

Minutes of a meeting of the **Cheshire Police and Crime Panel**  
held on Friday, 20th September, 2019 at Council Chamber, Wyvern House,  
The Drummer, Winsford CW7 1AH

**PRESENT**

**Councillors:**

<b>Cheshire East</b>	Councillors JP Findlow, M Warren and A Critchley
<b>Cheshire West &amp; Chester</b>	Councillor M Delaney, A Dawson and T Blackmore
<b>Halton</b>	Councillors N Plumpton Walsh and D Thompson (Vice Chairman)
<b>Warrington</b>	Councillor J Davidson
<b>Independent Co-optees</b>	Mrs S Hardwick and Mr E Morris (Chairman)
<b>Officers</b>	Ms S Antrobus and Mr M Smith, Secretariat Cheshire East Council

**20 APOLOGIES**

Apologies were received from Councillor Robert Bisset, who was substituted by Councillor Tom Blackmore, Councillor Brian Maher and Mr Bob Fousert.

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

There were no declarations of interest.

**22 PUBLIC PARTICIPATION**

Mr Robert Selby spoke to the meeting raising concerns over the way in which the Police and Crime Commissioner had managed a complaint of bullying that he had made.

**23 MINUTES OF PREVIOUS MEETINGS**

The Panel considered the minutes of the two previous meetings.

Councillor Paul Findlow sought clarification over the position in relation to the Complaints Sub Committee which had been established some months previously. Suzanne Antrobus briefed the meeting over the legal support that the Sub Committee would receive; noting that she was leaving the employment of Cheshire East Council shortly, but confirming that the host authority's newly appointed Head of Legal was aware of the need to provide legal support to the Sub Committee.

The Panel noted the need to confirm arrangements for the diversity training that had been agreed at the meeting held on 5<sup>th</sup> July. An invitation to the training would be extended to the Panel's Secretariat and to the Commissioner and his Office.

**RESOLVED:**

That the minutes of the meetings held on 14<sup>th</sup> June 2019 and 5<sup>th</sup> July 2019 be approved as a correct record.

**24 POWERS OF THE PANEL IN RELATION TO THE SUSPENSION / REMOVAL OF THE CHIEF CONSTABLE**

Consideration was given to the report, which has been request by Panel members at the meeting held on 14 June 2019. Clarification was provided over the legal position in relation to the Panel's powers in relation to the suspension / removal of the Chief Constable.

**RESOLVED:**

That the report be received.

**25 PRESENTATION OF SCRUTINY AGENDAS AND PAPERS**

At the meeting on 14<sup>th</sup> June 2019 the Panel had discussed how best it review the issues discussed at the Commissioner's Scrutiny Meetings. The Secretariat was asked to develop a suggested way forward which would be employed at future meeting.

**RESOLVED:**

That Panel papers would in future include a copy of the agenda of the Commissioner's Scrutiny Board meetings, together with a short summary of item or items discussed at the Scrutiny meeting and a link to the papers on the Commissioner's website.

**26 VISIT TO ESSEX POLICE, FIRE AND CRIME PANEL**

The Chairman explaining that he had held discussions with the Chair of the National Association of Police and Crime Panels, who was a member of the Essex Panel. He had invited representatives from Cheshire to visit a future meeting of the Essex Panel.

Councillor Andrew Dawson noted that Panels across the country worked in different ways and that the style that had been adopted in Cheshire was more adversarial than that of many Panels. Mrs Sally Hardwick noted that she had visited the Merseyside Panel, which operated in a relatively informal manner. Councillor Dave Thompson informed the Panel that reading the minutes of others Panels could be a helpful exercise.

**RESOLVED:**

That a representative of each political group, together with the Chair and a representative of the Secretariat visit a future meeting of the Essex Police, Fire and Crime Panel.

**27 POLICE AND CRIME COMMISSIONER DRAFT ANNUAL REPORT**

The Chairman welcomed the Commissioner to the meeting.

The Commissioner introduced his draft annual report for the 2018/19 municipal year. He noted that the report could not include everything that he and his office had done during the year. In introducing the report, he noted that 80 percent of it covered the four main priorities that had been included in the Policing Plan and which had been subject to public consultation.

Councillor Andrew Dawson expressed surprise that issues such as the suspension of the former Chief Constable and the recruitment case that had resulted in an adverse ruling by an Employment Tribunal had not featured in the draft report. The Commissioner indicated that the issue with the previous Chief Constable had commenced during 2017/18 and had received a considerable amount of publicity and media attention. With reference to the Employment Tribunal case he noted that he would, very shortly be publishing the minutes of the Scrutiny meeting that had reviewed this issue in considerable detail. A number of Panel members had been at the meeting.

Councillor Paul Findlow asked the Commissioner about delays in response times when members of the public contacted the Constabulary using the 101 phone number. The Commissioner noted that the operation of the 101 system was an operational issue, but that he had raised this with the Chief Constable. He understood that in the summer of 2018 there had been a range of issues which had contributed to delays with the service. The situation had subsequently improved. He hoped that the introduction of "single, on-line home", a new web based system, would increase the number of ways in which the public could contact the Police, this was likely to decrease demand for contact via the 101 number. Mr Evan Morris asked the Commissioner whether there was a Performance Indicator relating to the answering of 101 calls. The Commissioner indicated that there was.

Councillor Dave Thompson complimented the Commissioner on the draft report, but asked if it would be possible to have more information relating to individual Council areas. The Commissioner indicated that he would review how information was presented in documents such as the Annual Report, but stressed that his whole ethos for Policing was that it should be about localities and local communities.

