

DEVON AND CORNWALL POLICE AUTHORITY

MINUTES of a meeting of the **Devon and Cornwall Police Authority** held at Police Headquarters, Middlemoor, Exeter on **Friday 13th February 2009**, commencing at **10:00hrs**.

Present Authority

Mr J Smith.....Chairman
Mr M Bull.....Vice-Chairman

Sir Simon Day, Mrs L Dunn, Mr B Greenslade, Mr M Hicks, Mr M Hodge, Mrs A Malcolm, Mr D Money, Ms J Norton, Mrs J Owen, Mr B Preston, Mrs V Pengelly, Mr J Rowe, Mrs L Williams, Mrs L Price, Ms J Zito and Mr C Bulley

Officers in Attendance

Mr S G Davey (Chief Executive), Mr J Glasby (Treasurer) Miss N Walters (Personal Assistant to the Chief Executive)

Force

Mr S Otter (Chief Constable), Mr T Melville (Deputy Chief Constable), Mr R Stowe (Assistant Chief Constable), Ms D Simpson (Assistant Chief Constable) Mr P Netherton (Assistant Chief Constable), Ms S Goscomb (Interim Director of Finance and Resources), Mr C Haselden (Director of Human Resources) and Mr M Stamp (Director Legal Services)

P/2302 Apologies for Absence

Apologies for absence were received from Mr G Hicks

P/2303 Chairman's Announcements

The Chairman reminded everyone that the meeting would be Webcast live.

P/2304 Declarations of Interest

Members declared the interests detailed in the table below.

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 • Chair of the South West Regional Assembly 	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 	Spoke & voted

Name	Agenda Item	Minute ref	Interest	Details	Action taken
				DCPA <ul style="list-style-type: none"> Appointed to Assembly of European Regions by Devon County Council Daughter's partner is a serving Police Officer in Devon and Cornwall 	
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 J Smith	All	All	Personal	<ul style="list-style-type: none"> Member of Devon County Council Member of Assembly of European Regions Board Member of Child Exploitation and Online Protection Centre 	Spoke & voted
Mr J Rowe	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

P/2305 Items Requiring Urgent Attention

The Chairman bid farewell to Craig Bulley and thanked him for his contribution to the Police Authority over the last 8 years and wished him well for the future. ACC Dick Stowe who was retiring from the Police Service was thanked for his work and wished well for his retirement.

The Chairman announced that an item in relation to the Treasury Management Strategy for 2009-10 needed to be raised under part 2 of the agenda and that the Chairs' Committee which was scheduled for 13th March 2009 would have to be rearranged.

P/2306 Questions raised under Standing Order No. 6

No questions were raised under Standing Order No.6

P/2307 Minutes

Issues discussed during consideration of this item included:

- Minor typing and grammatical amendments to the minutes.

RESOLVED that the minutes of the meeting held on 5th December 2008 be confirmed as a correct record.

P/2308 Budget and Financial Strategy

Members were required to determine the revenue budget requirement, capital programme and council tax levels for 2009-10, along with the associated financing issues. A report summarising the spending proposals and key issues contained in the Three Year Financial Strategy 2009-10 to 2011 –12 was considered as were detailed financial annexes.

The aim of the proposed financial strategy was to enhance performance by resourcing and sustaining 3500 police officers and 356 police community support officers, and to provide additional resources to sustain the move of 200 existing police officers back to the front line by March 2009.

As always, there had been considerable Member involvement in working up budget proposals prior to this meeting.

The Treasurer highlighted several key issues as follows:

- Special thanks to Angela Daveney, Robin Wheeler, Peter Chatfield, Sandy Goscomb and the Finance Team for their hard work and contributions
- Thanks to Members for their input over the past several months
- That this year's budget was within a fraction of what was forecast 12 months ago – this is due to strategic budgeting at the highest standard – Thanks were expressed to Colin Papworth for his contribution
- The background of the budget was set out and it was highlighted that it is important to remember that this is a low spending, low taxing, efficient Authority with a good record in budget management
- Members signed up to support the Chief Constable in putting more officers back onto the frontline
- The budget maintains 3,500 Police Officers and 356 PCSO's and provides the resources to enable the Chief Constable to sustain the move of 200 Officers back to the frontline
- The changes that have been made since the strategy was agreed – the credit crunch alone has cost the Authority £1 million. Both income and costs have changed.
- A higher public demand for more frontline policing due to the current recession – the requirement for frontline policing is greater than ever and will continue to be so for the life of this strategy
- The issues around savings
- How the business community is keen for this strategy to be developed – it has been felt through various public consultations that this is not the appropriate time to be cutting frontline policing
- If the strategy is to be delivered £5.5m new savings will need to be found and will require the completion of 196 non uniform staff jobs being disestablished by June 2009 and 50 later in the year
- To deliver the strategy it would be necessary to increase Council tax by 4.94%. This is equivalent to a 13p per week increase for a Band D council taxpayer.
- The capping regime – the Secretary State has written to the Authority and others exhorting that Council tax increases should be significantly below 5%
- The Authority would still have the lowest council tax in the south west and well below the national average
- The budget increase of 3.5% - Members were advised that the Force cannot be expected to save anymore money in the current time scale, if the council tax increase of 4.94% is not accepted then the strategy will fail
- Members were told that 'reserves' are healthy but not excessive. The strategy shows them declining rapidly over the period of the strategy. This is largely due to funding the capital programme. In addition, it is now proposed that a number of remaining reserves be gathered into a budget smoothing reserve.

