

Minutes of a virtual meeting of the **Cheshire Police and Crime Panel**  
held on Friday, 5th February, 2021

**PRESENT**

Councillors:

Cheshire East	Councillors JP Findlow, L Jeuda and M Warren
Cheshire West and Chester	Councillors R Bisset, M Delaney and L Riley
Halton	Councillors N Plumpton Walsh and D Thompson
Warrington	Councillors J Davidson and P Walker
Independent Co-optees	Mr E Morris (Chair), Mr B Fousert and Mrs S Hardwick
Officers	Mrs D Nickson and Mr M Smith, Cheshire East Council

**37 APOLOGIES**

No apologies were received.

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

No declarations of interest were made.

**39 PUBLIC PARTICIPATION**

There were no public speakers.

**40 MINUTES OF PREVIOUS MEETING**

Councillor Lynn Riley, who had only been appointed to the Panel two days before the November 2020 meeting, asked for her apologies to be noted.

**RESOLVED:**

That the Minutes be approved, with two minor amendments; on page nine the final sentence of the Commissioner's response to Councillor Findlow's question on data accuracy should read "The Commissioner advised that, through Scrutiny, he had sought assurances that the Chief Constable had the correct resources in the right places to ensure the integrity of crime

data". The second point related to the bullet point immediately below the above, where the final two sentences should read "The Commissioner acknowledged that he could have private discussions with Panel members, where having taken appropriate advice they could consider matters covered in Part II of his scrutiny meetings. Councillor Thompson indicated that the informal meetings were a good opportunity for the Commissioner to discuss matters that could not be discussed in formal meetings."

#### **41 CHAIR'S ANNOUNCEMENTS**

The Chair informed the Panel that he had written to the Chief Constable thanking him for what he had done during time in office and wishing him well for his forthcoming retirement.

The Chair informed the Panel that following the work he had undertaken on the Emergency Services Network (ESN), he had been contacted by the House of Commons Public Accounts Committee and would shortly be meeting informally with the Committee's Chair, Meg Hillier MP, a number of other MPs and the Committee's support officers.

On behalf of Panel members, the Chair congratulated Councillor Norman Plumpton Walsh, whose wife was expecting twins.

#### **42 DATES AND TIMINGS OF PANEL MEETINGS**

The Panel reviewed the suggested programme of meetings for the 2021/22 Municipal Year. Councillor Findlow requested that clashes with Cheshire Pension Fund meetings be avoided if at all possible. Provisional dates for meetings were:

Friday 11<sup>th</sup> June 2021 (Annual Meeting).  
Friday 10<sup>th</sup> September 2020  
Friday 26<sup>th</sup> November 2020  
Friday 4<sup>th</sup> February 2022  
Friday 29<sup>th</sup> April 2022

The Panel noted that the meeting planned for Friday 12<sup>th</sup> March 2021 had been brought forward so as to avoid the pre-election period, in advance of the planned Police and Crime Commissioner elections which would be held in May 2021. The indications were that these elections would be held as planned, but the Panel agreed that should they be postponed due to Covid -19 (as they had been in 2020), the meeting would be pushed back to April.

#### **RESOLVED:**

The programme of meetings be agreed, with the Secretariat authorised to vary meetings when the programme of Pension Fund Meetings for the

forthcoming year was known and confirmation received on the date of the Police and Crime Commissioner elections.

#### **43 SCRUTINY ITEMS**

The Panel reviewed the Commissioner's scrutiny papers which has been circulated with the Panel's papers. It was noted that the Task and Finish Group which had been established at the previous Panel meeting would be addressing this issue.

Panel members commented that they found the inclusion of the Commissioner's Scrutiny papers with the agenda and supporting documentation for the Panel to be very helpful. Councillor Riley indicated that she would find it helpful if the Commissioner's Scrutiny meetings could be recorded and made available to members of the public to listen to at their leisure.

There was discussion about the best way of collating and asking questions of the Commissioner. Councillor Riley suggested that it was possible that technology could support the process, noting that MS Teams had a wide range of functionality. Councillor Findlow asked if the minutes of the Commissioner's Management Board meetings could be shared with the Panel.