Mr Evan Morris highlighted an issue in relation to priorities contained within the Police and Crime Plan and the need for the Plan to be intelligence based and produced in cooperation with the Police and Crime Panel. Referring specifically to the pan Cheshire Community Safety Strategic Needs Assessment, last published in 2015/16, he stressed the need for an updated plan to be commissioned and available for any incoming Police Crime Commissioner in May 2020. The Commissioner stressed that he was always listening and learning and that he always welcomed the views of others, but added that there were limits to what could be produced using collaboration and coproduction. Mr Morris referred to the way in which other Panels operated and the Cheshire Panel's forthcoming visit to Essex, to which the Commissioner and / or a member of his team was very welcome to attend.

In conclusion the Commissioner commented that he remained committed to local policing. Mr Evan Morris noted that the model of local policing adopted in Cheshire would not be possible without co-operation from a wide range of partner organisations, the Commissioner echoed these comments.

The Commissioner invited the Panel to join with him in thinking about the long-term future of policing of Cheshire.

## **28 OVERVIEW AND SCRUTINY OF THE POLICE AND CRIME COMMISSIONER**

Councillor Dave Thompson asked the Commissioner for any information he had on the extra staffing resources that Cheshire could expect following the Prime Minister's recent announcement. The Commissioner noted that work was being co-ordinated nationally through the College of Policing, but there was not yet firm information as to how many additional Officers Cheshire might expect. He indicated that at a national level the number of additional officers that the Prime Minister had announced would not take the overall police establishment to the level it had been in 2010. He did express concern that the additional funding announced did not include issues such as police cars, pensions and equipment.

Councillor Paul Findlow warmly welcomed the announcement of additional Police Officers, but also raised the issue of Police productivity, asking what steps the Commissioner was taking in this area. The Commissioner stressed his concerns that there was no national plan for the introduction of additional Officers. In his view the Prime Minister's proposals were inadequately funded, ill thought through and incomplete.

Councillor Dave Thompson sought clarification from the Commissioner on the approach that the Chief Constable was taking in relation to the use of "Section 60 stop and search powers" (Section 60 of the Criminal Justice and Public Order Act 1994). The Commissioner indicated that he had spoken to the Chief Constable in some detail on this important issue, where Government policy, at least in the short term, had changed. The Commissioner indicated that the Chief Constable had assured him that the new powers would be used sparingly. They had recently been employed in Crewe following an incident involving knife crime. In that case he was satisfied that the application of the new powers had been proportionate and part of a wider strategy. Councillor Thompson referred to research undertaken by the College of Policing which questioned the benefit of additional stop and search powers.

Councillor Norman Plumpton Walsh referred to the allocation across Cheshire of additional funding for youth work targeting county lines crime. This funding had resulted from a successful sub regional bid made by the four Cheshire local authorities. The allocation of the grant was based on population rather than need, which had, in his view, disadvantaged Halton. The Commissioner noted that his resources were normally allocated on need. He criticised the approach which required organisations to bid for funding, whilst core funding had been very significantly reduced. Councillor Dave Thompson noted that allocation of resources should be based on need, rather than population.

Councillor Andrew Dawson asked the Commissioner how much discretion he had over redressing unfair allocations of resources. The Commissioner responded by saying that the situation varied from case to case, but that as a general principle resources were allocated on need.

Councillor Jan Davidson expressed concern at media reports over the number of sex offenders who could not be traced. The Commissioner asked her to provide him with further information, when this was available he indicated that he would take the issue up with the Chief Constable.

Mrs Sally Hardwick sought clarification over the work of the Youth Commission and the Commission's representation at any events on youth crime. She expressed concerns over the best way of engaging with hard to reach young people. The Commissioner thanked Mrs Hardwick for her engagement with the Youth Commission and congratulated the Youth Commission for the work that they had undertaken, which had led to a number of positive changes.

Mrs Hardwick asked for an update on which model for handling complaints the Commissioner would be adopting, noting that he had offered to hold a workshop on the issue. The Commissioner indicated that he was still committed to holding a workshop, but noted that there had been delays at the national level in introducing the necessary Regulations.

Councillor Norman Plumpton Walsh, referring to his time a professional, qualified youth worker, echoed the comments made by Mrs Hardwick. He extended an invitation for young people to participate in some way with the work of the Police and Crime Panel. The Chairman welcomed such an invitation.

Councillor Andrew Dawson, referring to Mr Andrew Selby (who had exercised his right to speak at the meeting – item 3 above) asked the Commissioner if he was still investigating the complaint made by Mr Selby. The Commissioner indicated that any comment by him could possibly be prejudicial as the Panel could become involved in the issue at a later stage. Ms Suzanne Antrobus, clarified that it would not be inappropriate for the Commissioner to comment on the process followed in relation to the complaint. The Commissioner reiterated that he thought it would not be appropriate for him to comment.

Mrs Sally Hardwick sought clarification from the Commissioner on how the Constabulary dealt with accusations of rape. She noted that reported cases were down, but this was possibly due to a change in the methodology for recording allegations. She was concerned that the published statistics indicated that there was a large increase in cases where the alleged perpetrator was known, but no further action taken. She also commented that rates of rape appeared to be particularly high in Halton. The Commissioner responded that full and comprehensive records were now been kept. It was an issue that he discussed on a regular basis with the Chief Constable, suggesting that this could be an issue that was discussed with the Panel in detail at an informal meeting.

## **29 SCRUTINY ITEMS**

The Panel noted the agenda of the Commissioner's Scrutiny meeting held on 4<sup>th</sup> September 2019.

## **30 WORK PROGRAMME**

The work programme was noted.

## **31 DATE OF NEXT MEETING**

The next regular meeting of the Cheshire Police and Crime Panel was confirmed as being held on Friday 22 November at 2 pm at Warrington Town Hall.