

Police and Crime Panel for Lancashire

Minutes of the meeting held on Monday 2nd July 2018

Present:

Chair

Councillor Alistair Bradley, Chorley Borough Council

Committee Members

Councillor Adrian Lythgoe, Rossendale Borough Council
Councillor Andy Kay, Blackburn with Darwen Borough Council
Councillor Geoff Driver, Lancashire County Council
Councillor Ivan Taylor, Blackpool Borough Council
Councillor Tony Martin, Burnley Borough Council
Councillor Ben Aitken, Fylde Borough Council
Councillor David Whipp, Pendle Borough Council
Councillor Margaret Foxley, Pendle Borough Council
Councillor Brian Rollo, Preston City Council
Councillor Ken Hind, Ribble Valley Borough Council
Councillor Kevin Wright, West Lancs Borough Council
Councillor Roger Berry, Wyre Borough Council

Also in attendance

- Clive Grunshaw, Police and Crime Commissioner for Lancashire
- Angela Harrision, Office of the Police and Crime Commissioner
- Steve Freeman, Office of the Police and Crime Commissioner
- David Fairclough, Secretary Lancashire Police and Crime Panel
- Sian Roxborough, Council Solicitor
- Phil Llewellyn , Governance and Democratic Manager

1. Appointment of Chair

The Secretary of the Panel, David Fairclough requested nominations for the Chair of the Panel for 2017/18. Councillor Alistair Bradley was nominated by Councillor Andy Kay which was seconded by Councillor Ben Aitken.

RESOLVED – That Councillor Alistair Bradley be appointed as Chair for the 2018/19 Municipal Year.

2. Appointment of the Vice Chair

The Chair requested nominations for the Vice Chair of the Panel for 2018/19. Councillor Alistair Bradley nominated Councillor Andy Kay, which was seconded by Councillor Ben Aitken.

Reference was made to the contribution made by the previous Deputy Chair, Paul Elms, who was no longer on the Panel, and it was agreed that a letter of thanks from the Chair would be sent on behalf of the Panel.

RESOLVED - That Councillor Andy Kay be appointed as Vice Chair of the Panel for 2018/19.

3. Membership 2018

It was reported that following the local elections on the 3rd May 2018, the political balance and the panel had been recalculated and the balance that achieved political balance across the 15 local Authorities was as follows;

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 across the County and respective Council control.

As reported previously Local Authorities combined must “agree” to the balance of the Panel and the Home Office 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.

Each Local Authority in the Lancashire Police Area had been consulted and the following representatives have been nominated to date to serve on the Panel for 2018/19.

Local Authority	Representative(s)	Political Party
1. Blackburn with Darwen	Andy Kay	Labour
2. Blackpool	Ivan Taylor (tbc)	Labour
3. Burnley	Tony Martin	Labour
4. Chorley	Alistair Bradley	Labour
5. Fylde	Ben Aitken	Conservative
6.	Liz Oades	Independent
7. Hyndburn	Munsif Dad	Labour

8. Lancashire	Geoff Driver	Conservative
9. Lancaster	Brendan Hughes	Labour
10. Pendle	Margaret Foxley	Conservative
11.	David Whipp	Liberal Democratic
12. Preston	Brian Rollo	Labour
13. Ribble Valley	Ken Hind	Conservative
14.	Terry Hill	Conservative
15. Rossendale	Adrian Lythgoe	Labour
16. South Ribble	Mike Nathan	Conservative
17. West Lancashire	Kevin Wright	Labour
18. Wyre	Roger Berry	Conservative

The Panel were asked to consider the constitution of the Panel in the 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.

The Panel last year agreed that all Members new or continuing should attend an induction session. The Panel was asked to endorse this approach and also ask that the induction session was also open to any persons who were likely to be substitutes during the year as provided for in the Terms of Reference / Panel Arrangements.

Since the nominations had been received, it was reported that Councillor Terry Hill had resigned from the Conservative Group in Ribble Valley, and a replacement Member would be nominated. Reference to the service to the Panel by Councillor Terry Hill was made and it was agreed that a letter of thanks be sent to him.

