

DEVON AND CORNWALL POLICE AUTHORITY

MINUTES of a meeting of the **Devon and Cornwall Police Authority** held at Police Headquarters, Middlemoor, Exeter on **Friday 12th February 2010, commencing at 10:00hrs.**

Present:

Chairman..... Mr M Bull

Vice-Chairman..... Mr B Preston

Mr M Clayton, Sir S Day, Mrs L Dunn, Mr B Greenslade, Mr M Hicks, Mr M Hodge, Mr D Percival, Mr D Money, Ms J Norton, Mrs J Owen, Mrs L Price, Lady J Stanhope Mrs L Williams, Mrs V Pengelly, Mr J Hart and Mr B Jenkin

Independent Member of Standards Committee: Mr M Harvey and Mrs A Mayes

Officers in Attendance

Police Authority:

Ms S Howl (Chief Executive) Mr S Barrett (Interim Treasurer) and Mrs N Martin (Personal Assistant to the Chief Executive)

Police Force:

Mr S Otter (Chief Constable), Ms D Simpson (Acting Deputy Chief Constable) Mrs S Goscomb (Director of Finance and Resources), Mr C Haselden (Director of Human Resources), Mr M Stamp (Director of Legal Services), Mr P Netherton (Assistant Chief Constable), Mrs Sharon Taylor (Assistant Chief Constable) and Mr I Ansell (Acting Assistant Chief Constable).

P/2396 Apologies for Absence

Apologies for absence were received from Mrs J Zito.

P/2397 Declarations of Interest

The following declarations of interest were received.

Name	Agenda Item	Minute ref	Interest	Details	Action taken
Sir Simon Day	All	All	Personal	<ul style="list-style-type: none"> • Member of Devon County Council 	Spoke & voted
Mr B Greenslade	All	All	Personal	<ul style="list-style-type: none"> • Member of Devon County Council • Member of North Devon District Council • Non Executive Director of Exeter Airport • Appointed to APA by DCPA • Member CEOP's Board • Daughter's partner is a serving Police Officer in Devon and Cornwall 	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

Name	Agenda Item	Minute ref	Interest	Details	Action taken
				Chair of ADVA	
Mr M Clayton	All	All	Personal	Member of Cornwall County Council	Spoke & voted
Mr B Preston	All	All	Personal	Member of Cornwall County Council	Spoke & voted
Mrs V Pengelly	All	All	Personal	Leader of Plymouth Council	Spoke & voted
Mr B Jenkin	All	All	Personal	Member of Cornwall County Council	Spoke & voted
Mr J Hart	All	All	Personal	Leader of Devon County Council	Spoke & voted

P/2398 Items Requiring Urgent Attention

There were no items requiring urgent attention.

P/2399 Questions raised under Standing Order No. 6

The below question had been raised by a Devon County Councillor within a County/Cabinet Meeting. The question had been asked of the Police Authority via Cllr John Hart and a response was requested.

“In view of the very valuable community role played by Police Community Support Officers (PCSO's) in Devon will he and his County council colleagues on the Devon & Cornwall Police Authority give their full support to the retention and development of the existing work and complement of PCSO's?”

The full Police Authority considered an appropriate response to this question and the below response was agreed by all Members:

“Devon and Cornwall Police Authority recognises the excellent contribution made by Police Community Support Officers (PCSO's) to policing within Devon, Cornwall and the Isles of Scilly.

The Authority agreed their three year financial strategy 2010-11 to 2012-13 at the Full Authority meeting on 12 February 2010. Current government grant funding represents approximately 75-80% of the costs of PCSO's. The funding is based on 356 PCSO's - the remaining 7 have specific external funding. If the number were reduced in 2010/11 the Police Authority would suffer a reduction in funding for each PCSO post lost. On this basis of both the numbers given in the strategy and the nature of the grant we can say there will be no reduction planned for 2010/11.

At present it is unclear if the grant funding will continue beyond 31 March 2011 - in the same way that many elements of police funding are unclear. For this reason we can give no reassurance about numbers from 1 April 2011.

