

Public Document Pack



Cheshire Police and Crime Panel Agenda

Date:	Friday, 22nd September, 2017
Time:	10.00 am
Venue:	The Karalius Suite, Select Security Stadium Halton, Lowerhouse Lane, Widnes WA8 7DZ

The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT

1. Apologies

Members are reminded that, in accordance with governance procedure rule 2.7, Panel Members, or their constituent authority, may nominate substitute members of the Panel in the event that the appointed representative(s) is/are unable to attend the meeting. Advance notice of substitution should be given to the host authority wherever possible. Members are encouraged wherever possible to secure the attendance of a substitute if they are unable to be present.

2. Code of Conduct - Declaration of Interests. Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012

Members are reminded of their responsibility to declare any disclosable pecuniary or non-pecuniary interest which they have in any item of business on the agenda no later than when the item is reached.

3. Public Participation

Contact: Julie North, Senior Democratic Services Officer
Tel: 01270 686460
E-Mail: julie.north@cheshireeast.gov.uk

To receive questions from members of the public in accordance with governance procedure rule 14. A total period of 15 minutes will be allocated for members of the public to speak at Panel meetings. Each member of the public shall be limited to a period of up to 5 minutes speaking.

Members of the public may speak on any matter relating to the work of the Panel. During public speaking time, members of the public may ask questions of the Panel and the Chairman, in responding to the question, may answer the question, may decline to do so, may agree to reply at a later date or may refer the question to an appropriate person or body.

Questions will be asked and answered without discussion. In order for officers to undertake any background research, members of the public who wish to ask a question at a Panel meeting should submit the question at least a day before the meeting.

Members of the public are able to put questions direct to Cheshire's Police and Crime Panel via social media platform Twitter.

The Cheshire Police and Crime Panels' Twitter account @CheshirePCP

4. **Minutes of Previous meetings** (Pages 3 - 14)

To approve the minutes of the meetings held on 23 June 2017 and 12 July 2017, as a correct record.

5. **Appointment of Independent Members** (Pages 15 - 18)

To consider the recommendations in respect of the appointment of independent members to the Cheshire Police and Crime Panel.

6. **Police and Crime Panels (PCPs) - Consultation on Proposals for National Representation** (Pages 19 - 24)

To agree the response to the consultation on proposals for a national representative body for PCPs.

11.00am THE POLICE AND CRIME COMMISSIONER WILL BE IN ATTENDANCE FOR THE FOLLOWING PART OF THE MEETING

7. **Overview and Scrutiny of the Police and Crime Commissioner - Questions for the Police and Crime Commissioner**

8. **Work Programme** (Pages 25 - 26)

To agree the Work Programme.

9. **Date of next Meeting**

Friday 1 December 2017, at 10am - Council Chamber, Municipal Buildings, Earle Street, Crewe

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CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Cheshire Police and Crime Panel**
held on Friday, 23rd June, 2017 at The Council Chamber, Warrington Town
Hall, Sankey Street, Warrington WA1 1UH

PRESENT

Councillors:

Cheshire East Councillors H Murray, S Edgar and
G Walton(Substitute)

Cheshire West & Chester Councillors A Dawson, A Black and
T Sherlock(Substitute)

Halton Councillors N Plumpton Walsh and
D Thompson

Warrington Councillors A King and B Maher

Independent Co-optees: Mrs S Hardwick and Mr R Fousert

Officers: Mr B Reed, Head of Governance and
Democratic Services and Mr M Smith, Civic and
Administration Manager, Cheshire East Council

Also in attendance: Mr D Keane, Police and Crime Commissioner
for Cheshire and Mrs E Lunn, Chief Finance
Officer, Office of the Police and Crime
Commissioner.

63 APOLOGIES

Apologies were received from Councillor J P Findlow (Cheshire East Council),
Martyn Delaney (Cheshire West and Chester Council) and Robert Bisset
(Cheshire West and Chester Council).

64 TERM OF OFFICE OF INDEPENDENT MEMBERS

Noting that the Recruitment Panel appointed at the meeting on 3 February had
yet to complete its work, the Panel agreed to formally extend the terms of office of
the two remaining independent members until such time as the work of the
Recruitment Panel was complete and a report was made to the Panel, which
formally reappointed independent members.

RESOLVED

That the terms of office of Mr Robert Fousert and Mrs Sally Hardwick be formally
extended until such a time as the Recruitment Panel had made recommendations

to the Police and Crime Panel over the terms of office of independent members and had formally reappointed independent members.