RESOLVED -

i) That the balance of the Panel 2018/19 – Elected Members (plus 2 independent persons) on the following basis be approved.

Labour 9	Conservative 7	Lib Dem 1	Independent/Other Member 1
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ii) That the appointments made be agreed and that these be confirmed as the full membership for 2018/19, with the replacement Conservative Member from Ribble Valley to be confirmed;

iii) That the Secretary be requested to arrange an induction for all Members before the next full meeting of the Panel and that all Members be expected to attend.

4. Apologies

Apologies were received for Councillors Munsif Dad, Brendan Hughes, Mike Nathan, Liz Oades, and Independent Co-opted Members Abdul Mulla and Altaf Baghdadi.

5. Minutes of the meeting held on the 12th March 2018

The minutes of the meeting held on the 12th March 2018 were agreed as a correct record.

Councillor Geoff Driver indicated that a report on Management of Policing at the Fracking Protests was not on the agenda as requested, instead a briefing note had been circulated – Cllr Driver requested a formal report for the next agenda.

The Chair suggested that the briefing note be circulated again and then gauge if a formal report was required for the next meeting.

6. Declaration of interests

Cllr Geoff Driver declared an interest in Agenda Item 17 – Monitoring of Complaints.

7. Public Questions

No public questions have been received.

8. Fire Service Governance Consultation

The Commissioner referred to his report submitted with the agenda and recent correspondence with the Panel on the examination of the governance arrangements in Lancashire for the Fire and Rescue Service. A report from the Secretary on the matter had also been submitted with the agenda.

The Policing and Crime Act 2017 placed a statutory obligation on emergency services to collaborate and enabled Police and Crime Commissioners to take on the governance responsibility for fire and rescue services in their area, where there was a local business case made out on grounds of effectiveness, economy, efficiency and public safety. The Commissioner outlined the process followed to date to establish if there was a case for a change of governance in Lancashire and gave details of the procurement of an Options Review Report and then the procurement of a Local Business Case Consultant ahead of future consultation on the matter.

Reference was made to the correspondence between the Chair of the Panel and the Commissioner – the Chair, on behalf of the Panel, had raised concerns about the timing and pace at which the Commissioner had proceeded, without making his intentions known to the Panel at an early stage, and that before proceeding with Consultants and a Business Case that the Panel should have been involved in pre-decision scrutiny.

The Commissioner advised that he was investigating the potential for improved collaboration and savings, and that the options paper was to check the viability of a change of governance arrangements in Lancashire, and that his intention was to protect the services and not make cuts.

Members of the Panel questioned the Commissioner about the early use of consultants before discussions with the Panel, and the associated costs, and also the lack of consultation with Council Leaders in Lancashire with the exception of the Upper Tier Authorities. Councillor Ken Hind advised that he had chaired a meeting of District Leaders, who had listened to what the Commissioner had to say, and that they would also be speaking to the Fire Authority, but that generally they were cynical about any changes to governance arrangements.

Concerns were raised about the democratic deficit that may result under the proposals – with only one accountable person, rather than the existing Fire Authority which was working well, and which was representative of the make-up of Lancashire.

The Commissioner advised that he welcomed the responses, and that there was general agreement that collaboration was the way forward, but he noted the disagreement about the best way to achieve this. A draft Business Case would be produced and the Commissioner suggested that the Panel meet towards the end of July to meet the Consultant and consider the governance options and potential savings which could be reinvested to protect services.

RESOLVED- That the reports be noted and that a meeting be arranged later in July to further discuss Fire Governance in Lancashire.

9. Performance Report

The Commissioner provided Members of the Panel with an update on progress on delivering the current Police and Crime Plan for Lancashire 2016-2021.

Members questioned the Commissioner on his report, in particular in relation to the Force Control Room, and the business case to replicate the South Pod trial across all three policing divisions. This matter would be further investigated by the Frontline Policing Task and Finish Group once membership had been confirmed.

