

## **Police and Crime Panel for Lancashire**

### **Minutes of the Annual General meeting held on Tuesday 20<sup>th</sup> July 2021**

#### **Present:**

##### **Chair**

Councillor Jackie Oakes, Rossendale Borough Council

##### **Committee Members**

Councillor Alistair Bradley, Chorley Borough Council  
Councillor Stella Brunskill, Ribble Valley Borough Council  
Councillor Qesir Mahmood, Blackburn with Darwen Borough Council  
Councillor James Flannery, South Ribble Borough Council  
Councillor Gareth Dowling, West Lancs Borough Council  
Councillor Philippa Williamson, Lancashire County Council  
Councillor Peter Hunter, Blackpool Council  
Councillor Martyn Hurt, Burnley Borough Council  
Councillor Dave Parkins, Hyndburn Borough Council  
Councillor Johnathan Saksena, Preston City Council  
Councillor Roger Berry, Wyre Borough Council  
Dave Spellman, Independent Co-opted Member

##### **Also in attendance**

- Andrew Snowden, Police and Crime Commissioner
- Angela Harrison, Office of the PCC
- Steve Freeman, Office of the PCC
- Ian Dickinson, Office of the PCC
- David Fairclough, Secretary
- Asad Laher, Head of Governance
- Phil Llewellyn, Corporate and Democratic Lead

#### **1. Appointment of Chair 2021/22**

The Secretary of the Panel, David Fairclough, welcomed all to the meeting and asked Councillor Alistair Bradley to announce the next item of business, which was the Appointment of Chair for 2021/22.

Councillor Bradley advised that he would not be standing for Chair, due to other commitments, and then asked for nominations for Chair of the Panel for 2021/22, nominating Councillor Jackie Oakes, which was seconded by Councillor Qesir Mahmood. No other nominations were received.

**RESOLVED** – That Councillor Jackie Oakes be appointed Chair of the Panel for 2021/22.

*(Councillor Jackie Oakes in the Chair).*

## **2. Appointment of Deputy Chairman**

The Chair requested nominations for Deputy Chair of the Panel for 2021/22. Councillor Alistair Bradley nominated Councillor Roger Berry, which was seconded by Councillor Gareth Dowling. No other nominations were received.

**RESOLVED** - That Councillor Roger Berry be appointed Deputy Chair of the Panel for 2021/22.

## **3. Membership 2021/22**

As previously reported, in Lancashire the Panel was initially made up of 15 Elected Members, one from each Authority. Up to an additional 3 elected members could be added in order to achieve the 'balanced appointment objective' so that when taken together the Members of the Panel represented the political make up of all the relevant local authorities for the police area and had the skills, knowledge and experience necessary for it to discharge its functions effectively.

Having considered the provisions in the legislation and options available for applying a political balance to the Panel, it was agreed that the constitution of the PCP for 2012/13 be based on calculation of the then political balances across the whole membership of authorities, with the Independent Members being grouped together as a whole. At that time, it was also agreed to appoint an additional three Elected Members to achieve political balance and the Home Secretary subsequently approved this basis in order to achieve the political balance objective. This had been the arrangement for most years since.

It was also previously agreed that Council Members of the Panel would serve a 12 month term on the Panel and that the political balance of the Panel would be reviewed after the Local Elections each May. After the elections, each Council being invited to nominate their representative for the Panel.

In addition to the above Members, the Panel also appointed 2 Independent Co-opted Members, who are not elected representatives, to serve on the Panel. One of these seats was currently vacant.

From nominations received for 2021/22 the Panel's core membership of 15 Councillors (plus 2 co-opted members) resulted in a political balance of

|             |                   |              |                         |
|-------------|-------------------|--------------|-------------------------|
| Labour<br>9 | Conservative<br>5 | Lib Dem<br>0 | Independent<br>Member 1 |
|-------------|-------------------|--------------|-------------------------|

The Regulations and Guidance however required the Panel to seek to be politically balanced. To assess the balance, all the current council seats held from across Lancashire, were added together to identify the target balance that would achieve political balance which would be:

|             |                   |              |                         |
|-------------|-------------------|--------------|-------------------------|
| Labour<br>6 | Conservative<br>6 | Lib Dem<br>1 | Independent<br>Member 2 |
|-------------|-------------------|--------------|-------------------------|

As discussed at previous meetings, the Regulations and Guidance then provided for the Councils as a first step in terms of seeking to address any such issue arising, invite the core member councils to reconsider their individual nominations to see if this would bring the balance more into line, i.e. to seek to achieve the political balance objective.

As discussed by Lancashire Leaders, however no Council was agreeable to changing their nomination.

In anticipation that the position may remain unchanged from last year, the next step, was to then seek to add councillor membership up to the maximum of 18 elected members to seek to address the political balance objective. The additional 3 seats proposed and the names of those proposed additional councillors required however the unanimous agreement of the 15 Council's core membership. These Councillors would also require the approval of the Home Office with an explanation of the reasoning for their appointments.

