

Minutes of a virtual meeting of the **Cheshire Police and Crime Panel**
held on Friday, 18th September, 2020

PRESENT

Councillors:

Cheshire East Councillors JP Findlow, L Jeuda, and M Warren

Cheshire West & Chester Councillors R Bisset, ADawson and M Delaney

Halton Councillors N Plumpton Walsh and D Thompson

Warrington: Councillors J Davidson and A King

Independent Co-optees: Mr B Fousert, Mrs S Hardwick and Mr E Morris

Officers: Mr B Reed, Mr M Smith and Mrs D Nickson,
Cheshire East Council

13 APOLOGIES

Apologies were received from Councillor Brian Maher, Warrington Council, who was represented by Councillor Amanda King.

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

There were no declarations of interest.

15 PUBLIC PARTICIPATION

Three members of the public spoke at the meeting. One member of the public had submitted a statement in advance which was read to the meeting by an Officer.

Mrs Caroline Giangrande outlined her experiences of dealing with the Commissioner's Office, with whom she had made contact following her experience of making a complaint about the Constabulary. She asked the Panel why she had not received a satisfactory response from the Commissioner's Office following her contact and what alternatives were open to her if the Commissioner continued not to respond.

Mr Robert Selby commented on the possible creation of a new Complaints Management Sub-Committee (minute 18 below).

Mr Joseph Harris submitted a statement on the issue of public speaking, requesting that the Panel give careful consideration to the timescales for

advance notice imposed on those wishing to speak at meetings of the Panel (minute 17 below).

Mr Chris Le raised an issue in relation to the amount of time taken to discuss the issue of Hunting at a recent meeting of the Commissioner's Management Board.

16 MINUTES OF PREVIOUS MEETING

RESOLVED:

That, with a minor amendment to clarify the Police and Crime Commissioner's role in formal complaints received against the Chief Constable, the minutes of the meeting held on 12th June be approved. The amendment related to the fact that the Commissioner could not meet with those actively pursuing complaints.

Councillor Paul Findlow sought clarification over the establishment of a small group to review issues such as consideration of the Commissioner's Scrutiny reports. The Chairman noted that this was being addressed.

17 AMENDMENTS TO PROCEDURE RULES

The Panel discussed three proposed changes to the Panel's procedure Rules, these related to the issue of proportionality on Sub Committees and Working Groups, urgency powers and public speaking at meetings of the Panel.

With reference to the proposal for proportionality on all Panel Sub Committees and Working Groups, Councillor Andrew Dawson expressed concern that the overall political makeup of the Panel was not proportionate to population across Cheshire. It was his view that based on population, Halton was significantly over represented and Cheshire West and Chester and Cheshire East under represented. In addition, each Councillor in Halton (and to a lesser extent, Warrington) represented fewer electors than in Cheshire West and Chester and Cheshire East. It was his view that to adopt the proposals for proportionality on Sub Committees and Working Groups would further exaggerate the lack of proportionality of overall Panel membership.

The Panel discussed the issue of public speaking, recognising that it would be desirable to amend the Procedure Rules. However, mindful of the helpful comments made during public speaking by Mr Harris, they saw a logic in placing a time limit of 3 days (not 5 as proposed) on advance notice for public speaking and the desirability of giving the Chair powers to waive this rule when appropriate.

Councillor Andrew Dawson asked that his vote against the proposal to amend the Procedure Rules in relation to proportionality should be

recorded in the minutes. Mr Bob Fousert also wished his vote against the proposal to be noted.

RESOLVED: That

- 1 the Panel Rules of Procedure be amended, adopting the wording contained in Appendices I and II of the report; and
- 2 the Panel Rules of Procedure be amended, adopting the wording contained in Appendix III of the report, with an amendment to clause 3, which would read “In order that an appropriate answer to the question can be given, the deadline for indicating a wish to speak or for submission of questions is 3 clear working days before a meeting of the Panel. The Chair has the discretion to waive the 3-day rule for issues deemed to be urgent”.

18 CREATION OF A NEW COMPLAINTS MANAGEMENT SUB COMMITTEE AND ADOPTION OF REVISED WAY OF MANAGING COMPLAINTS

Councillor Andrew Dawson, the Chair of the Complaints Sub Committee introduced this item, thanking Members and Officers for the work that had been undertaken to develop proposals for a revised way of managing complaints.

