

**MINUTES OF A
CONFIRMATION HEARING MEETING OF THE
AVON AND SOMERSET POLICE AND CRIME PANEL
HELD ON 16TH JANUARY 2013 AT 2.00 PM**

Present

North Somerset Council

Councillor Nigel Ashton (Chairman), 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 Francine Haeberling (Vice-Chair), Councillor Lisa

Brett

South Gloucestershire Council

Councillor Mike Drew, Councillor Justin Howells

Independent Members

Rosa Hui

Roger Kinsman

Officers Present:

Liam Nevin – Monitoring Officer Bristol CC

Ian Pagan – Lead Officer 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
22.1/13 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Brenda Steel.

**PCP
23.1/13 DECLARATIONS OF INTEREST**

None.

**PCP
24.1/13 CONSIDERATION OF THE PROPOSED APPOINTMENT TO
THE POSITION OF CHIEF CONSTABLE AVON AND
SOMERSET POLICE**

The Chairman outlined the hearing procedure and confirmed that questions and assessment of the candidate (Nick Gargan) would relate only to professional competence and personal independence.

The Commissioner was asked:-

- to provide a brief outline of the recruitment process
- to confirm how long she had known the candidate
- to explain how the decision to offer the position of Chief Constable was reached.

The Commissioner confirmed that she had met Nick Gargan for the first time on Thursday 10th January 2013, the first day of a two day interview process. The selection panel was made up of the Commissioner, South West Chief Crown Prosecutor Barry Hughes, Independent HR expert Susan Lee (previously an accredited independent Public Appointments Assessor), former District Commander and Detective Chief Superintendent Steve Livings, and Chief Executive John Smith.

Candidates were shortlisted by matching their applications against the defined criteria in the role profile. The selection process was thorough and included a media interview, a stakeholder presentation, and a formal interview and presentation. Questions were informed by a psychometric test. All four were quality candidates.

Once a decision was reached, the candidate was contacted and he accepted the post. The current Chief Constable and the Chairman of the Police and Crime Panel were then informed. It was made clear in press and communications that the formal appointment of the candidate was subject to the confirmation hearing today.

The Commissioner withdrew from the room at 2.10pm.

The Chairman welcomed Nick Gargan (NG). Below is a summary of the questions put to NG by members of the panel and the responses provided:-

A vast part of the Force area is rural, how do you propose to fulfil your role when most of your experience is in larger towns and cities ?

NG stated that he was certainly experienced in policing city areas, but was sensitive to balancing the needs of different force areas. He explained that he was the District Commander for the Leicestershire East area, parts of which were very rural and similar to Avon and Somerset in that the Leicestershire force area was made up of a large number of local authorities. Four years spent at Thames Valley had also required him to deal with the contrasting needs of smaller village communities in Buckinghamshire and West Oxfordshire. Given resources were limited, the intention was to work flexibly to meet demand. He added that PCSOs in rural communities were a great strength and he was very much committed to these posts.

How do you regard your relationship with the Police and Crime Panel ?

NG stated that he did not know as yet. It was the Panel's responsibility to hold the Commissioner to account and if he was appointed, for the Commissioner to hold him to account. He considered it sensible to make himself available to the Panel when needed and to provide information where appropriate – open transparent and accessible.

How do you see your role in collaborating with ten local authorities and the relationships and partnerships that exist in this diverse area ?

NG stated that Thames Valley had the distinction of having the most complex partnership landscape of any force area. He had

developed effective ways of working in partnership in criminal justice, community safety and local resilience. His approach was to be visible, accessible and ensure that the service was cognisant of its many strengths. A listening service was key. He hoped others would respond to his commitment to partnership working. Mindful of the austerity climate, he would be creative in making money go further.

How do you see PCSOs as part of partnership working ?

NG stated he was entirely in favour. He had recruited 530 PCSOs at Thames Valley, transforming the relationship between the Police and local communities. Financial hardship would require the budget to be examined carefully but the huge impact of PCSOs and the dramatic difference they can make should be acknowledged.

The Chief Constable has a large role in increasing public confidence. What are your plans ?

NG stated that performance data demonstrated that satisfaction levels had reached 70%, a reflection of hard work undertaken by the Force. It was his view that on-going collaboration was the biggest single thing a Force could do to increase public confidence in the communities it serves. Driving-up the actions of individual members of the Force for the benefit of the community was also key.

The Commissioner has publically committed to a culture of evidence-based outcomes. How will you demonstrate their use in police performance indicators ?

NG stated there was a plethora of knowledge out there, both research and analysis. Experience in predictive crime mapping had bred a readiness in him to look for proven best practice. If a person does things most likely to work, the link to performance was inevitable.

What is your experience of the effective handling of major critical incidents ?

NG informed the Panel that he had been involved in many major incidents. His responsibilities included football policing, the largest Dewali celebrations outside India, Donnington Park festivals, open air Radio 1 concerts, policing Royal Ascot, major terrorist raids and

significant motorway incidents. As a senior investigating officer, he had investigated serious sexual assaults and homicides. His experience was therefore broad, and without this, he should not have felt able to apply for this post.

