

## DEVON AND CORNWALL POLICE AUTHORITY

**MINUTES** of a meeting of the **Devon and Cornwall Police Authority** held at Police Headquarters, Middlemoor, Exeter on **Friday 27 June 2008, commencing at 10:00hrs**

### **Present**

#### **Authority**

Mr J Smith.....Chairman  
Mr M Bull, Mr C Bulley, Sir Simon Day, Mrs L Dunn, Mr B Greenslade, Mrs G Hicks, Mr M Hicks, Mr M Hodge, Mrs A Malcolm, Mr D Money, Mr M Nevitt, Ms J Norton, Mrs J Owen, Mr B Preston and Mr J Rowe.

### **Officers in Attendance**

Mr S G Davey (Chief Executive), Mr J Glasby (Treasurer) Miss J Norris (Assistant Chief Executive)

### **Force**

Mr T Melville (Deputy Chief Constable), Mr R Stowe (Assistant Chief Constable) Mrs S Taylor (Assistant Chief Constable) Mr P Netherton ( Assistant Chief Constable) Mr C Papworth (Interim Director of Finance and Resources) and Mr M Stamp ( Director Legal Services)

### **P/2242 Consideration to Excluding the Press and Public**

**RESOLVED** that the items detailed in the table below be considered as closed items.

NB: Mr G Hicks voted against the motion to exclude the press and public.

<b>Agenda item No</b>	<b>Minute No</b>	<b>Report Title</b>	<b>Relevant Act</b>	<b>Relevant section</b>
17.	P/2243	Presentation on Recent Policing Issues	Local Government Act 1972 as amended by the Local Government (access to information Act 1985)	Schedule 12A, Paragraph 7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime
18.	P/2244	Complaints – G Hicks & M Nevitt	Local Government Act 1972 as amended by the Local Government (access to information Act 1985)	Schedule 12A, Paragraph 1. Information relating to any individual.

### **P/2243 Complaints – G Hicks and M Nevitt**

The Chairman reported on recent complaints to the Police Authority made by Members and the actions already taken with regard to those complaints. The Chairman emphasised that this item was about the process to deal with the complaints not the content of the complaints, and the discussion would deal with each complaint individually.

#### **A) Complaint by Mr G Hicks**

Mr Hicks was invited to explain the nature of his complaint and his preferred process for its consideration. Mr Hicks said that he would prefer a small group to look at the complaint in detail and then report to the full Police Authority.

Issues discussed during consideration of this item included:

- The time required to consider complaints properly and discuss all the issues.
- The lack of a process for Members to make complaints.
- The benefits of having independent people as part of the complaint review process.

**RESOLVED**

- (i) to note report;
- (ii) that the Chairman's Group draft a procedure for dealing with complaints from Members (where the complaint is about actions involving the Authority);
- (iii) that a Panel comprising the two Independent Members of the Standards Committee, Mr M Hicks (PA member of the Standards Committee), Mr M Hodge & Mrs A Malcolm considers, in detail, the complaint made by Mr G Hicks; and
- (iv) that the Panel prepares a report, including recommendations, for consideration by the full Police Authority.

NB: Mr D Money abstained from voting on this motion.

**B) Complaint by Mr M Nevitt**

Mr Nevitt was invited to explain the nature of his complaint, his preferred process for its consideration and the remedy. Mr Nevitt said that he wished to disassociate his complaint from that of Mr G Hicks and then explained he wished to ensure that there was a transparent and accountable process in place. Mr Nevitt expressed his opinion that due to the nature of his complaint it would not be possible for anyone who was an Authority Member to consider his complaint without bias.

Issues discussed during consideration of this item included:

- The need for panel members to be as objective and unbiased as possible when considering the complaint.
- The size and possible composition of a panel to consider the complaint.

**RESOLVED**

- (i) to note report;
- (ii) that a Panel be convened comprising members from the list of independent people appointed to sit on police officer misconduct panels; and
- (iii) that the Panel prepares a report, including recommendations, for consideration by the full Police Authority.

Mr Nevitt was asked again to specify what remedy he was looking for but he declined.

