

Police and Crime Panel for Lancashire

Minutes of the meeting held on Monday 8th July 2019

Present:

Chair

Councillor Alistair Bradley, Chorley Borough Council

Committee Members

Councillor Andy Kay, Blackburn with Darwen Borough Council

Councillor Mark Smith, Blackpool Borough Council

Councillor Ben Aitken, Fylde Borough Council

Councillor Geoff Driver, Lancashire County Council

Councillor Munsif Dad, Hyndburn Borough Council

Councillor Jean Parr, Lancaster City Council

Councillor David Whipp, Pendle Borough Council

Councillor Robert Boswell, Preston City Council

Councillor Simon Hore, Ribble Valley Borough Council

Councillor Steve Hughes, Rossendale Borough Council

Councillor Mick Titherington, South Ribble Borough Council

Councillor Terry Devine, West Lancs Borough Council

Councillor Roger Berry, Wyre Borough Council

Abdul Mulla, Independent Co-opted Member

Also in attendance

- Councillor Tim Dant, Lancaster City Council
- Councillor Sue Bibby, Ribble Valley Borough Council
- Clive Grunshaw, Police and Crime Commissioner
- Angela Harrison, Office of the Police and Crime Commissioner
- David Fairclough, Secretary
- Asad Laher, Head of Governance
- Phil Llewellyn, Governance and Democratic Manager

1. Appointment of Chairman

The Secretary of the Panel, David Fairclough, welcomed all to the meeting and reminded Elected Members that each Council had one vote on the first three agenda items.

The Secretary then asked for nominations for Chair of the Panel for 2019/20. Councillor Andy Kay moved Councillor Alistair Bradley, which was seconded by Councillor Munsif Dad. No other nominations were received.

RESOLVED – That Councillor Alistair Bradley be appointed Chair of the Panel for 2019/20.

(Councillor Alistair Bradley in the Chair).

2. Appointment of Deputy Chairman

The Chair requested nominations for Deputy Chair of the Panel for 2019/20. The Chair moved Councillor Andy Kay, which was seconded by Councillor Munsif Dad. No other nominations were received.

RESOLVED - That Councillor Andy Kay be appointed Deputy Chair of the Panel for 2019/20.

3. Membership 2019/20

The Secretary asked the Head of Governance to outline the legal background and considerations following the proportionality calculations post May 2019 elections. A detailed report on the matter was also submitted.

In Lancashire, the Panel was initially made up of 15 Elected Members, one from each Authority. It was confirmed 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.

Previously it was explained, having considered the provisions in the legislation and options available for applying a political balance to the Panel, it had been agreed that the constitution of the PCP for 2012/13 be based on calculation of current 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 as far as reasonably practicable. This it was noted had been the arrangement for the last 6 years.

In addition to the above Members, the Panel had also agreed to appoint 2 Independent Co-opted Members, who are not elected representatives, to serve on the Panel.

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 Local Elections each May.

The practice this year therefore was as in previous years in that after the elections, each Council is invited to nominate their representative for the Panel.

The Panel noted that from nominations received the Panel's core membership of 15 Councillors (plus 2 co-opted members) resulted in a political balance of

Labour 9	Conservative 4	Lib Dem 1	Independent Member 1
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The Panel were advised however that Regulations and Guidance however required the Panel to seek to be politically balanced. Based on the seats following the Local Elections on the 2 May 2019 and some changes since, the Panel was advised the target balance that would achieve political balance based on the seats won across the County and respective Councils (15 Local Authorities) which would be:

Labour 6	Conservative 6	Lib Dem 1	Independent Member 2
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The Panel were advised that, the Regulations and Guidance then provide for the Councils as a first step in terms of seeking to address any such issue arising as above, 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.

No Council was agreeable however to changing their nomination.

The Panel were then therefore advised that 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. This it was noted was the action taken in previous years by the Panel to address this issue. The additional 3 seats proposed and the names of those proposed additional councillors required however required the unanimous agreement of the 15 Council's membership.

