

## **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Cheshire Police and Crime Panel**  
held on Friday, 17th June, 2016 at Wyvern House, The Drummer, Winsford,  
CW7 1AH

### **Present:**

Councillors:-

Cheshire East

Chester West & Chester

Halton

Warrington

Independent Co-optees :-

Officers:-

Also in attendance:-

Councillors: S Edgar J P Findlow  
and H Murray

Councillors: R Bisset, A Dawson and  
M Delaney

Councillor: N Plumpton Walsh and D  
Thompson

Councillor B Maher

Mr B Fousert, Mrs S Hardwick and  
Mr E Hodgson

Mr B Reed, Head of Governance  
and Democratic Services and Mrs J  
North, Senior Democratic Services  
Officer, Cheshire East Council

David Keane, Police and Crime  
Commissioner for Cheshire and  
Stephen Pickup, Head of Planning  
and Scrutiny, Office of the Police  
and Crime Commissioner for  
Cheshire

### **1 APPOINTMENT OF CHAIRMAN FOR 2016/17 MUNICIPAL YEAR**

Consideration was given to the appointment of Chairman for 2016/17  
Municipal Year.

#### **DECISION**

That Councillor Howard Murray be appointed as Chairman for 2016/17  
Municipal Year.

### **2 APPOINTMENT OF DEPUTY CHAIRMAN FOR 2016/17 MUNICIPAL YEAR**

Consideration was given to the appointment of Deputy Chairman for  
2016/17 Municipal Year.

#### **DECISION**

That Mr Bob Fousert be appointed as Deputy Chairman for 2016/17 Municipal Year.

### **3 APOLOGIES**

Apologies for absence were received from Councillor Cathy Mitchell.

The Chairman requested that when members of the Panel could not attend a meeting that they appoint a substitute and suggested that they consider appointing a named substitute, preferably with a knowledge of policing issues.

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

There were no declarations of interest.

### **5 PUBLIC PARTICIPATION**

There were no members of the public present, wishing to use the public speaking facility.

The Chairman reported that, as previously, for future meetings members of the public would be able to submit questions via Twitter. However, this facility had not been available at the meeting and they should submit any questions by e-mail to [julie.north@cheshireeast.gov.uk](mailto:julie.north@cheshireeast.gov.uk)

### **6 CHANGES TO SECRETARIAT AND MEMBERSHIP**

The Chairman reported that because the newly elected Police and Crime Commissioner was to remain as a Councillor in Warrington Borough, Cheshire East Council had taken over the administrative support to the Panel from Warrington Borough Council. He thanked the Warrington officers for their very able and competent support over the past few years. He also thanked those Members who no longer sat on the panel for their contribution to the work of the Panel and made special reference to Cllr Alex Black, from Cheshire West and Chester Council, for his support as Deputy Chairman.

It was agreed that a letter should be sent to the officers and Members concerned, thanking them for their contribution.

### **7 MINUTES OF PREVIOUS MEETING**

#### **DECISION**

Consideration was given to the minutes of the meeting held on 5 February 2016.

With reference to minute CPCP47, Cllr Dawson reported that he had subsequently been provided with the information that he had requested in respect of the partner organisations who part funded PCSOs.

## **DECISION**

That, subject to the addition of Cllr Andrew Dawson's initials in the list of those present, the minutes be agreed as a correct record.

### **8 PANEL MEMBERSHIP 2016/17**

Consideration was given to a report and appendix setting out the Panel Membership for 2016/17. It was noted that Councillor Alex Black had been replaced Councillor Martyn Delaney as one of Cheshire West and Chester's representatives on the Panel .

## **RESOLVED**

That, subject to the above alteration, the Panel Membership for 2016/17, as set out at Appendix 1 of the report be received and noted.

### **9 PANEL ARRANGEMENTS: RULES OF PROCEDURE**

Consideration was given to a report relating to the re-adoption of the governance arrangements and Rules of Procedure for the Panel. It was considered good practice for the Panel to review and readopt its governance arrangements and Rules of Procedure annually.

The current document, which was set out at Appendix 1 of the report, had been reviewed and revised from time to time, following comments from Panel Members at previous meetings of the Panel. It was noted that the content and context of the document would be routinely reviewed, monitored and amended as appropriate, in line with legislative changes, changes to local practices and procedures, and best practice advice.

A member of the Panel referred to paras 1.2 and 1.3 of the Procedure Rules, which stated that in the event of the resignation or removal of the Chairman, the replacement Chairman would be drawn from amongst the Councillors sitting on the Panel. This was said to restrict the appointment of the independent members of the Panel as Chairman. It was requested that consideration be given to removing this restriction.

It was suggested that a report, which properly explored this issue and any other anomalies in the Procedure Rules, including remuneration matters, be submitted to the next formal meeting of the Panel, for consideration.