#### **44 WORK PROGRAMME**

The Panel's future work programme was noted.

The Chair noted that at the previous meeting of the Panel Councillor Paul Findlow and Mrs Sally Hardwick had commented that the Panel had not discussed the relative merits of Police and Crime Commissioners assuming responsibility for Fire and Rescue Services. There was agreement that this issue should be discussed at the next meeting of the Panel, with external speakers outlining both the perceived benefits and disadvantages of Commissioners assuming responsibility for the Fire and Rescue Service.

#### **RESOLVED**

That the issue of Police and Crime Commissioners nationally assuming responsibility for Fire and Rescue Services be discussed at the Panel's next meeting.

#### **45 POLICE AND CRIME COMMISSIONER'S PROPOSED PRECEPT FOR 2021/22**

The Chair welcomed the Commissioner to the meeting.

The Commissioner outlined the background to his proposed precept, thanking those Panel members who had been able to attend the detailed

informal briefing the held the week before. The Commissioner briefed Panel members on the consultative process he had followed, the outcome of the consultation had fed into the setting of his proposed precept. Taken overall, public support for policing in Cheshire remained very high.

The Chair thanked the Commissioner for the informal briefing meeting held the previous week and for the detailed additional information that he had provided following that meeting. He also congratulated the Commissioner for undertaking a consultation exercise under very difficult circumstances.

The Commissioner outlined his priorities for the coming financial year.

Members of the Police and Crime Panel questioned the Commissioner on a range of issues related to his proposed Precept.

**Councillor Rob Bissett:**

- Noting the very regressive nature of Council Tax, asked if the Commissioner knew the socio-economic breakdown of those who had responded to his consultative exercise. The Commissioner recognised the limitations of any consultative exercise, especially one conducted at the present time, but noted the steps taken to reach out to those who were traditionally difficult to engage with.

**Councillor Martyn Delaney:**

- Sought clarification over the numbers responding to the Commissioner's consultation exercise when compared to previous years. The Commissioner noted a good response from elected representatives at all levels to his consultation. Taken overall 2,282 people had responded, very slightly fewer than in 2020, although the number of online responses had increased. The Commissioner noted that he had missed the personal contact with people, but that had been a necessary consequence of lockdown.

**Mr Bob Fousert:**

- Sought clarification on the way in which the Constabulary managed debt, referring to the published performance indicator. The Commissioner responded by stressing the importance of recovering all income that was due to the Constabulary, noting that this was an issue which was regularly followed up by him at scrutiny meetings with the Chief Constable.
- Noting that a mortgage guarantee scheme was being introduced, sought clarification of the likely ongoing cost. The Commissioner indicated this was a health and wellbeing measure, that should operate at no revenue cost to the Constabulary. The aim of the scheme was to assist Officers and staff get on the "mortgage

ladder". It was also anticipated that it should assist with Officer and staff retention.

- Making reference to the McCloud judgement which related to public sector pensions, he sought clarification over the likely cost to the Constabulary and the estimates that were detailed in the Commissioner's supporting papers. The Chair, at the Commissioner's suggestion, asked Wendy Bebbington, the Constabulary's Head of Finance to respond. She outlined how the estimated figure had been arrived at.
- Sought clarification on the expected capital borrowing required by the Constabulary and the impact of any longer-term increase in interest rates. The Commissioner explained that the overall levels of Government funding had reduced, meaning that levels of borrowing had increased, but he stressed that borrowing had always been a feature of Police budgets. During his term as Commissioner his aim had always been to introduce a degree of stability to the Police budget. He noted that at present, interest rates were extremely low.

**Councillor Peter Walker:**

- Recognising the imminence of elections, sought the Commissioner's and Constabulary's support for the ongoing role of PCSOs. The Commissioner indicated that the importance of local policing had been confirmed by the recent consultative exercise. He stressed that his proposed budget included funding for 200, Police and Crime Commissioner funded PCSOs.

