

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Cheshire Police and Crime Panel**
held on Friday, 23rd September, 2016 at Wyvern House, The Drumber,
Winsford, CW7 1AH

Mr R Fousert (Deputy-Chair, in the Chair)

Councillors:-

Cheshire East
Chester West & Chester

Halton

Warrington

Independent Co-optee :-

Officers:-

Also in attendance:-

Councillor: J P Findlow

Councillors: R Bisset, A Dawson and
M Delaney

Councillors: N Plumpton Walsh and
D Thompson

Councillors: A King and B Maher

Mrs S Hardwick

Mr B Reed, Head of Governance
and Democratic Services, Mrs J
North, Senior Democratic Services
Officer and Mr M Smith, Manager
Chief Executive's Office, Cheshire
East Council

David Keane, Police and Crime
Commissioner for Cheshire
Ben McCrorie, Planning and
Strategy Officer, Office of the Police
and Crime Commissioner for
Cheshire

Apologies

Councillors H Murray and S Edgar and Mr E Hodgson.

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

There were no declarations of interest.

18 PUBLIC PARTICIPATION

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

19 MINUTES OF PREVIOUS MEETING

Consideration was given to the minutes of the meeting of the Panel held on 17 June 2016.

RESOLVED

That the minutes be approved as a correct record.

20 THE PANEL'S RULES OF PROCEDURE

At its Annual General Meeting, in June 2016, the Panel had called for a review of the existing Rules of Procedure.

Given that the hosting of the Panel had now moved to Cheshire East Council, a number of changes were required to be made to the Rules to reflect the new hosting arrangements.

In addition, comment had been made at the AGM that changes should also be made to the Rules by way of confirmation that the Chairmanship and Vice Chairmanship of the Panel should be open to all members of the Panel, rather than being restricted to elected Members.

A review of the Rules has been undertaken and the proposed changes had been made, which were highlighted using “track-changes” and appended to the report. The Panel was asked to consider the proposed changes and to approve them, if it was content to do so.

Delegated authority was also sought by the report author, which would enable him to make minor or consequential amendments to the Rules, to give effect to the wishes of the Panel, or otherwise.

In considering the changes, the Panel agreed to the proposed changes, subject to the following :-

Part 3 – Governance Arrangements, Para 1.4 to refer to Deputy Chairman and not Vice-chairman and also the retention of the word “normally” under Para 5.1.

The correction of the spelling of Cllr “Martyn” Delaney’s first name under the Panel member information.

At the AGM, comment had been made that consideration should be given to whether allowances should be given to Panel members. Currently, Panel members were entitled to claim expenses. Further clarification was being sought as to whether this would be possible and it was agreed that a report should be submitted to a subsequent meeting of the Panel in respect of this issue.

DECISION

1. That, subject to the above amendments, the proposed changes to the Rules of Procedure, as set out in the appendix to the report, be approved.
2. That delegated authority be granted to the Head of Governance and Democratic Services to make such minor and consequential amendments to the Rules as he considers are necessary to give effect to the wishes of the Panel, in order to finalise the Rules.

21 LOCATION OF POLICE AND CRIME PANEL MEETINGS

At the AGM of the Panel on 17 June 2016, the Panel had requested that options for meeting venues be reviewed, with consideration being given to rotating the location of meetings around the county.

Since its inception the Panel has held its meetings at Wyvern House in Winsford. Meetings had been webcast, at a cost of around £1,100 a year, utilising Cheshire West and Chester's existing webcasting contract and the equipment permanently installed in the Council Chamber at Wyvern House.

A report was submitted in order to enable the Panel to review options for where meetings of the Panel could be held in future. The report outlined the reasons for the original choice of venue and the implications of rotating the venue around the four Cheshire Authority areas, including likely cost implications. The major cost implications related to webcasting, as not all authorities had permanent webcasting facilities and equipment would need to be hired, at a significant cost.

It was understood that Cheshire West and Chester Council owned a portable webcasting facility and it may be possible to utilise this for future meetings, thus enabling the use of other venues without significant additional costs. However, it may not be possible to live stream the meetings using this equipment. It was agreed that further information should be obtained exploring the potential use of the portable system and that a further report be submitted to the next meeting of the Panel in respect of this issue.

