

**MINUTES OF A MEETING OF THE  
AVON AND SOMERSET POLICE AND CRIME PANEL  
HELD ON 11<sup>TH</sup> DECEMBER 2013 AT 10.30 A.M.**

**Bath and North East Somerset Council**

- P. Councillor Lisa Brett
- P. Councillor Francine Haeberling

**Bristol City Council**

- P. Councillor Gary Hopkins
- P. Councillor Hibaq Jama
- P. Councillor Doug Naysmith

**Mendip District Council**

- A. Councillor John Parham

**North Somerset Council**

- P. Councillor Nigel Ashton (Chairman),
- P. Councillor Roz Willis

**Sedgemoor District Council**

- P. Councillor John Swayne

**Somerset County Council**

- A. Councillor Richard Brown

**South Gloucestershire Council**

- A. Councillor Mike Drew
- P. Councillor Justin Howells

**South Somerset District Council**

- P. Councillor Tony Lock

**Taunton Deane District Council**

- A. Councillor Mark Edwards

**West Somerset District Council**

- P. Councillor Stuart Dowding

**Independent Members**

- P. Rosa Hui
- P. Roger Kinsman
- P. Andrew Sharman

**Officers Present:**

- Ian Pagan – Lead Officer Bristol CC
- Shana Johnson – Scrutiny Co-ordinator, Bristol CC
- Sue Mountstevens – Police and Crime Commissioner
- Nick Gargan – Chief Constable

Joanna Coulon – Victim Champion and Criminal Justice Officer  
Mark Simmonds – PCC Chief Finance Officer

**PCP**

**34.12/13 MEMBERSHIP/APPOINTMENT OF NEW INDEPENDENT MEMBER**

The Chairman referred to the recommendation of the Appointment Panel that Mr Andrew Sharman should be appointed as an independent co-opted member, in place of Brenda Steel who had resigned from the Panel earlier in the year.

**RESOLVED - that Andrew Sharman be appointed as an independent co-opted member of the Panel.**

Mr Sharman then signed his declaration of acceptance of office and agreement to abide by the Code of Conduct for co-opted members.

It was noted that Councillor Hibaq Jama had joined the Panel as a Bristol Labour member in place of Councillor Hammond. The Chairman welcomed Councillor Jama to the meeting.

**35.12/13 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Richard Brown, Mike Drew, Mark Edwards and John Parham.

**PCP**

**36.12/13 PUBLIC FORUM**

An item of public forum business was received from David Redgewell concerning proposed priorities for the Police and Crime Commissioner. Mr Redgewell's remarks were noted.

**PCP**

**37.12/13 DECLARATIONS OF INTEREST**

There were no declarations of interest

**PCP**

**38.12/13 MINUTES AVON AND SOMERSET POLICE AND CRIME PANEL – 24<sup>TH</sup> OCTOBER 2013**

**RESOLVED - that the minutes of the meeting of the Avon and Somerset Police and Crime Panel held on 24<sup>th</sup> October 2013 be confirmed as a correct record and signed by the Chairman.**

**PCP**

**39.12/13 CHAIRMAN'S BUSINESS**

The Chairman reported that he had attended the first regional meeting for PCP Chairs. He thought that the meeting had been worthwhile, although the focus had been rather too orientated towards what Panel's might do to claim more powers back from Government. He felt that rather than seek to recreate something akin to the former Police authorities, the Group's efforts should be directed towards making the current arrangements work better.

The Group were writing to the Secretary of State in relation to powers.

The Panel noted that the Parliamentary Home Affairs Select Committee was undertaking a review of the working of Police and crime panels. Its report was anticipated in within the next couple of months.

**PCP**

**40.12/13 CONSULTATION ON 2014/15 COUNCIL TAX PRECEPT**

The Panel considered a report (agenda item no. 7) setting out the consultation undertaken by the Police and Crime Commissioner (PCC) on the Police council tax precept for 2014/15 and providing an analysis of the findings.