In terms of the recent Child Protection Inspection, significant progress had been made in delivering the action plan. Councillor Geoff Driver referred to the importance of the Police making correct referrals to the MASH, as around 70% led to non-action, and the key was to ensure the right cases were referred to the right agencies.

The Panel discussed the increase in crime reflected in the report, and reference was made to recent issues across Lancashire, including the incident at Thwaites Brewery in Blackburn, and of crime rises in rural areas such as Ribble Valley, which no longer had a front desk to report incidents, and the decreasing Neighbourhood Policing

across boroughs generally. Public order figures were also on the rise and the Commissioner was asked to come back with more detail on the increases reported.

The Chair requested that the Chief Constable be asked to attend the next meeting of the Panel, or a subsequent one if he was not available, to discuss the increases in crime referred to.

RESOLVED- That the report be noted and that the Chief Constable be invited to attend the next meeting or subsequent meeting to discuss the increase in recorded crime.

10. Annual Report 2017/18

The Panel was asked to review the Annual Report attached at Appendix A and make comments or ask questions as appropriate.

RESOLVED- That Panel Members feedback any comments or questions to the Secretary by the end of July 2018.

11. Police and Crime Commissioner Decisions

A report was submitted which highlighted decisions made by the Commissioner and Director since the last meeting of the Panel on 12th March 2018.

RESOLVED- That report be noted.

12. Lancashire Police and Crime Panel Forward Plan 2018/19

A report was submitted which outlined the draft Forward Plan for 2018/19. The Panel was asked to agree the Plan and the title and membership of the Task Groups aligned to each area of the Plan as appropriate.

Councillors Ken Hind and Kevin Wright volunteered to serve on the Contact Management Task and Finish Group, and it was agreed that the Secretary would e-mail Panel Members to ask for volunteers to sit on the other various Task and Finish Groups.

In terms of the Forward Plan, the Secretary reported that the Plan would be updated to include the anticipated attendance of the Chief Constable at the September meeting.

RESOLVED – That the Forward Plan as amended be agreed and that the Secretary be requested to contact Panel Members to ask for volunteers to sit on the various Task and Finish Groups for 2018/19.

13. Members Expenses and Allowances

The Secretary submitted a report which sought to review and clarify to Members of the Panel the allowances and expenses that could be claimed. The matter was last

considered at the Panel meetings on 7th April 2014 and 25th January 2016, with expenses being referred to as being travel, subsistence, loss of earnings and conference / training costs. It was noted then that reference to “loss of earnings” had caused some confusion.

As the Panel membership had changed over the years and the question of allowances and expenses was regularly raised the report set out the position in this regard.

Members were reminded that in principle, Councillors were already compensated for loss of earnings by the Allowances system operated by each Constituent Council, so a claim could not be made for “loss of earnings” as an expense item.

Each Constituent Council set the allowances for its members who sit on the Panel. Guidance had highlighted the scrutiny role of the Panel and as a result the Panel regularly set out its forward plan for the year ahead and identifies areas it wished to scrutinise in more detail. This could mean more meetings of the Panel and/or its sub-groups than originally envisaged and it was suggested that Members may wish to draw this to the attention of their Constituent Councils when allowances for Panel members are reviewed.

In terms of SRAs for Chairs of Panels, it was down to the relevant authority to consider paying an SRA if their Member has been appointed as Chair of the Panel. A number of authorities did provide the Panel Chair with a SRA equivalent to their Chairs of Scrutiny Committees.

Since the last consideration of this matter by the Police & Crime Panel, a survey was undertaken by Frontline Consulting Associates. The result of their survey completed in January 2018 was attached to the report as Appendix A.

The Panel discussed the report and the Chair referred to the amount of Home Office Grant that had been unclaimed for 2017/18. An allowance for scrutiny work was considered to be an option that also may help to improve attendance by Members.

RESOLVED – That a further report with options be submitted to a future meeting of the Panel.