65 APPOINTMENT OF CHAIRMAN FOR THE 2017/18 MUNICIPAL YEAR

Councillor Howard Murray (Cheshire East Council) was elected as Chairman for the 2017/18 Municipal Year.

66 APPOINTMENT OF DEPUTY CHAIRMAN FOR THE 2017/18 MUNICIPAL YEAR

Mr Robert Fousert (independent member) was appointed as Deputy Chairman for the 2017/18 Municipal Year.

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

There were no declarations of interest.

68 MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 24 March 2017 were submitted.

RESOLVED

That the minutes of the meeting held on 24 March 2017 be approved as a correct record.

69 PUBLIC PARTICIPATION

Mr Lance Reah, a military veterans' peer mentor, who worked with ex servicemen who had become involved with the criminal justice introduced himself. He explained that he was attending the meeting to gain a better understanding of the work of the Panel. Mr Reah was welcomed to the meeting by the Chairman.

70 PANEL MEMBERSHIP 2017/18

The Panel received a report on the membership of the Police and Crime Panel for the 2017/18 Municipal Year.

Councillor Dawson noted that the current Panel membership did not reflect the Council of Europe guidance as to gender balance, which suggested that at least 40 per cent of members on public bodies should be women. There was recognition from members of the Panel that such a balance would be desirable, but it was noted that this was made more difficult in the case of a body such as the Police and Crime Panel where the majority of members were appointed by constituent Councils. Councillor Dawson asked that members go back to their Councils and ask that the gender of those appointed to the Panel is considered in future years.

RESOLVED

That the membership of the Panel be noted.

71 APPOINTMENT TO VACANT POSITION OF INDEPENDENT MEMBER OF THE PANEL

Consideration was given to a report which updated the Panel on the progress that had been made with the appointment to the vacant position of independent member. Councillors Dawson and King (the two Councillor members of the Recruitment Panel) noted that good progress had been made, but that the calling of a General Election had caused a delay in the Recruitment panel's work. Interviews would be held on Friday 30 June, following which members of the Police and Crime Panel would be updated.

RESOLVED

The Panel noted the progress made with the appointment of a new member to replace Mr Eric Hodgson.

72 PANEL ARRANGEMENTS: RULES OF PROCEDURE

The Panel reviewed and adopted its Rules of procedure each year, it was noted that following the transfer of administrative responsibility for the Panel to Cheshire East Council in the summer of 2016, a major review of the Panel's Rules of Procedure had been undertaken. These had been approved by the Panel at its meeting on 23 September 2016.

The documents considered by the Panel contained a small number of minor amendments, incorporating changes agreed by the Panel since September 2016, together with small number of typographic corrections.

Councillor Dawson asked if the Panel could have access to the Complaints Procedure issued by the Host Authority's Monitoring Officer and referred to in paragraph 12.8.2. of the draft Rules of Procedure.

RESOLVED

- (i) That the Panel Arrangements; Rules of Procedure be adopted for the 2017/18 Municipal Year.
- (ii) That the Complaints Procedure issued by the Host Authority's Monitoring Officer be circulated to members of the Panel in advance of the September meeting.

73 CHESHIRE POLICE AND CRIME PANEL BUDGET 2017/18

The Panel noted that a working outline budget had been developed for the 2017/18 Municipal Year and that this would provide a mechanism to enable Government Grant to be claimed at the end of the year.

RESOLVED

That the budget for the 2017/18 Municipal Year be approved.

74 INFORMAL MEETING DATES 2017/18

Consideration was given to the dates of informal meetings of the Panel for 2017/18. Councillor Thompson asked if some meetings could be held in the evening, noting that it was not always easy for Panel members who worked to take time off. The Panel were supportive of this suggestion.

RESOLVED

(i) That informal meetings be held on:

2 August 2017
1 November 2017
10 January 2018
7 March 2018

(ii) That the Police and Crime Commissioner be approached with a view to the August and March meetings being held in the evening.

75 SIXTH ANNUAL CONFERENCE FOR POLICE AND CRIME PANELS

Consideration was given to attendance at the sixth annual Conference for Police and Crime Panels being held in Warwick on Monday 6 November 2017.

RESOLVED

That the Deputy Chairman represents the Panel at the Sixth Annual Conference for Police and Crime Panels.

