

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Cheshire Police and Crime Panel**
held on Friday, 2nd February, 2018 at Wyvern House, The Drumber,
Winsford, CW7 1AH

PRESENT

Cheshire East	Councillors H Murray (Chairman), S Edgar and P Findlow
Cheshire West & Chester Riley(substitute)	Councillors R Bisset, M Delaney and L
Warrington	Councillors B Maher and A King
Halton	Councillors N Plumpton Walsh and D Thompson
Independent Co-optees:	Mr R Fousert, Mrs S Hardwick and Mr E Morris
Officers:	Mr B Reed, Mr M Smith, Mrs J North

110 **APOLOGIES**

Apologies for absence were received from Councillor A Dawson.

111 **CODE OF CONDUCT - DECLARATION OF INTERESTS. RELEVANT AUTHORITIES (DISCLOSABLE PECUNIARY INTERESTS) REGULATIONS 2012**

There were no declarations of interest.

112 **PUBLIC PARTICIPATION**

There were no members of the public present wishing to speak.

113 **MINUTES OF PREVIOUS MEETING**

The minutes of the meeting of the Panel held on 10 January 2018 were submitted for approval.

With reference to minute 108, Cllr L Riley requested that the question asked by Councillor A Dawson, relating to what training the Commissioner had received in relation to his powers and the requirement to be open and transparent, be raised again.

RESOLVED

That the minutes be approved as a correct record.

114 **ORDER OF BUSINESS**

RESOLVED

That the item relating to the Police and Crime Commissioner's proposed precept be considered after item 6 of the agenda, when the Commissioner is in attendance at the meeting.

115 **LOCATION OF PANEL MEETINGS**

Consideration was given to a report requesting that the Panel consider the location of future meetings, and review its policy on webcasting.

In November 2016 the Panel had resolved that the venues for future meetings of the Panel be rotated around Cheshire, with meetings being recorded and then made available via a webcast after the meeting, unless the meeting was held at Wyvern House, in which case the meeting be live streamed. The meeting of the Panel where the budget was set would take place at Wyvern House, to ensure that it was live streamed.

In February 2017, the Panel had agreed the location of meetings up to April 2018 and meetings had been held in Warrington, Widnes and Macclesfield, the next meeting of the Panel being scheduled to take place in Ellesmere Port. Confirmation Hearings, which by their nature could not be planned far in advance, had been held in Crewe and Winsford.

In choosing to rotate the location of meetings, Panel members had hoped to increase the number of members of the public attending meetings. However, attendance at meetings had not increased.

Consideration was given to the proposed location of future meetings and it was considered that, as the Panel was a Cheshire wide Panel, the general principle should be for meetings to be rotated around Cheshire. It was also considered that the rotation of locations would provide an opportunity for youth engagement, to enable a better understanding of democracy and for them to see democracy in action.

It was, however, felt that more consideration should be given to publicising the dates, times and venues of the Panel meetings and also the production of a Press Strategy.

RESOLVED

That the venues for meetings of the Panel continue to be rotated around Cheshire and that consideration be given to publicising meeting dates and venues, with a view to increasing public attendance.

(The Chairman requested that the dates and venues of future meetings be circulated by the secretariat in advance of the meetings and that each

Panel member suggest appropriate venues in their areas and submit any suggestions for publicising the meetings and venues).

116 **POLICE AND CRIME COMMISSIONER'S PROPOSED PRECEPT FOR 2018/19**

(The Police and Crime Commissioner was in attendance for the following part of the meeting and was accompanied by Gareth Burrows, Matthew Walton and Liz Lunn, officers from the Commissioner's office).

Consideration was given to a report outlining the process for reviewing the Police and Crime Commissioner's proposed Precept for 2018/19. The Panel was recommended to review the Police and Crime Commissioner's proposed Precept. It was reported that the arrangements for determining the Police Precept were set out in Section 26 and Schedule 5 of the Police Reform and Social Responsibility Act 2011 and Part 2 of the Police and Crime Panels (Precepts and Chief Constable Appointments) Regulations 2012.

Having considered the Precept, the Panel must either:-

- Support the Precept without qualification or comment;
- Support the Precept and make recommendations to the Police and Crime Commissioner; or
- Veto the proposed Precept (by the required majority of at least two thirds of the persons who were members of the Panel at the time the decision is made).

If the Panel vetoed the proposed Precept, the report that was made to the Commissioner must include a clear statement that the Panel had vetoed the proposed Precept, with the Panel's reasons. The Regulations required that the Panel receive a response from the Commissioner to the report and associated recommendations.

The Police and Crime Commissioner must notify the relevant Police and Crime Panel of the Precept which the Commissioner was proposing to issue for the following financial year, by 1 March.

It was reported that the Commissioner's Finance Officer, Liz Lunn, had made a presentation on budgetary issues to Panel members at an informal meeting of the Panel on 10 January 2018. The information presented at that meeting had set out the context within which the Precept was to be set.

The Commissioner had considered a report on the 2018/19 Revenue Budget and Council Tax Precept at his Management Board meeting

on 31 January 2018 and had formally notified the Panel of the proposed Precept on 1 February 2018.

In his letter to the Chairman, the Commissioner had stated that, in order to meet the identified threats and risks, and support investment in maintaining and improving critical services, which were highly valued by the public of Cheshire, he was proposing to increase the police element of council tax by 7.3% or £12 per year for a Band D property, in line with Government expectations. He stated that the decision to propose this increase had not been reached lightly and had followed consultation with both the public of Cheshire, local business leaders and advice from the Acting Chief Constable on the resources needed to protect people.

The Commissioner presented his report to the Panel. Following this, consideration was given to the above options, members of the Panel raising a number of questions and comments.

The recommendation and rationale for the decision were set out in the Decision Notice.

https://www.cheshireeast.gov.uk/council_and_democracy/your_council/cheshire-police-and-crime-panel.aspx

RESOLVED

That the Panel support the precept without qualification or comment.

117 OVERVIEW AND SCRUTINY OF THE POLICE AND CRIME COMMISSIONER - QUESTIONS FOR THE POLICE AND CRIME COMMISSIONER

The following question was asked of the Commissioner:-

Mr Bob Fousert asked, given the recent disclosures on the national news, would the Commissioner tell the Panel if he had made enquiries as to how many cases brought to court by the Constabulary over the last two years had collapsed because of failure by police and prosecutors to disclose evidence and could he assure the public that he had satisfied himself that robust measures were in place in order to prevent such miscarriages of justice.

The Commissioner, in summary, responded to say that, whilst he had been involved in seeking assurances in terms of proper procedure, his ability was to scrutinise the Chief Constable and not the CPS or the court service. He was, therefore, somewhat limited on giving a full answer to the question, which was beyond his remit. He had, however, made further enquiries and would attempt to do so in some depth, if the Chairman allowed. – The Chairman indicated that he considered that it was reasonable to receive a written response.

Councillor Findlow asked whether the Commissioner could enquire as to the number of instances of non or late disclosure of intelligence, in relation to cases past, present and impending.

The Commissioner agreed to include this in the response.

(Liz Lunn left the meeting at this point and the Chairman wished her good luck on her forthcoming retirement).

118 **WORK PROGRAMME**

Consideration was given to the Work Programme.

RESOLVED

That the Work Programme be updated, to include dates and locations of future meetings, once agreed.

(It was agreed that consideration would be given to holding some of the Summer meetings at 4pm, but that Fridays would be avoided for 4pm meetings).

The meeting commenced at 10.00 am and concluded at 12.20 pm

Councillor H Murray (Chairman)