## **DECISION**

1. That the governance arrangements and Rules of Procedure be approved and adopted, so as to have effect until a report was made to the next Panel meeting.
2. That a report be submitted to the next formal meeting of the Panel to consider any changes to the Terms of Reference, governance arrangements and Procedure Rules which may be required.

## **10 LOCATION OF MEETINGS 2016/17**

Consideration was given to a report seeking the Panel's views on the location of its formal meetings for the municipal year 2016/17.

Since its inception, the formal meetings of the Panel had been held at Wyvern House Winsford. The meetings were now hosted and facilitated by Cheshire East Council, with accommodation being provided by Cheshire West and Chester Council.

Wyvern House had previously been chosen as the location for the formal Panel meetings due to its geographical location and ease of access from all parts of Cheshire. A previous report which had considered the location of meetings was appended to the report.

It was suggested that consideration be given to rotating the venue for the Panel meetings around each of the four Boroughs, in order to make meetings more accessible to the public, subject to there being adequate webcasting facilities available at a reasonable cost.

Consideration was also given to the proposed dates for meetings of the Panel for the 2016/17 municipal year. In order to avoid the Purdah period, it was suggested that the meeting date proposed for Friday 21 April 2017 be changed to Friday 24 March 2017.

The meeting dates were agreed as follows:-

- Friday 17 June 2016 (AGM);
- Friday 23 September 2016;
- Friday 18 November 2016;
- Friday 3 February 2017 (Budget and Precept meeting);
- Friday 24 March 2017.

It was also requested that consideration be given to changing the start time of meetings from 10am to either 9am or 9.30am, or that meetings take place in the evening.

## **DECISION**

1. That the meeting dates, as set out above, be agreed.

2. That a report be submitted to the next meeting of the Panel in order to allow consideration of the time and location of meetings, to include any cost implications.

## **11 INFORMAL MEETINGS OF THE PANEL**

Consideration was given to a report seeking the Panel's views in respect of continuing the practice of holding regular informal meetings with the Police and Crime Commissioner, Chief Constable, and other Police staff.

The purpose of the informal meetings had been to have frank, off-the-record discussions with the Commissioner and Chief Constable about various issues.

Panel members had previously indicated that they found such meetings particularly useful in gathering information, so that they could more effectively carry out their role of scrutinising the Commissioner.

The Panel was invited to consider whether it wished to continue holding informal meetings with the new Police and Crime Commissioner, David Keane.

### **DECISION**

It was agreed that the practice of holding informal meetings with the Police and Crime Commissioner should continue.

## **12 BUDGET**

Consideration was given to a report relating to the Panel's budget for the 2015/16 Municipal Year. The Panel was requested to receive and endorse the budget.

It was noted that the Home Office issued a ring-fenced grant to the host authority to maintain a Police and Crime Panel for the Cheshire Police force area to carry out its functions and responsibilities, as set out in the Police Reform and Social Responsibility Act 2011. The grant for 2015/16 claimed by the previous host authority had been predominantly against staff and team time engaged with supporting the Panel arrangements. The grant claim details were set out in a table within the report.

The allocated grant for 2016/17 was split between £53,300 for administration costs and £11,960 (up to £920) for member expenses. The grant acceptance letter had been sent on 26 April 2016.

In considering the report, the Panel requested that a further report be submitted to the next formal meeting of the Panel, providing details of how it was proposed to spend the £53,300 grant for administration costs, together with further outturn details of the 2015/16 financial year.

### **DECISION**

That the report be noted and a further report be submitted to the next formal meeting of the Panel, providing details of how it was proposed to spend the £53,300 grant for administration costs, together with further outturn details of the 2015/16 financial year.

### **13 SCRUTINY ITEMS**

The notes of the meetings of the Management Board held on 2 March, 30 March, 12 May, were submitted.

#### **DECISION**

That the notes be received and noted.

(At this point the meeting was adjourned for 10 minutes).

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

Cheshire Police and Crime Commissioner, David Keane and Mr Stephen Pickup were present for the following part of the meeting.

The Chairman suggested that, for future meetings, if members of the Panel had questions and would like a response on the day of the meeting, that they submit the question in advance to the Democratic Services Officers and copy to the Chairman.

The Chairman welcomed the new Cheshire Police and Crime Commissioner, David Keane, to the meeting and Panel members introduced themselves.

The Police and Crime Commissioner thanked the Chairman for his welcome and stated that he hoped to build a strong and effective relationship with the Panel. Since his election, he had visited various locations in the area and had met with a number of partners and stakeholders and had also visited some local policing units. He had met with Police officers and staff, which had provided an opportunity for them to ask questions and for him to get a better understanding of some of the issues in Cheshire.