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

The Commissioner provided the Panel with an update on the Cheshire Constabulary's response to the recent terrorist attacks. He noted that following the attack in Manchester on 22 May 2017 the national threat level had been raised to Critical for a short time; before returning to its current level of Severe.

In the days after the attack in Manchester there had been a number of high profile events in Cheshire, including a race meeting in Chester and a number of rugby matches. Additional resources had been deployed and feedback from the public was that they had been reassured by the higher profile Police presence. Assistance had also been provided to Greater Manchester Police and there had been a joint firearms response with the North Wales Police.

The Commissioner reassured the Panel that events across Cheshire over the summer would be risk assessed as necessary.

The Commissioner confirmed that a number of Decision Papers had been circulated following the last meeting of the Panel; these related to the appointment of a Deputy Police and Crime Commissioner and the relocation of his office to Stockton Heath.

Councillor Steve Egdar sought clarification over how many staff from Winsford had been made redundant as a result of the move to the Commissioner's Office to Stockton Heath. The Commissioner indicated that there had been no redundancies attributable to the office relocation.

Councillor Andrew Dawson asked the Commissioner if there were any additional papers related to either the appointment of the Deputy Police and Crime Commissioner or the relocation of the Commissioner's Office to Stockton Heath. The Commissioner indicated that the papers that he had circulated had been comprehensive and provided detailed business cases. He noted that the papers provided did make reference to other documents that were already in the public domain.

Councillor Dawson sought further clarification over the appointment of the Deputy Police and Crime Commissioner, asking that if the Commissioner had declared his long standing association with former Councillor Dirrir as part of the recruitment process, this information was not included in the Decision paper that had been circulated.

The Commissioner responded by saying that he had followed due process and had been full and open at all stages of the recruitment process for a Deputy Commissioner and had declared his long standing association with Ms Dirrir. He stated that in his opinion he had gone well beyond the legal requirements when appointing his Deputy. He informed the Panel that the Deputy Commissioner was now in post as was doing an excellent job, especially in areas such as diversity and working with volunteers. Councillor Dawson noted that his own definition of "full and open" appeared to be different to the Commissioner's.

The Chairman invited the Commissioner to consider bringing important issues to the Panel in advance of decisions being taken, noting that this invitation had been made on a number of occasions in the past. The Commissioner noted that since the previous meeting of the Council he had improved communication with the Panel's Secretariat and Chairman; and that he welcomed the advice and views of the Panel.

Mrs Sally Hardwick indicated that she was concerned that the paperwork provided in relation to the move to Stockton Heath did not; in her opinion constitute a full business case. The Commissioner stated that in his view the Decision Paper that he had circulated was comprehensive, noting that he had not been prepared to do nothing, as he had been, in his opinion, occupying far too much space at Constabulary Headquarters. His own office had been too large and that he could not justify the cost. He indicated that he had not been prepared to buy or rent accommodation, but had asked the Constabulary's Estates team to look for alternative accommodation, with the proviso that any accommodation identified would not compromise operational policing. He explained that move would facilitate the joint Police and Fire Headquarters; a decision that had been taken before he had been elected as Commissioner. The Commissioner did indicate that wished he had consulted with the Panel at an earlier stage over the office relocation. The Chairman thanked the commissioner for his comprehensive response.

Councillor David Thompson asked the Commissioner how he was holding Government to account and challenging Government; areas that were included within the Police and Crime Plan.

The Commissioner responded by saying that since 2010 the Constabulary's budget had been reduced by over £50m; by 2020 this would have increased to £60m. He outlined some consequences of these cuts on staff numbers; included firearms officers, which has reduced from 95 in 2010 to 48 in 2016. The Commissioner outlined the steps that he had taken to influence the Government, including work with the Association of Police and Crime Commissioners and a joint approach to Government by Commissioners from the North West, including the Rt Hon Andy Burnham, elected Mayor of Greater Manchester. He also outlined successful approaches for additional funding that had been made to the Home Office to enable the Constabulary to undertake work on cases of historic sexual abuse, including cases related to Crewe Alexandra Football Club. Further bids were being made through the Police Transformation Bids programme; including a bid for a multi agency funding to address stalking.

The Chairman commented on Police numbers and budgets, noting that the Panel (and before that the Police Authority) had always supported the Police precept. He also commented on the number of firearms officers, reflecting that the reduction of firearms officers over recent years had been a response to local circumstances; but noting that evens over recent months had in all likelihood changed what was needed across Cheshire. He asked the Commissioner if firearms crime and levels of overall crime had increased in Cheshire in the last two of three years. The Commissioner indicated that he would respond to the question on firearms crime in writing, but that overall crime rates had not decreased. The Commissioner was of the view that the only reason that firearm officer numbers had reduced were budgetary, the Chairman indicated that he recalled the former Chief Constable advising that fewer firearms officers were needed across the Constabulary.