Operational issues, such as the development of PCSO's are a decision for the Chief Constable of Devon and Cornwall Constabulary and cannot be commented upon by the Authority.”

P/2400 Minutes

An amendment was made to the last bullet point of P/2387.

RESOLVED that the minutes as amended from the meeting of 11th December 2009 be confirmed as a correct record.

P/2401 Local Policing Plan 2010-2013

The proposed Annual Policing Plan which incorporates targets for 2010/11, was circulated to Members prior to the meeting.

The Chair of the Performance Analysis Working Group explained that the targets form a fundamental part of the Policing Plan. An extensive amount of work had taken place around the setting of the targets which had been carried out by the Police Authority Performance Analysis Working Group. The targets were then taken to a Police Authority led Seminar where Members were consulted and a good level of debate took place. The targets were then taken to the Performance Management Committee for further debate and approval. Issues discussed during consideration of this item included:

- That the British Crime Survey and Home Office have set us a mandated target around confidence with a target rate of 61.2%
- That there has been a new document produced which deals with reducing socio-economic equalities. The document does state that the Local Policing Plan needs to reflect this work and the working group will be looking into this further at future meetings.
- Clarification as to whether Police Officers will be included in the research that will be undertaken to see how staff progress through our organisation. This research will be carried out to look at building a workforce that represents the diverse communities we serve.
- That the figures for the 'Value for Money' target are unable to be inserted until after the budget has been set.
- Reassurance that the Authority/Constabulary are looking at how different Police Officers progress into different areas of the Force and that the Force are currently looking at under gender representation in certain operational policing areas i.e. firearms
- That any comments that are received by the Community Engagement Policy Officer will be taken into account before the signing off of the plan at the next Community Engagement Committee

RESOLVED that the Authority

- i. notes the key messages of the proposed plan and accepts the plan provisionally**
- ii. formally approves the targets for 2010/11 within the plan**
- iii. gives delegated responsibility of final acceptance to the Community Engagement Committee (11 March 2010) subject to the 'Value for Money' figures being entered.**

P/2402 Treasury Management Policy and Treasury Management Strategy for 2010/11

The Chairman informed Members that he would be taking agenda items 7 and 9 at the same time.

Reports detailing changes required to Financial Regulations and Treasury Management policies and practices along with the Treasury Management Strategy for 2010-11 were circulated to Members prior to the meeting. The Corporate Governance Committee scrutinised the proposed changes for the policy/strategy at their meeting on 10th February. Issues discussed during consideration of this item included:

- that at the Corporate Governance Committee minor amendments were made to the policy and no substantive issues had been raised
- that all Members are welcome to attend the next Corporate Governance Committee where the policy and strategy will be signed off subject to the minor amendments

RESOLVED that the Authority

- (i) supports the principles in the draft Treasury Management Policy and Practice and the Treasury Management Strategy**
- (ii) That delegated authority be given to the Corporate Governance Committee to approve and adopt the Treasury Management Policy and Practice and the Treasury Management Strategy 2010-2011**
- (iii) That the Corporate Governance Committee be given delegated authority to specifically approve the following which are contained in the treasury management / investment strategy 2010-2011:**

- **The annual investment strategy**
 - **The borrowing and debt management strategy**
 - **The retention of Investec to invest surplus funds on behalf of the police Authority, subject to satisfactory performance**
 - **The services of Devon County Council are retained to provide investment and cash management services on behalf of the Police Authority**
 - **That the Police Authority continues to operate a Devon and Cornwall Police Investment Fund operated by the Treasurer**
 - **That the treasurer should retain the flexibility to invest funds directly and to vary amounts invested with Investec and in the Devon and Cornwall Police Investment Fund within the limits set out in the strategy**
 - **Approval of the counter party lists**
 - **Approval of the treasury management indicators**
 - **The noting of Barclays as the Authority's bankers**
- (iv) That delegated authority be given to the Corporate Governance Committee to approve changes required to the Constitution by way of Financial Regulations and Delegated Powers as a result of the adoption of the Treasury Management Policy and Practice and the Treasury Management Strategy 2010-2011**

