



Cheshire Police and Crime Panel

Agenda

Date:	Friday 7th February 2020
Time:	10.00 am
Venue:	Council Chamber, Wyvern House, Winsford CW7 1AH

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 top 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**

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 Meeting** (Pages 3 - 8)

To approve the minutes of the meeting held on 8 January 2020.

5. **Location, Date and Timing of Panel Meetings** (Pages 9 - 12)

To consider the dates, location and timings of future meetings.

10.30am THE POLICE AND CRIME COMMISSIONER WILL BE IN ATTENDANCE FOR THE FOLLOWING PART OF THE MEETING

6. **Police and Crime Commissioner's Proposed Precept for 2020/21** (Pages 13 - 18)

To review the Police and Crime Commissioner's proposed precept for 2020/21.

7. **Overview and Scrutiny of the Police and Crime Commissioner**

Questions for the Police and Crime Commissioner

8. **Work Programme** (Pages 19 - 20)

To consider the Work Programme.

9. **Date of Next Meeting**

Friday 3 April 2020 – 10.00 am Venue TBC

Minutes of a meeting of the **Cheshire Police and Crime Panel**
held on Wednesday, 8th January, 2020 at The Council Chamber, Warrington
Town Hall

PRESENT

Cheshire East Council	Councillors A Critchley, D Murphy and JP Findlow
Cheshire West and Chester Council	Councillors A Dawon, M Delaney and R Bisset
Halton	Councillor N Plumpton Walsh
Warrington	Councillors J Davidson and B Maher
Independent Co-optees	Mr B Fousert, Mr E Morris (Chairman) and Mrs S Hardwick
Officers	Mr A Ibrahim, Mr B Reed and Mr M Smith (Secretariat Cheshire East Council)

32 APOLOGIES

Apologies were received from Councillor Mick Warren (Cheshire East Council) who was substituted by Councillor Denis Murphy and Councillor Dave Thompson (Halton Council).

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

There were no declarations of interest.

34 PUBLIC PARTICIPATION

No members of the public present at the meeting choose to speak.

35 MINUTES OF PREVIOUS MEETING

The Minutes of the meeting were reviewed.

RESOLVED:

That the minutes of the meeting held on 20th September 2019 be approved as a correct record.

36 COMPLAINTS SUB COMMITTEE

Membership of the Complaints Sub Committee was confirmed as Mr Evan Morris, Mrs Sally Hardwick Councillor Andrew Dawson, Councillor Paul Findlow and Councillor Brian Maher.

The Secretariat was asked to circulate the report that had been considered by the Panel at the meeting when the Sub Committee had been established, together with the relevant minute from that meeting.

RESOLVED:

That the Secretariat would canvass dates for a meeting of the Sub Committee and would compile a database of all recent relevant complaints which would be reviewed by the Sub Committee.

37 EIGHTH NATIONAL CONFERENCE FOR CHAIRS, MEMBERS AND SUPPORT OFFICERS OF POLICE AND CRIME PANELS AND POLICE, FIRE AND CRIME PANELS

Councillors Norman Plumpton Walsh and Paul Findlow briefed the Panel on their attendance at the Conference, which they had both found to be useful and informative.

Panel members discussed the benefits of visiting other Panels to see how business was conducted.

The Chairman indicated that the Panel had received an invitation from the National Association of Police and Crime Panels to become members, there was now no membership fee for joining the Association. He also indicated that should the Panel become members he had been asked if he would be interested in joining the Executive Committee. The Panel saw benefits in becoming members and supported the Chairman, should he wish to apply to become an Officer of the Association.

RESOLVED:

That the Cheshire Police and Crime Panel become members of the National Association of Police and Crime Panels.

38 STRATEGIC REVIEW OF POLICING

This item was introduced by the Chairman, who had drafted a submission to the Strategic Review of Policing which was being conducted by the Police Foundation under the Chairmanship of Sir Michael Barber.

The Panel endorsed the approach being recommended by the Chairman. Councillor Andrew Dawson noted that clarity was needed in relation to the role and powers of Police and Crime Panels, commenting that the

Cheshire Panel's relationship with the two Commissioners it had worked with had been less than satisfactory.

The Chairman indicated that he favoured the adoption of a Memorandum of Understanding with the Commissioner, along the lines of ones developed in other areas.

