

Minutes of a meeting of the **Cheshire Police and Crime Panel**
held on Friday, 15th March, 2019 at Council Chamber, Wyvern House, The
Drumber, Winsford CW7 1AH

PRESENT

Councillor:

Cheshire East	Councillors JP Findlow and S Edgar
Cheshire West and Chester	Councillors M Delaney, A Dawson and R Bissett
Halton	Councillors D Thompson and N Plumpton Walsh
Independent Co-optees	Mr B Fousert (Chairman), Mr E Morris and Mrs S Hardwick
Officers	Mr D Dickinson and Mr M Smith, Secretariat Cheshire East Council

56 EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED

That the press and public be excluded from the meeting during consideration of the following item pursuant to Section 100(A)4 of the Local Government Act 1972 on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 8 of Part 1 of Schedule 12A to the Local Government Act 1972 and the public interest would not be served in publishing the information.

PART 2 - MATTERS TO BE CONSIDERED WITHOUT THE PRESS AND PUBLIC

57 REVIEW AND SCRUTINY OF THE POLICE AND CRIME COMMISSIONER'S DECISIONS AND ACTIONS IN RELATION TO THE DISCIPLINARY ACTION TAKEN AGAINST THE FORMER CHIEF CONSTABLE, SIMON BYRNE

Panel members questioned the Commissioner on the detail of the legal advice he had received and shared, on a confidential basis, with the Panel.

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

58 APOLOGIES

Apologies were received from Councillor Mick Warren (Cheshire East Council) and Councillor Jan Davidson (Warrington Borough Council).

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

Councillor Andrew Dawson indicated that he was a practicing solicitor and would be employing his professional experience and expertise in questioning the Commissioner.

60 PUBLIC PARTICIPATION

Mr Robert Selby spoke on two issues relating to the suspension of the former Chief Constable. He asked the Panel to seek clarification from the Commissioner over the overall costs associated with the suspension and also drew the Panel's attention to the abuse of process hearing that had been held in April 2018.

At the invitation of the Chairman, the Commissioner responded to the points raised by Mr Selby. The Commissioner indicated that he had openly published the full costs associated with the Chief Constable's suspension, but that it would have been misleading to have included his salary, as this would have been paid had he remained on duty. The Commissioner indicated that comprehensive information on the abuse of process hearing had been published. He also noted that the hearing had not been successful in halting the disciplinary hearing.

61 MINUTES OF MEETINGS HELD ON 8 FEBRUARY 2019

The Minutes of the previous two meetings, both held on 8 February were reviewed.

RESOLVED

- 1 That the minutes of the regular meeting held on the morning of 8th February be approved as a correct record.
- 2 That the minutes of the Confirmation Hearing held on the afternoon of 8th February be approved as a correct record.

62 REVIEW AND SCRUTINY OF THE POLICE AND CRIME COMMISSIONER'S DECISIONS AND ACTIONS IN RELATION TO THE DISCIPLINARY ACTION TAKEN AGAINST THE FORMER CHIEF CONSTABLE SIMON BYRNE

The Panel questioned the Commissioner in detail on the process that had been followed and the decisions that had been taken in relation to the suspension and subsequent disciplinary action against the Chief Constable. Following the questioning a number of Panel members summarised their views so that they could be included in the Panel's report.

RESOLVED

That Panel members submit any comments or observations to the Secretariat who would then produce a draft report for consideration by the Chairman who would approve a report for publication.

63 CONSTABULARY RECRUITMENT PROCESS

The Chairman indicated that this issue would be considered at the next meeting of the Panel.

The meeting commenced at 10.00 am and concluded at 4.45 pm

Mr B Fousert (Chairman)