He referred to the Police and Crime Plan and stated that he intended to take a different approach to previous plans by carrying out a six week consultation before the Plan was produced. The intention was to pull the comments together into a draft Plan, which would then go out to formal consultation in the Autumn to ensure that he had understood concerns and priorities correctly. He considered this approach to be more inclusive and democratic. It was proposed to publish the Plan in the following year and he hoped that the Panel would feed in to the process. He hoped to get as much involvement as possible and would welcome the Panel's questions.

A summary of the questions asked of the Commissioner and a summary of the responses given are set out below:-

1. The Chairman of the Panel asked what had been the Commissioner's three greatest concerns since assuming his post.

Response – The Commissioner responded that there was a big change in perception from being a member of the public to being a candidate and then Commissioner. One saw the reality and the different jobs that the Police had to perform. Seeing the challenges and professionalism and the pressures in terms of resources changed one's perspective. He had been impressed by what he had seen and by the effective partnership with the emergency services in Cheshire and had witnessed the co-ordinated working. He stated that it was difficult to outline three main concerns, but he stated that resources and budgets were difficult to manage and that public expectation was very challenging. One area that he considered could be improved was HMIC reports, for example stop and search, which was one of the areas deemed not to be good and it was clear needed some attention . He had started to look at this area, to see how it could be improved. There were other areas which were deemed not to be good or outstanding and his hope was for Cheshire to be deemed good or outstanding in all areas, in the not too distant future.

2. A member of the Panel referred to the Police performance statistics for 2016 and asked whether the Commissioner would like to highlight anything about them that troubled him.

Response – The Commissioner responded that there were some real successes in the statistics. They did show the total recorded crime as decreasing, compared with the previous year, despite national and regional increases. He was always challenging of the figures and wanted to be assured that the recording was done correctly on a local and national basis. He had some concerns regarding violent and sexual offences, where it had been highlighted that there was an increase. He was concerned in terms of reporting in Cheshire and it might be highlighted from the figures that there had been an increase, but some of this may be due to reporting and recording of historic instances. The figures for violence against a person had increased by 17% in terms of reporting in Cheshire, but he would always compare this with the figure of 26% in the North West and 27% in England and Wales. He would not necessarily see this as a success and any increase was a worry and action needed to be taken.

3. A member of the Panel asked whether the data that the Commissioner had referred to could be published on the Police and Crime Commissioner's website, to enable proper scrutiny of the

Commissioner by the Panel, as the data provided for 2016 had been very limited. He also asked that the Commissioner commit to publishing the data in a timely fashion, going forward.

Response - The Commissioner responded to say that the data came from the Office of National Statistics. He would find out what was the most recent data and ensure that the best and most recent and audited data was published. The year end December 2015 figures were the most up to date, in that they had been audited.

Another member of the Panel referred to the data provided for the Scrutiny meetings, which was very detailed and was available on the website.

The Chairman stated that there had been an agreement that the Panel would receive this data and he asked officers to pursue this matter.

4. A member of the Panel expressed concern as to whether there was a conflict of interest between the Commissioner's position and his role as a Warrington Borough Councillor and asked how he proposed to manage this. Another member of the Panel referred to a recent radio interview where the Commissioner had spoken about retaining his role as a Parish and Borough Councillor.

Response - The Commissioner responded to say that he would declare and had already declared an interest on any issue that may affect Policing. He had always had a very busy public and private life. The role of Police and Crime Commissioner was a full time role, but he would always be happy and proud to represent his community in a separate capacity. He valued the concerns expressed and considered the question to be well meant. He felt that he could balance both roles. However, if a time came when this was not the case he would review the situation at that time. His intention was to serve the relevant community involved.

Another member of the Panel asked to what extent there was a conflict and to what extent Commissioner's efficiency and discharge of his role was impaired. He asked what the limit to how it was affected would be before the Commissioner would take action.

Response - The Commissioner responded that he had not seen his efficiency and effectiveness challenged in any of his roles, so far. He had been in the role of either Parish or Borough Councillor for 17 years and beyond this had full and part time commitments. Several of his private commitments had ceased since he had taken on the role of Commissioner, which he regarded as a full time job.

The Chairman stated that the issue that would concern most people was whether there was potential for a conflict of interest.



5. A member of the Panel referred to the consultation on the Police and Crime Plan and previous comments on the refreshed Plan, where road policing had been a concern. He asked whether the Commissioner would consider the possibility of including five sets of statistics in future, to include statistics for the four different Boroughs, in order to provide more local statistics.

Response - The Commissioner responded that he had been considering this for some time and that he recognised that Cheshire was a diverse area and he agreed with the provision of more local statistics. However, he was not convinced of the best way of doing this.

The Chairman stated that he was not concerned with Council areas, but referred to the eight policing units and he felt that the statistics needed to recognise that Cheshire was a diverse area. A further comment was made that it reflected well that the consultation was being carried out before the Plan was produced and that this issue could be addressed at that point.