P/2403 Budget 2010/11 and Three Year Strategy to 2012/13

A report covering spending proposals and key issues relating to the three year finance strategy was sent to Members prior to the meeting. This report was also supported by a booklet of figures. Issues discussed during consideration of this item included:

- The useful preparatory work that has gone into the budget by Members and Officers
- Budget Working Party meetings including the high level of attendance at them
- That this is not a budget that is aimed at reductions in Police Officer numbers. The uncertainties around this budget lie with the unknown level of funding that will be received from the government after 2010/11
- That it is impossible to predict what the implications will be of any decisions taken by any new government after the pending general elections.
- That the strategy sets a clear direction of travel; its primary focus is on 2010/11 because of the lack of any certainty beyond then. A review will be needed following the impending General Election and an expected new Comprehensive Spending Review 2011/12 to 2013/14
- The main aim of the strategy is to continue the support for the Chief Constable's and Authority's joint vision to make Devon and Cornwall a top 10 performing force by 2012.
- That the strategy has already delivered the movement of 200 police officers to the front line and now focuses on maintaining front line policing whilst investing in infrastructure and systems to release efficiency and productivity gains.
- This strategy provides the resources to meet the targets set by the Authority in the Annual Policing Plan. Key targets are to achieve 'Top 10' performance by 2012; improving public confidence being one of the key measures. The latter may prove particularly challenging given the target is a shared one with local authority partners and is not therefore solely in the hands of the Force.
- Consideration was given to the national perspectives
- The financial plan for 2010/11 is largely unchanged to that forecast this time last year, in line with the expected and now confirmed financial settlement.

- The impact of sustained recession will continue to impact in years 2 and 3 (2011/12-2012/13) and key assumptions have been built into the budget data for those years
- With an increase of 4.95% in the police element of the council tax, Devon and Cornwall is still expected to be the lowest in absolute terms in the south west and below the national average.
- The need to continue to develop the Force through investment but to also to make real cash efficiency savings
- The strategy shows a planned, significant but manageable reduction in reserves over time but one that maintains the existing level of general balances.
- The risks around the budget were considered including 'capping risks'
- To continue to be effective, the budget needs to be kept under review, particularly with an impending General Election and the considerable uncertainty over financial plans beyond 2010/11.
- A correction to the prudential borrowing figures on page 22 of the booklet was made
- Latest information from other Authorities who have already set their budget was considered
- Thanks to the Treasurer and Finance Officers within the Constabulary were recorded
- The adverse affect that this budget has had on BCU partnership funding. This has had an impact on funding for 'Against Domestic Violence and Abuse' (ADVA) and a plea was made on behalf of ADVA that the funding is reconsidered
- Welcome of the fact that the government settlement has honoured the pledge to keep our funding levels up
- That PCSO's have made a considerable positive difference to front line policing
- Congratulations to the Chief Constable on achieving what he set out to do 3 years ago by putting 200 officers back onto the front line
- That considerable savings have been made in overheads and support costs which has been a challenging process
- That the Authority is best placed as it possibly can be to maintain Police Officer and PCSO numbers

RESOLVED that

- i. **the three year financial strategy to 2012/13 be adopted and the revenue and capital spending plans, provisions, reserves, balances, financing adjustments, savings, prudential indicators and the summary efficiency and value for money plans be approved as in the strategy booklet with year 1 on a firm basis, year 2 and 3 on an indicative basis, subject to review;**
- ii. **thanks be extended to the Force for savings already delivered as well as encouragement to continue to deliver the savings needed over the next three years, in line with the strategy, whilst seeking to minimise the potential impact on the service and on council tax;**
- iii. **the budget requirement for 2010/11 be set at £286,459,230**
- iv. **the impact of the strategy to invest in infrastructure and systems through the capital and Force development programmes be noted and kept under review;**
- v. **the capital programme and financing be approved as in the booklet for the totals and broad categories on the understanding that individual items must separately be approved by committee. In most cases this will be the Resources Committee but items for the Force Development Programme will need to be considered by the Chairs' Committee;**

