

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Cheshire Police and Crime Panel**
held on Friday, 18th November, 2016 at Wyvern House, The Drummer,
Winsford, CW7 1AH

PRESENT

Councillors:-

Cheshire East

Councillor: H Murray(Chairman),
S Edgar and J P Findlow

Chester West & Chester

Councillors: R Bisset, A Dawson and
M Delaney

Halton

Councillors: N Plumpton Walsh and
D Thompson

Warrington

Councillor: A King

Independent Co-optees :-

Mrs S Hardwick
Mr E Hodgson

Officers:-

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

Also in attendance:-

Mr David Keane, Police and Crime
Commissioner for Cheshire
Mr Stephen Pickup, Office of the
Police and Crime Commissioner for
Cheshire

Apologies

Councillor B Maher

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

There were no declarations of interest.

29 PUBLIC PARTICIPATION

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

30 MINUTES OF PREVIOUS MEETING

RESOLVED

That the minutes of the meeting held on 23 September 2016 be approved as a correct record.

Matters Arising

With reference to minute 25 - Question 2, it was noted that the information in respect of the details of the survey questions and how they were compiled was still outstanding. This would be followed up.

With reference to minute 25 – Question 3, the spelling of the word “parish” was corrected.

With reference to minute 24 – Cheshire Police and Crime Commissioner’s Annual report, clarification in respect of some of the figures was still awaited and it was agreed that this should be raised with the Commissioner on his arrival at the meeting.

With reference to minute 25, Cllr Dawson requested that his name be associated with the questions that he put to the Commissioner for this and future meetings.

31 LOCATION OF POLICE AND CRIME PANEL MEETINGS

Consideration was given to a report following a discussion at the previous meeting of the Panel, where members considered options for the location of future meetings. It had been agreed 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.

The report specifically addressed the options for the webcasting of meetings and the Panel was asked to determine whether future meetings should be held at Wyvern House in Winsford, or move to other location(s) around the county. It was noted that live webcasting of meetings at a reasonable cost would only be available if meetings were held at Wyvern House, or in Cheshire West and Chester accommodation at the HQ in Chester. However, Cheshire West and Chester Council had a mobile webcasting unit, which could be used to record and then webcast meetings. When operating in this way meetings would become viewable approximately 48 hours after the meeting had finished. Other functionality was the same as a meeting which was webcast live. No other Cheshire Council had the equipment or staff to provide such a service.

The Panel considered a number of options - To continue to meet at Wyvern House, with meetings being live webcast; rotating meetings around Cheshire, with meetings being recorded and then made available via a webcast within a couple of days(should occasional meetings continue to be held at Wyvern House live webcasting would continue to be an option from that venue); rotating meetings around Cheshire with no recording or webcast.

Following consideration of the various options, the Panel agreed that the meetings should be rotated around Cheshire, with meetings being recorded and then made available via a webcast after the meeting, unless the meeting was held at Wyvern House, in which case the meeting would be livestreamed. It was considered that the meeting of the Panel when the budget was set should take place at Wyvern House, so that the meeting would be livestreamed.

RESOLVED

1. That the venues for future meetings of the Panel be rotated around Cheshire, with meetings being recorded and then made available via a webcast after the meeting, unless the meeting is held at Wyvern House, in which case the meeting be livestreamed.
2. That the meeting of the Panel where the budget is set, take place at Wyvern House, to ensure that it is livestreamed.

32 FEEDBACK FROM THE FIFTH NATIONAL CONFERENCE FOR POLICE AND CRIME PANELS

Consideration was given to a report providing feedback from the Conference for Police and Crime Panels, held in Birmingham on 20th Oct 2016, attended on behalf of the Panel by Mr Eric Hodgson and Mr Bob Fousert.

The report included details of the key note speakers, the main points and issues raised by the keynote speakers regarding the role of the Police and Crime Commissioner and details of the various workshops. It was noted that the event organisers had undertaken to circulate the key points raised in all workshops to delegates at some time in the near future.

RESOLVED

That the report be noted.

33 POLICE AND CRIME PLAN 2016 - 2021

The draft Police and Crime Plan was submitted to the Panel for review, to enable the Panel to consider whether any recommendations should be made to the Police and Crime Commissioner in respect of the draft Plan.

In considering the draft Plan, members of the Panel felt that it would be useful to have some measures to monitor performance included in the Plan and requested the inclusion of a suite of performance measures to support the delivery of the Plan, in order to measure performance in the future.