An 18 seat (Councillor membership) would result in an amended ideal political balance of:

|             |                   |              |                         |
|-------------|-------------------|--------------|-------------------------|
| Labour<br>7 | Conservative<br>8 | Lib Dem<br>1 | Independent<br>Member 2 |
|-------------|-------------------|--------------|-------------------------|

As referenced above in the absence of a council(s) under stage 1 of the process not wishing to agree a change of nomination a proposal was presented to the AGM for the following utilisation of the potential additional 3 seats for 2021/22 (subject to Home Office approval):

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

|             |                        |              |                         |
|-------------|------------------------|--------------|-------------------------|
| Labour<br>9 | Conservative<br>8 (+3) | Lib Dem<br>0 | Independent<br>Member 1 |
|-------------|------------------------|--------------|-------------------------|

The Secretary advised the Panel that whilst the option did not make it possible to achieve the exact political balance, the Local Government Association ['LGA'] Guidance on Panel Arrangements and the Balanced Appointment Objective stated that the balanced appointment objective must be secured 'as far as is practicable'.

The Secretary has also advised that the Local Authorities combined must 'agree' to the balance of the Panel and that the Home Office had powers to intervene and make appointments if agreement cannot be reached locally, though it has been made clear that the best Panel arrangements were those which were locally determined.

Given this and subsequent advice from the Home Office relating to the Membership in 2020/21, the Panel were asked to confirm their membership for 2021/22 as a minimum of the current 15 members plus 2 independent persons or in the alternative the Panel could review co-opting additional elected members, under the balanced

appointment objective. These additional 3 seats would need to be agreed by the whole Panel and then be approved by the Secretary of State.

Members discussed the report and agreed with the proposals presented, meaning that an additional three Panel Members would be requested from Conservative Councils.

#### **RESOLVED -**

1. That the political balance of the Panel 2021/2022 – be confirmed as 15 core Elected Members, plus 3 ‘Top Up’ Conservative Places (subject to Home Office Approval), plus 2 Independent persons, as set out in the report, to achieve as far as reasonably practicable, political balance.

#### **4. Apologies**

Apologies had been received from Councillors Dad, Thornberry, Boswell, Threlfall, and McGladdery.

#### **5. Minutes of the last meeting**

**RESOLVED** - The Minutes of the meeting held on 8<sup>th</sup> March 2021 were agreed as a correct record.

#### **6. Declarations of Interest**

No Declarations of Interest were submitted.

#### **7. Public Questions**

One question had been received from Mr D Massey as follows:

*The role of the Panel is to scrutinise the Police and Crime Commissioner (PCC). Can I ask the Chair of the Panel to ask the new PCC, Andrew Snowden, "what is he going to do that others before him haven't? (Pertaining to having meetings as laid out on the PCC website with the public when a problem is found with an aim to help resolving it)?*

As Mr Massey was not present, the Head of Legal and Governance, Asad Laher read out the question.

The Police and Crime Commissioner (PCC) responded, advising that there would be a structured approach to engagement and meeting people, groups and the Police across Lancashire, as it would be impossible to meet everyone, but a clear engagement plan would be produced, and there would be a better use of social media. In terms of meeting with individual members of the public, the PCC advised that a pragmatic approach would be taken, based on the cases individually and as appropriate.

## **8. PCC Annual Report 2020/21**

Angela Harrison presented the Annual Report, which reflected the work undertaken by the previous PCC, Clive Grunshaw.

The Chair and Vice Chair made comments relating to the distribution of Police Officers, and PCSO's in areas where there were shared arrangements across two Boroughs, requesting specific allocation to individual Boroughs.

Members of the Panel also commented on the valuable contribution made by the former PCC across the 9 years he was in post.

**RESOLVED** – That the report be noted and that a letter of thanks be sent to Clive Grunshaw.

## **9. Introduction to the new Police and Crime Commissioner Andrew Snowden**

The Commissioner outlined his priorities, which were fighting crime and criminal behaviour, prioritising Frontline Policing and achieving balanced policing across Lancashire, as well as meeting with the public and police officers, the latter of which would involve him going out on raids etc.

The Commissioner would also be discussing priorities with the new Chief Constable and also referred to the forthcoming Confirmation Hearing for the proposed appointment of a Deputy PCC.

In respect of the Confirmation Hearing, the Chair asked whether it could be held virtually, but was advised that the meeting had to be held in person.

## **10. PCC Decisions**

A report was submitted on decisions made by the PCC or Director, or authorised officer, under delegated authority in the period since the last meeting of the Panel on 8<sup>th</sup> March 2021.

**RESOLVED** – That the report be noted.

## **11. Police and Crime Plan**

The PCC reported on the legislative process and proposed timetable for the development of his first Police and Crime Plan.