The Panel were advised an 18 seat (Councillor membership) would result in an amended ideal political balance of:

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

Labour 8	Conservative 7	Lib Dem 1	Independent Member 2
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The Panel were informed that an alternative option had been proposed which had been discussed with the Leaders of the Lancashire Council's which achieved a political balance more reflective of the political administration of the Councils i.e. more generally reflecting the respective controlling parties on each Council, but also ensuring there continued in that context to be a reflection of the seats won in the local elections.

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

Labour 9	Conservative 6	Lib Dem 1	Independent Member 2
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This alternative proposal however had also not resulted in a consensus from the Leaders of the Lancashire local authorities but could be considered by the Panel.

The Panel were reminded that the Local Authorities combined had to '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.

On each of the two proposal options above each Local Authority in the Lancashire Police Area had been consulted and the option with the most support was:

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

Labour 9	Conservative 6	Lib Dem 1	Independent Member 2
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The Panel were 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.

The Panel was asked to confirm their nominated representatives to serve on the Panel for 2019/20 and it was noted that the unchanged nominations for the core membership of the Panel (15 seats – 1 per Council) be: 9 Labour, 4 Conservative, 1 Liberal Democrat and 1 Independent/Other (9:4:1:1) as set out below.

The majority of the meeting wished to progress with a discussion on the allocation of 3 balancing seats to the Conservatives and/or Independent/other, which given the non-agreement of any Labour nominating Council agreeing to change their Council's nomination, would result in a Panel of 9:6:1:2 or 9:7:1:1. However given this was not unanimously agreed neither of these options could proceed. The minority of the meeting favoured 8:7:1:2, which would mean that one of the Council's nominating a Labour nominee would have had to agree to change their nomination.

The Panel could not therefore unanimously agree any option.

Given this failure to agree, the Panel membership for 2019/20 had for the time being to remain at 15, (9:4:1:1) plus the 2 Independent Co-opted as set out below, based on individual Council nominations.

Prior to any formal notifications to the Home Office by the Host Authority (BwDBC) of this failure to agree, it was suggested and agreed that the issue of nominations to the Panel this year should be discussed again by Lancashire Leaders at their meeting on 1st August 2019, where Councils would be asked to reconsider their nominations.

	<u>Lancashire Police & Crime Panel</u>	
<u>Council</u>	<u>Representative</u>	<u>Political Party</u>
1.Blackburn with Darwen	Cllr Andy Kay	Labour
2.Blackpool	Cllr Ivan Taylor	Labour
3.Burnley	Cllr Mark Payne	Independent/Other
4.Chorley	Cllr Alistair Bradley	Labour
5.Fylde	Cllr Ben Aitken	Conservative
6.Hyndburn	Cllr Munsif Dad	Labour
7.Lancashire	Cllr Geoff Driver	Conservative
8.Lancaster	Cllr Alistair Sinclair	Labour
9.Pendle	Cllr David Whipp	Liberal Democrat
10. Preston	Cllr Robert Boswell	Labour
11. Ribble Valley	Cllr Simon Hore	Conservative
12.Rossendale	Cllr Steve Hughes	Labour
13.South Ribble	Cllr Paul Foster	Labour
14.West Lancs	Cllr Kevin Wright	Labour
15. Wyre	Cllr Roger Berry	Conservative
16.TBC	TBC	
17.TBC	TBC	
18.TBC	TBC	

In terms of the two Independent Members, it was reported that Altaf Bagdadi had been appointed during 2015/16 for a four year term and Abdul Mulla appointed for a period of four years from 2017/18.

RESOLVED – That prior to any formal notifications to the Home Office by the Host Authority (BwDBC) of this failure to agree, it was agreed that the issue of nominations to the Panel should be discussed again by Lancashire Leaders at their meeting on 1st August 2019, where Councils would be asked to reconsider their nominations.