RESOLVED

That the draft Police and Crime Plan be noted and that the Police and Crime Commissioner be requested to include a suite of performance measures to support the delivery of the Plan, in order to measure performance in the future.

34 POLICE OPERATING MODEL - OUTCOMES OF THE 12 MONTH REVIEW

The Police Operating Model 12 Month Transition Assessment was submitted, together with a report summarising a discussion held at an informal meeting of the Police and Crime Panel in respect of the outcomes of the 12 month review of the operating model.

RESOLVED

That the Police Operating Model 12 Month Transition Assessment document be received into to Panel's documents.

35 SCRUTINY ITEMS

The notes of the meeting of the Scrutiny Board held on 26 October 2016 had been circulated to the Panel members in advance of the meeting.

RESOLVED

That the minutes be received and noted.

36 POLICE AND CRIME PANEL ALLOWANCES

Consideration was given to a report to allow consideration as to whether an allowance should be paid to permanent Panel Members.

Central Government made regular payments to the Panel's host local authority in respect of the administration of Panel business. However, a sum of money was also made available for Panel Members. This could not be paid by central Government unless claimed by the host authority. There had been a lack of clarity over how this sum (£11,960pa) may be administered. Some Panel host authorities used this sum to pay an annual allowance to Panel members. Others used it only to pay Panel Member expenses.

In order to understand how the central Government funding might be used, contact had been made with the Crime, Policing and Fire Group Finance and Estates Directorate at the Home Office. It had been confirmed that the sum available may be used to pay an annual allowance to Panel members. If the Panel was minded to follow this option, it was recommended that the payment of an annual allowance should remove the right from Panel Members to claim expenses from the host authority.

If it was decided to pay an allowance, the Panel would need to consider the following issues, subject to continuation of funding from Central Government:-

- Payment of an allowance only to permanent Panel Members (ie not substitute members).
- The amount of such allowance: the sum available would equate to £920pa per permanent Panel Member.
- Whether such allowance should be paid as a lump sum to Panel Members and, if so, when payment should be made.
- Whether a proportion of the available monies should be retained by the host authority to pay Panel Member expenses, or whether they should either forego expenses, or claim from their own local authority, if they were permitted to do so.

It was proposed and seconded and :-

RESOLVED

1. That an allowance be paid to permanent members of the Panel.

Discussion then took place regarding the sum of the allowance and how it should be paid.

It was proposed and seconded and :-

RESOLVED

1. That a sum of £500 be set aside by the host authority to cover the payment of any Independent Panel Member expenses, where claims were submitted, and that the remaining sum be divided equally, in order to pay an allowance to the thirteen Panel members. The payment would be made on a monthly basis, with the first payment to be made in May each year. The amount to be paid to each Panel member for the current year would be paid during the remaining months of the year, it being noted that the administrative arrangements for doing so would need to be put in place and may take some time.

(Cllr A Dawson voted against the two above motions and asked for this to be recorded in the minutes).

2. That the Head of Governance and Democratic Services be authorised to make any consequential changes to the Panel's Rules of Procedure to reflect the decisions above.

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

1. The Commissioner was welcomed to the meeting. He noted that the Panel had given consideration to the Police and Crime Plan earlier in the meeting. He stated that it was an honour and privilege for him to present the Plan. The Plan set out a clear vision for a Police service in Cheshire and would support him in holding the Chief Constable to account, for the delivery of an efficient and effective Police service. He referred to the process and felt that the Plan had been delivered hand in hand with residents and communities and had provided the opportunity for them to tell him what their priorities were and to give their views on the priorities in the Plan. There had been a huge level of support for the objectives from residents. The safety of all communities in Cheshire was very important and he saw the Plan as been for every resident in Cheshire. It set out a vision for the next four years, in which Cheshire Constabulary would focus on community policing, putting residents first.

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

2. A member of the Panel asked a question concerning Corporate White Ribbon status in respect of domestic violence. He noted that Cheshire East and Cheshire West and Chester Councils had Corporate White Ribbon status and Halton was in the process of doing the same and he hoped that Warrington would follow suit. PCCs across the country had encouraged their Police forces to seek Corporate White Ribbon status and he felt that there was a fantastic opportunity for the Police and local authorities in Cheshire to share this. He asked the Commissioner whether he would support Cheshire Police in seeking Corporate White Ribbon status.