**P/2244 Update on Recent Policing Issues**

There was no report on this item as there was no new information to report.

**P/2245 Re-admittance of the Press and Public**

**RESOLVED** to re-admit the press and public to the meeting.

#### **P/2246 Apologies for Absence**

Apologies for absence were received from Mrs V Pengelly and Mr C Wallin.

#### **P/2247 Chairman's Announcements**

The Chairman reminded everyone that the meeting would be Webcast live. ACC Bob Spencer who was retiring from the Police Service was thanked for his work and wished well for his retirement.

#### **P/2248 Declarations of Interest**

Members declared the interests detailed in the table below.

<b>Name</b>	<b>Agenda Item</b>	<b>Minute ref</b>	<b>Interest</b>	<b>Details</b>	<b>Action taken</b>
Sir Simon Day	All	All	Personal	Member of Devon County Council	Spoke & voted
Mr B Greenslade	All	All	Personal	<ul style="list-style-type: none"><li>Member of Devon County Council,</li><li>Director of Exeter Airport</li></ul>	Spoke & voted
Mr G Hicks	All	All	Personal	Member of Cornwall County Council	Spoke & voted
Mr M Hicks	All	All	Personal	Member of the Council for the Isles of Scilly	Spoke & voted
Mr M Hodge	All	All	Personal	Member of Torbay Council	Spoke & voted
Mrs J Owen	All	All	Personal	Member of Devon County Council	Spoke & voted
Mr B Preston	All	All	Personal	<ul style="list-style-type: none"><li>Member of Cornwall County Council</li><li>Chairman of the Board of Directors of Newquay Airport</li></ul>	Spoke & voted
Mr J Rowe	All	All	Personal	<ul style="list-style-type: none"><li>Member of Cornwall County Council</li><li>Substitute member of Cornwall Airport Ltd Board of Directors</li></ul>	Spoke & voted
Mr J Smith	All	All	Personal	Member of Devon County Council	Spoke & voted

#### **P/2249 Items Requiring Urgent Attention**

There were no items requiring urgent attention.

#### **P/2250 Questions raised under Standing Order No.8**

No questions were raised under Standing Order No 8.

### **P/2251 Minutes**

**RESOLVED** that the minutes of the meeting held on 9 May 2008 be confirmed as a correct record.

Issues discussed during consideration of this item included:

- Minor typing and grammatical amendments to the minutes.
- Difficulty attending meetings due to other public commitments and clashes of council meetings.

### **P/2252 Performance Reports**

**Performance Management Committee** –The Committee Chair reported upon the meeting held on 12 June 2008. The report provided a summary of the items of business discussed and the Chairman highlighted matters of special interest.

Issues discussed during consideration of this item included:

- Implementation of SOCRATES; from July all forensic sampling will be entered onto the SOCRATES system.

**Update on Performance Report** - This report presented by the Deputy Chief Constable summarised the performance activity of the Devon & Cornwall Constabulary to meet targets set by the Authority in its Annual Plan and used iQuanta to benchmark with most similar forces.

Issues discussed during consideration of this item included:

- The definition of the category “Sexual Activity, child under 16”; this category includes both over 16s involved in sexual activity with those under 16, and sexual activity where both parties are under age.
- Seeking an understanding why Cornwall BCU’s performance for detecting sexual offences is consistently better than the other BCUs.
- Anti social behaviour has a major impact on people lives. Neighbourhood policing methods including PACT meetings identifies Anti Social Behaviour as a major concern. Public reassurance is very important especially to older people living on their own.
- Communications still need to be improved.
- Partnership working, especially with Councils, is needed to reduce Anti Social Behaviour.
- Organisations other than the police also need to play their role in combating anti social behaviour and take responsibility.
- The role and value of Police Community Support Officers in tackling anti social behaviour.
- There has been a 24% reduction in the number of people killed and seriously injured figures compared to this time last year.
- The importance of rural crime, including fuel theft, is recognised; work with neighbouring forces is being undertaken on this topic.
- Tourism has an impact upon the amount of traffic on the roads and thus the number of traffic accidents.
- funding for Police Community Support Officers.