The draft report would be shared with the Panel in August/September 2021 for review and recommendations ahead of consultation with the public and victims of crime, with the final Plan being submitted to the PCP meeting on 6<sup>th</sup> December 2021.

**RESOLVED** – That the report and proposed timetable be noted.

## **12. Independent Review of Deaths and Serious Incidents in Custody**

The Panel received a report which advised of how the PCC provided independent scrutiny of Lancashire Constabulary to ensure detainees in custody were being treated fairly and in accordance with the relevant Codes in the Police and Criminal Evidence Act (PACE).

The report had been prepared in response to previous discussion by the Panel who had been invited to consider scrutiny of this area following the independent review chaired by Dame Elish Angiolini DBE QC which reported in January 2017.

Panel Members noted the impact of Covid and other recent changes such as a new PCC and Chief Constable, and agreed that this topic be revisited in 2022.

**RESOLVED** – That report be noted and that this topic be revisited in 2022.

## **13. Task and Finish Groups 2020/21 Verbal Feedback and Updates**

The remaining Task Group Chairs still serving on the Panel, Cllrs Berry and Oakes reflected on their experience last year and the need for officer support, along with Member commitment. Cllr Berry's update had also been circulated ahead of the meeting.

It was also noted that scrutiny could be undertaken in a number of different ways, including virtual meetings, briefings and site visits.

**RESOLVED** – That the update be noted.

## **14. Forward Plan and Timetable for allocation of Task and Finish Groups**

Members discussed the best options for production of a Forward Plan and timetable for allocation of Task and Finish Groups.

It was suggested that the Groups led by Cllr Oakes and Berry continue and finish their work, and that once the Panel have had sight of the Commissioner's draft plan they can review matters at the October meeting.

**RESOLVED** – That the Forward Plan and Task Group allocations be agreed at the next meeting.

## **15. PCP Administration Update**

A report was submitted that required decisions on a number of matters, namely:

- The forthcoming retirement of the existing Secretary, David Fairclough and the need to appoint a successor.
- Nomination of five Members to sit on the Complaints Sub Committee.

- The need to advertise for the vacancy on the Panel of Independent Member and agree the membership of the Recruitment Panel.
- Consideration of the programme of meetings for 2021/22 and agreement to use venues that have webcasting facilities, and for recordings of these to be available for up to 7 days after the meeting.
- Agreement of arrangements for the Confirmation Hearing to consider the Commissioners proposal for the appointment of a Deputy Police and Crime Commissioner.
- To agree a position on the payment of allowances going forward.

Following discussion of all these matters it was:

**RESOLVED -**

1. That Asad Laher, Strategic Head of Service, Legal & Governance, from the host Authority, Blackburn with Darwen Borough Council, be appointed as Secretary to the Panel from Monday 13<sup>th</sup> September 2021 until the end of the Municipal Year 2021/22.
2. The 5 Members of the Panel to form the Complaints Sub Committee as set out in this report will be Councillors Oakes, Berry, Flannery and Brunskill, and Independent Co-opted Member Dave Spellman.
3. That the Secretary re-run the recruitment process for the appointment of an Independent Co-opted member for the Panel and that the Members of the Recruitment Panel will be Councillors Oakes, Dowling and Hurt.
4. That the programme of ordinary meetings for 2021/22 as set out in this report be agreed, using venues which can facilitate the streaming of Police and Crime Meetings Live and for the recordings of these meetings to be available for up to 7 days after the meeting.
5. That the arrangements for a Special Meeting - Confirmation Hearing to consider the Commissioners proposal for the appointment to Deputy Police & Crime Commissioner as set out in the report be confirmed.
6. That the rates for the Payment of Allowances (also covering expenses) set out in the report, as discussed in July 2019 be confirmed, being single annual payments (based on 4 ordinary meetings a year and subject to regular attendance at all meetings), namely:

Chair of the Panel £600

Vice Chair of the Panel £400

Task & Finish Group Lead £400

Task and Finish Group Members £300

To be paid after the last meeting in the cycle each year.

7. That letters of thanks be sent to the former Chair, Councillor Alistair Bradley, and the retiring Secretary, David Fairclough.

#### **16. Budget Statement 2020/21**

A report was submitted which outlined Panel expenditure to date in 2020/21, containing a breakdown of projected costs and expenditure as submitted to the Home Office in early March for the Grant Claim for 2020/21.

**RESOLVED** – That the expenditure for 2020/21 be noted and that the report and breakdown be published on the PCP Website.

#### **17. Monitoring of Complaints**

Members received a report which set out the current position with regard to communications relating to potential complaints received up to 12<sup>th</sup> July 2021 in relation to the PCC.

**RESOLVED** – That the update in relation to communications and complaints be noted.

#### **18. Urgent Business**

There were no items of urgent business.

#### **19. Date of next meeting**

The next meeting of the Panel would be held on Wednesday 13<sup>th</sup> October 2021, venue TBC.

Signed.....Chair  
2021