

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Cheshire Police and Crime Panel**
held on Wednesday, 10th January, 2018 at Wyvern House, The Drummer,
Winsford, CW7 1AH

PRESENT

Councillors:

Cheshire East Councillors H Murray (Chairman), M Warren
(Substitute) and P Findlow

Cheshire West & Chester Councillors A Dawson and M Delaney

Warrington Councillor B Maher and Cllr J Davidson(Substitute)

Halton Councillors N Plumpton Walsh and D Thompson

Independent Co-optees: Mr R Fousert and Mr Evan Morris

Officers: Mr B Reed and Mr M Smith

103 **APOLOGIES**

Apologies were received from Mrs S Hardwick, Councillor A King,
Councillor R Bisset and Councillor S Edgar.

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

Councillor Mick Warren informed the Panel that he was a retired Police
Officer and that his son was a serving Officer in the Cheshire
Constabulary.

105 **PUBLIC PARTICIPATION**

There were no members of the public wishing to speak or ask questions of
the Panel.

106 **MINUTES OF PREVIOUS MEETINGS**

The Minutes of the meeting of the Panel held on Friday 22 September,
reconvened on Friday 1st December were approved as a correct record,
with two minor amendments to the minutes of the reconvened meeting.

The Vice Chair updated the Panel on the creation of an Association of Police and Crime Panels.

The Minutes of the meeting held on Friday 1st December were approved as a correct record, with an amendment to paragraph 10, indicating that Councillor King had referred to women being in Styal Prison out of choice, for their own protection, as no place of sanctuary was available.

The Chairman noted that the subgroup to review complaints would be set up when the Monitoring Officer's representative indicated that sufficient progress had been made with the complaints that were in the process of being reviewed. The Panel requested an update at a future meeting.

Councillor Findlow asked if a response had been received from the Police and Crime Commissioner in relation to the written request submitted following the meeting on 1st December seeking clarification over the process in relation to the suspension of the Chief Constable. The Secretariat indicated that no reply had been received.

The Vice Chairman noted that two issues that he had raised with the Commissioner at the last meeting had yet to be discussed at an informal meeting. These related to the Commissioner's relationship with the Panel and his membership of the Association of Police and Crime Commissioners. These issues would be added to the agenda of a future informal meeting.

The Vice Chairman asked if a reply had been received in writing to the question asked at the meeting by Councillor Edgar in relation to the additional hand held IT equipment being used by Police Officers. The Secretariat indicated that no such reply had been received.

107 **SCRUTINY ITEMS**

The Panel received the reports.

Concern was expressed at the time it had taken for notes of scrutiny meetings to be reported to the Panel.

108 **OVERVIEW AND SCRUTINY OF THE POLICE AND CRIME COMMISSIONER - QUESTIONS FOR THE POLICE AND CRIME COMMISSIONER**

The Commissioner was welcomed to the meeting; he was accompanied by two staff from his office, Gareth Burrows and Matthew Walton.

By way of introduction the Commissioner noted that the next meeting of the Panel would focus on the Police Precept for the 2018/19 financial year. He informed the Panel that over recent weeks much of his time had been spent on this and related issues.

Councillor Findlow asked the Commissioner why there had been a delay in responding in writing to a number of issues raised at the previous meeting. The Commissioner responded by saying that replies would be provided by the end of the week and would be sent together. Referring to the issue of the suspension of the Chief Constable he noted that he was awaiting final legal advice. The Chairman requested that responses to questions should be sent when available, rather than being sent as a composite reply. The Chairman also noted that in relation to the Chief Constable the Panel were looking for information on the process being followed, not details of any specific allegations.

Councillor Andrew Dawson asked the Commissioner for clarity over where the process relating to the suspension of a Chief Constable had reached. The Commissioner replied that the process being followed was in accordance with the Police Conduct Regulations 2012 and that a written briefing would be provided to the Panel by the end of the week.

Councillor Dawson noted that the Panel could move into Part 2 of the Agenda, with the press and public being excluded and the webcast suspended in order to receive a more detailed update from the Commissioner. Councillor Thompson indicated that this would serve no purpose if the Commissioner would not be in a position to provide more information. The Commissioner indicated that this would be the position, as he had to protect the integrity of the case, in line with the QCs advice that he had received. The Chairman asked the Commissioner for the nature of the advice he had received, the Commissioner reiterated that a briefing note would be provided by the end of the week.