Councillor Dawson asked the Commissioner how he scrutinised the Chief Constable over issues relating to data protection. The Commissioner responded by saying that the Chief Constable was responsible for data processed by the Constabulary and that the Deputy Chief Constable was the Senior Information Risk Officer (SIRO). He also highlighted the role of the Information Commissioner. The Commissioner explained that he received regular updates on data protection across the Constabulary.

Councillor Dawson asked for confirmation that Cheshire Police had all the necessary Data Sharing agreements in place with partner organisations. The Commissioner agreed to check on the situation and report back in writing, suggesting that the issue may be one that could be discussed in depth at an informal meeting.

Mrs Sally Hardwick asked the Commissioner for an update on the work that was being undertaken to review the collection and presentation of statistics across the Police, noting recent criticism by Her Majesty's Inspector of Constabulary (HMRC). The Commissioner informed the Panel that he was holding a special scrutiny meeting on 3 July 2017 on this issue. Panel members were asked to indicate if they had any questions they would like the Commissioner to ask the Chief Constable. The Deputy Chairman noted that legal definitions existed in relation to crime.

The Deputy Chairman asked for clarification over sickness information available on the Constabulary website, noting that it was very difficult to identify trends. The Commissioner indicated that he had already asked the Constabulary to make more information available.

The Chairman asked the Commissioner to provide written responses to Panel members who had submitted questions in advance, but due to time constraints had been unable to have them answered.

Councillor Dawson suggested that the Panel may wish to consider setting a maximum time for the Commissioner to answer questions. The Chairman indicated that this would require a change to the Panel's Procedure Rules and asked Councillor Dawson to write to him on this issue, which could then be discussed at a future meeting.

77 WORK PROGRAMME

The work programme was noted.

78 ANY OTHER BUSINESS

Councillor Sally Hardwick suggested that the Panel send it's thanks to Mr Mark Sellwood, former Chief Executive of both the Police Authority and the Commissioner's Office. The Panel supported this proposal and the Chairman agreed to draft a letter to send to Mr Sellwood.

RESOLVED

That the Chairman writes to Mr Mark Sellwood thanking him for his excellent work in supporting policing in Cheshire over many years.

Councillor Amanda King suggested that the Panel formally recognise the outstanding contribution of the emergency services following the recent terrorist outrage in Manchester, noting that a serving Cheshire Police Officer had lost her life and another victim had attended a Cheshire School. The Panel were supportive of this suggestion.

RESOLVED

That the Panel put on record its appreciation of the work of the Police, Fire and Rescue Services, Ambulance Service and Health professionals following the terrorist outrage in Manchester on 22 May 2017.

The meeting noted that a Confirmation Hearing for the position of Chief of Staff of the Commissioners office would be held on Wednesday 12 July, starting at 6.30pm at Wyvern House, Winsford.

79 DATE OF NEXT MEETING

The next meeting of the Panel would be on Friday 22 September 2017, starting at 10.00am.

The meeting commenced at 10.00 am and concluded at 12.45 pm

Councillor H Murray (Chairman)

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CHESHIRE EAST COUNCIL

Minutes of a meeting of the Cheshire Police and Crime Panel

held on Wednesday 12 July at ,
Wyvern House, The Drumber, Winsford

PRESENT

Councillors:

Cheshire East Councillors H Murray (Chairman), S Edgar and P Findlow

Cheshire West & Chester Councillor A Dawson

Warrington Councillor B Maher

Independent Co-optees: Mrs S Hardwick and Mr R Fousert

Officers: Mr M Smith, Civic and Administration Manager and Mrs D Nickson, Deputy Monitoring Officer

1. APOLOGIES

Apologies were received from Councillor Robert Bisset (Cheshire West and Chester), Councillor Norman Plumpton Walsh (Halton), Councillor D Thompson (Halton) and Councillor Amanda King (Warrington).

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

There were no declarations of interest.

3. CONFIRMATION HEARING FOR CHIEF OF STAFF FOR THE OFFICE OF THE POLICE AND CRIME COMMISSIONER FOR CHESHIRE

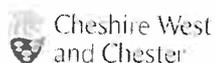
The Panel noted the statutory timetable and requirements relating to their responsibility for reviewing and reporting to the Police and Crime Commissioner on his proposed appointment of a Chief of Staff.

