

Police and Crime Panel for Lancashire

Minutes of the Meeting held on Monday 20th June 2016 at 10.00am in Conference Room 3A and 3B, Bickerstaffe House, Blackpool

Present:

Chair

Councillor Alistair Bradley, Chorley Borough Council

Committee Members

Councillor Ben Aitken, Fylde Borough Council
Councillor Roger Berry, Wyre Borough Council
Councillor Paul Elms, Ribble Valley Borough Council
Councillor Peter Gibson, Wyre Borough Council
Councillor Terry Hill, Ribble Valley Borough Council
Councillor Andy Kay, Blackburn with Darwen Borough Council
Councillor Ivan Taylor, Blackpool Borough Council
Councillor David Whipp, Pendle Council
Altaf Baghdadi, Independent Co-opted Member

Also in attendance

- Clive Grunshaw, Police and Crime Commissioner for Lancashire
- Angela Harrison, Office of the Police and Crime Commissioner
- David Fairclough, Secretary, Lancashire Police & Crime Panel
- John Bremers, Senior Projects Consultant, Blackburn with Darwen Borough Council
- Phil Llewellyn, Executive and Councillor Support Manager, Blackburn with Darwen Borough Council

1. Appointment of Chairman

David Fairclough requested nominations for Chair of the Panel for 2016/17.
Councillor Alistair Bradley was nominated by Councillor Andy Kay, which was seconded by Councillor Ivan Taylor.

RESOLVED – That Councillor Alistair Bradley be appointed as Chair of the Lancashire Police & Crime Panel for the 2016/17 Municipal Year. (Councillor Alistair Bradley in the Chair).

2. Appointment of Deputy Chairman

The Chair requested nominations for the Vice Chair of the Panel for 2016/17.

No nominations were received, therefore, the Chair advised that this position would be kept vacant and reviewed at a later date.

At this point of the meeting, all those present were asked to introduce themselves.

3. Membership and Host Authority

It was reported that following the Local Elections on the 5th May 2016, the political balance had been recalculated and the balance that achieved complete political balance across the 15 Local Authorities was:

18 Elected Members (plus 2 Independent persons) on the following basis:

Labour 9	Conservative 7	Lib Dem 1	Independent Member 1
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This reflected the number of seats won across the County and respective Councils.

However this did not equally reflect the respective controlling parties on each Council.

Each Local Authority therefore was consulted on the revised balance of the Panel for 2016/17 as above which resulted in a need to reflect upon how the political balance should be finalised for 2016/17.

Whilst it had not been possible to achieve exact political balance, Local Government Association Guidance [‘LGA’] on Panel Arrangements and the Balanced Appointment Objective stated:

‘In some cases it may be difficult to achieve political balance, especially where it is not possible to co-opt additional Councillors on to the Panel. Councils may not be persuaded to nominate opposition Members to achieve complete political balance and as the Home Office legal clarification points out, in recognition of this the Police Reform and Social Responsibility Act states that the balanced appointment objective must be secured ‘as far as is practicable’. As the Home Office has also pointed out, whatever membership is eventually agreed on, the rationale for doing that needs to be robust enough to withstand legal challenge.’

In Lancashire, given the current make-up and controlling influences of Councils, a proposal had been drafted to amend the political balance to the following:

Labour 10	Conservative 6	Lib Dem 1	Independent Member 1
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As reported previously, Local Authorities combined must ‘agree’ to the balance of the Panel and the Home Office had powers to intervene and make appointments if agreement could not be reached locally, though it had been made clear that the best Panel arrangements were those which were locally determined.

The Panel was asked to consider the constitution of the Panel in view of the above and the requirement to ‘agree’ the membership in order to achieve the ‘balanced appointment objective’, including the requirement for the Panel to be politically balanced.

There then followed a debate on the proportionality of the Panel and the appropriate political balance. David Fairclough and the Chair outlined the consideration and methodology behind the proportionality calculations for the clarity of the Panel. The Chair explained that there was no mechanism to achieve the perfect balance due to the difference between appointing the panel numerically or geographically and that a compromise would have to be arrived at.