Councillor Dawson noted that it had been reported by Policing Insight magazine that the offices of 25 Police and Crime Commissioners had received an award for the standards that they had met in relation to transparency and openness, but that his office had not been one of them. He asked why this was the case and when the Cheshire Office might receive such an award. The Commissioner responded saying that he understood the award had been administered by a commercial organisation and that he would have been criticised if he had spent public money achieving such recognition.

Councillor Dawson referred to a further article in Policing Insight magazine published in July 2017 which discussed the Commissioner's relationship with the Police and Crime Panel, together with his approach to openness and transparency. He also asked the Commissioner what training he had received since his election in relation to his powers and the requirement to be open and transparent. The Commissioner indicated that he had received induction training and that he was confident that his Office fully met the appropriate standards.

Councillor Warren indicated that at the previous meeting the Commissioner had spoken passionately about speed enforcement. He asked when the Commissioner had first challenged the Police on this

issue and also what progress had been made with Police training, specifically in relation to the training of PCSOs.

The Commissioner responded by saying that the issue had been raised with the Chief Constable and more recently with the Acting Chief Constable on a number of occasions. The issue of speeding would be a key priority from April 2018. In addition he noted that a well attended Conference had been held on this issue, with local authorities being well represented. The outcome of the Conference had been that communities saw speed enforcement as having a high priority. The Commissioner indicated that he had encouraged the Chief Constable to grant PCSOs powers to enforce speeding legislation. Good progress had been made with training PCSOs in the use of hand-held speed guns. In time all PCSOs would be trained; to date half had been trained. He indicated that he wished in future to measure how much time PCSOs spent on road safety issues in each community across Cheshire each week. Councillor Warren expressed concern at the lack of equipment, using the Macclesfield Local Policing Unit as an example, where only two hand held units were available for 25 Wards.

The Chairman sought clarification over the definition of “community”; the Commissioner indicated that this would be clarified shortly, in line with the budget announcement. The Chairman indicated that the timing of this announcement was unhelpful as spending decisions had already been made by Town and Parish Councils on the basis that one PCSO would be allocated to each electoral Ward, irrespective of size. The Commissioner responded that no formal decision could be made until the precept had been set; but that planning was on the basis that one PCSO would be allocated per Ward.

Councillor Thompson noted that elsewhere in the country it was not uncommon for Chief Constables to attend meetings of Police and Crime Panels. In addition he noted that senior Police Officers had in the past met with Cheshire Panel members informally to discuss issues of mutual concern. He expressed concern that the Acting Chief Constable had declined an invitation to meet with the Panel (with the Commissioner in attendance) and asked if the Commissioner had a view on this. The Commissioner indicated that the Chief Constable and more recently Acting Chief Constable attended public meetings and were scrutinised in public by him. The Vice Chairman noted that whilst Panel members could and did attend the Commissioner’s scrutiny meetings they were not able to ask questions. The situation would be different if the acting Chief Constable attended a meeting of the Panel.

The Commissioner informed the Panel that he would seek advice on the attendance of the acting Chief Constable at Panel meetings. Both the Chairman and Councillor Thompson reiterated that they did not wish to scrutinise the Acting Chief Constable; but that there would be occasions where her attendance at meetings could bring clarity to an issue.

Councillor Davidson asked the Commissioner if Claire's Law was applied in Cheshire and if it was how successful was it. The Commissioner noted the recent media interest in this provision which allowed individuals to be informed if they were at potential risk from a partner. Whilst created in sad circumstances, he indicated that the initiative was very successful and operated in both a proactive and reactive way ("right to know" and "right to ask"). The number of right to ask applications across Cheshire had been 101; the number of disclosures made was 32. There had been 87 "right to know" requests, with 58 disclosures. He had asked the Police for further information and indicated that he would be happy to report back to the Panel on this at either a private briefing or public meeting. Disclosures involved more than just the Police, with for example local authorities being involved.

Councillor Thompson asked for the progress that the Police were making with being granted "White Ribbon" status. He noted the excellent progress that had been made in this area by Local Authorities across Cheshire. The Chairman noted that this subject had been covered at the previous meetings (when Councillor Thompson had been absent due to illness) and referred him to the minute of the meeting.

Councillor Dawson referred the Commissioner to the performance data that had been circulated with the supporting papers for the meeting. Referring to data on Police response times he asked the Commissioner if he had challenged the Acting Chief Constable on the relatively poor response times in parts of Cheshire. The Commissioner noted that more detailed data was now provided, to enable him to pursue his aim of equality of service delivery. The provision of more detailed data allowed him to challenge the Police leadership team. Further more detailed work was being undertaken so that the situation of response times could be better understood.