RESOLVED

That the Panel undertake a Confirmation Hearing in relation to the Commissioner's proposal to appoint Mr Peter Astley MBE as Chief of Staff and report back to the Commissioner on the outcome of that Hearing.

Following a confirmation Hearing conducted in public (and available for the public to view as a Webcast, with a copy being retained), the Panel, meeting in private session, unanimously agreed that they could not support the Commissioner's candidate for the position of Chief of Staff.

A copy of the letter sent by the Chairman of the Panel to the Police and Crime Commissioner on 14 July 2017 is appended to these minutes.



Cllr D Keane
Police and Crime Commissioner for
Cheshire

By e-mail

Councillor H Murray
Chairman, Cheshire Police and
Crime Panel
Cheshire East Council
Westfields
Middlewich Road
Sandbach
Cheshire
CW11 1HZ

Howard.murray@cheshireeast.gov.uk

Date: 14 July 2017

Dear Councillor Keane,

PROPOSED APPOINTMENT OF A CHIEF OF STAFF

It is with regret that the Cheshire Police and Crime Panel cannot on this occasion support your candidate for the position of Chief of Staff for the Office of Police and Crime Commissioner for Cheshire. This was the unanimous decision of the Panel following the Confirmation Hearing held on the evening of Wednesday 12 July in Winsford.

I append to this letter, as a separate document, a summary of the principal reasons for the decision that was taken by the Police and Crime Panel. In making its decision the Panel was guided by the Local Government Association / Centre for Public Scrutiny publication "Police and Crime Panels – Guidance on Confirmation Hearings".

The Panel's decision will not be made public until Friday 21 July 2017.

Yours sincerely,

Councillor Howard Murray
Chairman

OFFICIAL

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Cheshire Police and Crime Panel

Date of meeting: 22 September 2017

Report of: Brian Reed, Head of Governance and Democratic Services

Subject : Appointment of Independent Members

1. Report Summary

- 1.1 This report summarises the outcome of the recruitment process to appoint independent members to the Cheshire Police and Crime Panel.

2. Recommendations

- 2.1 The Panel is recommended to:
- (i) Appoint Mr Evan Morris MBE as a member of the Panel to serve until 30 September 2019.
 - (ii) Reappoint Mr Robert Fousert to serve until 30 September 2020 and Mrs Sally Hardwick to serve until 30 September 2021 as independent members of the Panel.

3. Background

- 3.1 At its meeting on 3 February 2017 the Panel appointed a Recruitment Panel made up of Councillors Amanda King and Andrew Dawson together with Mr Eric Hodgson to advise on the most appropriate way to move forward with appointments to the Panel arising from the vacancy following the resignation of Mr Hodgson, and the expiry of the terms of office of the two other independent Members of the Panel. An update on the work of the Recruitment Panel was received by the Police and Crime Panel at its meeting on 23 July and the terms of office of Mr Robert Fousert and Mrs Sally Hardwick were extended until the work of the Recruitment Panel had been completed.
- 3.2 The Recruitment Panel met on 30 June. A note of that meeting is attached as Appendix I. In summary, the Panel recommended that Mr Evan Morris MBE be appointed to serve on the Cheshire Police and Crime Panel for a term of two years, until September 2019.
- 3.3 In relation to the other two independent members of the Panel, the Recruitment Panel were of the view that both Mr Robert Fousert and Mrs Sally Hardwick should be reappointed to serve a further term. Mindful that a decision had been

taken some months ago that the terms of office of independent members should be staggered, the Recruitment Panel felt unable to recommend which of the two should have the longest term of office, as each had made an excellent contribution to the work of the Police and Crime Panel. Both Mr Robert Fousert and Mrs Sally Hardwick have indicated that they would wish to be reappointed to the Panel and would be happy to serve either a three or four year term. It was the view of the Chairman, Mr Fousert and Mrs Hardwick that the fairest way of selecting who served which term was by tossing a coin. This was done on 12 September by the Chairman and the outcome was, subject to the Panel's agreement, that Mr Fousert will serve for three years and Mrs Hardwick for four.

- 3.4 Should the recommendations made in this report be adopted, the Panel would have three independent members whose terms of office would extend to September 2019, 2020 and 2021 respectively.