RESOLVED:

That the Head of Governance and Democratic Services, in consultation with the Chair and Deputy Chair finalise a submission to the Strategic Review of Policing; with a copy to be circulated to all Panel members.

39 POLICE POLICY IN RELATION TO SUPPORT PROVIDED TO REMEMBRANCE DAY EVENTS

The Chairman welcomed the Commissioner to the meeting.

Councillor Paul Findlow asked the Commissioner for clarification on Police policy in relation to the support provided to those organising Remembrance Day events. He noted that at relatively short notice the Police had, in 2019, announced changes to the levels of support that had traditionally been provided.

The Commissioner had reviewed the support provided in 2019, noting that 69 events had been held across Cheshire, in excess of 230 Police Officers and PCSOs had been on duty. Events had also been supported by members of the Special Constabulary.

Councillor Rob Bisset raised concerns over the experience in the Ellesmere Port and Neston areas in 2019. He stressed the role that remembrance events played in society and the importance of maintaining such traditions.

Councillor Andrew Dawson sought clarification over the charges that would be made for support in future years. Councillor Denis Murphy requested that the Commissioner use his influence to minimise those occasions when charges were made.

The Commissioner highlighted that there had been some issues in 2019 over arranging road closures; the responsibility for which rested with local authorities.

The Chairman asked the Commissioner to revisit this issue with the Chief Constable and also requested that the Police communicated at an early stage with local authorities in relation to events being held in November 2020. The Panel confirmed that it would revisit this issue at a future meeting.

40 OVERVIEW AND SCRUTINY OF THE POLICE AND CRIME COMMISSIONER

Mr Evan Morris, referring to an article in the on line magazine Police Insight, asked the Commissioner if Cheshire Constabulary had a policy on the use of body-worn video.

The Commissioner responded by saying that he had been very supportive of the introduction of body-worn video in Cheshire. Its introduction appeared to have led to a reduction in the number of complaints received and afforded significant protection to Police Officers and PCSOs. The equipment had now been provided to all relevant Officers across the Constabulary. He saw guidelines for its use as being important and informed the Panel that the implementation of the policy was currently being reviewed. The Commissioner committed to sharing the outcome of that exercise with Panel members, when available. Mr Morris asked if the Cheshire policy had been published, noting that the policy developed by the Metropolitan Police had been published and was available online. The Commissioner promised to take this issue up with the Chief Constable.

Mrs Sally Hardwick referred to a newsletter that she had received from the Commissioner's Office in relation the precept for 2020/21; this had made reference to Police recruitment. Mrs Hardwick sought clarity over the additional number of Police Officers that would be recruited and the timescales associated with the process.

The Commissioner indicated that the issue was complex. Due to the General Election no announcement had yet been made on the levels of national funding for 2020/21. He was currently consulting over plans for his precept for 2020/21. The Commissioner indicated that he had authority to recruit up to 30 Officers by April 2020 and a further 60 by April 2021. However; funding had not yet been provided by central Government, its receipt was dependent on Officer numbers being maintained at current levels. The Commissioner indicated that should the funding settlement not include an element for inflation, cost pressures of £6m would be placed on the Constabulary budget. The Chairman offered the Commissioner the Panel's support in lobbying for fair funding for the Cheshire Constabulary.

Councillor Denis Murphy noted that in his area (Congleton) a number of PCSOs had been promoted to positions of Police Officers. He asked what plans were in place to ensure PCSO numbers were maintained. The Commissioner responded by saying that there were plans were in place to replace those that had moved on to new roles.

Mr Bob Fousert asked the Commissioner how information about his proposed budget had been circulated. He replied that information had been circulated in a number of ways and was available online. He noted

that nine public consultation events were being held. The Chairman encouraged Panel members to attend these events.

Councillor Andrew Dawson made reference to a complaint which he had forwarded to the Commissioner, recognising that this would be dealt with through the appropriate channels, but asked what the Commissioner's expectations were of the Chief Constable and Constabulary in relation to race and racial profiling.

The Commissioner indicated that he expected the Police to act impartially at all times, noting that he and his office monitored complaints very carefully. He reminded Panel members that it was likely that changes would shortly be made to the Police Complaints procedure which could see his responsibilities increase.

