

**MINUTES OF A MEETING OF THE
AVON AND SOMERSET POLICE AND CRIME PANEL
HELD ON 10TH DECEMBER 2012 AT 11.00 A.M.**

Present

North Somerset Council

Councillor Nigel Ashton, Councillor Roz Willis

Somerset County Council

Councillor William Wallace

West Somerset District Council

Councillor Stuart Dowding

Mendip District Council

Councillor John Parham

Bristol City Council

Councillor Pete Levy, Councillor Jeff Lovell,
Councillor Doug Naysmith

Taunton Deane District Council

Councillor Mark Edwards

Sedgemoor District Council

Councillor John Swayne

South Somerset District Council

Councillor Tony Lock

Bath and North East Somerset Council

Councillor Lisa Brett, Councillor Francine Haeberling

South Gloucestershire Council

Councillor Mike Drew

Independent Members

Rosa Hui

Brenda Steel

Roger Kinsman

Officers Present:

Ian Pagan – Lead Officers Bristol CC

Jude Williams – Scrutiny Officer, Bristol CC

Patricia Jones – Clerk to the Panel, Bristol CC

Sue Mountstevens – Police and Crime Commissioner

John Smith – Chief Executive OPCC

Mark Simmonds – Treasurer OPCC

Joanna Coulon – Head of Criminal Justice, Youth and Health
Partnerships OPCC

PCP

11.12/12 WELCOME, INTRODUCTIONS AND APOLOGIES FOR ABSENCE; EMERGENCY EVACUATION PROCEDURE

Introductions were made. Apologies for absence were received from Councillor Howells.

PCP

12.12/12 MINUTES – AVON AND SOMERSET POLICE AND CRIME PANEL – 31ST OCTOBER 2012

RESOLVED - that the minutes of the meeting of the Avon and Somerset Police and Crime Panel held on 31st October 2012 be confirmed as a correct record and signed by the Chairman.

PCP

13.12/12 INTRODUCTORY MEETING WITH THE POLICE AND CRIME COMMISSIONER

The Panel heard from Sue Mountstevens, the new Police and Crime Commissioner for Avon and Somerset. A draft Police and Crime Plan was circulated. Below is a summary of the principal points made by the Commissioner:-

- The Panel was regarded as a critical friend. It was hoped that members would provide both support and challenge to the Commissioner's role.
- Key priorities – addressing anti-social behaviour, violent crime, burglary and victim support.
- Developing the Police and Crime Plan was a key task. The plans aimed to take account of local priorities and consultation with the public was an important part of this. Whilst scope for consultation was limited given initial time constraints, plans were in place to consult with the public between December 2012 and February 2013.
- The decision not to appoint a Deputy Commissioner would be reviewed in March 2013.

- New appointments - a Youth Advisory Forum and a related Youth Ambassador, a Business Crime Forum and a panel of volunteers to scrutinise the force.
- A number of officer champions had been appointed to cover priority areas.
- One day a week would be spent out in the community. Visits were presently being made to community groups and stakeholders, and meeting the Commanders in the six police districts across the force area.
- In addition to the main strategic Police and Crime Plan, there would be one for each of the six districts. Consultation would be launched on Wednesday 12th December and local authorities and the Panel were invited to engage and support the process.
- Key decisions in the coming months – the Budget and Precept and the appointment of a new Chief Constable. The budget for 2013/14 had been balanced subject to Government funding being confirmed next week. There would be a council tax precept freeze for one year only, unsustainable year on year given the lack of police resources. The decision to commence an open recruitment process for the post of Chief Constable was a business decision. There would be an opportunity for members of the Panel to informally meet candidates on the 11th January 2013.

Questions followed. The following key points were discussed:-

- It was confirmed that the consultation launched on the 12th December would be an internet-based exercise running through to February 2013. The focus would be priority areas of work. The district plans were a separate piece of work being developed in liaison with Superintendent Julian Moss. The draft plans would be shared with relevant stakeholders and subject to further consultation from 25th January to 22nd February.
- It was recognised that the Commissioner had limited time to carry out robust consultation. Efforts would be made to ensure that the process was not carried out exclusively on-line, and that hard copies of information were available. Where possible, the Panel was invited to assist in reaching the relevant groups across the force area.