DECISION

That a further report be submitted to the next meeting of the Panel exploring options for the use of a portable webcasting solution for future meetings, to enable consideration of rotating the venues for the Panel meetings around the four Cheshire Authority areas, including the potential cost and other implications associated with this.

22 PANEL FINANCIAL OUTTURN 2015/2016 AND PROPOSED GRANT ALLOCATION 2016/2017

Consideration was given to a report responding to the Panel's request, made at the 17 June 2016 AGM, in relation to the financial outturn for expenditure incurred in support of the Cheshire Police and Crime Panel during 2015/2016, and to receive and endorse the Panel's budget for the 2016/17 municipal year.

The report reiterated the information provided to the Panel at the AGM and therefore, clarified the end of year position.

As previously stated, it was noted that the grant for 2015/16 had been claimed by the former host authority predominantly against staff and core team time engaged with supporting the Panel arrangements.

The former Host Authority had formally submitted claims against expenditure in support of the Panel for the two half years in 2015/ 2016. The grant claim for the first half year was £22,697. In the second half year, the expenditure amounted to £30,515. In combination with the claim for the first half year, this had amounted to £53,212 for the whole year. The new host Authority would again be in a position to bid against a maximum grant total of £65,260 for the 2016/ 2017 municipal year.

The proposed outline budget for the 2016/17 municipal year was appended to the report as a mechanism to allocate appropriate resources to support the Panel. It was noted that the appendix should refer to the financial outturn for 2015/16 and not 2016/17 and to the "budget" for 2016/17.

DECISION

1. That the Panel's financial outturn for the 2015/2016 financial year be noted.
2. That the Panel's grant allocation for 2016/17 municipal year be noted.
3. That financial updates be provided to the Panel as appropriate.

23 SCRUTINY ITEMS

Notes from the following meetings were submitted to the Panel, to inform any future scrutiny or work programme items :-

- Notes from the Management Board held on 22 June 2016
- Notes from the Scrutiny Board held on 29 June 2016
- Notes from the Management Board held on 3 August 2016

DECISION

That the notes be received and noted.

(At this point the meeting was adjourned for 20 minutes).

24 OVERVIEW AND SCRUTINY OF THE POLICE AND CRIME COMMISSIONER - CHESHIRE POLICE AND CRIME COMMISSIONER'S ANNUAL REPORT 2015/16

(Cheshire Police and Crime Commissioner, David Keane and Mr Ben McCrorie, Planning and Strategy Officer, Police and Crime Commissioner's office, were present for the following part of the meeting).

The Police and Crime Commissioner was required to produce an Annual Report each year and the Police and Crime Panel should be offered the opportunity to consider the report at a meeting arranged as soon as possible following the publication of the report.

The Cheshire Police and Crime Commissioners Annual Report for 2015/16 and covering letter had been circulated with the agenda and the Police and Crime Commissioner presented his report to the Panel. The Panel was requested to review the Annual Report and to make any recommendations as it deemed necessary.

Reviewing the Annual Report was a statutory function of the Panel, as set out in the Police Reform and Social Responsibility Act 2011 and provided the Panel with the opportunity to discuss the Annual Report directly with the Police and Crime Commissioner.

In considering the report, the Panel requested clarification in respect of some of the figures and the Commissioner undertook to provide the Panel with a breakdown of the costs within the budget.

DECISION

That a report be submitted to the next meeting of the Panel providing a breakdown of the costs within the budget.

25 OVERVIEW AND SCRUTINY OF THE POLICE AND CRIME COMMISSIONER - QUESTIONS FOR THE POLICE AND CRIME COMMISSIONER

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

1.A member of the Panel referred to Cheshire Police's annual monitoring of hate crime and the fact that forces had powers to include their own definitions of hate crime, with several new sub cultures being allowed in certain circumstances. He believed that Nottinghamshire Police had looked at the definition of hate crime and had taken the decision to record the harassment of women as a hate crime in a bid to tackle sexist abuse.

The Panel member asked whether, as part of developing proposals for his Police & Crime Plan, the Commissioner considered that Cheshire Police should also consider widening the scope of hate crime definitions.

