) the Human Resource Strategy 2006-09 be approved.

28. ANNUAL REPORT 2005/06

The Clerk & Chief Executive invited the Authority to approve the combined Authority and Constabulary Annual Report for 2005/06. Members had been circulated with a final draft of the report and their comments on both its content and layout were sought.

Members noted the report and supported its proposed layout and content. Members welcomed the focus on the three Areas; and also requested that an article on how hate crime was tackled, be included in the report.

RESOLVED: That

- (1) the Chief Constable's Annual Report for 2005/06 be received;
- (2) the Authority's Annual Report be approved subject to resolution (4) below;

- (3) the proposed distribution of the combined Annual Report, as outlined in a report, be approved; and
- (4) the Clerk & Chief Executive and the Chief Constable, in consultation with the Chairman and the Treasurer, be authorised to finalise the combined Annual Report and make the necessary arrangements to publish the report by the end of July, for distribution to all households in September and October 2006.

29. DRAFT STATEMENT ON INTERNAL CONTROL 2005/06

The Treasurer presented a report which reviewed the Authority's internal control framework and statements on internal control. The report detailed the scope of responsibility of the document; the code of corporate governance; the purpose of the system of internal control; and the internal control framework.

The Treasurer highlighted the four key issues in the document, which had been identified during the year. It was reported that the statement may need to be amended in the light of the completion of the audit of the accounts and re-submitted to the Authority on 26 September 2006, prior to the publication with the Statement of Accounts.

RESOLVED:

That the draft statement on internal control, subject to external audit's findings, be approved for publication.

30. DRAFT STATEMENT OF ACCOUNTS 2005/06

The Treasurer presented the draft Statement of Accounts for 2005/06, which was required to be approved by the end of June 2006. It was reported that the Statement of Accounts was still subject to audit by the Audit Commission, and their work would not be undertaken until August 2006. In order to comply with the deadline for publication by 30 September 2006, it was intended that the full Statement of Accounts would be re-submitted to the Authority on 26 September 2006, together with the final Statement on Internal Control.

The Treasurer highlighted the key aspects of the Statement of Accounts and Members raised a number of queries, including the differences between net expenditure in 2004/05 and 2005/06, particularly in relation to the reduction and investigation of crime; the desired level of reserves; and the long term financial strategy of the Authority, particularly in relation to the recruitment and appointment of Community Support Officers, to which the Treasurer responded.

It was also reported that the Citizens Panel had been consulted on the production of the Statement of Accounts, and that a summary, taking account of the views of the Panel, would be included in the 2005/06 Annual Report.

RESOLVED:

That the Statement of Accounts for 2005/06 be approved.

31. MEMBERS' ACTIVITY

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

RESOLVED:

That the report on Members' activity be noted.

32. 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 renewal of insurance, combined liabilities and motor fleet; CCTV Intelligence Units; and the appointment of additional Community Support Officers.

RESOLVED:

That the action taken by the Chairman be noted.

33. MINUTES OF COMMITTEES AND PANELS AND A SUMMARY OF ISSUES RAISED AT POLICE FORUMS

RESOLVED: That

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

- Best Value & Audit Committee – 9 May 2006
- Statutory Purposes Committee – 16 May 2006
- Human Resources Committee – 26 June 2006

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

- Human Resources Committee – 23 May 2006

Minute 5 – Special Priority Payments: Annual Review 2006

That the Special Priority Payment Scheme for 2006 as detailed in the Chief Constable's report, be approved.

Minute 10 – Occupational Health Services Contract

That

- (1) the existing period of the contract with Mediscreen be extended to cover the period 1 April 2007 to 31 March 2009;
- (2) the detail of the current contract be evaluated and appropriate modifications suggested and reported to the Authority on 13 February 2007 in order to meet the needs of the force during the potential period of change; and
- (3) the future occupational health needs of the force are identified in order to meet the requirements of a tendering exercise in 2007/08 to ensure appropriate provision beyond March 2009.

- Policy & Finance Panel – 18 April 2006

Minute 5 – Annual Report on Procurement 2005/06

That

- (1) the 2005/06 procurement report, be noted: and
- (2) the procurement strategy for 2006/07, be approved.

Minute 7 – Members’ Attendance 2005/06

That the report on Member’s attendance in 2005/06, be noted and the Clerk & Chief Executive be instructed to take no further action in relation to 2005/06 attendances.

Minute 8 – Annual Review of Members’ Allowances

That

- (1) the report noted; and
- (2) allowances payable to Members be increased in line with the police staff pay increase in 2005/06 of 3%, as detailed below, with effect from 1 April 2005:-

Basic Allowances	£6,795
Chairman of the Authority	£16,989
Vice-Chairmen	£11,326
Chairmen of Committees	£9,060
Chairmen of Forums	£9,060
Daily Rate Allowance	£169.88 (£84.94 per half day)

Minute 9 – Second Generation Local Public Service Agreement

That the three way split between Cheshire County Council, Cheshire Fire & Rescue Service and the Constabulary for the performance reward grant for Target 8, be approved.

- Policy & Finance Panel – 13 June 2006

Minute 13 – Capital Expenditure & Financing 2005/06

That

- (1) the Capital Outturn for 2005/06, be noted;
- (2) the capital financing strategy for 2005/06 as set out in the joint report, be approved; and
- (3) a report be submitted to the next meeting on the action taken to improve the management of capital financing and budgeting.

Minute 16 – Management of Police Information

That

- (1) additional funding of £366,000 for the Management of Police Information Project (MOPI), as detailed in the report, be supported;
- (2) the £366,000 be funded from any under spend in the 2005/06 budget and/or under spend identified in the 2006/07 first quarter budget review; and
- (3) if funding cannot be found from existing budgets, as outlined in recommendation (2) above, the funding be made available from general reserves.