Councillor Norman Plumpton Walsh raised the issue of knife crime, commenting on the excellent work in combatting the problem that was being undertaken in the Halton Policing Unit. On behalf of the Panel he extended the Panel's sympathies to the family of Alex Rodda who had been murdered in December 2019. The Commissioner added his sympathies to those of the Panel. Mr Evan Morris sought re-assurance from the Commissioner that the good practice of the "Drop the Knife, not your life" campaign co-designed with young people in Halton was being rolled out across Cheshire. The Commissioner confirmed that it was, with the work being led by an Acting Superintendent. He indicated that Cheshire had not been successful in receiving Government funding for work in this area, but was learning from those police forces that had received additional funding.

Mr Bob Fousert, making reference to a recently published HMRC national report, asked the Commissioner about crime suffered by older people and the related issue of adult safeguarding. He was concerned that no performance data was published in relation to crimes against the elderly. The Commissioner responded, saying that crimes were categorised by crime type, not by the age of the victim. Mr Evan Morris noted that 23 percent of the Cheshire population were over 65 years of age. Councillor Jan Davidson commented that much work had been done by other agencies to compile information on vulnerable people. The Commissioner informed the Panel that work was being undertaken within the Constabulary on the issue of vulnerability.

Councillor Paul Findlow asked the Commissioner how he held the Chief Constable to account in relation to prosecuting differing categories of crime. He commented that some types of crime appeared to be prioritised in different ways. The Commissioner responded by saying that it would not be appropriate for him to comment on operational Policing issues, but indicated that he did hold the Chief Constable to account in delivering his Policing plan. He noted that the level of resourcing available to the Police was an important factor and that the decrease in the number of Police

Officers over the last ten years had influenced the Constabulary's capacity to prosecute offenders.

41 SCRUTINY ITEMS

The Panel noted the agenda of the Commissioner's Scrutiny meetings held on 18th September 2019 and 13th November 2019.

The Chairman noted that the Commissioner now had a new website and that information was now easier to find.

42 WORK PROGRAMME

The work programme was noted.

Panel members indicated that they would be content for the programme of formal meetings for 2020/21 to follow that adopted in previous years. A draft programme would be brought to the next meeting for the Panel's consideration.

The Panel endorsed the importance of continuing with the practice of holding regular, informal meetings with the Commissioner. Panel Members suggested a number of areas which could beneficially be discussed at such meetings, these included diversity, adult safeguarding and performance.

43 DATE OF NEXT MEETING

The next meeting of the Police and Crime Panel was confirmed as being held on Friday 7th February at Wyvern House, Winsford.

Cheshire Police and Crime Panel

Date of Meeting: 07 February 2020

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

Subject: Location, Date and timing of Panel Meetings

1. Report Summary

- 1.1 This report requests that the Panel consider the dates, location and timings of future meetings.

2. Recommendation

- 2.1 The Panel is recommended to:

- (i) Consider a programme of meetings for the civic year 2020/21.
- (ii) Consider the most appropriate locations for meetings.
- (iii) Consider the time of day when meetings are held.

3. Programme and timing of Meetings

- 3.1 Since its creation the Panel has followed a consistent pattern of regular, programmed meetings, with additional meetings being added to the diary when necessary. Following the practice of recent years of Panel meetings normally being held on a Friday, a day when the four Cheshire Councils have few public meeting, a suggested programme of meetings for the forthcoming municipal year is:

- Friday 12th June 2020 (Annual Meeting)
- Friday 18th September 2020
- Friday 27th November 2020
- Friday 5th February 2021
- Friday 16th April 2021

- 3.2 A meeting on Friday 5th February 2021 fits in with the statutory timetable for the consideration of the Police precept.

4. Location of meetings

- 4.1 For the last three years Panel meetings have been held on rotation at venues across all four Cheshire local Council areas. Prior to this change all meetings were held at Wyvern House, Winsford. The intention in moving meetings around Cheshire was to encourage members of the public to attend and to demonstrate that the Panel serves all of the county. Public attendance at meetings over the last three years has been no higher than it was when all meetings were held in Winsford. Therefore, rotating meetings around the Cheshire Police area results in the proceedings being less accessible to those who would be interested in seeing / hearing them live.
- 4.2 Live video webcasting is only available when the Panel meets at Wyvern House, Winsford. Meetings held in other locations are recorded and the webcast published as soon as is practical after the meeting.
- 4.3 The Panel are asked to consider where they would wish meetings to be held during the forthcoming municipal year.