Councillor Peter Gibson, seconded by Councillor Ben Aitken, proposed that the political balance should be 9-7-1-1 as calculated initially and referred to in the report. Councillor Terry Hill and Councillor Andy Kay, however, were in favour of maintaining the recommended 10-6-1-1, and this option was proposed by Councillor Ivan Taylor and seconded by Councillor Paul Elms.

The Chair summed up these two options and then suggested a third option – where he would go back to Councils regarding nominations and see what could be achieved, which was supported by the Panel.

In terms of New Member Induction, the Panel last year agreed that all new members should attend an induction session and this would be arranged in the Summer months.

In relation to the Host Authority arrangements, Members were reminded that at the AGM meeting held on 8th July 2013, it was agreed that Blackburn with Darwen Borough Council would act as Host Authority for the Panel with the Host Authority to then rotate between Blackpool Borough Council, Lancashire County Council and Blackburn with Darwen Borough Council in subsequent years.

Lancashire County Council acted as the Host Authority from inception until July 2013 when Blackburn with Darwen Borough Council accepted the Host Authority responsibilities. At the Panel's meeting in October 2015 this responsibility was extended for the 2016/17 Municipal year.

Given the above rotation decision the Panel was asked to consider which Council should act as Host Authority for 2017/18 onwards. Following debate it was agreed that Blackburn with Darwen should continue to act as Host Authority until clarity was achieved on the role of the Combined Authority for Lancashire and its remit relating to this area.

RESOLVED –

- 1) That the Chair liaise with all Lancashire Authorities with the aim of gaining agreement for the nominations to the Panel to achieve the required political balance;
- 2) Subject to 1) above, consider the appointments to date made by Lancashire Authorities and agree the full membership for 2016/17, which currently stands proposed at 10-6-1-1, in the event that agreement cannot be reached this item will be put on the agenda for the next meeting of the Panel;
- 3) That the Secretary be requested to arrange New Member Induction before the next full meeting of the Panel and;
- 4) That Blackburn with Darwen continues to act as Host Authority until a decision can be made following confirmation of the role of the Combined Authority for Lancashire and its remit relating to this area.

4. Apologies

Apologies had been received from Paul Richardson, Julie Gibson, Robert Boswell, Peter Mullineaux, Brendan Hughes, Liz Oades, Adrian Lythgoe, Kevin Wright, Sue Graham and Joyce Plummer.

5. Minutes of the Meeting held on 8th March 2016

The Minutes of the meeting held on 8th March 2016 were agreed as a correct record.

Under 'Matters Arising', Councillor Andy Kay requested clarity with regards to Officer Decisions taken (Minute No. 8) and whether these would be published. Following discussion, Angela Harrison confirmed that Officer Decisions would be published in future.

Councillor Peter Gibson, in reference to discussions about the Host Authority, requested clarification about expenses payable to Panel Members and who funded them. The Chair confirmed the procedure whereby Panel Members claimed back expenses from their own Authority, who could then claim back from the Host Authority, who, in turn, received the grant funding from the Home Office.

6. Declarations of Interest

There were no Declarations of Interest received.

7. Public Questions

No public questions had been received.

8. Appointment of additional Co-opted Members to the Police and Crime Panel

A report was submitted which set out required arrangements for the appointment of independent members of the panel following the end of term of appointment of Mr Paul Richardson, Independent Member.

The Panel was asked to consider and agree the arrangements proposed for the vacancy of one Independent Member.

A paper was circulated to Members at the meeting, which set out the proposed dates for advertisement, shortlisting and interviews, and four Members were required to sit on the Recruitment Panel.

Following discussion on the Independent Membership Criteria and clarification from John Bremers, the following Members volunteered to sit on the Panel. Paul Elms, Altaf Baghdadi and Peter Gibson, with the remaining Member (Labour) to be advised.