The Commissioner responded to say that he absolutely supported this ambition and applauded those organisations who already had Corporate White Ribbon status and encouraged those who had not to seek it. He had already spoken to the Chief Constable, who chaired the Cheshire Domestic Abuse Group, about this issue and he had put some funding into supporting an awareness campaign to increase confidence in reporting domestic violence. The question could potentially lead to the County being the first where the Police and local authorities had this status. He reported that he would be attending the Chester Women's Aid event on White Ribbon status on the following Sunday and would have the opportunity to discuss

this issue with the people of Chester. He wanted to provide reassurance of his strong commitment on this issue.

A supplementary question was asked by another Panel member concerning the charge made by Doctors for a letter to prove that people had been in a domestic violence situation. The Commissioner was asked whether he would help in supporting the removal of this charge.

The Commissioner responded to say that he would oppose any measures that prevented people from achieving justice, due to a local financial element. He provided reassurance that Cheshire Constabulary would take any report of domestic violence and would not fail to do so, pending a doctor's note. He would encourage sufferers to continue to report directly to the Police and to get the support and advice that was available from the commissioning services and stated that people should have the confidence to do so. Now that he was aware of the situation, he would look deeply and seriously into this issue and take appropriate action. He reiterated that the absence of a letter would not be a barrier to reporting and reports would be taken seriously and the relevant support and action would take place.

A member of the Panel made a supplementary comment to state that new legislation in respect of domestic abuse encompassed such areas as financial control and a victim of this sort of abuse would not be able to pay a charge.

The Commissioner confirmed that the new legislation looked at making controlling behaviour an offence and that there had been reports of such incidents to the Cheshire Constabulary, but he was not aware of any outcomes as yet. He would, however, be monitoring this.

3. A member of the Panel referred to the recent press coverage concerning the possible downgrading of the A&E departments at Cheshire hospitals, as part of NHS Sustainability and Transformation Plans, with A&E at Warrington Hospital and Macclesfield Hospital being named as being under review. The press reports indicated that £909 million of cuts were expected to affect Cheshire and Merseyside by 2020. He was concerned that if this happened that there could be serious consequences for Cheshire Police, with mental health services at accident and emergency departments in particular causing disruption and an additional workload for the Police. Likewise, any A&E closure or restricted opening times for A&E could force a significant loss of officers being available for other calls. He asked whether the Commissioner would, in due course, be commenting on the proposed changes, whether he was aware of the likely impact and what stand, if any, he would be taking on this issue.

The Commissioner responded to say that he had been made aware of this and it was something that gave him big concerns. He believed that the proposals would be going out to public consultation in the following year and he looked forward to discussing them with the NHS directly. Once he knew what the proposals were, he would discuss them with the Chief Constable, regarding the potential impact and would play a leading role in feeding into the consultation.

4. Cllr A Dawson thanked the Commissioner for his new website and requested that there be a specific button for performance data. He suggested that there should be a link between the performance data and the Police and Crime Plan. He referred to the latest all recorded crime data and had noted that there had been a spike in the figures since the Commissioner had been elected, although there had been a trend of decline since April 2011. He also referred to the Police and Crime Plan and stated that he could not see any way in which the Commissioner's performance could be linked with data. He asked for an amendment to the Plan to include a link and the inclusion of accountable measures

With regard to visibility on the website, the Commissioner stated that there was a very large box on the front of the website which gave direct access to performance indicators, outcomes and results. The previous Police and Crime Plan was still being operated under, until the new Plan was passed. He was taking the Panel's advice, which was part of the process, very seriously. Whilst he accepted some of the comments regarding the recording of figures, there had been some changes in the recording mechanisms. Although the figures had come in his election period, they were clearly under the previous Police and Crime Plan and data, as amended by his predecessor, from 2012 – 2016. His priority as he brought his Plan together was to listen to the priorities of local residents and their aspirations for policing and he had taken this very seriously in producing the priorities for the Plan. With regard to the current stage, which had been discussed at the informal meeting of the Panel, he was looking at the process for establishing real meaningful performance measures. He provided examples of areas where this could be done, such as community policing and also likely performance indicators for holding the Police Constable to account.

A member of the Panel made a supplementary comment regarding the performance statistics. She stated that she had previously been sceptical about the statistics, particularly the one relating to public confidence, in that it was compiled internally. Also, there was no information as to the questions asked and whether it was representative of the whole population of Cheshire and she had challenged this. Because of this, she did not have confidence in the other statistics.

The Commissioner indicated that he had similar feelings about statistics and he was aware that the Panel would judge him on them. He gave an example whereby a great amount of money had been invested on a domestic violence campaign, which may have resulted in more reports being received. His ambition was to get a real picture and to be open and transparent in doing this, so that the Chief Constable could deal with the problems effectively. He agreed that statistics were difficult to deal with and he would like to explore this issue more deeply. There had been a commitment to have an informal Panel meeting to discuss this issue and whilst it had been discussed briefly at the last informal meeting, he suggested that it should be discussed in more detail at the next Informal meeting of the Panel, subject to the Panel's agreement.