5. Timing of meetings

- 5.1 Panel meetings have traditionally commenced at 10.00am, running to approximately 12.30pm. During the current municipal year two meetings have been held in the afternoon. The Panel are asked to consider what pattern of meeting start times they would wish to adopt for 2020/21.
- 5.2 A further option would be for some (or all) meetings to be held in the evening. However, it is suggested this if that option were supported it is likely that the Panel would wish to move away from meeting on a Friday. Finding a suitable evening for meetings may prove problematic, as three out of the four Cheshire local authorities hold some, or all of their meetings in the evening.

6. Summary and conclusion

- 6.1 The Panel needs to agree the date and timings of the programme of meetings for the 2020/21 municipal year and confirm where they wish meetings to be held. Once a decision in principle has been made the Secretariat will finalise details and inform Panel members of the programme of meetings for 2020/21; this will then be publicised on the Panel's page on the Cheshire East Council website.

6. Equality Implications

- 7.1 Live webcasting of meetings does help facilitate participation from those who are, for whatever reason, unable to attend a meeting.

8. Financial Considerations

- 8.1 The overall cost of supporting a programme of meetings which rotates around Cheshire is slightly more expensive than if they were all held at Wyvern House; this is due to the additional costs of webcasting. If meetings are held in Council buildings room hire charges are normally waived.

9. Contact Information

Contact details for this report are as follows:-

Name: Martin Smith

Designation: Registration and Civic Services Manager

Local Authority: Cheshire East Council

Tel. No: 01270 686012

Email: martin.r.smith@cheshireeast.gov.uk

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Cheshire Police and Crime Panel

Date of Meeting: 07 February 2020

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

Subject: Police and Crime Commissioner's Proposed Precept for 2020/21

1. Report Summary

- 1.1 This report outlines the process for reviewing the Police and Crime Commissioner's proposed Precept for 2020/21.

2. Recommendation

- 2.1 That the Panel reviews the Police and Crime Commissioner's proposed Precept for 2020/21.

3. Precept 2020/21

- 3.1 The arrangements for determining the Police Precept are 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.
- 3.2 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 are members of the Panel at the time the decision is made).
- 3.3 If the Panel vetoes the proposed Precept, the report that is made to the Commissioner must include a clear statement that the Panel has vetoed the proposed Precept, with the Panel's reasons. The Regulations require that the Panel will receive a response from the Commissioner to such a report and associated recommendations.

- 3.4 A Police Precept is issued annually by the Commissioner under Section 40 of the Local Government Finance Act 1992. The process and timescales are detailed in the Police and Crime Panels (Precepts and Chief Constable Appointments) Regulations 2012. The Precept forms part of the Council Tax bills issued by the constituent authorities within the Police Force area. The Commissioner may not issue a Precept for a financial year until the end of the scrutiny process by the Police and Crime Panel is reached. This is when:
- In a case where no veto is imposed, when the Police and Crime Commissioner gives the Police and Crime Panel a response to the Panel's report;
 - In a case where a veto has been imposed, when the end of the veto process is reached;
 - In any case when the Panel neither reviews the proposed Precept nor make a report by 8th February; and
 - In a case when a veto has been imposed but the Panel has failed to review and make a second report on the revised Precept by 22nd February.
- 3.5 The Police and Crime Commissioner must notify the relevant Police and Crime Panel of the Precept which the Commissioner is proposing to issue for the following financial year by 1st March.
- 3.6 A representative of the Commissioner's Office plans to make a presentation on budgetary issues to Panel members at an informal meeting of the Panel on the afternoon of 31st January. The information presented at that meeting will set out the context within which the Precept is to be set.
- 3.7 The Commissioner is due to consider a report on the 2020/21 Revenue Budget and Council Tax Precept at his Management Board meeting scheduled for the morning of 31st January. Following that meeting it is envisaged that the Commissioner will notify the Panel formally of this proposed Precept (please see paragraph 3.19 below).
- 3.8 Following receipt of the formal notice from the Commissioner, the Police and Crime Panel must review the proposed Precept and make a report to the Commissioner on the proposed precept by 8th February. The report may include recommendations, including recommendations as to the Precept that should be issued for the financial year.
- 3.9 The Police and Crime Panel may, having reviewed the proposed Precept, veto the Precept. If the Panel vetoes the proposed Precept, the report made to the Commissioner must include a statement that the Panel has vetoed it, and why.
- 3.10 If the Police and Crime Panel does not veto the proposed Precept, the Police and Crime Commissioner must:

- Have regard to the report made by the Panel, including any recommendations in the report;
- Give the Panel a response to the report (and any recommendations) and
- Publish the response.