4. Apologies

Apologies had been received from Councillors Ivan Taylor, Mark Payne, Alistair Sinclair, Paul Foster and Kevin Wright, and from Independent Member Altaf Bagdadi.

5. Minutes of the last meeting

RESOLVED - The Minutes of the meeting held on 11th March 2019 were agreed as a correct record.

6. Declarations of Interest

No Declarations of Interest were submitted.

7. Public Questions

No public questions had been received.

8. HMICFRS Crime Data Integrity Re-Inspection

A report was submitted on the outcome of the recent HMICFRS Crime Data Re-Inspection, and the Commissioner highlighted the key findings.

In a 2017 inspection, HMICFRS identified several problems with the force's crime recording practices. The Inspectorate was particularly concerned by the number of crimes not being recorded at first opportunity, as well as a general lack of training and supervision. The Inspectorate determined that the force was failing to record over 20,000 reported crimes each year.

HMICFRS carried out a re-inspection of Lancashire Constabulary earlier in the year. The Inspectorate found that the force has made improvements in all areas of its crime recording practices, with the result that it now successfully recorded over 93 per cent of all crimes reported to it. This represented a 9 percentage point increase over the 2017 findings, with over 15,000 additional crimes being recorded as a result of this improvement.

Specific areas of improvement included:

- establishing an incident management unit to quality assure crime recording decisions;
- setting up crime management units to allocate crimes and authorise cancellations;

- introducing new call-handling quality assurance processes; and
- implementing a new data management system.

Members of the Panel welcomed the improvements identified and commented on the report and requested that the Commissioner provide further information on the ongoing costs of the arrangements in place and also the numbers of crimes not being recorded, and the Commissioner agreed to provide the Panel with this information.

RESOLVED – That the outcome of the Re-Inspection be noted and that the Commissioner provide the information to the Panel requested.

9. Police & Crime Plan Performance Monitoring Report

The Commissioner highlighted key areas of the Monitoring Report for the 4th quarter from 1st January 2019 to 31st March 2019 and received a number of questions from the Panel.

In response to a question about the plans to refurbish the Force Control Room to support the geographic Pod, and the decant of staff, the Commissioner was asked how any potential drops in performance would be mitigated. The Commissioner advised that the decant would be done on an incremental basis and would be fully monitored, and that eventually the full benefits of the changes would be realised.

The Commissioner also advised that in relation to encouragement of the public to go online with contact, that this would take time and also lead to additional demand, so an incremental approach would be favoured, with the Force Control Room fully operational again by 2021 and then, again the full benefits could be gauged.

In terms of recruitment of PCSO's, the Commissioner advised that all vacancies could not be recruited to at the same time, but would be dealt via several windows of recruitment.

The Commissioner was also asked about when crime levels would be able to be looked at accurately to gauge the real increase in crime, bearing in mind the current inspection regime was not yet looking at all Forces the same way. The Commissioner acknowledged that the statistics did not tell the whole story and that the more serious types of crime, such as Homicide had increased.

The Commissioner was asked if there needed to be an increase in the number of Special Constables to support Neighbourhood Policing – the Commissioner advised that the best use of Specials was in supporting Police teams, and that more investigators were needed, whilst acknowledging that there was less police visibility due to reduced resources. The Chair referenced the recent Police Governance Summit that Phil Llewellyn and himself had attended and the positive examples of

Neighbourhood Policing elsewhere they had heard about and suggested that it would be useful for the Commissioner to look at what other forces were doing.

RESOLVED – That the report be noted.

10. PCC Annual Report

The Panel were advised that submission of the Commissioner's Annual Report had been deferred until the next meeting in September.

11. PCC Decisions

A report was submitted on decisions made by the Commissioner and the Director since the last meeting of the Panel on 11th March 2019.

RESOLVED – That the report be noted.

12. National Association of Police, Fire and Crime Panels funding

Further to recent discussions on the use of the Home Office Grant for funding Membership of the National Association of Police, Fire and Crime Panels, it was noted that the Home Office had confirmed that the Grant could not be used to fund the Membership of the Association.