- Performance Review Panel – 25 April 2006

Minute 5 – Assessing Performance against Local Policing Domain 2006/07

That the proposed local measures and targets and method of assessment for 2006/07, as contained in the Appendix to the Chief Constable's report, be agreed.

Minute 6 – Revised Force Targets 2006/07

That

- (1) the revised targets for 2006/07, as set out in the Appendix to the Chief Constable's report, be approved; and
- (2) the Policing Plan be updated on the Authority's website to reflect the amended targets.

Minute 8 – Area Visits

That

- (1) the notes of the three Area visits, be noted;
- (2) an update on action taken in response to issues raised by staff be reported to the Panel on 4 July 2006; and
- (3) the Clerk & Chief Executive write to staff on the three Areas to update them on the outcome of the meeting.

- Organisation & Service Development Panel – 30 May 2006

Minute 4 – Community Support Officers: Update and Accelerated Funding Proposal

That

- (1) the report be noted;
- (2) the Home Office be advised that the Authority would consider an additional 64 CSOs in 2006/07, subject to confirmation from the Home Office on funding;
- (3) clarification on Home Office funding if recruitment targets are not achieved, be submitted to Policy & Finance Panel on 18 July 2006 when formal approval to commit permanent funding is considered; and
- (4) Members actively market the benefits and use of CSOs wherever possible.

Minute 12 – Estates Investment Strategy: Update

That

- (1) the report be noted;
- (2) the Estates Investment Strategy be adopted;
- (3) an annual report on performance and progress be presented to the Panel; and
- (4) Mrs G A Cousins be appointed as the Lead Member to oversee the development of the Strategy.

Minute 13 – The North West Plan – Draft Regional Spatial Strategy:
A Consultation response by the North West Police Forces

That

- (1) the report be noted;
- (2) the outline response on behalf of the North West police forces to the North West Plan – draft Regional Spatial Strategy as contained in the Chief Constable’s report, be supported; and
- (3) the principle of future cost sharing with the other North West forces be approved, and that the detail and actual costs be the subject of future approval.

Minute 14 – Cancellation of Meeting

That the meeting scheduled on 21 November 2006, be cancelled.

- (3) The summary of business considered at the last cycle of Forum meetings, be noted.

34. URGENT BUSINESS

In accordance with standing order 5.3, the Chairman reported that there were two items of urgent business that required consideration by the Authority.

RESOLVED: That

- (1) the item of urgent business relating to the Association of Police Authorities and Association of Chief Police Officers proposed subscription rates for 2006/07 be considered in Part I of the agenda; and
- (2) the item of urgent business relating to Police Reform – The Real Opportunity, be considered in Part II of the Agenda.

35. URGENT BUSINESS: ASSOCIATION OF POLICE AUTHORITIES AND ASSOCIATION OF CHIEF POLICE OFFICERS PROPOSED SUBSCRIPTIONS 2006/07

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 the subscriptions were now due for payment.

The Clerk & Chief Executive submitted a report which invited consideration of the proposed Association of Police Authorities and Association of Chief Police Officers subscription rates for 2006/07.

RESOLVED: That

- (1) the subscription to the APA for 2006/07 of £18,955 be approved; and
- (2) the subscription to the ACPO for 2006/07 of £11,571 be approved.

36. 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 of the Act in the paragraphs indicated:-

<i>Item</i>	<i>Paragraph</i>
Chief Constable's Report	(7) Information relating to the prevention, investigation or prosecution of a crime
Urgent Business: Police Reform - The Real Opportunity	(4) Labour Relations

37. CHIEF CONSTABLE'S REPORT

The Chief Constable presented the second part of his operational report which included updates on a number of incidents, and new and ongoing investigations, which the Constabulary was undertaking.

In discussing the report, the Chief Constable commented on the Government's sentencing policy and the current pressures on the prison service. The Chairman requested that the Chief Constable prepare a further briefing on the issue to enable him to make representations to the Home Secretary and the Secretary of State for Constitutional Affairs/Lord Chancellor.

The Chairman also requested a report on the outcome of the review of the resource allocation model together with an explanation of the components of the model, be presented to Organisation & Service Development Panel on 3 October 2006.

RESOLVED:

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

38. URGENT BUSINESS: POLICE REFORM – THE REAL OPPORTUNITY

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 agree the Authority's position on police service restructuring, following the Home Secretary's announcement on 19 June.

The Chief Constable presented a report which set out a proposed way forward in response to police service restructuring, which would look at the wider police reform agenda, rather than a simple force merger. The report included proposals to strengthen local accountability through partnerships; the transformation of volume business and back office functions; workforce modernisation and the mixed economy; and collaboration to deliver policing services.

Members noted the report and welcomed the new approach to the police reform agenda. In supporting the general direction of the Chief Constable's proposals, Members raised a number of issues, including the need to work with an increasing number of partners in both other police forces and other agencies; the need to ensure robust and appropriate governance structures were in place in any revised policing framework; the need to look at a regional wide solution to the policing issues in the North West; that the strategy be more focused to enable the Authority to concentrate on the key issues to take forward.

Members supported the overall direction of the document, but emphasised the Authority's preferred option for the Home Secretary to use his powers to enforce statutory collaboration to ensure that forces in the region worked more effectively together, and also emphasised the importance of the workforce modernisation agenda to the reform of the police service. Members agreed that the document formed a useful basis for further discussions and that this be undertaken at the Members' Discussion Day on 17 July 2006.

RESOLVED: That

- (1) the report be noted;
- (2) the Constabulary further develop the issues set out in the report for further debate at the Members' Discussion Day on 17 July 2006.

Duration of Meeting: The meeting commenced at 9.30am and concluded at 12.45pm