14. Police and Crime Panel Budget 2017/18

Members received a report which outlined Panel expenditure for 2017/18 .The Government had committed to providing limited funding to cover the costs of maintaining Police and Crime Panels. The host authority for a Police and Crime Panel in a Police force area would receive annually up to £53,300 for costs of administering Panels and up to £920 for expenses for expenses per member to a maximum of £11,040 (maximum 20 Panel members). This had been confirmed again by the Home Office for 2017/18 but no commitment had been made to funding for future years had been received.

Home Office funding was provided by a grant agreement which was paid in arrears to Blackburn with Darwen as the host authority.

As part of the agreement to fund Police and Crime Panels the Home Office stipulated that from 2015/16 onwards a transparency requirement was attached as a condition of the single grant payment to allow public scrutiny of PCP spending. This now required PCPs to publish, as a minimum on their website, details of all their expenditure including all Panel administration costs and individual Panel claims for expenses and allowances.

Attached at Appendix 1 was a breakdown of projected costs and expenditure as submitted to the Home Office in early March for the Grant claim for 2017/18.

RESOLVED – That the Panel noted expenditure for 2017/18 which would be published on the PCP website.

15. Timetable of meetings 2018/19

Members reviewed a report which set out a proposed Timetable of Meetings for 2018/19.

The proposed dates for meetings had been selected to meet required statutory deadlines/processes and to ensure that Panel Members were presented with the most relevant information available.

In accordance with previous decisions of the Panel it was suggested that future meetings rotate between Preston, Blackburn and Blackpool and also be held both during the day and in the evening.

The next scheduled meeting after the AGM was due to be held at County Hall, Preston on 19th September 2018. Officers were also looking for a suitable date when an induction meeting would be held for new Members of the Panel (existing Panel Members would also be invited as it will give an opportunity to refresh existing knowledge.

The timetable of meetings for 2018/19 was as follows:

DATE/TIME/VENUE
Wednesday 19th September 2018 9.30am, Savoy Suite 2, County Hall, Preston.
Monday 10th December 2018 6.30pm in Meeting Room “A” at the Town Hall, King William Street, Blackburn.
Monday 21st January 2019 (Precept only) 6.30pm in Cabinet Room “C” The Duke of Lancaster Room, County Hall, Preston.

Tuesday 5th February 2019 (If required – dependant on Precept decision) 10.00am in Committee Room D, County Hall, Preston.
Monday 11th March 2019 6.30pm in Meeting Room “A” at the Town Hall, King William Street, Blackburn.
Monday 1st July 2019 –AGM 10.00am in Conference Room 3A and 3B, Bickerstaffe House, Blackpool.

RESOLVED -That the Timetable of Meetings for 2018/19 be agreed.

16. Verbal Update on the Police Governance Summit 2018 and Special Interest Group Update

The Chair reported on his recent attendance at the Police Governance Summit 2018 along with Phil Llewellyn.

The Summit had been a good opportunity to meet colleagues from other PCPs and look at the issues happening across the Country, such as Forces Amalgamation and the focus on counter-terrorism work. Other issues raised included the need for the Police to have up to date technology to able to effectively deliver their role. The Chair also referred to the innovative work by certain Panels and the good practice that could be shared between Panels.

In terms of the Special Interest Group (SIG) – Sian Roxborough had attended the inaugural meeting in London in April, where appointments had been made and terms of reference agreed. At the time of the April meetings, 16 PCPs had joined the SIG, with the fee to join being £500, which it was thought may be able to be grant funded. The AGM of the SIG would take place at the Annual PCP Conference in Warwick on 12th November 2018.

Reference was also made to the annual LGA Workshop in London on 11th July, and it was agreed that Phil Llewellyn attend along with a Member of the Panel to be agreed.

RESOLVED – 1) That the update be noted;

2) That the Lancashire PCP join the LGA Special Interest Group; and

3) That a Member of the Panel be identified to attend the annual LGA Workshop on 11th July.

17. Monitoring of Complaints

A report was submitted which set out the current position with regard to communications relating to potential complaints received up to 1st June 2018 in relation to the Police and Crime Commissioner.

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, 19 September 2018 at 10.00am at County Hall, Preston.

Signed.....Chair
2018