**Councillor Lynn Riley:**

- Challenged the Commissioner on the effectiveness of his consultation exercise, noting that overall response rates had only been approximately 0.2 percent of the Cheshire population. She noted that the Commissioner had spent £192,000 writing to all households in Cheshire. She also sought clarification on the operational cost of the Commissioner's local policing model.
- The Commissioner outlined that the budget consultation exercise was not a referendum, but that he was proud of the overall effectiveness of the exercise run by his Office, noting that response levels had been higher than those experienced by Cheshire Councils. He clarified that the letter sent to households had not been part of the budget consultation exercise and had been funded from money recovered from criminals. Referring specifically to his local policing model, he stressed that this had not been funded at the expense of operational, front line emergency response.

**Councillor Dave Thompson:**

- Supported the Commissioner's proposed precept, stressing that it needed to be viewed in the context of over ten year's reduction in overall levels of funding.

**Councillor Paul Findlow:**

- Suggested to the Commissioner that the proposed precept was too high and that many people, especially those on fixed incomes could not afford the proposed increases. He noted that referenda on increases in Council Tax always resulted in the rejection of the proposed increase. In response the Commissioner highlighted the very large cuts in central funding that the Police had experienced over recent years. He noted that the 7 percent increase that he was proposing had been built into Government assumptions on funding for 2021/22. The Commissioner reminded the Panel that financial savings had been delivered in each of the years he had been Commissioner.

**Councillor Laura Jeuda:**

- Highlighted that many of her constituents had welcomed the communication from the Commissioner informing them about local policing arrangements. She noted that the nature of crime was changing and that whilst increases in Council Tax were unfortunate, residents did appreciate the services that were delivered by the Constabulary.

**Councillor Martyn Delaney:**

- Sought reassurances from the Commissioner that he would continue to attempt to replace the number of Police Officers that had been cut over the previous ten years. The Commissioner indicated that his priority would always be to protect policing and the public. His budgets had always been about sustainability. He was looking for sustainable growth and sustainable community safety.

**RESOLVED**

That the Panel support the Commissioner's proposed Precept for 2021/22 without qualification or comment.

Eleven Panel members (Councillors Bissett, Davidson, Delaney, Jeuda, Plumpton Walsh, Thompson, Walker, Warren, Mr Fousert, Mrs Hardwick and Mr Morris) voted in favour. Two Panel members (Councillors Findlow and Riley) voted against.

## 46 OVERVIEW AND SCRUTINY OF THE POLICE AND CRIME COMMISSIONER

Members of the Police and Crime Panel questioned the Commissioner on a wide range of issues, including:

### **Councillor Jan Davidson:**

- Sought the Commissioner's view on a scheme in operation in Wales where those who used cannabis for medicinal purposes, but who purchased the drug illicitly, were given a card by a charity which explained their medical need for cannabis. Having consulted with staff in Warrington Council, Councillor Davidson saw some potential drawbacks in the scheme.
- The Commissioner indicated that he was aware of the Scheme from conversations with the North Wales Police and Crime Commissioner. His favoured approach would be a national one, he indicated that he would be happy discuss the issue with the Chief Constable and to be involved in a national debate on this issue. He reaffirmed his commitment to working with those with addictions.

### **Councillor Paul Findlow:**

- Noted media coverage about a national shortage in Detectives, asking the Commissioner how this was impacting on Cheshire. He also referred to Cheshire Constabulary's adoption of a fast track scheme for the recruitment of Detectives, which could see 18-year olds with two A Levels joining the Constabulary. The Commissioner agreed that there was a national shortage and it was an issue that he had discussed with the Police Federation. He noted the contribution that the direct entry scheme could make, but also highlighted the need to make the role of a Detective more attractive and the important contribution that non warranted Police staff could make to detection, although he recognised that reductions in national funding over the years had significantly impacted the number of Police staff.
- At Councillor Findlow's request the Commissioner agreed to provide information, in writing, on the current position over the number of Detectives in Cheshire.