- It was reported that planning for the new structure had commenced in March of this year with a programme of transitional arrangements. A team had been established based on a set of assumptions as to how an Office of the Police and Crime Commissioner (OPCC) should look. Every effort was being made to keep costs to a minimum. It was agreed that details of the newly appointed champions in the OPCC should be circulated.
- The Commissioner's office would continue with interim governance arrangements agreed by the outgoing Police Authority. Regular thematic meetings would continue between the Constabulary Chief Officer/lead officers and the Chief Executive, Chief Financial Officer and relevant officers for oversight and scrutiny of Performance & Equalities, Human Resources, Finance, Professional Standards, Citizen Focused Policing and Partnerships, as well as an interim Audit Committee.
- It was noted that a planning meeting with the constabulary had already taken place and tours of the Basic Command Units (BCUs) had started. It was emphasised that there was scope for the BCUs to contribute to the district plans. Allocating the right resources to priority areas would be looked at closely. The Police and Crime Needs Assessment (PCNA) had formed an excellent basis for discussions with Commanders.
- Assurances were given that the Panel would be fully consulted on the key areas of the Budget and Precept and fully briefed on any major decisions. The Commissioner confirmed that there would be opportunity for the view of the Panel to be taken into consideration when decisions were made at Board meetings. It was agreed that the OPCC would provide a lead officer contact to facilitate communication and requests for information between the Panel and the Commissioner. The Chairman highlighted the importance of establishing an appropriate working relationship with the Commissioner, mindful of boundaries and public perception.
- Asked if she had considered the possibility of the government capping the precept for 2 years following this budget round, the Commissioner stated that further analysis of the budget would be necessary before she could comment.

- The Commissioner reiterated that a freeze on the Precept was unsustainable going forward. If effective and efficient policing was to be maintained, a referendum (triggered on a rise exceeding the threshold set by government) could not be ruled out.
- The Commissioner was asked if the intention was to freeze the Council Tax precept at the same cash amount as last year or to set a precept that produced the same Council Tax as last year. The Commissioner confirmed that she intended to freeze the amount of council tax levied.
- Decisions on the future of damping and how funds are allocated were yet to be addressed by the Home Secretary.
- Weekly meetings with the Chief Officer Group would be held.
- The Commissioner outlined recent visits to community groups. Members were invited to share their ideas to assist the Commissioner in efforts to engage with community projects and build stronger and safe communities. A timetable of visits and events would be shared when finalised.
- The Commissioner was asked if members of the Panel could be kept up to date with any correspondence from the OPCC with officers at the respective LAs regarding the district consultations. The Commissioner stated that a process would be defined and members advised accordingly.
- The Commissioner acknowledged the importance of a collaborative multi-agency approach in tackling anti-social behaviour. It was noted that the Commissioner intended to work with all key players and a process would be defined in due course.

RESOLVED - (1) that details of the newly appointed champions in the OPCC be circulated.

(2) that the OPCC provides a lead officer contact to facilitate communication and requests for information between the Panel and the Commissioner.

(3) that Panel Members be kept informed of correspondence with officers at the respective local authorities regarding the district consultations.

PCP

14.12/12 CHIEF CONSTABLE APPOINTMENT PROCESS

The panel received a report of the Avon and Somerset Police and Crime Commissioner (agenda item no. 6) advising the panel of the requirement to run a Chief Constable appointment process.

The process in Avon and Somerset had been accelerated due to the number of Chief Constable appointments taking place across the region and the relatively limited pool of candidates. Interviews would be held on the 10th and 11th January 2013. In accordance with national guidance and advice issued by the College of Policing, the selection panel would include an independent member. Sue Leigh was a Home Office approved HR expert, currently working within the sector. Other members included a former Superintendent to provide a policing perspective, and John Smith, who would advise on both process and legal issues. The Commissioner would be responsible for making the decision to formally appoint.

Panel members were invited to participate in a stakeholder session with candidates on the 11th January. This would be followed by a series of exercises culminating in interview. Candidates would be expected to make a formal commitment to accepting the post in advance.

There were no plans to generate savings by making one appointment across two constabularies, but there were plans for Commissioners to discuss collaboration methods.

It was confirmed that the Deputy Chief Constable would continue as Interim Chief Constable until a formal appointment was made.

RESOLVED - that the report be noted.

PCP

15.12/12 PRESENTATION – PRECEPT AND BUDGET SCRUTINY PREPARATION

The Panel received a presentation from Mark Simmonds, Treasurer. The presentation material was circulated at the meeting. The presentation focussed on funding and budget planning and the key issues for consideration in relation to the main grant outlook, council tax and MTFP 2013-2017.

Below is summary of the ensuing discussion:-

- It was put to officers that the projected deficit of £15 million at the start of the new Comprehensive Spending Review (CSR) in 2015/16 was not an acceptable position. Officers were asked if more could be done now to alleviate the predicted shortfall. It was noted that efforts to make savings was an on-going piece of work. A number of scenarios were possible and officers were keen to present the Panel with as clear a picture as possible.
- A 1% cut in the main grant was understood to equate to 35 officers. This was a modelling figure based on a senior police constable grade including on-costs. Whilst 80% of the organisations costs related to staffing, the intention was to prioritise and not to reduce the number of police officers or the Neighbourhood Policing Teams.

RESOLVED - that the report be noted.

PCP

16.12/12 CONFIRMATION OF MEMBERSHIP FOLLOWING THE LEADER'S JOINT SELECTION COMMITTEE ON 27TH NOVEMBER 2012.

The panel received a report from the Lead Officer for the Police and Crime Panel (agenda item no. 7) relating to the legislative requirements in relation to elected member appointments to the PCP.