- Special Priority Payments - the criteria is such that about 40% of Police Officers may receive it.
- Ivybridge Station new age travellers.

**RESOLVED** to note the reports.

### **P/2253 Chief Constable's Report**

This report provided a general update on policing issues since the last meeting of the Police Authority.

Issues discussed during consideration of this item included:

- Format of the Human Resources information.
- Inland water safety - in the event of an emergency involving rivers and lakes the public should dial 999 and explain the situation. The Police co-ordinate a response and their responsibility without endangering their own or other people lives is the protection of life and property. The advice given to officers is "Throw, shout but stay out" unless they have the personal capability of undertaking a rescue.
- Should an emergency service be made responsible for rescues concerning inland water?

**RESOLVED** to note the report.

### **P/2254 Statement of Accounts for Year ending 31<sup>st</sup> March 2008**

The provisional revenue and capital outturn 2007-08 which was approved by the Resources Committee on 18 June 2008 set the context for the accounts presented to the Authority for approval.

Issues discussed during consideration of this item included:

- Thanks to the team of officers who prepare the documents.
- The remarkable achievement of achieving the outturn so consistently over so many years.
- Complexity of the financial information.
- Recent government decision to cap some police authorities regarding the council tax elements of the budget.

#### **RESOLVED**

- (i) that the statement of accounts, including the Annual Governance Statement and the Prudential Indicators, for the year ending 31 March 2008 be approved;
- (ii) To delegate authority to the Treasurer, following consultation with the Chairman of the Authority and the Chair of the Resources Committee, to make any minor amendments to the Statement of Accounts to ensure compliance with the Audit Commission guidance;
- (iii) To record thanks and congratulations on achievement of the outturn.

### **P/2255 Association of Police Authority Meetings**

This report provided a summary of meetings held by the Association of Police Authorities to which Devon & Cornwall Police Authority Members are invited.

Mr B Greenslade (who is a Deputy Chair of the Association of Police Authorities (APA)) reported that the green paper on policing is still awaited. There will be a Special meeting of the APA plenary on 2 July to consider the possible content and the implications for Police Authorities.

Issues discussed during consideration of this item included:

- Presentation by Ben Page of IPSIS MORI on public perceptions at the recent ACPO / APA Conference.

**RESOLVED** to note the report

### **P/2256 Debt Repayment: Annual Minimum Revenue Provision Statement**

This issue was discussed at the Resources Committee on the 18<sup>th</sup> June 2008 and their recommendation (minute R/723) was:

**RESOLVED TO RECOMMEND TO THE POLICE AUTHORITY that the policies on the Minimum Revenue provision as detailed below be adopted for 2007-08 and 2008-09.**

**Policy for 2007-08**

**Minimum Revenue provision is set aside according to the Capital Financing Requirement (CFR) method (as now).**

**Policy for 2008-09**

**For capital expenditure incurred before 30 April 2008 Minimum Revenue Provision is to be set aside according to the CFR method. For capital expenditure incurred on or after 1 April 2008 that Minimum Revenue Provision is set aside according to the asset life method by making equal instalments over the estimated life of the asset.**

**RESOLVED**

- (i) that the Minimum Revenue provision Policy for 2007-08 is that the Minimum Revenue provision is set aside according to the Capital Financing Requirement (CFR) method that the policies on the Minimum Revenue provision;
- (ii) that the Minimum Revenue provision Policy for 2008-09 is for capital expenditure incurred before 30 April 2008 Minimum Revenue Provision is to be set aside according to the CFR method. For capital expenditure incurred on or after 1 April 2008 that Minimum Revenue Provision is set aside according to the asset life method by making equal instalments over the estimated life of the asset.

### **P/2257 Constitution**

This report presented amendments to the Authority's Constitution and included a revised set of Financial Regulations.

Issues discussed during consideration of this item included:

- Information within the Constitution on the role of the Chairman should include their rights and responsibilities.