The Chairman of the Panel made a supplementary comment regarding the statistics. He stated that the Panel was not there to judge the Commissioner and would take an holistic view. The Panel would be looking at the symptoms and the statistics were the symptoms, which would help the Panel to assess whether the Commissioner's policies, priorities and relationship with the Chief Constable were working. He referred to the third bullet point, on page 16 of the draft Police and Crime Plan, relating to how success would be monitored, by "agreeing a range of measures and actions with the Chief Constable to monitor success in achieving each priority". He welcomed this, but noted that the statics were not included. He clarified Cllr Dawson's request, that when the Commissioner had agreed the range of measures with the Chief Constable and the Panel may have contributed to the formulation of these, that the Panel should have them as their dashboard of symptoms.

Later in the meeting, a Member of the Panel made a supplementary comment in respect of Cllr Dawson's request for the inclusion of accountable data, with a link to the Plan and stated that he hoped that the Commissioner would seriously consider this request. He requested that the Commissioner report back, either to the next meeting of the Panel, or in writing as to how this would be facilitated.

5. A member of the Panel referred to the Commissioner's statement within his Police and Crime Plan that he would "continue to support regional collaboration with other Commissioners and police services...". However, he had noted that the HMIC Efficiency Inspection 2016 reported that, in terms of collaboration with other forces Cheshire's Net Revenue Expenditure (NRE) for 2016/17 was £7.9m (4.6%), compared to an England and Wales average NRE of 11.9% and that in 2019/20 this would drop to £7.5m (4.4%), compared to an England and Wales average, which was three times as much, at 14.8%. Whilst it was acknowledged that these figures were pre the current Commissioner's term in office, he was

asked to provide the Panel with his proposals for collaboration, given that it was often said that collaboration was the key to reducing costs and improving effectiveness and efficiency.

The Commissioner responded to say that both he and the Constabulary were completely committed to collaboration, as this was about effective public service in terms of delivery to residents. He recognised that collaboration often included spend, but it also included savings and the real drivers were efficiency, effectiveness and savings. This should not always be judged in terms of the percentage of a budget, but could be judged in different ways in the services that it produced and also in the efficiency and effectiveness that it produced. Beyond these general principles, he and the Constabulary were already involved in a large level of collaboration, both regionally and nationally and he provided several examples of this, a number of which he considered to be fairly ground breaking, when compared with other constabularies around the country. Further opportunities for collaboration with Merseyside and North Wales were also being looked at. He felt that the HMIC analysis was an interesting one, as it showed spending on collaboration, but it did not prove useful in terms of real measures of collaboration. It did not give an indication as to whether services had actually improved when collaboration took place and whether it made services more effective to residents and did not show savings.

6. A Member of the Panel referred to the Commissioner's Scrutiny meetings with the Chief Constable, where data was provided regarding the number of offences detected and solved. He considered that, unless the perpetrators were brought to justice before the court, the Police and Crime Plan objective in respect of reducing crime and reoffending could be difficult to achieve. He stated that, at the recent Police and Crime Conference, a number of members had referred to the number of cases that had to be dropped because of the number of failures by Police to present a proper case and prosecution files being poorly prepared, or not submitted on time. He asked the Commissioner how confident he was that the recently implemented Custody Investigation Teams were not also failing in this regard.

The Commissioner responded to say that he had done some research concerning the changes that had taken place, which had given him confidence in Cheshire's position, notwithstanding the national concerns expressed. He had referred to the Peel Effectiveness Inspection report, carried out in the previous year by HMRC and he quoted the conclusions from this. Anticipating that he would be challenged as to what had happened since, he had carried out some further research. HMRC had recently completed their effectiveness inspection, but the report would not be published until February 2017 and it may be useful to revisit this issue at the next Panel meeting. However, the initial feedback from the

inspectors was that the Constabulary had maintained very high standards of investigation. He provided some statistics in respect of conviction rates and he hoped that this gave some reassurance and confidence that the Constabulary was performing much better than the national average in this area.

Cllr Dawson made a supplementary comment regarding the data referred to, relating to successful prosecutions. He considered that, whilst it could be that the CPS were doing a very good job, another interpretation could be that they were not taking enough marginal cases and, therefore, whilst they had a high conviction rate it could be that they were not taking the difficult cases.