3.11 The Police and Crime Commissioner may:

- Issue the proposed Precept for the financial year; or
- Issue a different Precept, but only if it would be in accordance with a recommendation made in the report from the Panel.

3.12 If the Police and Crime Panel vetoes the proposed Precept the Commissioner must not issue the proposed Precept for the financial year, The Commissioner must by 15th February:

- Have regard to the report which must be made by the Panel (including any recommendations);
- Give the Panel a response to the report (and any recommendations) which includes notification of the precept that he now proposes to issue; and
- Publish the response.

3.13 Where the Panel's report indicates that the Panel vetoes the proposed Precept because it is, in its view, too high, the revised Precept proposed shall be lower than the original proposed Precept. Where the Panel's report indicates that the Panel vetoes the proposed Precept because it is too low, the revised Precept proposed shall be higher than the original proposed precept.

3.14 Members of the Panel are requested to note that the use of the veto procedure will necessitate a further meeting and that this would need to be arranged at short notice, and in any event must be held no later than 20th February 2020. Regulations state that on receiving a response containing notification of a revised precept the Panel shall by 22nd February:

- Review the revised precept, and
- Make a report to the Police and Crime Commissioner on the revised Precept, known as "the second report".

3.15 The second report may:

- Indicate whether the Panel accepts or rejects the revised Precept (but rejection does not prevent the Commissioner from issuing the revised Precept as the Precept for the financial year), and

- Make recommendations, including recommendations as to the Precept that should be issued for the financial year.

3.16 On receiving the Panel's second report the Commissioner shall by 1st March of the relevant financial year:

- Have regard to the second report, including any recommendations in the report;
- Give the Panel a response to the second report (and any such recommendations) and;
- Publish the response.

3.17 The Commissioner may then:

- Issue the revised Precept as the Precept for the Financial year;
- Issue a different precept as the Precept for, but this shall not be higher than the revised Precept if the veto was imposed on the grounds of the Precept being too high and should be lower than the revised Precept if the veto was imposed on the grounds of the precept being too low, unless it would be in accordance with the recommendations made by the Panel in the second report

3.18 An extract from the relevant Home Office guidance document is attached as Appendix I.

3.19 At the time of writing details of the Commissioner's proposed Precept for 2020/21 were not available, once they are available they will be immediately forwarded to Panel Members. In addition they will also be posted on the Police and Crime Panel section of the Cheshire East Council website.

3.20 In considering its decision the Panel may wish to have regard to the priorities included within the Police and Crime Plan and the information provided on the proposed Budget. The Panel is reminded that its statutory duty relates to scrutiny of the Precept alone, not the detail of the revenue budget.

4. Summary and conclusion

4.1 The Panel must review and make a report and or recommendations in connection with the Commissioners proposed Precept.

5. Equality Implications

5.1 There are no specific equality implications related to this report.

6. Financial Considerations

- 6.1 There are no financial implications for the Panel in considering these matters, except insofar as an additional meeting would need to be arranged if the Precept is vetoed. Any such arrangements could be contained within the Panel's existing budget.