RESOLVED – That the update be noted.

13. LGA Annual Police & Crime Workshop

The Vice Chair, Councillor Andy Kay, and Phil Llewellyn would be attending the Annual LGA Workshop on Thursday 11th July and advised that they would provide an update to the next meeting of the Panel.

14. Police Governance Summit 2019

The Chair, Councillor Alistair Bradley and Phil Llewellyn updated the Panel on their recent attendance at the Police Governance Summit, where they had heard useful examples of Community Policing and had received information that could be shared with the Panel. Trends in Policing across the Country had been a key focus, as had the increased use of statistics and profiling to help predict crime. Effective use of resources was vital as was harnessing the latest technology to combat Cyber Crime.

The Summit had been well attended by representatives from PCP's, PCC Officers and PCCs themselves.

RESOLVED – That the update be noted.

15. Annual PCP Conference November 2019

RESOLVED – That attendance at the Annual Conference be discussed and confirmed outside of the meeting.

16. Force Management Statement

The Panel were advised that submission of the Force Management Statement had been deferred until the next meeting in September.

17. Update on Lancashire Police and Crime Panel Arrangements

The Secretary, David Fairclough, submitted a report with proposed updated Terms of Reference, recommending that the Lancashire Police & Crime Panel Arrangements be updated to include arrangements governing the Removal of, or Resignation of, appointed and co-opted Members, which had not been previously determined and to reference the ongoing consideration of members allowances, as well as confirming public participation arrangements.

RESOLVED – That the changes recommended to Panel Arrangements outlined in the report relating to the Removal of or resignation of, appointed and co-opted Members, confirmation of public participation arrangements and reflection of decisions in progress with regard to member allowances be approved.

18. Members Allowances & Expenses

A report was submitted which provided an update on Members Allowances/Expenses pending further advice to be received.

This matter has been regularly considered by the Panel and most recently, on 10th December 2018. Expenses were referred to as being travel, subsistence, loss of earnings and conference / training costs.

Following advice from the Home Office, the Secretary arranged for legal advice on behalf of the Panel in respect of whether the Panel could agree to pay allowances as suggested by the Home Office guidance.

In view of the grant conditions and the advice provided by the Home Office, it was proposed that subject to the grant funding being received the following single annual payments (based on 4 ordinary meetings per year) were made from the “members expenses” allocations:

- The Chair of the Panel £600
- The Vice-Chair of the Panel £480
- Task & Finish group lead £400
- Task & Finish group members £300

These payments would also cover expenses and would be subject to regular attendance at all meetings. The other members of the Panel would continue to be able to claim expenses as when they arise on proof of expenditure.

Currently the Terms of Reference of the Panel reflected the original expectation/guidance provided in 2012 at the outset of the then `new` Panel arrangements and have not been updated pending a conclusion to the above.

It was suggested that once the Panel have decided on the payment arrangements for Member's Allowances these be updated accordingly.

RESOLVED - That the allowances as outlined be agreed for a trial period of a year, with only one allowance payable per qualifying Member and that consideration be given to paying an allowance to Independent Co-opted Members.

19. Task & Finish Groups 2019/20

Members were advised that the areas to be reviewed in 2018/19 by Task & Finish Groups were programmed to be:

The Contact Centre
Victim Services
Frontline Policing
Mental Health

All Task and Finish Groups, did not report back completion of their activities, so it was suggested that these be carried forward into 2019/20. Given however the change in Panel membership, the groups would need to be re-established in terms of their membership and working arrangements going forward confirmed.

It was suggested that all members should look to take part in one or more detailed scrutiny Task and Finish groups.

Once the membership of each group and the core topic under more close scrutiny was defined the Secretary would arrange to confirm these details to the membership of the Groups alongside confirmation of the `lead` member (chair) of each group with whom the Secretary's office would link in with to facilitate one or more meetings of the Group to fulfil their scrutiny of the topic. This could be at the Commissioner's Office or Hutton police Headquarters, or another appropriate venue.