- The Constitution is a dynamic document which will be continuously developed.
- The APA Regional Committee Chair selection process – in future the Chair will be the longest serving Chair from the constituent authorities.
- Tenure of the Devon & Cornwall Police Authority Chairman.

**RESOLVED** that the Constitution, including Financial Regulations, as presented be adopted.

### **P/2258 Standing Orders**

This report presented the amended Standing Orders which were first put to the Authority at the meeting on 9 May 2008.

Issues discussed during consideration of this item included:

- The purpose of Starred Minutes.
- Circulation of committee minutes.

**RESOLVED** to defer consideration of the Standing Orders to the next meeting of the Authority.

### **P/2259 Task and Finish Group Report**

The report proposed changes to the current system of Lead Members and the implementation of systems to set up Task and Finish and Working Groups.

Issues discussed during consideration of this item included:

- The suggestion that the Lead Member role for neighbourhood policing be abandoned and that a working group on neighbourhood policing should be set up.
- The responsibility for allocating Lead Member roles.
- Firearms issues will be within the remit of the protective services task and finish group.

**RESOLVED that**

- (i) the Terms of Reference for the Protective Services Task and Finish Group and the Scientific Services (Forensics) Task and Finish Group be compiled by the Chief Executive and submitted to the Chairs Committee for approval;
- (ii) the Chairman, working with the Chief Executive, appoints members to the Protective Services Task and Finish Group and the Scientific Services (Forensics) Task and Finish Group;
- (iii) a Domestic Violence and Rape Detections Task and Finish Group be set up;
- (iv) the Terms of Reference for the Domestic Violence and Rape Detections Task and Finish Group include the topics of Children and Young People and Restorative Justice; and that
- (v) the Terms of Reference for the Domestic Violence and Rape Detections Task and Finish Group include the development and motivation of partnerships with other related organisations operating in the same and related areas of work;
- (vi) the remit of the Protective Services Task & Finish Group includes the areas of: Major Crime, Serious, Organised and Cross-border Crime; Counter-terrorism and

- Extremism; Civil Contingencies; Critical Incidents; Public Order; Strategic Roads Policing;
- (vii) the remit of the Performance Data Analysis Working Group includes work relating to NCRS and NSIR;
  - (viii) the following Lead Member roles are discontinued:  
Children and Young People; Forensic Science; Roads Policing and Road Safety; NCRS & NSIR; Major and Violent Crime (Operations Department & Firearms); Criminal Justice; Policing Plan and Summary; Property; Diversity, Air Operations; Major and Violent Crime (intelligence, authorities and victim centred crime) neighbourhood policing;
  - (ix) the Lead Member role for Police Community Support Officers and Specials and Citizen Focus be retained;
  - (x) the Chairman appoints members to the Equality and Diversity Working Group;
  - (xi) the Chairs Committee considers the Terms of Reference for the Performance Data Analysis Working Group;
  - (xii) the Chairs Committee considers how the topics of Communications, ICT, Science and Technology, Training and Development, Environmental issues – green; should be dealt with and to formulate proposals;
  - (xiii) the Policing Plan and Summary should be dealt with by a working group of the Community Engagement Committee; and that
  - (xiv) the membership of the Policing Plan working group be agreed by the Community Engagement Committee on an annual basis;
  - (xv) the Lead Members Operating Protocol be noted; and that
  - (xvi) Members are commended to follow the protocol in their role as lead members or members of task and Finish Groups or Working Groups.

**RESOLVED** that the recommendations contained in the report in relation to specific roles for individuals be considered by the Chairman when making decisions on membership.

#### **P/2260 Police Dog Welfare Scheme Annual Report 2007-08**

This report provided a summary of the output from the Devon and Cornwall Police Authority Police Dog Welfare Scheme for the period of 1<sup>st</sup> April 2007 to 31<sup>st</sup> March 2008.

**RESOLVED** to note the report.

#### **P/2261 Date of the December Police Authority Meeting**

**RESOLVED** that the Police Authority meeting scheduled for 12 December 2008 be moved 5 December 2008.

The meeting closed at 12:48hrs

<p>Signed.....</p> <p>Date .....</p>
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