The Chairman welcomed the focus on the issue of response times, recognising that this was a challenging issue. He also noted the 6.3 percent reduction in "Grade One" emergencies, wondering if this was because more people were calling 101. He asked the Commissioner if the 101 service was fit for purpose in the Cheshire Constabulary. The Commissioner responded by saying that he thought that the service was under-resourced nationally and that it was under pressure in Cheshire. He also noted that whilst calls to 999 were free of charge, callers did need to pay to call 101. The Chairman asked if it would be helpful if people could be persuaded to use 101 more in Cheshire. The Commissioner responded by highlighting the resource issues facing the Constabulary, noting that operational decisions were made as to how to use support staff. Such decisions could have an impact on the resources available to respond to 101 calls. He noted that his policy of allocating a PCSO to each community would make it easier to members of the public to make, non urgent contact with the Constabulary.

Councillor Dawson requested more detailed information on Category 1 and 2 response times by Local Policing Units. He had concerns that the provision of such data would demonstrate significant differences across Cheshire. The Commissioner indicated that he would be happy to ask the Constabulary for this data, which he agreed would be helpful to both him and the Panel.

Mr Evan Morris congratulated the Commissioner and partner agencies, including local authorities and the Fire and Rescue Service on the reduction (18.7 percent) in the number of people killed or seriously injured on Cheshire roads. However, he did raise concerns over an increase in unsolved crimes in a number of areas including child sexual abuse and domestic violence with injury. The chairman noted that such increases in unsolved crimes were against a background of a fall in 999 calls.

The Commissioner noted that there had been a very significant increase in reported crime in some areas, including for example historical child sexual abuse, an area which would not impact on 999 calls. Such increases had to be viewed against the context of reduced resources. The Commissioner welcomed a debate in these areas and welcomed the Panel's input. Mr Evan Morris referred to the recent HMIC report and action plan and thought that further work was needed as he did not feel that the increase in unsolved crime was due to an increase in previously unreported crime.

The Vice Chairman told the Commissioner that he liked the priority scorecard approach to presenting data. He commented on the data relating to the time Police Officers and PCSOs spent outside Police Stations, noting that they were at variance to the Police and Crime Plan. He also asked the Commissioner for his view on the relevance of relating the numbers of black and minority ethnic staff employed by the Constabulary to the issue of the service being fit for the future, which in his view should relate more to equipment and other resources. The Commissioner disagreed, saying that in his view the Constabulary should look and feel like the communities that it polices. However, he did indicate that considerably more things were taken into account than were outlined on the scorecard, which was in effect a summary and was still being developed. Further work on the way the data is presented was being undertaken.

The Chairman noted that levels of public satisfaction remained high, with few changes over time. He asked the Commissioner if such data was of any use to the Constabulary. He also asked for the Commissioner's view on the relevance of the indicator showing the amount of time Officers spent outside Police Stations.

The Commissioner indicated that he continually challenged the Police on their performance. He felt that it was important for Officers to be visible, but gave notice that when each community had its own PCSO a revised indicator would be developed, showing how much time they spent in their community. He saw the provision of a local base where PCSOs

could clock on and off as being important. This was being trailed in the Chester LPU.

Councillor Dawson noted the increase of 12.4 percent in missing and absent children asking what the Commissioner was doing about this. The Commissioner indicated that he saw this as an important issue and reminded the Panel that he had referred to the Herbert Principle at a previous meeting. The Principle was used as a way of finding missing people with dementia and related conditions. Work was ongoing with the Police in this area to see if it could be applied to missing children.

The Vice Chairman asked the Commissioner to comment on progress with work within the Constabulary to respond to the serious issues of data accuracy and integrity that had been identified. In particular he asked if the Constabulary would meet the timescales set by the Commissioner and the HMIC.

The Commissioner indicated that he had been concerned that the Police had been slow to respond and had rigorously challenged the Chief Constable on this. Some delays had been due to problems in sourcing training and lack of resources. He was now more content that timescale would be met and was now on the right track.

109 **DATE OF NEXT MEETING**

The next meeting of the Panel would be at 10.00am on Friday 2nd February at Wyvern House, The Drummer, Winsford.

The meeting commenced at 2.00 pm and concluded at 3.40 pm

Councillor H Murray (Chairman)