What is your understanding of the separation of the Commissioner from operational matters and how will you ensure that you remain operationally independent ?

NG stated that the service had undergone change. Whilst he expected an intrusive relationship and governance, he would safeguard operational independence. Referring to parallels between ministers and senior civil servants, NG stated that disagreements between himself and the Commissioner had been touched upon as part of the selection process. He took the view that they were heading in the same direction but felt there was room for disagreement when there were mechanisms in place to resolve issues. He suggested the Panel had a role to play in this. He was committed to working constructively and ensuring their respective roles were safeguarded.

Your application form is extensive, but having been away from operational matters for the last 3 years and involved in regional and other matters during 22 years of operational roles, do you feel you've been taken away from day to day policing ?

NG stated that compared to the sector average, no. He had been asked to share his operational experience on a regular basis and had only experienced short breaks from direct operational matters between 1988 and 2006. His role in Paris with the National Criminal Intelligence Service predominantly involved surveillance, What may not look day to day policing, was in fact part of the day to day totality of operational policing.

I would like to explore your commitment to this part of the world and ensure this post is not just a stepping stone ?

NG stated he was unable to think of a better job. There was an expectation that the successful candidate would move to the force area and make it their home and this was the intention. His perspective was this position was one of the top jobs, a fantastic organisation providing him with a leadership role, variety and a substantial policing challenge.

There have been improvements in detection rates during the term of the current Chief Constable, where do you see them in 5 years time ?

NG stated that overall detection rates were at 36%, placing the Force 13th across the country. A healthy detection rate was good but the focus of officers should not be solely on detection and perverse messages to operational staff should be avoided. However in the case of serious criminality, the Force needed to be relentless.

How does the above view square with the public perception of anti-social behaviour ?

NG stated that officer intervention should be appropriate and proportionate. Reference was made to an example of anti-social behaviour when it might not be appropriate for an individual to have a record for the rest of his adult life.

Will the time spent at the Home Office be useful in your role as Chief Constable ?

NG stated that it had assisted him insofar as understanding how the government works, how ministerial strategy translates into operational policing and gaining experience around the budget.

With resources so scarce, how will you address hidden crime in BME communities – human trafficking and abuses of women.

NG acknowledged that on-going cuts would lead to difficult decisions, but he remained ambitious about what can be achieved. Intelligence could be drawn out by gaining the trust of BME communities and ensuring the Force was representative of the communities it served. It was also important to look at the issues through the eyes of the victim and be mindful of the criminal figures in the community who were a disincentive to working with the Police. The Police needed to present a strong presence with effective community policing and a willingness to tackle serious organised crime.

How open is your door to the rank and file officer ?

NG stated that in circumstances of successive budget cuts and reduced headcount, it was vital to keep people focussed and upbeat to ensure great things were still achieved. Making yourself

accessible to staff and by taking advantage of new technologies, there were many ways of engaging. A huge Force area meant that electronic communication was vital as was pragmatism and delegation of responsibility. Fundamentally the message to staff was open door. Police Federation Chairman, Kevin Phillips would play a huge role in bringing this together.

Hinckley Point will bring huge problems for the Force, are you confident you're able to handle this ?

NG stated there was a voyage of discovery ahead with many operational challenges. An understanding of these challenges would be gained by talking to operational experts. He was confident that the team would meet all policing challenges.

This concluded the Panel questions. The Chairman then invited NG to address the Panel. NG stated that he hoped the Panel would confirm his appointment today and that he looked forward to working with the Commissioner and the challenge to make Avon and Somerset an even better Force.

PCP

25.1/13

EXCLUSION OF THE PRESS AND PUBLIC

To preserve confidentiality of debate and decisions taken in private Session, the Panel resolved to exclude the press and public.

RESOLVED - that under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the consideration of the following item on the grounds that it involves the likely disclosure of exempt information as defined in Part I of Schedule 12A to the Act (as amended).

26.1/13

PANEL DECISION ON THE PROPOSED APPOINTMENT TO THE POSITION OF CHIEF CONSTABLE AVON AND SOMERSET POLICY *(Exempt Paragraph 1)*

All Panel members gave their respective opinions on the Commissioner's preferred choice of candidate. There was general agreement that Nick Gargan had demonstrated both the

professional competence to deliver the role of Chief Constable and the personal independence necessary to exercise that role. The Panel therefore agreed to endorse the Commissioner's choice of candidate and recommend that Nick Gargan be appointed to the position of Chief Constable Avon and Somerset Police.

The Commissioner returned to the room and was advised that the Panel unanimously supported her decision.

RESOLVED - that following full and comprehensive discussion, the Panel agrees to endorse and support the Commissioner's decision to appoint Nick Gargan to the position of Chief Constable Avon and Somerset Police.

(The meeting ended at 3.05pm)

CHAIRMAN