- vi. the council tax for each of the eight property bands and the precepts on the billing authorities for 2010/11 be approved as set out on the attached sheet;
- vii. the Treasurer's comments on the robustness of the budget estimates, the adequacy of balances and reserves and particularly the issues of risk set out in paragraph 8 of the budget report be noted;
- viii. the Authority reconsider the financial strategy following any key policy or funding changes as soon as realistic after the imminent general election and gives early consideration to a public consultation exercise in support of future year budget and council tax proposals;
- ix. the level of uncertainty over the years of the strategy beyond 2010/11 be noted.

Tax base, Collection Variations and Precepts

	Tax Base declared by Councils	Total Precept payable by Councils £	Surplus / (Deficit) on collection £	Amount due from Councils £	% share payable by Councils
East Devon	56,869.00	8,905,685.40	28,092.95	8,933,778.35	9.4%
Exeter	37,827.00	5,923,708.20	10,417.00	5,934,125.20	6.3%
Mid Devon	28,075.04	4,396,551.26	79,830.00	4,476,381.26	4.7%
North Devon	34,726.83	5,438,221.58	(43,498.25)	5,394,723.33	5.7%
Plymouth	77,014.00	12,060,392.40	12,296.00	12,072,688.40	12.6%
South Hams	37,997.17	5,950,356.82	26,000.00	5,976,356.82	6.2%
Teignbridge	49,078.00	7,685,614.80	(19,925.00)	7,665,689.80	8.0%
Torbay	48,548.86	7,602,751.48	66,000.00	7,668,751.48	7.9%
Torrige	23,537.91	3,686,036.71	73,015.00	3,759,051.71	3.9%
West Devon	20,449.88	3,202,451.21	21,956.54	3,224,407.75	3.3%
Cornwall	192,220.98	30,101,805.47	(112,000.00)	29,989,805.47	31.8%
Isles Scilly	1,209.00	189,329.40	22,000.00	211,329.40	0.2%

607,553.67 95,142,904.73 164,184.24 95,307,088.97 100.0%

Police element of Council Tax due for each Property Valuation Band

Valuation band	Government multiplier Ratio	Government multiplier %	Council Tax by band		Increase per week	%
			2010-11	2009-10		
A	6 / 9	0.667	£104.40	£99.48	+ 9.5 p	} 4.95%
B	7 / 9	0.778	£121.80	£116.06	+ 11.0 p	
C	8 / 9	0.889	£139.20	£132.64	+ 12.6 p	
D	1	1.000	£156.60	£149.22	+ 14.2 p	
E	11 / 9	1.222	£191.40	£182.38	+ 17.3 p	
F	13 / 9	1.444	£226.20	£215.54	+ 20.5 p	
G	15 / 9	1.667	£261.00	£248.70	+ 23.7 p	
H	18 / 9	2.000	£313.20	£298.44	+ 28.4 p	

P/2404 Performance Reports

The Chair of the Performance Management Committee gave an update on the key issues arising at the recent meeting of the committee.

The Acting Deputy Chief Constable presented a report summarising the performance activity of the Constabulary to meet its targets set by the Authority in its Annual Plan and this was considered. iQuanta data was used to benchmark with most similar police forces. Issues discussed during consideration of this item included:

- That a new scorecard had been developed and approved by the Chief Officers Group on 25 January 2010. The Committee called for the Scorecard to be provided earlier to enable Members to target discussion based on risk
- That each Performance Management Committee will have a 'theme' the last meeting theme was confidence
- Plymouth BCU has made a remarkable improvement in National Crime Recording Standard and National Standard of Incident Recording Compliance over the past few months
- That work is ongoing around Sexual Assault Referral Centres (SARCS)
- A query was raised around public complaints incivility being high at 25.3% and asked what group looks into this issue. Members were informed that this lay with the Professional Standards and Complaints Working Group. The Police Authority Chair agreed to give consideration to mechanisms for bringing the Professional Standards Working groups notes to Members attention.
- That the Force have seen a reduction of 8% in crime overall
- That the Constabulary have seen a downward trend in Public Confidence
- That ongoing work is happening around improving how the Constabulary are keeping people informed about local concerns. Members were told that the Constabulary are going 'back to basics' to try and improve in this area