Councillor Amanda King congratulated the Panel on the work that had been undertaken, but suggested that it would be appropriate for the host authority’s Monitoring Officer to be involved at an earlier stage than proposed in determining whether a complaint was one that could be considered by the Panel. Cheshire East Council’s Acting Deputy Monitoring Officer reassured the Panel that she was satisfied that the proposed new procedure provided for sufficient involvement by the Monitoring Officer (or their Deputy) to ensure that complaints would be managed effectively and fairly.

Councillor Dave Thompson recommended that a new Complaints Management Sub Committee should have seven members.

The Panel thanked Councillor Andrew Dawson for the work he had undertaken in leading the development of the new process.

RESOLVED: That

- 1 a Complaints Management Sub Committee be established, with the Terms of Reference detailed in Appendix I of the report.
- 2 the Sub Committee should have 7 members.
- 3 membership of the Sub Committee would be determined after the meeting.

- 4 Mrs Sally Hardwick be appointed as Chair and Councillor Martyn Delaney as Deputy Chair of the Sub Committee.
- 5 the new procedure (as outlined in Appendix II of the report) would be introduced with effect from 1st November 2020.
- 6 the Head of Democratic Services and Governance be given authority to make changes to the Panel's Procedure Rules to give effect to the wishes of the Panel in relation to the management of complaints made against the Commissioner (and Deputy Commissioner, when appointed).
- 7 the Head of Democratic Services and Governance be given authority to develop the information that will appear on the Panel's page of the Cheshire East Council website in relation to a revised procedure for managing complaints and any other incidental changes necessary to give effect to the wishes of the Panel.
- 8 the current Complaints Sub Committee be abolished.

19 SUBMISSION TO STAGE 1 OF THE HOME OFFICE REVIEW INTO POLICE AND CRIME COMMISSIONERS

Consideration of this issue was deferred to the next meeting of the Panel.

20 POLICE & CRIME COMMISSIONER FOR CHESHIRE DRAFT ANNUAL REPORT 2019/20

The Chairman formally welcomed the Commissioner to the meeting.

The Commissioner introduced his draft Annual Report for 2019/20.

Councillor Amanda King asked for the timescale in relation to the provision of one named Police Officer per community. The Commissioner indicated that each community in Cheshire now had a named, warranted Police Officer. This was in addition to the network of Police Community Support Officers. A communication providing more information would shortly be sent to each household in the county.

Councillor Andrew Dawson asked the Commissioner to consider including some basic information about complaints in the report; the Commissioner agreed to do this, but noted the national changes to the way in which complaints were managed that had been introduced earlier in the year.

Mr Bob Fousert expressed concern that the focus of the Commissioner's work appeared to be on non-policing issues. The Commissioner noted that the report was not about Cheshire Constabulary, but rather a report about progress against the Police and Crime Plan. He stressed the importance of a multi-agency approach to the delivery of the Plan.

Mr Evan Morris raised the issue of support for vulnerable groups across Cheshire. The Commissioner suggested that it would possibly be appropriate to discuss this at a future informal meeting. He noted the excellent collaborative work that was undertaken on a multi-agency basis. Councillor Martyn Delaney noted work undertaken to support those with hearing impairment. The Commissioner praised the initiative shown over recent months by many PCSOs in aiding communication with those with hearing impairment whilst it was necessary to wear face coverings.

Councillor Laura Jeuda requested information on the number of paid officers employed by the Constabulary. The Commissioner noted that at the end of 2019/ 20 the Constabulary employed 2,046 Officers and that the Chief Constable had met Government targets over recruitment. Over the period since the start of the Covid -19 outbreak the Special Constabulary had contributed in excess of 6,000 hours per month. Whilst crime rates had at first fallen, they were now back to pre Covid levels, as a consequence enforcing new Regulations would be a challenge.

Councillor Amanda King invited both the Commissioner and Panel Members to learn more about modern slavery, offering to make a presentation to a future meeting.

Mr Evan Morris congratulated the Commissioner on the production of a well written and well-designed annual report.

21 OVERVIEW AND SCRUTINY OF THE POLICE AND CRIME COMMISSIONER

Mr Evan Morris asked the Commissioner what impact the slower than expected rise in the Council Tax base would have on the Constabulary's budget. The Commissioner indicated that this was a complex issue which would also have an impact on the four Cheshire local authorities, noting that a number of scenarios were being examined and that the ongoing situation would be very carefully monitored, but that it was too soon to determine what the impact would be on the proposed precept for 2021/22.