4. Financial Implications

- 4.1 There are no financial implications to the recommendations in this report, insomuch as the Panel's budget for 2017/18 includes the cost of allowances to a Panel made up of 13 members.

5. Equality Implications

- 5.1 There are no equality implications.

6. Contact Information

Contact details for this report are as follows:-

Name:	Brian Reed
Designation:	Head of Governance and Democratic Services
Local Authority:	Cheshire East Council
Tel. No.:	01270 686670
Email:	brian.reed@cheshireeast.gov.uk

Cheshire Police and Crime Panel**Meeting of a Recruitment Panel established to consider the appointment of Independent Members to the Cheshire Police and Crime Panel, held at Municipal Buildings, Crewe, Friday 30th June 2017**

Present: Cllr Andrew Dawson, Cheshire West and Chester Council
Cllr Amanda King, Warrington Borough Council
Eric Hodgson, former Independent member of the Panel

Officer: Martin Smith, Civic and Administration Manager, Cheshire East Council

The Recruitment Panel which had been established on 3 February 2017 had been tasked with making recommendations to the Police and Crime Panel over the appointment of Independent Members.

Information about a vacancy for an independent Member of the Police and Crime Panel had been widely circulated across Cheshire earlier in the year. In total seven people had expressed an interest in becoming a member of the Panel. Careful consideration of applications by the Recruitment Panel had narrowed this down to four individuals, all of whom were invited to Crewe for a discussion with the Recruitment Panel.

Four individuals were seen by the Panel and following a discussion with each individual the Panel concluded that all candidates could make a positive contribution to the work of the Police and Crime Panel, and had the skills and personal qualities to be effective members of the Panel. All demonstrated an understanding of the work of the Panel and its relationship with the Police and Crime Commissioner.

The Recruitment Panel concluded that it would recommend to the Police and Crime Panel that, subject to the receipt of a satisfactory reference, Mr Evan Morris MBE be appointed. This decision was taken on the basis of his application, his answers to questions and the Panel's view that the skills and knowledge he would bring to the Panel would best complement the skills and knowledge of other Panel members.

The Recruitment Panel noted that the last meeting of the Police and Crime Panel had extended the membership of Mr Robert Fousert and Mrs Sally Hardwick until such a time as the Recruitment Panel had completed its deliberations and reported back to the Police and Crime Panel.

The Recruitment Panel noted that it wished to extend the terms of office of Mr Fousert and Mrs Hardwick for a second term. Mindful that a decision had been taken some months ago that the terms of office of independent members should be staggered, the Recruitment Panel felt unable to recommend which of the two existing independent members should have the longest term of office, as each had made an excellent contribution to the work of the Police and Crime Panel. The Panel thought it

would be appropriate to consult with Mr Fousert and Mrs Hardwick to ascertain their wishes.

Recommended:

- (i) That a report is taken to the next regular meeting of the Police and Crime Panel in September 2017, recommending that Mr Evan Morris is appointed to serve on the Panel for a term of 2 years, until 30 September 2019.
- (ii) That the terms of office of Mr Robert Fousert and Mrs Sally Hardwick be extended for a second term, with each serving either 3 or 4 years, with terms of office expiring on 30 September 2020 or 30 September 2021 and the decision on length of office being taken by the Police and Crime Panel after consultation with the two individuals.



Cheshire Police and Crime Panel

Date of Meeting: 22 September 2017

**Report of: Brian Reed , Head of Governance and Democratic Services,
Cheshire East Council**

Subject/Title: Police and Crime Panels (PCPs) – Consultation on proposals for national representation

1. Report Summary

The Panel is requested to agree a response to the consultation on proposals for a national representative body for PCPs.

2. Recommendation

That the Panel consider and approve the response to the consultation on proposals for a national representative body for PCPs, as set out below:-.

“With regard to the proposals for a national representative body for PCPs, Cheshire PCP considers that a Special Interest Group (SIG) within the LGA is likely to be a more effective first step.

PCPs can often see a rapid turnover of political representation, which may prove difficult when giving life to an Association. It is considered beneficial that professional decision makers in the public sector have their own Associations. However, PCP members are scrutineers and not decision makers charged with developing policy positions and shaping services. The PCP receives good sources of reference information and has even received direct consultations for consideration, in the past. There are also means by which PCP members across the country can come together to network, such as conferences etc.

It is suggested that contact be made with central Government to ascertain whether the formation of such an Association would be welcomed and if so, what degree of interaction central Government would expect to give to supporting and listening to such a body.