During the ensuing discussion, particular reference was made to;

- The PCC discussed the outcomes of consultation, noting that some 74% of those responding had indicated that an increase in the precept of between 2 and 10% would be acceptable. She explained the rationale for seeking a 2% increase in the precept;
- A member expressed the view that it would be unsafe to assume that the Government would continue to set 2% as the threshold for precept increases, above which a referendum is triggered. They could set a lower threshold for 2014/15 or indeed freeze increases for next year;

- The Chairman accepted that a 2% cap could not be presumed but felt that a starting point was necessary in order to work from. If the Government did change the threshold, then a further meeting of the Panel may be necessary at the start of the new year;
- The PCC indicated that in discussions with Government, reference had been made to the serious impact that cumulative damping was having on the budget; they had been asked whether any change in the formula which would reduce its impact on the Avon & Somerset budget might be considered. No assurances in this regard had been forthcoming;
- Members discussed the use of social media in communicating the budget proposals to the public. Both the PCC and the Chief Constable indicated that they had found social media to be a very effective way of communicating, particularly with younger people. However, whilst more “glamorous” areas of Police activity attracted quite a lot of interest, the subject of the council tax precept was not such an area, and most of the interaction had used traditional forms of communication. This had included the PCC undertaking visits and having meetings about the budget in communities across the Force area;
- A member commented that, unlike last year, the Commissioner had undertaken wide ranging consultation in the community before formulating her proposals and therefore the level of the proposed increase should be supported. The Chairman added that the role of the Panel was to ensure decisions taken by the PCC are supported by evidence. The Commissioner had satisfied this requirement in relation to budget consultation.

After further discussion, it was;

**RESOLVED - that the report be noted.**

**PCP**

**41.12/13**

## **PRESENTATION FROM THE CHIEF CONSTABLE**

The Chief Constable gave a verbal presentation on the key features of the organisational change, performance measures and culture which were taking place throughout the Constabulary (agenda item no.8). Following the presentation and during the ensuing discussion, particular reference was made by members to the following matters:

- In relation to the issue of human trafficking and, in response to a question by the Chairman, the Chief Constable explained that there were no specific powers available to the Police to remove adults (other than those who had been sectioned under mental health legislation) from situations where they may be at risk of being subjected to slavery, if those individuals did not wish to be removed. The only way in which people could be helped in these circumstances was through partnership working by the Police with local authorities and other agencies;
- In response to his proposals regarding the Police estate, the Chief Constable accepted the comments of a member that the closure and selling of Police station properties needed to be handled in a sensitive manner. It was noted that some stations would simply be having their custody facilities closed at this stage, as new modern custody facilities were opened. Many Police stations were likely to remain in operational service in all other respects for some time to come. Other premises which were in unsuitable locations would be replaced by more local neighbourhood contact points;
- A member felt that efforts to find local offices for the Police in the community had not been as thorough as they might have been, for instance in Bristol, more locations within public libraries might have been a solution;
- In response to member concerns about the variability and effectiveness of local PACT meetings, the Chief Constable reaffirmed his support for neighbourhood policing and the PACT process. He said that officers of the Force were clear about his commitment to neighbourhood policing and he was keen to hear about any local situations where the process was not working, and where he would take measures to put things right;
- A member felt that there were issues of continuity and quality of support from the Police at local level (eg successful beat managers in his experience, tended to be taken away to deal with other issues). The willingness of officers to pursue issues was often affected by complexity – more time consuming issues were not always dealt with or followed through, or officers would say that they did not have the power to do particular things.

The Chief Constable commented that he was undertaking a series of briefings for councillors on what their expectations of the Police should be. It was reasonable for people to have high expectations and, in relation to neighbourhood policing, the need for a focus on dealing with local problems had been ring fenced as a priority for the Force. The shift patterns for local Police were being reviewed to ensure that demand could be met. This would include more officers available in the evening, although night time working would only be undertaken where specifically required. The Police were also improving their web presence and a new website tailored to local areas and with information about local officers, their remits and contact details, would be launched in January and updated incrementally after that;

- In relation to progress with prosecutions, the impact of the on- going budget reductions and the effect of damping would clearly have an impact on the number of cases taken forward. The Force would continue shrinking until 2018. It would not be possible for every offence to be prosecuted and for enforcement action to be taken in every case;
- In terms of making the most of Police resources and reducing time spent going to/from Police stations and meetings/incidents, the Chief Constable discussed how mobile ICT was being rolled out to ensure that officers have immediate access to necessary data, and are able to follow through cases more easily and quickly;
- Rosa Hui discussed the issue of Police recruitment from BME communities; the Chinese community for instance, did not regard the Police force as a good profession to work in. The Chief Constable explained that he intended to involve senior staff in working with such communities to ensure that there was a better understanding of the organisation; improved levels of confidence, and better engagement;
- On questions regarding Police recruitment, the Chief Constable pointed out that it should be borne in mind that, across the whole community, some 96% of applications for jobs with the Police Force were rejected. It was often the case that individuals who most wanted to join the Police, were not individuals with the best skills sets, or attributes to make the best Police officers;