The Commissioner responded to say that this was a very challenging and forward looking approach by Nottinghamshire Constabulary. He shared the view that hate crime was repulsive in all its forms and should be challenged in every way possible. He had encouraged the recording of hate crime over the last few months, so that it could be dealt with and would continue to do so. He referred to his draft Police and Crime Plan and stated that he had talked to various groups, including the Warrington Hate Crime Partnership, which was a great model to follow and he would encourage local authorities and partners in those areas of Cheshire who did not have a Hate Crime Partnership to work on this. He would be encouraging the reporting of hate crime and the bringing of offenders to justice. He recognised that gender was an important aspect in these offences and he would be talking to the Chief Constable in respect of this issue. He looked forward to his response and he would also take advice from Nottinghamshire Constabulary on best practice. He undertook to provide an update at the next informal meeting of the Panel.

2.A member of the Panel referred to the statistics provided to the Scrutiny Board regarding the public's perception of police performance and noted that it was said that they were gained from an estimated 2500 random phone calls per month. Given the socioeconomic spread of the Cheshire community, the fact that many people were either ex-directory or had call-barring on their landlines and the randomness of the process, he asked whether the Commissioner was content that the sampling methodology behind the public perception data of police performance presented a true reflection of the way in which the Constabulary was regarded. He felt that most people did not come into contact with the Police and therefore, questioned what the majority of people had based their opinion on. He felt that many did not understand that nearly 80% of the work that the Police carried out did not relate to fighting crime.

The Commissioner responded to say that one of his "awakenings" in his transition from being a member of the public to Commissioner, was his perception of what the Police did on a daily basis. A large amount of time was spent fighting crime, but it was also very much a community and social service to residents and it was a much broader service, with a broader vision and partnership. He referred to a previous discussion, following one of the scrutiny meetings, with one of the independent members of the Panel, concerning the methodology used and particularly the public perception survey. It had been useful to get the Panel member's views and perceptions and he hoped that some clarity had been provided on the methodology following the scrutiny meeting.

(It was noted that there were still some concerns regarding whether the methodology itself was adequate and fit for purpose it and it was agreed that this matter should be discussed at a future informal meeting of the

Panel. It was requested that information be provided to the Panel in respect of the detail of the survey questions and how they were compiled).

The Commissioner went on to say that the survey related to public perception and there were various ways that the Constabulary obtained views. A large amount was through himself as Commissioner and regular conversations with the public. He agreed with what had been said about the difference in perception. He picked up a lot of comments from the public every day, as an elected representative and built these in to future plans. The public perception survey covered around two and a half thousand residents per annum. When compared with the Police and Crime survey he received almost that number of direct written responses from members of the public who may not have had contact with the Police before. He had received several thousand responses from this and there had also been a broader Home office survey covering England and Wales. This was only part of a general perception which was fed back to himself and the Constabulary. The Commissioner encouraged the Panel to consider undertaking independent public perception testing and to share their findings with him.

3. A member of the Panel asked whether the Commissioner would continue his predecessor's policy of having one PCSO per ward and if so, whether he welcomed funding from partners, such as from the unitary authorities, Town and Parish Councils, social landlords and the like, who were co-funders in some cases.

The Commissioner responded to say that, whilst he had heard the comment concerning the policy of one PCSO per ward quite regularly, he could not find anywhere where this was implemented. There was no evidence of this been delivered throughout Cheshire as a single policy. The draft Police and Crime Plan talked about a Police service connected to the community and talked strongly about named/faced officers within local communities and this was his absolute ambition. He had formed this ambition through four months of consultation, but he would not want to take away from the formal six week public consultation, which was currently ongoing. He considered that joint funding and partnership was absolutely essential to a strong future of PCSO provision.

The Panel member went on to ask what incentives there were for Town and Parish Councils to continue part funding PCSOs, if one was to be provided from general resources. He provided an example of a Parish Council in the Cheshire West area who, on the strength of the previous policy, had decided that they were not going to fund a PCSO from the parish precept going forward, as one would be provided to them from general resources.

The Commissioner responded to say that he had thought long and hard about this question and how to achieve this. He had met with CHALC a few days earlier and their call was for a PCSO per Parish Council, which was clearly different to one per ward and this meant a big difference in

terms of numbers and provision, compared with larger Borough Council electoral wards. He had also set up meetings with Parish Councils, which would take place twice per year, per area. The first one had already taken place in Halton, which had resulted in some interesting discussion. What had become clear to him was there could not be a position where the Constabulary sought to do things to Parish Councils and that there needed to be a fair discussion with them regarding the future approach and spread of funding for PCSOs and he would be working with a partnership approach. He considered that there needed to be a clear approach on priorities and he had committed to wider discussion and consultation. This would not give Parish Councils the power to task, but would allow them clear input on priorities in their areas.