It is considered that a SIG, under the umbrella of the LGA, would better facilitate an evolutionary process towards a full Association of Police and Crime Panels (APCP), should that position be reached. A SIG within the LGA, providing support, continuity and design, aligned to the question of Government willingness towards a formalised APCP could provide a more robust foundation”.



3. Background information

Notification has been received that Councillor Tim Hutchings, Chairman of the Hertfordshire PCP, has over recent months been coordinating some discussions on the subject of a national representative body for PCPs. He has now consolidated the thinking to date into a discussion paper, which is attached at Appendix I to the report. PCP's views have been sought, with a view to a revised document being issued in mid-October, to inform a discussion and agreement on the way forward at the PCP's national conference on 6 November 2017. Comments have been requested by Friday 22 September 2017. The above suggested response has been formulated following consultation with Panel members.

4. Financial Implications

There are no financial implications at this stage.

5. Equality Implications

No direct equalities implications would appear to arise from the recommendations of this report.

6. Contact Information

Contact details for this report are as follows:-

Name: Julie North

**Designation: Senior Democratic Services Officer
Local Authority Cheshire East Council**

Tel. No.: 01270 686460

Email: Julie.north@cheshireeast.gov.uk

Appendix 1

Police and Crime Panels – Consultation on proposals for national representation

Introduction

The first Police and Crime Commissioners (PCCs) were elected in November 2012 following the enactment of the legislation which also made provision for Police and Crime Panels (PCPs) to scrutinise various aspects of their activities to ensure that the PCCs were delivering according to the needs and wishes of the localities they serve. Since their establishment, concerns have been widely expressed that the PCPs' ability to carry out this task has been somewhat hampered by the terms of reference under which they were set up, many of which are broadly regarded as being unnecessarily limited and often ambiguous.

Concerns have also been raised that, unlike the PCCs who have established a National Association, the effectiveness and development of PCPs has been restricted by the lack of a collective voice through which representation to Government and the sharing of best practice can be channelled.

At meetings of representatives of PCPs from across the country in February and July 2017 these concerns were widely aired and almost unanimously shared, as was the view that a national voice for the PCPs was urgently required. This view has arguably been further reinforced following the recent Policing and Crime Act 2017 which added further to the PCCs' powers without adding to those of the PCPs.

At the July meeting it was agreed that PCPs would seek to address their concerns by establishing a national voice and the following timetable was agreed.

1. This consultation paper would be prepared and circulated to the Chairs and Clerks of all PCPs in early August seeking responses by 22 September.
2. A paper containing the results of the consultation including options/recommendations would be circulated by 13 October.
3. Options and recommendations would be discussed at the PCPs' Annual Conference on 6 November and a decision made as to the way forward.

This paper seeks to highlight the principal arguments for the establishment of a national body and in doing so to suggest options for moving forward.

The Case

Before entering into lengthy argument, it is important to answer the central question as to whether or not there is a need for a national voice to provide a channel of communication with Government, other stakeholders and partners. Would such a voice increase the visibility of PCPs, support their development and engender greater understanding of their role? The response from representatives of PCPs has been overwhelmingly, yes.

In both meetings there was strong agreement that a clear benefit would be derived from enabling Panels to come together to share and exchange views and experience, and to provide a strong national voice to influence the national landscape. There was agreement too that Panels would benefit from being better able to engage and forge new relationships with other national stakeholders.

Appendix 1

Central to the view that a national voice was required was a strongly held belief that there was a need for PCPs to have a vehicle through which we could express our views and concerns with the Home Office. As stated above, the role of the PCCs is expanding at a considerable pace bringing additional challenges to the PCPs that are required to scrutinise them. The need for them to have the facility and credibility to address these increasing demands is self-evident as, indeed, they would from having a vehicle to share best practice and innovation and identify ways to achieve efficiencies through working together.

Underlining all these arguments was the strongly held view that PCPs currently lacked parity of esteem with other key players and, of course, that there was a need for us to have a vehicle through which we could express our views and concerns to the Home Office.

In reflecting on these thoughts it is important to recall that all those present were anxious to ensure that, whatever vehicle was put in place, unnecessary bureaucracy and expense was to be avoided at all cost. Whilst seeking a common voice, where appropriate, it was also essential to note the sovereignty of individual PCPs and their right to operate independently. As they develop their thinking it is also important to note that PCPs across the country contain a wide range of experience and expertise and that their overwhelming intention is to provide constructive and supportive input.