- Also regarding recruitment, the Chief Constable referred to the direct entry schemes (above the tier of PC) currently being promoted by Government. These naturally led to some resentment from existing career officers, and whilst such programmes brought new skills, thinking and ways of working to the organisation, the Force needed to be careful to select and retain only the best individuals;
- Roger Kinsman asked about maintenance of morale within the Force at a time of change and cuts, and noting from his own experience as a former officer, that change was unpopular. The Chief Constable explained that the relationship between policing and change was a complex one. The Force had recently undertaken a staff survey and he undertook to share its findings at a future meeting of the Panel. Currently staff engagement was high, although morale was low;
- With reference to officers limited capacity / time to progress prosecutions, several members enquired as to whether the Chief Constable would support a local authority lobby of Government to decriminalise a range of minor traffic offences in order that councils could prosecute infringements. The Chief Constable commented that he was not keen for the Constabulary to support lobbies. It was for others to decide policy and for the Police to enforce it. The PCC indicated that she supported moves to shift the policing of minor traffic offences to local authorities, as it would free scarce Police resources to work on other priorities, and she had made her views known;
- Bristol members made reference to policing of the proposed new 20 mph speed zones within the City. Would the Police enforce them? The Chief Constable said that it was not appropriate for the Force to choose which parts of legislation to enforce and not enforce. He indicated that he preferred an incremental approach to enforcement in this case. An educative approach to encourage compliance, would be pursued through the local neighbourhood teams and resident speed watch schemes. The Council would install appropriate speed limit signs and this could be augmented by carriageway treatment. Resort to prosecution would normally be reserved for persistent offenders;
- The Chairman commented that he had been reminded by Councillor Parham that information was to be provided on the

- cost of Police time and hours that officers spent on Police Federation, Superintendents Federation and other Police representative organisation work. The PCC commented that the information had already been collated and made available to the Panel in advance of the meeting. The Leader Officer would ensure that it was fully disseminated to Panel members;
- The Chairman made reference to Friday/Saturday late night drinking and the control of licensed premises. He expressed concern about the quality of Police presentations and evidence at licensing committees which in his experience, was easily overturned by barristers representing the owners of the licensed premises. The Chief Constable commented that this was contrary to his experience - he would be interested to know about the examples to which the Chairman was referring. It was agreed that the matter would be discussed outside of the meeting. It was suggested that a process of peer review could help to improve the consistency of the process.

After further discussion, it was;

**RESOLVED - that the presentation be noted.**

**PCP**

**42.12/13**

**PROPOSED PRECEPT, BUDGET AND MEDIUM TERM FINANCIAL PLANNING**

The Panel considered a report of the Police and Crime Commissioner (agenda item no. 9) providing an update on the Commissioner's proposals for the policing precept in 2014/15 and the development and the Avon and Somerset PCCs budget and Medium Term Financial Plan (MTFP) and Capital Programme.

The PCC outlined the proposed Police budget and precept for 2014/15 and some of the key issues which included:

- A 2% increase in the precept for 2014/15 would enable a balanced budget to be achieved for that year;
- A standstill budget would not allow for a balanced budget and if no increase in the precept took place over the next 3 years, a deficit of nearly £50M would exist by 2017/18;
- It would be difficult to achieve a balanced budget in subsequent years even if there were to be subsequent 2%

annual increases in precept, however 2% was the maximum increase permitted under current rules without triggering a budget referendum and the costs which that would entail;

- The Police budget was being top sliced by the Home Office to meet the costs of new initiatives such as improving the Independent Police Complaints Commission (IPCC) and the Government's "innovation fund". It had originally been assumed that these initiatives would be funded with "new" money;
- The PCC reserved the right to review the proposed budget in the light of any change to the anticipated Government announcements on or around 18<sup>th</sup> December. In particular, it was not clear at the moment how the extra cut in Home Office funding (£100 M) announced previously by the Chancellor, would be achieved.