- That there is an increased focus on the User Satisfaction target to help improve performance
- That positive work has been taking place within the control room to help improve the User Satisfaction, Ease of Contact target
- That the User Satisfaction Whole Experience (racist incidents) target changes next year and will become more rounded in its assessment
- That the positive outcome performance continues to rise – this was noted as very good news for the Force
- That Serious Acquisitive Crime has seen a decrease which is really positive news. It was highlighted that partnership working has helped performance
- That the night time economy has an impact on the Serious Violent Crime target. It was noted that there has been a decrease in violence with injury which was pleasing news
- That Road Traffic Casualties have seen a downward trend. One of the main factors for this is thought to be due to partnership working
- Comparability of British Crime Survey data and in house data and how reliable in house data is
- Definition around Serious Inquisitive Crime
- Whether or not the Constabulary have looked at other forces who are performing well in their public confident targets
- The importance of focusing on the service that we give to the public
- Clarification around why the data for racist incidents relating to Plymouth BCU is significantly below that of the other BCU's and what the statistical significance is and if it is the way in which Plymouth are dealing with the cases
- That diversity training is currently taking place and the importance of it taking place in the areas/officers that need it the most
- Concerns that the figures for Serious Violent Crime have doubled over the past two years. The Constabulary reported that 307 incidents took place over 365 days with 204 of those being section 18 (injury with intent). The reason for it being a rolling average is because the recording practices changed last year to ensure crimes were recorded in the right category
- Concerns around the percentage rate of the diagnostic questions asked of the public relating to public confidence
- The need to improve communicating good news stories and 'you said we did' information to the public. It was noted that this does not lie solely with the Constabulary but also with the Authority.

RESOLVED to note the reports.

P/2405 Chief Constable's Report

The Chief Constable's update report to the Police Authority was tabled. Issues discussed during consideration of this item included:

- Whether or not the Authority were happy with the format of the Chief Constable's report
- Update on 2012 procurement
- That a review of Crime and Incident Processes has been undertaken using QUEST methodology
- As of the 4th January 2010, Detective Superintendent Iain Grafton took up position as the new Head of Professional Standards Department
- That CPS and ACPO have agreed the roll out of a pilot scheme whereby charging advice will be provided over the phone, similar to that provided out of hours with CPS Direct
- That Police in Callington have secured the first Closure Order in Cornwall under the Anti Social Behaviour Act 2003 and Section 118 of the Criminal Justice and Immigration Act 2008 in relation to anti-social behaviour
- The neighbourhood team has been working jointly with a local housing provider to tackle anti-social behaviour in Ivybridge. So far, a total of five households have been identified as containing young persons who perpetrate ASB

- A concerted effort to promote the Community Messaging System has been taking place in Mid and East Devon. This has seen over 8000 persons being signed up as new Members
- On the 12th January 2010, Temporary Chief Superintendent Bickley led an on-line forum together with The Herald newspaper. The theme was 'Public Confidence in the Policing Service in the City of Plymouth'. The forum proved to be so popular that similar events are being planned
- A query relating to 'not assigned' agency staff and consultants within the HR Information of the report was raised. A full explanation was given
- A member asked why there was such a high number of 'not stated' within the PCSO ethnicity data. Members were told that this information is voluntary from staff and not compulsory

RESOLVED to note the report.

P/2406 Forfeiture of Police Pensions

Under police pension regulations, in certain circumstances, a police authority may determine forfeiture of a police officer's pension where that officer has been convicted of a serious offence. A report was circulated to Members prior to the meeting recommending the adoption of a drafted policy for Devon and Cornwall Police Authority. Issues discussed during consideration of this item included:

- Suggested changes to the policy including typing corrections
- That a communication mechanism is needed for the Constabulary to highlight cases to the Authority
- That if an officer who had retired but an incident had happened whilst he/she was still a Police Officer but the incident came to light after he/she had retired then that officer would still fall into this process. It was highlighted that further clarity was required in how to deal with these cases.