A timetable for the Chair of the Task and Finish group to feedback on their work would also be agreed so that at the September 2019 full Panel meeting details of the scope of the work and when the work was to be completed and to reported back to the full Panel could be included in the Forward Plan update due at that meeting.

RESOLVED – That existing Chairs and Members of Task and Finish Groups be contacted prior to the September meeting to check if they were still happy to be part of the process and volunteers sought as appropriate and then Membership and work scopes could be agreed at the September meeting.

20. Forward Plan 2019/20

A proposed Forward Plan for 2019/20 was set out in Appendix A of the report and this included sections for the insertion of up to 3 Task & Finish Group reports. The

title of the report due from these Groups will be inserted following decisions to be taken as advised under the earlier related agenda item.

The Panel was also advised that in addition to the areas directly lifted from the Police and Crime Plan the Forward Plan could include other areas for focus of scrutiny.

The Forward Plan would be updated for the September meeting to include items identified during the AGM meeting and it was agreed that the Chief Constable be invited to attend the December Panel Meeting.

RESOLVED - That the updated Forward Plan be submitted to the September Meeting of the Panel for approval.

21. Police and Crime Panel Budget Statement 2018/19

Panel Members were reminded that the Government 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 a maximum annually of up to £64,340 in total, which included a maximum of £53,300 for costs of administering Panels and up to £920 for expenses per member to a maximum of £11,040 (maximum 20 Panel members). This had been confirmed again by the Home Office for 2019/20 but no commitment has been made to funding for future years at this stage.

Home Office funding was provided via a grant agreement which is 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 for 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 member 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 2018/19.

RESOLVED - That the expenditure for 2018/19 be noted and that the details in Appendix 1 be published on the Panel's website.

22. Timetable for Meetings 2019/20

Further to the draft timetable submitted to the March Panel meeting, an updated timetable was submitted which Members were asked to note.

It was agreed that the Induction meeting would be held in September directly after the Panel meeting and that in the meantime the Secretary issue Induction Packs to the new Members of the Panel.

RESOLVED – That the revised timetable as follows be agreed:

DATE/TIME/VENUE
Monday 8th July 2019 –AGM 10am Blackburn Town Hall.
Wednesday 18th September 2019 10am Council Chamber, Chorley Town Hall, followed by Annual Induction after lunch.
Monday 9th December 2019 6.30pm Meeting Room A, Blackburn Town Hall.
Monday 20th January 2020 (Precept only) 6.30pm Cabinet Room 'C' The Duke of Lancaster Room, County Hall, Preston.
Tuesday 4th February 2020 (if required –dependant on Precept decision) 10am Cabinet Room 'C' The Duke of Lancaster Room, County Hall, Preston.
Monday 9th March 2020 6.30pm Council Chamber, Chorley Town Hall.
Monday 6th July 2020 – AGM & Annual Induction Session 10am Blackburn Town Hall, followed by Annual Induction after lunch.

23. Monitoring of Complaints

A report was submitted which set out the current position with regard to communications relating to potential complaints received up to 30th June 2019 in relation to the Police and Crime Commissioner.

Since the commencement of the Panel in 2012 there had now been 67 recorded communications which at the outset were described by the complainants as complaints against the Police & Crime Commissioner, and 64 outcomes had been reported to previous meetings.

Many communications received focussed on the alleged conduct of police officers or the chief constable, and these were matters for which there are other complaints processes and appropriate authorities to deal with such matters. There had been 1 (67) further communication of this nature recently.

There were 2 further complaints received (65) and (66) which related to consultation and the precept which was the subject of a report by the Commissioner and considered by Panel in January, and therefore the complainants were advised that their complaints would be more appropriately addressed to the Office of the Police and Crime Commissioner.

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

24. Urgent Business

There were no items of urgent business.

25. Date of next meeting

The next meeting of the Panel would be held on Wednesday 18th September 2019 at Chorley Town Hall.

Signed.....Chair
2019