7. Contact Information

Contact details for this report are as follows:-

Name: Brian Reed

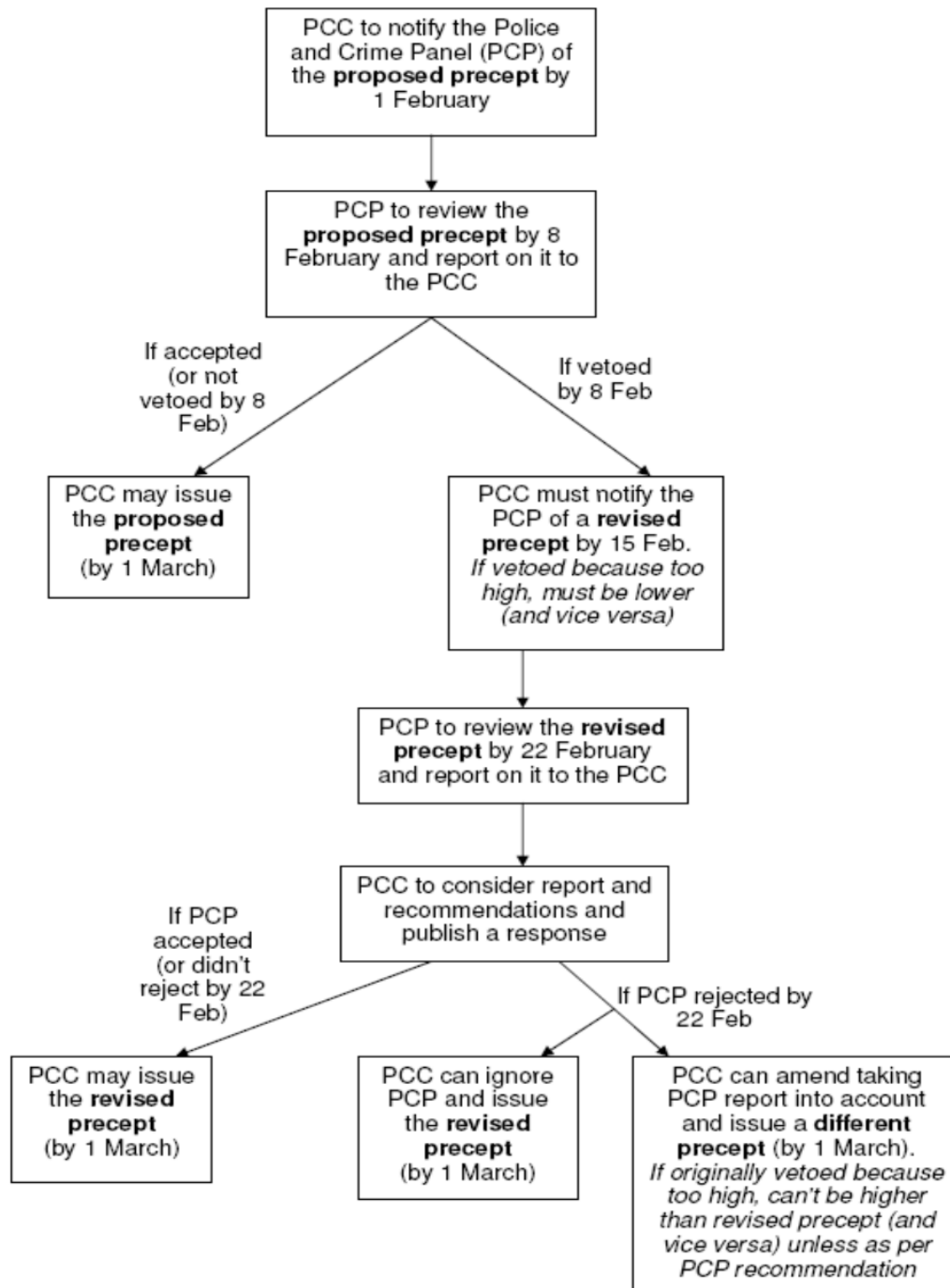
Designation: Head of Democratic Services and Governance

Local Authority: Cheshire East Council

Tel. No: 01270 686670

Email: brian.reed@cheshireeast.gov.uk

Appendix I

PCC PRECEPT APPROVAL (Final Regulations)

Cheshire Police and Crime Panel – Work Programme 2019/20



<p>7th February 2020</p> <p>Wyvern House, Winsford</p>	<p>Formal Meeting of the Police and Crime Panel</p> <ul style="list-style-type: none"> ○ <i>Questions for the Police and Crime Commissioner;</i> ○ <i>Police Precept 2020/21</i> ○ <i>Scrutiny Items – Management and Scrutiny Board notes;</i> ○ <i>Work Programme</i>
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Programme of future meetings to be approved

Programme of informal meetings to be agreed with the Commissioner

LGA PCP workshop 2020 - Wednesday 18 March 2020

Ninth Annual Conference for P(F)CPs from 5 pm on Monday 23 November to 5 pm on Tuesday 24 November 2020.

Issues the Panel may wish to follow up from previous meetings:

Policing of Remembrance Day events

Body – worn cameras

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