RESOLVED that

- i. **the Authority adopt the policy for dealing with Police Pension Forfeiture cases under Police Pensions Regulations 1987 in principle, subject to delegated power being given to the Chief Executive in consultation with Jo Norton and David Money to conclude the final wording of the policy**
- ii. **that appropriate training should be given to Members on Police Pension Forfeiture cases**

P/2407 Joint Consultation and Community Engagement Strategy

A report presenting the draft Joint Consultation and Community Engagement Strategy between the Authority and the Constabulary was circulated to Members. The Community Engagement Committee considered had considered this document at its last meeting on 20th January 2010 and recommended it for approval by the Authority.

RESOLVED that the Authority accepts the strategy for adoption.

P/2408 Independent Members Appointments 2011

A report requesting the establishment of a selection panel and an interview panel for the Independent Member recruitment process in 2011 was circulated to Members prior to the meeting. Issues discussed during consideration of this item included:

- Under current legislation, Selection panels comprise of three people appointed by the Police Authority (who can be Police Authority Members or community members), one person appointed by the Home Secretary and an Independent Assessor appointed jointly by the other panel members. A Selection Panel was established in 2008 however two of the three people appointed by the Authority are standing down and will not be available for the 2011 selection process.
- That the Authority will therefore need to appoint two people either from its membership, or from within the community to complete the Selection Panel membership.

- Concerns raised with the possibility of having four new Members on the Police Authority and the little knowledge of the Authority they would naturally have in their first months whilst finding their feet and how this could have an impact on Police Authority business
- That there is guidance from the APA that states that continuity can be taken into account when appointing Independent Members
- That it is found to be very useful to have an Independent Member on the panel and not just community members
- Appreciation expressed to Jo Norton and Lynne Dunn for their hard work and efforts as Members of the Independent Member Selection Panel

RESOLVED

- (i) that Members make their interest known to be on the selection or interview panel for Independent Member Appointments to the Chief Executive and Vice Chairman**
- (ii) That delegated power be given to the Chief Executive and Vice Chairman to appoint two people to complete the membership of the Selection Panel responsible for agreeing a shortlist of applicants to put forward to the Police Authority for interview and selection as Independent Members of the Police Authority**
- (iii) That a panel of Members be appointed to interview the shortlist of applicants for recommendation to the full Police Authority for selection as Independent Members**

Note: The Chairman handed over the chairing of this item to the Chief Executive having declared his personal interest in relation to the matter because he might be an applicant in the next round of independent member appointments. He spoke when asked questions.

P/2409 Independent Custody Visiting Bi-Annual Report

A report summarising the output from independent custody visiting for the period 1st July 2009 to 31st December 2009 was circulated prior to the meeting. Issues discussed during consideration of this item included:

- That Members were encouraged with the update on mental health detainees. In April 2009 five Alternative Places of Safety (APOS), soon to be Places of Safety (POS) were opened. As a result of this, there have been no reports of concern from Independent Custody Visitors (ICV's) relating to the detention with a Mental Health Disorder in police cells as a place of safety
- Whether or not there is a mechanism in place to determine how serious reported issues are
- That the Authority is looking at introducing the process of self-introduction to increase acceptance rates of detainees seeing ICV's. A Member asked how the Authority knows if there will be an increase and what statistics are we comparing these to?
- That statistics (from the last bi-annual) were included in the last report sent to the Police Authority for January to June 2009. The statistics from the entire year are collated in the annual report which would be sent to all members within the next couple of weeks and would compare statistics from 2008 and 2009

RESOLVED that the report be noted and a response be provided to Members relating to specific queries that were raised.

P/2410 Committee Minute Pack

This pack provided minutes of the Committee meetings that have taken place since the last meeting of the Authority on 12th December 2009.

RESOLVED that the minute pack be noted.

The meeting closed at 12.25