RESOLVED:

1. That the arrangements for the appointment of Independent Members of the Panel following the end of term for appointment of Mr Paul Richardson, Independent Member be agreed; and
2. That the Chair, on behalf of the Panel, would send a letter of thanks to Paul Richardson for his valuable contribution to the Panel.

9. The Police and Crime Plan Performance Monitoring Report

Members of the Panel received a report which provided an update on progress in delivering the Police and Crime Plan (the Plan) for Lancashire 2013-2018 including a Performance Report in relation to the success measures contained within the Plan and a brief outline of other key Commissioner activity.

The report covered the time period 9th March to 13th May 2016.

The report was presented in three sections as follows:

Part 1 – an update on progress for each of the objectives listed in the Plan.

Part 2 – a Quarter 2 Performance Monitoring Report.

Part 3 – a brief outline of the PCC's key activity in relation to role and function not captured in Parts 1 or 2 of the report.

The Commissioner highlighted key areas of his report and received questions on the following:

Outturn figures – more explanation needed on the spike of sexual offences, it would be helpful to have historical data to compare against. The Commissioner outlined the focus on encouragement of reporting and on the related CSE Campaign – 'Know the Signs'.

In terms of Lancashire Victim Services and the year-end report from all service providers (3.7.1 in the report) and a breakdown of the victims, the Commissioner agreed to forward on this information.

Early Action – With reference to the 40 new posts referred to in the report, the Commissioner was asked about the duties of the posts and advised that these posts would be embedded in Neighbourhood Support Teams and with partners. In terms of allocation of officers, each area was mapped for crime demand and resources allocated accordingly and use of hotspots were targeted, whilst being helped by the Samsung hand-held devices which enabled more detail to be collated and be acted on. The recruitment of posts would be Lancashire specific with the two year probation period being spent in the Early Action Team.

Domestic Abuse Services – The financial pressures on domestic abuse services was referred to, in particular the Lancashire Twelve Consortium approach – the Commission Agreement for which would end on 31st March 2017 and the potential crisis looming in this respect, and the Commissioner was asked what he would be doing to help meet the shortfall in funding. The Commissioner shared these concerns and advised that the focus on Early Action and Prevention was key and he outlined the financial contributions made, although these would not be enough to meet the reduction and work was on-going until discussions at Lancashire County Council to integrate some of the support services.

101 Service – Reference was made to the excellent work carried out by the Neighbourhood Policing Team in Ribble Valley, but in terms of the 101 Service, there appeared to be little response or follow-up, particularly in relation to issues arising from the night-time economy. The police finished at 2.00 am. but the night-time economy finished at 4.00 am. The Commissioner agreed such matters should get a response and referred to engagement with Neighbourhood Watch and Volunteer Groups.

Championing the Rights of Victims – Angela Harrison agreed to send information to Councillor Andy Kay in relation to a request he had made relating to Restorative Justice.

The Commissioner also agreed to circulate details of the Pan Lancashire Domestic Abuse Strategy.

Reference was also made to the recent tragic death of Jo Cox MP and the mental health issues relating to perpetrator and the Commissioner was asked if he had got involved in providing assistance and advice to MPs. The Commissioner advised that some matters would be dealt with by the Police and that, unfortunately, MPs could not be made safe at all times.

RESOLVED – That the response be noted.

10. Police & Crime Commissioner Decisions

A report was submitted, the purpose of which was to highlight decisions made and published by the Police and Crime Commissioner for Lancashire in the period since the last meeting of the panel on 8th March 2016.

RESOLVED – That the report be noted.

11. Draft Annual Report

Members were reminded that, at the Panel meeting on 8 March they considered the draft Annual Report from the Commissioner for 2015/16 in accordance with s28 of the Police Reform and Social Responsibility Act.

This draft was presented ahead of the end of the financial year due to the impending Lancashire PCC election in order to allow Panel Members opportunity to scrutinise the Commissioner's performance over the final year of his last term.