The PCC discussed several initiatives which she was leading on. These included ;

- Working with the Home Office on how complaints against the Police are dealt with. The process whereby complaints against the Police are investigated by the Police was unpopular. The use of independent people in complaint reviews and the possibility of bringing complaints under the OPCC at the end of next year were being considered;
- Developing and encouraging greater use of mobile ICT which would keep the Police service fit for purpose and ensure better value for money. For instance, mobile finger print kits could mean a process which takes some 4 hours of officer time currently, could be reduced to as little as 5 minutes .

The OPCC Chief Finance Officer then provided more information on the budget proposals with the aid of a Powerpoint presentation, copies of which were circulated at the meeting and a copy placed in the minute book. It was noted that:

- the proposed 2% precept increase set the service in a middle position nationally, in terms of intended precepts;
- the grant funding of the service had seen a net cash reduction of 4.8% through until 2013/14 and a total forecast reduction of

16.9% (£34M) by the end of the period of the medium term financial plan;

- A further saving in Force spend of £12.5M would be necessary in the next financial year to achieve a balanced budget and another £9M in 2015/16.

Members of the Panel then discussed the budget in more detail and the following is a summary of the main points:

- There was general support amongst members for a 2% increase in the precept, based on what was currently known about funding and on the assumption the cap for council tax and precepts remains at this level for 2014/15;
- A member asked the PCC about the criteria which she would apply in relation to distribution of the community safety grant. The PCC commented that consultation on the distribution formula had already been undertaken and information had been forwarded to community stakeholders. It was agreed that the current position should be formally reported back to the Panel;
- In relation to the management of community safety projects, the PCC explained that quarterly reports would be received on delivery of the projects and how they were meeting the objectives which had been identified. Achievements would be reviewed at the end of 2015. Financial support would be withdrawn from projects which did not meet the targets which had been set for them;
- Members discussed arrangements for dealing with complaints against the Police. The PCC advised that she in discussion with the Home Office about a pilot approach for handling of complaints against the police locally. The PCC is keen to improve and develop the accountability of the process, including where possible, the holding of complaints hearings for example, misconduct, in the public domain;
- A member asked whether there were any plans to merge emergency service control within Avon and Somerset as a means of reducing costs. The PCC indicated that there had been preliminary discussions with the 2 fire authorities, with a view to identifying whether things could be better integrated such as estates, and sharing of call centres etc. She stressed

the preliminary nature of the meetings and pointed out the complexity of the Avon and Somerset force area. In some other parts of the country where integration was being looked at, the situation was simpler, for instance Dorset and Essex, where the Police area and the fire authority area were coterminous;

She explained that across England and Wales, many “blue light” services were unwilling to engage in detailed work on the possibility of merging or sharing services until the Government had made it clear that it would be willing to support such changes through changes in legislation;

- A member enquired about the impact on the Police budget if Khat was declared an illegal substance and whether there would be additional funding for enforcement. The PCC indicated that this would be a Police operational matter. The only ring fenced budgets were for counter terrorism and organised crime; currently there was no sign of additional funding so it was likely that the cost of enforcement would have to come from the existing force budget ;
- Regarding a member’s question about the performance of South West One, the PCC commented that £16M of savings on procurement had been achieved since commencement of operations in 2008. Discussions were taking place between IBM, contractors and the member authorities as to how to take the project forward;
- Members asked if it was considered desirable to increase the precept above 2% in 2015/16 given the cost of any referendum could be off- set due to the fact that a general election would be held in 2015. The PCC indicated that, whilst there could be savings in administrative costs, there remained the risk that, if the referendum was unsuccessful, the PCC would still have to pick up the costs of re-calculating the precept and rebilling the local authorities, which would be considerable.

The PCC pointed out that there would also need to be a strong mandate for a larger increase in the precept. The outcome of the current consultation exercise did not give such a mandate in her view;

- In summing up and in response to comments by the Chairman, the Chief Finance Officer explained that the final grant settlement from Government was expected at the end of

December. If the settlement was less than anticipated then it would be necessary for officers to identify further savings (cuts) to re-balance the budget. The implications of any reduction in the 2% cap on the precept increase (if known by this time) would also need to be calculated. In such circumstances, an extraordinary meeting of the Panel would need to be called in January.