### **Councillor Mick Warren:**

- Asked for the Commissioner's views on Police Officers receiving Covid 19 vaccinations. The Commissioner indicated that he had discussed this issue with the Chief Constable. He supported the principle of Police Officers receiving Covid vaccinations, noting that this was a national issue. He said he would continue to push for a change in national policy.

**Mr Bob Fousert:**

- Asked why enforcement levels relating to the “fatal five” (careless driving, drink and drug driving, not wearing a seatbelt, using a mobile phone and speeding) were as low as they were in Cheshire. The Commissioner indicated that this was an issue where he constantly scrutinised the Chief Constable. He indicated that he wanted the Constabulary to focus on these issues, recognising also the impact on the Fire and Rescue Service and paramedics. His budget for 2021/22 allocated additional resources to address these issues.

**Councillor Norman Plumpton Walsh:**

- Sought clarification over the balance between sending warning letters and enforcement over issues such as speeding. The Commissioner indicated that he saw Community Speed Watch schemes as playing an important role in road safety, but that they did have their limitations, especially when it came to enforcement. He could not comment on operational policing issues such as who received warnings and who was prosecuted. He saw the way forward as changing the overall culture and habits in relation to such things as speeding. He informed the Panel that he was proposing the introduction of a number of average speed camera areas in Cheshire over the coming year.

**Councillor Lynn Riley:**

- Commented on the important role played of Police staff. The Commissioner agreed that these staff were key to the overall ability of the Constabulary to respond effectively.
- Asked for information on the Constabulary’s current capacity and the number of suitability qualified staff available to address issues such as cyber-crime. The Commissioner recognised that cyber-crime and cyber enabled crime were major international issues, whilst Cheshire Constabulary had its own unit, he was also working through the National Association of Police and Crime Commissioners to improve overall standards. Locally he saw that the best way forward was to educate people and businesses. Councillor Riley indicated that she would be happy to receive a written response in relation to the number of staff working on cyber-crime in the Constabulary.
- Sought information on the availability of Covid testing in Custody Suites. The Commissioner indicated that testing was available but committed to speaking to the Chief Constable to get more information. An operational briefing would be provided in writing. Councillor Riley also sought information on Covid testing across the



Constabulary. The Commissioner indicated that there was a policy but would provide more information in writing.

**Mr Evan Morris:**

- Congratulated the Commissioner on his success in 2020 in gaining funding from the Government's Safer Streets Fund, noting that a further round of funding was now available. The Commissioner indicated that his staff were working on a submission for funding. However, he did note that the criteria had changed, with 20 percent funding needing to be provided locally. Councillor Findlow hoped that the Commissioner would work with the four Cheshire Local Authorities to build partnerships.

**Councillor Dave Thompson:**

- Expressed concerns that in the year up to March 2020 there had been a 276 percent increase in the use of Section 60 "Stop and Search" powers. The number of people of colour stopped had very significantly higher than could have been expected from a cross section of the Cheshire community. He saw the powers as being very ineffective. The Commissioner clarified the detailed figures quoted by Councillor Thompson, but recognised the overall issues raised by him were very valid. The Commissioner indicated that this was an area where he regularly scrutinised the Chief Constable. He offered to ask the Constabulary to provide further information which could be shared with the Panel. Councillor Findlow clarified that Section 60 powers were exceptional powers which could only be exercised in exceptional circumstances and following approval by a Police Superintendent, or more senior officer.

**Councillor Laura Jeuda:**

- Sought clarification on the status of the Constabulary's Integrated Anti-Stalking Unit. The Commissioner indicated that the Unit had undertaken some excellent work. Covid had led to some delays with partner organisations in 2020, but he reassured the Panel that there was funding for the Unit in the 2021/22 budget.
- Asked the Commissioner what was being done to support the mental health of young people in custody. The Commissioner responded by saying some issues had been brought to his attention and that he was about to undertake a review.
- Asked the Commissioner if he thought that the protracted periods of lockdown were contributing to social unrest across Cheshire communities. The Commissioner responded by saying that lockdown was having an impact and that he had concerns about many people's mental health.