The Panel member encouraged him to do this swiftly, as Parish Councils would be starting to set their budgets from November/December, for approval in January/February. With regard to tasking, he stated that the existing agreement regarding PCSO provision provided that where the Town and Parish Council had provided £12,800 per year, one of the rights they had was that they could task and he asked the Commissioner to reflect on this.

The Panel member went on to say that, because of the way in which PCSO funding worked through various budgets, including the Police and Crime Commissioner's precept, the Borough Council's precept, the Town/Parish Council's precept and by social landlords, a social landlord tenant could potentially end up paying four different ways for the provision of one PCSO. He asked what steps the Commissioner was taking to ensure fair funding of PCSOs.

The Commissioner responded to say that these questions had been on his mind for some time. With regard to the urgency, he did not intend to make any decisions in the current budget year. He would do this in an honest and open manner, in a timely period and would not rush it through before November. With regard to tasking, he did not believe that it was his role or the role of Parish Council's to task and it was for the Chief Constable to do this.

The Panel member also asked how many PCSOs were habitually available in Frodsham. He referred to the situation in Frodsham, whereby the Pariah Council would be charged for an extra PCSO.

The Commissioner responded to say that this was an operational question and that he was not acutely aware of the numbers of PCSOs in every area.

The Panel member stated that he had used Frodsham as an example, but that this was a pan Cheshire issue. He considered that the data used was questionable and that there were real decisions to be made by communities.

The Commissioner responded to say that this was why he had opted not to make a quick decision and that communities needed to be involved across Cheshire and that he had an honest drive to have a name/faced officer in all communities.

4. A member of the Panel referred to the notes of the Management Board and Scrutiny Board, which were submitted to the Panel and asked why Part 2 matters were not brought before the Panel, when as a statutory body the Panel was able to go into Part 2 to consider such matters. He asked why the agenda item could not be brought before the Panel under Part 2 and provided an example. He asked whether such information could be made available to the Panel in order to facilitate the discharge of its functions.

The Commissioner responded to say that clarification needed to be sought as to whether Panel members were entitled to attend for Part 2 items, as a starting point for this discussion. His whole culture was about openness and accountability. If it was possible, he could see no reason why not. His culture from the start of his discussions with the Constabulary was to have an initial thought process, asking why an item could not be in Part 1. He wanted the whole of the public to have access to as much information as possible, whilst recognising that there were sometimes good reasons why items needed to be in part 2. A statutory reason was usually given as to why an item needed to be in part 2 and his drive was to get as much information into the public arena as possible and to ask the question as to who had access and to challenge this. He wanted there to be a strong test and to bring as much as possible into Part 1.

A member of the Panel referred to concerns regarding the increase in sickness levels and the increase in hours lost which, in spite of numerous initiatives, continued to be a problem. This had been discussed at the last meeting of the Scrutiny Board and there was an anomaly in the figures. This placed the Constabulary at the bottom of the most similar forces with regard to sickness levels. He asked the Commissioner to comment on these figures and what actions he proposed to take to make some meaningful and effective impact on this problem.

The Commissioner responded to say that his role was to hold the Chief Constable to account for the organisation. Since the Scrutiny meeting he had been looking at exit interview numbers, the amount of people leaving, and existing levels of both short and long term sickness and he was half way through his interrogation into the figures. He understood that there was not a marked difference from other Constabularies, but nevertheless this was not to his satisfaction. He was looking at what the Constabulary was doing in terms of wellbeing and he would be having a further meeting with the Chief Constable as he got to the end of his analysis of the support which could be provided, to discuss ways of reducing this area of concern. He was absolutely committed to seeing that the level was improved and to holding the Chief Constable to account to make sure that this happened.

The Chairman thanked the Commissioner for his attendance at the

meeting. The Commissioner thanked the Panel members for their time and stated that he had copies of the draft Police and Crime Plan for distribution to all members of the Panel and that he would welcome feedback on it, either by individual members, or at the next Informal meeting of the Panel.

26 WORK PROGRAMME

The Work Programme was submitted.

DECISION

That the Work Programme be agreed.

The meeting commenced at 10.00 am and concluded at 12.05 pm

Mr R Fousert (Deputy-Chair, in the Chair)