**RESOLVED -**

- (1) that the report be noted;**
- (2) that the Commissioner's proposed precept rise of 2% is noted and supported in principle, and**
- (3) that it be noted that the Commissioner's final budget and precept proposal will be presented to the Panel's next ordinary meeting on 5 February, 2014.**

**PCP**

**43.12/13**

**POLICE AND CRIME COMMISSIONER'S UPDATE REPORT**

The Police and Crime commissioner's update report was circulated at the meeting (agenda item no.10). A copy is attached to the minute book.

During the ensuing discussion, particular reference was made to:

- The Ebrahimi case and the slow process of the Independent Police Complaints Commission (IPCC) investigation which prevented an open discussion of the issues involved;
- The forthcoming road safety summit in Bristol and progress with the community speed watch initiative. It was agreed that speed watch would be promoted at the event;
- Work on domestic abuse - a member asked that attention is paid to ensuring that the language used in materials is inclusive. It needed to be clear that support is available to males as well as females. The PCC accepted these points.

After further discussion, it was;

**RESOLVED - that the Commissioner's update report be noted.**

The Panel considered a report of the Avon and Somerset Police and Crime Commissioner (agenda item no. 11) briefing on the Avon and Somerset Integrated Victims Strategy and preparatory work for commissioning support services for victims.

The PCC explained that that her office had applied to the Ministry of Justice to be an early adopter in terms of commissioning local referral and support services for victims from November 2014, prior to the national arrangements being introduced from April 2015.

In essence, if a victim reports crime then the scheme will provide support, ranging from keeping them updated as regards progress with investigation of the crime and identifying the perpetrators through to identifying the support which is available for the victim through local organisations. A dedicated web site would also be available to the victim which would pool all of this information in one place. Overall, it would be a more integrated approach than currently and it would make full use of the range of voluntary sector support that is available.

The increased level of contact with victims would enable the Police to monitor the effectiveness of the scheme and identify where things worked well and where they did not.

During the ensuing discussion particular reference was made to the following:-

- Rosa Hui stressed that an important element of the new scheme must be that victims have access to the same officer throughout the process. The PCC commented that the point of contact would not normally be a warranted officer but Police civilian staff and victim advocates;
- She also felt that the scheme should maximise the use of smaller organisations and liaise with community leaders if it was to be effective. There were often cultural issues with BME people and contacts based within the BME community were the best way of getting through to and maintaining links with victims in these communities. The PCC indicated that one of her officers had been compiling a data base of community

organisations, precisely with a view to capturing details of those smaller organisations;

- The PCC explained that an important element of the scheme for the courts was making the victim's voice heard. Victims were now able to read out a victim impact statement to the court. This was a step change for victims whose voice would now be heard in the court process. It was a change for the court system which was previously focussed almost exclusively on bringing offenders to justice;
- A member asked what would happen in relation to victims whose case never reaches court. The PCC explained that they would still be able to access the same victim support arrangements including access to a victims advocate.

**RESOLVED - that the report be noted.**

**PCP**

**45.12/13 COMPLAINTS REPORT**

The panel considered a report of the Chief Executive (agenda item no. 12) providing an oversight of all complaints made against Avon and Somerset Police and Crime Commissioner, for scrutiny of the initial handling by the Chief Executive of Avon and Somerset's Police and Crime Commissioner's Office.

It was noted that no new complaints had been lodged against the PCC since the last meeting.

**PCP**

**46.12/13 WORK PROGRAMME**

The Panel received an update on process with the work programme.

**RESOLVED - that the work programme be noted.**

**PCP**

**47.12/13 PANEL SUPPORT**

At the request of the Chairman, the PCP lead officer explained that owing to structural change and budget cuts at Bristol City Council, he

would be leaving that Council's employment at the end of January 2014.

The practical support arrangements for the Panel were likely to remain unchanged for the time being (Patricia Jones as Clerk to the Panel and Jude Williams as the Panel Scrutiny Officer). The host authority's new lead officer had yet to be determined but details would be provided as soon as this was known.

Members thanked Ian for his help and support in assisting with the set-up of the Panel and support with meetings

(The meeting ended at 1:15 pm)

CHAIR