The updated version of the report presented for consideration includes additional detail and case studies to illustrate delivery against the agreed police and crime plan priorities. It had also been designed in a more reader friendly layout and to draw out key information.

Members were asked to note that annual crime figures for 2015/16 were not published by the Home Office until July 21, 2016. Figures used in the report were the latest published figures to December 2015. An appendix to the report would be added when the new figures were released.

The Commissioner referred to the Foreword to the report which referred to a 1.8% reduction in crime since he took up his role, but that more recent figures suggested a 4.7% increase in crime in 15/16 and the actual full year figures would be published on 21st July 2016.

Panel Members discussed the report with the Commissioner. In response to a question about the extension of the Chief Constable's Contract and the recruitment process, the Commissioner advised that the Chief Constable had been due to retire in March 2017, but that a three month contract extension had been agreed to June 2017, with the recruitment process to take place from January 2017 onwards.

The Commissioner offered to carry out a presentation on Early Action and Prevention at a future meeting.

RESOLVED – That the Annual Report 2015/2016 be received.

12. Report from Police Complaints in Lancashire Task and Finish Group

A report was submitted which provided an update on the work of the Task and Finish Group set up to scrutinise the Police Complaints Process in Lancashire and their findings.

As agreed at the meeting in October, a short term Task and Finish Group was set up to scrutinise the operation of the Police Complaints process in Lancashire in the context of the Police and Crime Commissioners role in holding the Chief Constable to account for the operation of quality services to the public of Lancashire. This was one of the items agreed by the Panel for inclusion in its Forward Plan and had also been identified following a review of a recent complaint.

The following Panel Members were appointed to serve on the Task and Finish Group – Andy Kay, Terry Hill, Tony Harrison and Julie Gibson.

Initial key lines of enquiry (questions) were identified by the Task and Finish Group following its initial meeting on 16th February 2016 and shared with the Commissioner.

Further meetings were held on 8th March and the 22nd March 2016.

At the meeting held on 8th March 2016, representatives from the Task and Finish Group received a presentation from Detective Chief Inspector Ian Whitehead, which had been prepared in response to the initial lines of enquiry and was attached at Appendix 1 of the report submitted.

The Panel representatives present explained that they had been keen to investigate this issue following a recent complaint and had initially been quite concerned by figures that showed Lancashire had a high number of local resolutions for complaints in comparison to other forces, however following the explanations received those present were reassured that the processes in place were used appropriately and were proportionate in context.

Representatives from the Task Group met again privately on 22nd March 2016 to further discuss the responses received at the meeting on 8th March both verbally and those contained in the presentation.

Those present felt that the responses and answers received had provided reassurance that the Complaints process was open and clear and that local resolution was used appropriately.

It was also noted that there was a continual audit process in place, and that following the most recent audit a 'Substantial Assurance' classification had been awarded.

It was recommended however that the panel continue to receive full reporting on the numbers and types of complaints in order for them to continue to assure themselves of the good practice and effective handling of complaints in the context that the Commissioner holds the Chief Constable to account for ensuring the same.

Councillor Andy Kay and Councillor Terry Hill verbally reported on the process and findings of the Task and Finish Group.

RESOLVED – That the Panel note the work undertaken by the Task and Finish Group and discuss this further at today's meeting. Further that the Panel continue to request that the Police & Crime Commissioner regularly provides full reporting on the numbers and types of complaints received, their progress through the system and any lessons learned, in order for them to continue to assure themselves of the good practice and effective handling of complaints in the context that the Commissioner holds the Chief Constable to account for ensuring the same.

13. Police & Crime Plan

The Panel received a report which advised that the Police and Crime Commissioner for a Police area must issue a Police and Crime Plan within the financial year in which each ordinary election was held, as soon as practicable after the commissioner takes office. The purpose of the report was to advise the Panel of the process and timetable proposed by the Commissioner for the development of the Police and Crime Plan.