Councillor Paul Findlow asked the Commissioner for his view on the Government's possible agenda of broadening the role of Police and Crime Commissioners, particularly in the area of Fire and Rescue Services. The Commissioner noted the timetable for the Home Secretary's ongoing review, saying that he was of the view that any Commissioner should have an electoral mandate for the work that they undertake. He noted the excellent collaborative work that was already undertaken between the Constabulary and the Fire and Rescue Service.

Mrs Sally Hardwick asked for further information on the breakdown, by gender and ethnicity of the 90 newly recruited Officers. She also asked for assurance that those PCSOs who had been successful in being appointed at Police Officers would be replaced. The Commissioner indicated that he

had requested diversity information from the Chief Constable and that plans were in place to “backfill” PCSOs where necessary. He stressed the importance of having a workforce that reflected the community that it served. He hoped that by the November meeting of the Panel he would have more detailed information which he would be able to share.

Councillor Andrew Dawson asked for clarification over the position with Mr Francis Kwateng, who had spoken at the previous meeting of the Panel (15th June 2020) when he had outlined an issue of alleged racial profiling which had affected both him and his family. The Commissioner indicated that he had written to Mr Kwateng inviting him to a meeting but was yet to receive a reply. His Office would follow up the issue.

Councillor Martyn Delaney congratulated the Commissioner on his successful bid for funding of £550,000 from the Safer Streets Fund. He noted that strict rules applied to how the money could be used. The Commissioner explained that he had been successful in attracting additional funding in a number of areas and explained how the Safer Streets funding would be used.

Mr Bob Fousert noted that nationally there had been a very significant increase in the number of assaults on Police Officers and Police Community Support Officers, he asked the Commissioner what steps were being taken in Cheshire to address this issue. The Commissioner responded by saying this was an issue in which he had taken a very close personal interest. He indicated that it was vital Officers received appropriate training and had the correct equipment, including body worn cameras and where appropriate, tasers. He noted that over the previous twelve months (up to August 2020) 750 assaults had been recorded against emergency service workers in Cheshire, 637 had been assaults on Police Officers.

The Commissioner noted that the issue of assaults on Police was currently being addressed nationally by the Police Chiefs Council, training was likely to be improved and other measures taken. At the local level he was working closely with partners on the Criminal Justice Board to address the issue. The Commissioner recognised that there was still much to do. He hoped that an increase in the sentences received by offenders would help, but recognised that on its own this was not the solution.

On a related issue the Commissioner noted the tragically high number of Police Officers nationally who committed suicide. In Cheshire the Constabulary’s Occupational Health team were refocusing activity to concentrate on both prevention and the wider mental health agenda. Mr Evan Morris noted the importance of Police Officers receiving training in conflict management. The Commissioner thanked the Panel for its support.

Councillor Norman Plumpton Walsh asked the Commissioner what proportion of calls received by the Constabulary related to mental health

issues and in particular missing persons. He also asked how many such calls resulted in repeated Police interventions and what steps were being taken to address this issue? He noted that his question had been prompted by the BBC TV programme “Missing”, some of which had been filmed in Cheshire.

The Commissioner indicated that due to the way in which the Home Office required calls to be recorded, it was impossible to provide accurate information and that the figures available were likely to under record the scale of the problem. He outlined that in August 2020, 1,689 mental health related calls had been received by the Constabulary, 117 calls related to missing persons. In his view the problem was a wider societal one and required a collaborative, inter agency approach. He informed the Panel that a considerable amount of work was taking place within the Constabulary to train staff.

Councillor Dave Thompson stressed the importance of the Commissioner lobbying Government for changes to legislation and regulations. He used the issue of modern slavery as an example, saying that he thought the Commissioner should lobby for the licensing of nail bars, which national research indicated were not infrequently linked to modern slavery. A second example he gave was the theft of family pets. He noted that the Constabulary had not been able to give him information on the scale of the problem in Cheshire as the theft of pets was not recorded as a separate category.

The Commissioner indicated that he saw himself as a voice for the people of Cheshire and that he did lobby on a wide range of issues and also worked closely with the National Association of Police and Crime Commissioners. With reference to the theft of family pets the Commissioner committed to taking the issue further with the Constabulary, but would welcome support from the Panel in lobbying for tougher penalties for such crimes.

As time did not permit the issue to be discussed, Mr Evan Morris committed to raising the issue highlighted by Mr Chris Le during public speaking (relating to Fox Hunting) with the Commissioner. He would ensure that Mr Le received a reply.

22 SCRUTINY ITEMS

Consideration of this item was deferred.

23 WORK PROGRAMME

Consideration of this item was deferred.

24 DATE OF NEXT MEETING

Friday 27 November 2020 at 10.00am.