The Lead Officer reported on the outcome of the Leaders Joint Selection Committee (LJSC) on 27th November 2012, convened to

finalise the membership of the Panel following the Bristol Mayoral election.

It was noted that Councillor Pete Levy would take up the place of the Mayor as the City Council's appointed member on the Panel. Bristol's Co-opted Labour member was confirmed as Councillor Doug Naysmith following the resignation of Councillor Peter Hammond. Councillor Jeff Lovell would also take up a seat on the Panel following the decision of the LJSC to allocate a third seat to Bristol on the basis of its size and general demands for police resources.

Such arrangements would achieve a political balance of 9:2:5. This was recognised as being as geographically and politically proportionate across the police force area as was practicable.

RESOLVED - that the finalised membership of the Panel be confirmed and reported to the Home Secretary for approval as follows, in line with the statutory requirement:-

9 Conservative members

2 labour members

5 Liberal Democrat members

PCP

17.12/12 COMMISSIONER AND PANEL WORKING PROTOCOL

The panel received a report from the Lead Officer for the Police and Crime Panel (agenda item no. 8) seeking agreement on a Protocol of working principles between the Panel and the Commissioner.

The Lead Officer highlighted the respective functions of the Panel and the Commissioner set out in the proposed Protocol. It was noted that the aim of the Protocol was to support both the Commissioner and the Panel in the early months of operation and the delivery of key tasks during that period and beyond.

There was general agreement that the proposed Protocol was satisfactory and would form a basis of a constructive working relationship. However it was also recognised that this was a living document capable of change.

Following further discussion, it was agreed that a representative from the OPCC would not attend Panel agenda briefing meetings as a matter of course. Members felt that public perception was key and were mindful of their scrutiny function in promoting openness and holding the Commissioner to account. However it was accepted that good communication was vital and officers in the OPCC had an important role to play in ensuring that the correct information was forthcoming.

RESOLVED - that the proposed Working Protocol be agreed as a framework for an effective working relationship with the Commissioner subject to the discussions outlined above.

PCP

18.12/12 COMPLAINTS PROTOCOL

The panel received a report from the Lead Officer for the Police and Crime Panel (agenda item no.10) seeking agreement on a Complaints Protocol attached as Appendix A to the report.

The CEO reported that 500 contacts had been received since the election, 9 of which had been classified as complaints. The OPCC was in the process of transferring to a new computer system that would capture and record all relevant information relating to the complainant and the complaint. The OPCC would continue to deal with a number of long standing vexatious complaints, mostly relating to the Police rather than the former Police Authority.

The proposed Protocol was considered to be an accurate reflection of discussions at the previous meeting and was agreed subject to the following additional issues raised:-

- It was confirmed that complaints against the Panel would be addressed by the Monitoring Officer in the Host authority in the first instance, and if appropriate, the Ombudsman for final determination.
- There was general agreement that the same members should be involved in dip sampling records to build up consistency of decision making. It was noted that Brenda Steel, Roger Kinsman, Councillor Lovell and Rosa Hui would

be the Panel representatives for the dip sampling aspect of the process.

- Information about the complaints process and how complaints should be made – to be included in the Protocol, and on the Host Authority website with a link to the relevant information on the OPCC website.
- The Panel would find a top line report on complaints useful broken down into categories, as previously supplied to the Police Authority.

RESOLVED - that the Complaints Protocol be agreed subject to amendment based on the discussions outlined above.

PCP

19.12/12 COMPLAINTS REPORT

The Panel considered a standing complaints report from the OPCC providing the Panel with oversight of all complaints made against the Commissioner to date.

It was clarified that there may be instances when a complainant would require a response direct from the Panel – instances when efforts to resolve the complaint informally had proved unsuccessful and the complainant continued to express dissatisfaction.

RESOLVED - (1) that the report be noted.

PCP

20.12/12 WORK PROGRAMME

An updated Work Programme was circulated for consideration. Following discussion the Panel agreed the following:-

15th March 10.30am – replaces 27th February

16th January - 1.00pm pre-meeting and 2pm Confirmatory Hearing

The OPCC would provide the relevant information for the successful candidate for the Chief Constable post as far in advance of the Confirmatory Hearing as possible and directly to panel members by email. On the basis that hearings should not duplicate or restage the earlier selection process, officers would give further consideration to the questions that could feasibly be put by the Panel. Suggested questions should be circulated in advance.

It was agreed that the following people would meet the prospective candidates for the post at Police Headquarters on the 11th January (as referred to earlier in the meeting by the Commissioner):-

Chairman
Councillor Brett
Councillor Swayne
Brenda Steel
Rosa Hui

RESOLVED - that the revised work programme be agreed.

PCP

21.12/12 ISSUES RAISED BY PANEL MEMBERS

RESOLVED - that a running total of costs incurred by the Panel to date be provided to the next meeting.

(The meeting ended at 1.05pm)

CHAIRMAN