7. A Member of the Panel referred to requests made and recorded in the minutes of the previous meeting and the undertaking to provide information, where information had not been received. He referred particularly to minute 24, where clarification had been requested in respect of some of the figures in the Annual report.

The Commissioner responded to say that this related to a small part of the report and 4% of the budget. One of the areas of the 4% was on collaboration. He did have breakdown that he could share with the Panel and he provided this information. In order to ensure any misinterpretation for the future, he requested that if the Panel required a written report for the next meeting, rather than a verbal report, that this be made clear and he would ensure that this was delivered properly.

The Chairman commented that this could be dealt with by tightening up the administrative processes in the future. If a written report was required a "report" would be asked for and where a "response" was requested this would mean that a verbal response would be acceptable. However any requests for information must be provided in advance of the Panel meetings and not on the day of the meeting.

8. A Member of the Panel referred to comments that he had received from two PCSOs, stating that morale was low and that they were worried about their jobs. He asked the Commissioner whether there were plans to reduce the number of PCSOs.

The Commissioner responded to say that he was committed to ensuring that the Constabulary was connected to its communities and he had a deep desire to ensure that officers and PCSOs spent more time in their local areas. He had indicated to the Panel, at its informal meeting, that he had asked the Chief Constable to undertake a review of the funding distributions for PCSOs. He had asked the Chief Constable to employ an approach involving fair funding and to ensure that funding partners were involved in a review, to ensure a partnership funding model which was fair,

equitable and sustainable. He hoped that once this was introduced, the new PCSO funding model would lead to greater partnership investment and an increased presence in Cheshire communities. He thought that this review would take place over the next 12 months, with a view to introducing a new offer from April 2018. In the interim, he believed that the Chief Constable had written to all relevant partners proposing that existing arrangements be extended for a further year, whilst a review took place. He did recognise that the partner funding was in the partner's domain and he did not wish to have a view over partner's decisions. His view was that the Constabulary funded PCSOs should not see a reduction in numbers.

The Chairman made a supplementary comment in respect of the existing SLAs, which in certain places provided a geographical tie, so that those PCSOs were only employed in those areas, excepting grave operational emergencies. He clarified that exactly the same SLAs, which had been signed up to a few years ago, remained extant.

Cllr Dawson asked a supplementary question on this matter. He stated that he had been very much heartened by the comments made by the Commissioner at the last informal meeting of the Panel on this subject and he welcomed the direction of travel indicated. However, Town and Parish Councils were currently setting their budgets and he asked what contact the Commissioner had had with Town and Parish Councils regarding PCSO funding, since the Panel had last met formally.

The Commissioner responded to say that he had held his twice yearly meetings with each area, which were ongoing and were very useful and he had also met with ChALC. The issue of SLAs was an issue that he had referred to the Chief Constable, as this was a strictly operational issue and the Constabulary was the relevant contractor and partner body with regard to the SLAs. He had visited a number of Parish Councils to take soundings and notwithstanding all of those conversations, the major part of this review would take place over the next 12 month period.

Cllr Dawson asked a supplementary question to clarify that the Commissioner had not written to Town and Parish Councils about PCSOs.

The Commissioner confirmed that he had not and stated that this certainly was not one of his commitments in this period. The process had been clearly explained at the last Panel meeting and it was not a challenge that had been brought to him before today's meeting.

The Chairman noted that the Constabulary were seeking views on this issue and that a senior officer in the force was meeting Town and Parish Councils, which he considered to be a good thing. He also clarified a note in the minutes of the last meeting of the Panel, which stated that ChALC were asking for one PCSO per parish, which he found staggering in terms of the difficulty in meeting this and he asked the Commissioner to clarify his position on the issue of one PCSO per ward.

The Commissioner responded to say that he was not sure whether this was ChALC's official position as an organisation, but several of their members had indicated this. He felt that it could potentially cause problems in partnerships and referred to his previous comments regarding having a PCSO in every community. He stated that he had a real commitment to this and that part of the twelve month review would be to reach out to partners and to have a conversation about what a community was and to find an equal and equitable position.

38 WORK PROGRAMME

Consideration was given to the Work Programme.

It was noted that it would be necessary to agree the date and rota for future meetings. It may also be necessary to schedule Confirmation Meetings, if the Commissioner decided to appoint a deputy.

RESOLVED

That the Work Programme be agreed, subject to the correction to the date of the March meeting to 24 March 2017.

The meeting commenced at 10.00 am and concluded at 12.20 pm

Councillor H Murray (Chairman)