6. A member of the Panel referred to the short handover period from the previous Commissioner and asked whether there had been an adequate handover.

Response - The Commissioner responded that he had not met with the previous Commissioner, but that he had had various briefings and informal discussions with staff and Police officers, which had been very useful. He had also visited several departments and met with stakeholders. He considered that positivity was very important and he intended to operate in a very open and honest way.

7. The Chairman mentioned that, in the past, Panel members had been encouraged to observe operations and asked whether this would continue and whether the Commissioner would encourage it.

Response - The Commissioner responded that he was determined to see transparency and that he would always encourage this where it was relevant, but that it must fit in with the realm of what the Panel was appointed to do.

8. A member of the Panel referred to the Commissioner's forward thinking and core vision and asked whether he had a view regarding any future synergies, for example with the Fire and rescue Service.

Response - The Commissioner responded to say that his early briefings left him impressed with the collaboration currently taking place and that he could see public benefit from this. He was not yet at the stage where he was convinced of anything beyond firm

collaboration, but his eyes and ears were always open. He had attended an event where the Home Secretary had spoken on these issues and she seemed very committed to it. In coming to any decision regarding collaboration he would consult with residents, stakeholders and partners.

9. A member of the Panel asked what the Commissioner's views were in respect of the informal Panel meetings. One of the statutory roles was confirmation hearings and he asked whether any confirmation hearings were planned and, if so, what was the timescale.

Response - The Commissioner responded to say that he had no pre-determined views on informal meetings, but would see them as a partnership with the Panel. With regard to confirmation hearings, there was nothing in his calendar that would require one in the near future. He felt that he could be described as "a listening Commissioner" and his approach would be that if any matters required a confirmation hearing he would notify the Panel well in advance.

The Chairman of the Panel asked whether the Commissioner proposed to appoint a Deputy Commissioner.

Response - The Commissioner acknowledged that this would require a confirmation hearing, but to do so was not currently on his radar. He had wanted to stay away from appointing straight away due to the affect on the public purse. He wanted to see the lay of the land first and he felt it would be premature to make a decision now. It was something that was being considered, but he would be happy to take advice and scrutiny, before any such process began. If he did come to a view that he needed a deputy, he had no preconception on this and wanted to assure the Panel that he would appoint through an open and transparent process and advertise the position. He did not see this as a personal or political appointment, but that the best person for the role should be appointed.

The Chairman stated that if the Commissioner was to become indisposed for any reason, it would fall to the Panel to appoint a replacement from his staff.

Response - The Commissioner responded to say that he had every confidence in the Panel to make the appointment.

10. A member of the Panel referred to the good relationship that Halton Borough Council had previously had with the Police when dealing with illegal incursions and moving travellers on to transit sites. He referred to a recent incursion at the site of Runcorn Town Hall and sought reassurance that the Police and not changed their position

and would continue to use their powers, when required and that the well established arrangement with the Council would continue.

Response - The Commissioner responded to say that he recognised the spirit of what was proposed. He asked the Panel to note his inability to get involved in operational issues and hoped that this was the understanding.

The Commissioner was requested to report back that he was fully confident with the policy that the Constabulary was currently using in dealing with travellers. It was agreed that a written response would be provided in respect of this issue.

11. The Chairman of the Panel referred to the Police Constabulary reorganisation, which had taken place several months ago and stated that the Panel had been promised a review in 3 and 6 month's time. This had not happened and the Panel would like to see what the output was. Reference was also made to the PCSO contract, which had been delayed for 12 months. The Panel had been advised that the Chief Constable was looking at this and related issues in June/July and the previous Commissioner had said that he could not get involved. He asked whether this was still going to happen and when the Panel would know the outcome. He asked for a response at the latest by the next formal meeting, but preferably before this (i.e at the next informal meeting).

Response - The Commissioner responded to say that he had asked for reviews himself, but he felt that 12 monthly would be better. He was not aware of a 6 monthly review, but he undertook to look into this and to provide what information he could.

12. A member of the Panel asked whether the Commissioner had any intention of appointing a Youth Ambassador.

Response - The Commissioner responded to say that he did not intend to do so, but that he intended to look at a more effective way of engaging with youth, rather than appointing an individual to provide views.

The Chairman thanked the Commissioner for his attendance at the meeting and said that he looked forward to a productive relationship with him, going forward.

## **15 WORK PROGRAMME**

Consideration was given to the Work Programme for 2016/17.

## **DECISION**

The Work Programme was agreed, subject to a change in the date of the last meeting from 21 April to 25 March 2017, as agreed earlier in the meeting.

The meeting commenced at 10.00 am and concluded at 12.05 pm

Councillor H Murray (Chairman)