The report set out the process for engaging stakeholders in development of the new Plan, the role of the Commissioner, the Commissioning cycle, the role of the Panel, Local Authority responsibilities and timetables.

The Panel were asked to consider establishing a task and finish group to work with the Commissioner's office to support the development of the new plan and this was agreed, with the following Members nominated: David Whipp, Ben Aitken and Terry Hill.

RESOLVED –

- 1) The Panel noted the report and timescale; and
- 2) That a Task and Finish Group be established to support the development of the police and crime plan.

14. Lancashire Police & Crime Panel Forward Plan 2016/17

The Secretary, David Fairclough, presented a report containing recommendations to the agreement of an outline Forward Plan for the panel for the Municipal Year 2016/17.

The report by the Standards in Public Life Report – Tone from the Top –identified the importance of Forward Plans.

The Panel was asked to identify and agree from the PCC's Reports to the Panel two (or more) areas of particular interest that the Panel would focus on as special interest areas at its meetings scheduled in January 2016 and March 2017, noting that at its next meeting the Panel was to receive a report on its task Group review of the Vulnerable People aspects of the Police and Crime Plan.

The Secretary would then liaise with the PCC on the production of more detailed information to be prepared and circulated in advance of the meetings to facilitate full and detailed scrutiny.

To facilitate work in advance of the scheduled meetings for each area, the Panel was invited to also agree Task Groups to review information in advance of the meetings and engage directly with the PCC & the Office of the PCC as appropriate.

The proposed Forward Plan was set out in Appendix 1 of the report submitted.

Following discussion of the report, Councillor David Whipp suggested longstanding scrutiny of the 'One Team' should be undertaken.

Following discussion it was agreed that the Secretary would issue further details and requests for items of interest ahead of the next meeting in October.

RESOLVED – That the Forward Plan for the Municipal Year 2016/17 be agreed.

15. Timetable of Meetings and Work Programme for 2016/17

A proposed Timetable of Meetings for 2016/17 was submitted for consideration by the Panel.

The proposed timetable of meetings for 2016/17 was outlined in the report with the next scheduled meeting after the AGM due to be held at Blackburn Town Hall on 19th October 2016. Officers were also looking a suitable date when an induction meeting would be held

for new Members of the Panel (existing Panel Members will also be invited as it would give an opportunity to refresh existing knowledge).

RESOLVED – The Police and Crime Panel agreed the Timetable of Meetings for 2016/17 as outlined below.

DATE/TIME/VENUE
Wednesday 19th October 2016 10.00 a.m. in Meeting Room 'A' at the Town Hall, King William Street, Blackburn.
Monday 23rd January 2017 6.30 p.m. in Cabinet Room 'C' The Duke of Lancaster Room, County Hall, Preston.
Tuesday 7th February 2017 10.00am in Meeting Room 'A' at the Town Hall, King William Street, Blackburn.
Monday 3th April 2017 6.30 p.m. in Cabinet Room 'C' The Duke of Lancaster Room County Hall, Preston.
Monday 5th June 2017 - AGM 10.00 a.m. in Conference Room 3A and 3B, Bickerstaffe House, Blackpool.

16. Monitoring of Complaints for 2016/17

The Secretary confirmed that no new complaints had been received.

The Chair suggested that the current list of complaints be re-issued for information.

RESOLVED – That the update be noted and that the list of complaints be re-issued.

17. Urgent Business

There were no items to report but under this item the Chair referred to a letter received from the Home Office and the potential new duties for Police and Crime Commissioners relating to fire and emergency services but this may not result in a change of title for Commissioner as it was felt that their extra duties would tend to be more appropriate where areas had Elected Mayors.

The Secretary referred to a letter from Lord Bew about an ethical checklist for Police and Crime Commissioners, and which it was confirmed that the Commissioner had signed up to this checklist.

18. Date of Next Meeting

The next scheduled meeting of the Police and Crime Panel would be held on Wednesday 19th October 2016 @ 10.00 am. in Meeting Room A, Town Hall, Blackburn.

SignedChair
2016