Options

At both of the above meetings, through subsequent conversations and feedback, three principal options seem to have emerged, which are summarised below:

Association of Police and Crime Panels

Setting up an independent Association to develop a voice for PCPs across the UK seemed to be a popular option.

Advantages

- Greater levels of independence
- A parallel body to the Association of Police and Crime Commissioners
- Ability to engage PCPs from across the UK
- Opportunity to develop parity of esteem with other stakeholders

Disadvantages

- Would need to establish an administration and the funding to support it
- Starting from scratch, the APCP would quickly need to establish a level of credibility
- Would need to be funded by the PCPs directly

Possible next steps

- Agree an Interim Chair and Steering Committee at the forthcoming national conference
- Agree a timetable for establishing a Constitution
- Agree a manifesto/policy statement

Appendix 1

Special Interest Group within the LGA

A Special Interest Group (SIG) within the LGA would arguably more quickly enable the establishing of a national voice for PCPs. It might also provide a convenient first step towards establishing APCP.

Advantages

- Part of a nationally recognised body with strong links to Central Government
- Some (limited) administration support
- Venue for meetings
- Funding would be met as part of LGA membership

Disadvantages

- Not all PCPs' home authorities are members of LGA
- Possibility of clashes with wider LGA policy
- PCPs' independence might be challenged

Possible next Steps

- Agree protocols with LGA including arrangements for non LGA members to fully participate

Combination

At a time when the landscape surrounding PCPs is changing rapidly, it might be argued that the need to set up a national voice is pressing and that we need to move forward more quickly. If one accepts that argument, a combination of both the above options would be feasible whereby a SIG might be set up as a 'stepping stone' towards the establishment of a National Association.

Advantages

- This could be achieved relatively quickly
- It would 'buy time' to ensure we establish ourselves in a credible fashion
- It would provide immediate support

Disadvantages

- Would require work to ensure that all PCPs across the UK have a voice regardless of their status within the LGA

Other

One final option involving a possible link with the Centre for Public Scrutiny (CfPS) has been floated, but not pursued at this point although it is intended to explore this once the holiday period has ended, with any feedback being issued as an addendum to this paper at that time.

Appendix 1

Conclusions

As with all ventures of this type there will be challenges but the clear, and commonly held, view seems to be that a body to represent the interests of PCPs across the UK should be established. Whichever option is pursued, it is acknowledged that there will need to be a degree of pragmatism but, in so acknowledging, two key tenets must be respected. It must:

- be able to provide equal representation for all its members;
- respect the individual independence of each PCP.

It would be helpful if feedback on this paper could be provided by Friday 22 September via Clive Head, the Clerk to the Hertfordshire PCP, at clive.head@broxbourne.gov.uk so that a final paper can be produced and circulated by Friday 13 October for consideration at the Annual Conference on Monday 6 November.

Cheshire Police and Crime Panel – Work Programme 2017/18



<p>1 November 2017</p>	<p>Informal Meeting with the Police and Crime Commissioner (Topic TBC)</p>
<p>1 December 2017</p>	<p>Formal Meeting of the Police and Crime Panel</p> <p><i>Items:</i></p> <ul style="list-style-type: none"> ○ <i>Questions for the Police and Crime Commissioner;</i> ○ <i>Scrutiny Items – Management and Scrutiny Board notes;</i> ○ <i>Work Programme</i>
<p>10 January 2018</p>	<p>Informal Meeting with the Police and Crime Commissioner (Topic TBC)</p>
<p>2 February 2018 (Statutory Meeting)</p>	<p>Formal Meeting of the Police and Crime Panel</p> <p><i>Items:</i></p> <ul style="list-style-type: none"> ○ <i>Budget and Precept 2018/19;</i> ○ <i>Questions for the Police and Crime Commissioner;</i> ○ <i>Scrutiny Items – Management and Scrutiny Board notes;</i> ○ <i>Work Programme</i>
<p>7 March 2018</p>	<p>Informal Meeting with the Police and Crime Commissioner (Topic TBC)</p>
<p>20 April 2018</p>	<p>Formal Meeting of the Police and Crime Panel</p> <p><i>Items:</i></p> <ul style="list-style-type: none"> ○ <i>Questions for the Police and Crime Commissioner;</i> ○ <i>Scrutiny Items – Management and Scrutiny Board notes;</i> ○ <i>Work Programme</i>

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