This will be released to support the revenue budget and mitigate some of the impact on council taxpayers over a 5-year horizon.

- Capital is complicated due to the Force Development Programme, especially the demands for ICT and transformation of our back office functions. The programme is set at £22m with a borrowing of £12-14m. Totals are constrained by the effect on the revenue. The Treasurer recommended a series of totals for the different types of capital spending to give the Chief Constable the best chance of juggling the complicated programme. Individual items will need to either go through the Resources or Chairs' Committee for approval
- Members were warned about the risks of the strategy and this year's budget. The usual risks apply, rising costs and unplanned events. This year falling interest rates have also had an impact. The information which has been received in relation to the Counter Terrorism Grant (£1.7m) has been limited and it is still not known what the final grant will be. Another risk is around partnerships –it is a difficult time for all of our partners financially.
- The Conclusion is that the Authority has a chance to enhance policing and to move forward when others are moving back. If the Authority want a top performing Force it will have to be paid for. It is necessary to balance between service development and the ability to pay

Issues discussed during consideration of this item included:

- Thanks expressed to the Treasurer for presentation and all the work that has taken place to set the budget
- Thanks expressed to members of the Finance team
- How the Authority has a record of good budget management
- Discussion around council tax options
- An example given of how the strategy is working and moving in the right direction
- Lowest Council tax in the South West with good value for money
- That the strategy has been explained to members of the public at recent Police Authority Liaison Meetings – the only negative comments received were around the Council tax system not about the proposed budget. The outcome of the meetings was support for the strategy
- Positive to know that there will be more operational Police Officers
- How central funding should be made available for unexpected incidents such as the MSC Napoli
- How the Constabulary are committed and serious in providing a good service to Devon and Cornwall
- Acknowledged the pain and anxiety that cutting costs is causing
- Committed to listening to the public and understand that the public want more engagement, a higher level of security and more Police Officers

RESOLVED that

- (i) the budgeted capacity for 3,500 police officers and 356 police community support officers together with the continued resourcing of the move of 200 police officers to the front line be welcomed;
- (ii) thanks be extended to the Force for their efforts to deliver yet more significant savings over three years so reducing the potential impact on council tax;
- (iii) the budget requirement for 2009/10 be set at £277,348,145;
- (iv) the three year financial strategy for improved policing be rolled forward and the revenue and capital spending plans, provisions, reserves, balances, financing adjustments, savings, prudential indicators and the summary efficiency plan be approved as in the strategy booklet with year 1 on a firm basis , year 2 on an indicative basis and year 3 as a series of possible scenarios;
- (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 2009/10 be approved as in the attached sheet;
- (vii) the Treasurer's comments on the robustness of the budget estimates, the adequacy of balances and reserves and issues of risk especially on savings, Counter Terrorism Grant, investment income and partnerships be noted and it be accepted that continuing Force development will involve significant changes during the year requiring robust and dynamic resource management;
- (viii) That the increasing uncertainty over later years of the strategy be noted.

P/2309 Treasury Management Strategy for 2009-10

Members considered the report which set out how investments, borrowing, cash flows and banking arrangements will operate during 2009-10, and in including an Annual Investment Strategy for the forthcoming year.

Issues discussed during consideration of this item included:

- The importance of the strategy after recent turmoil in the financial market
- That the Treasurer is legally required to present a Treasury Management Strategy to Members each year. In addition, Police Authorities are required to approve an Annual Investment Strategy before the start of the financial year
- The biggest financial turmoil since 1929 and certainties that have been relied on in the past evaporating
- Decisions that need to be made regarding interest rates, borrowing/lending, reserves and what the Authority do with them

- Low interest rates have been forecast – the importance for the Authority's is the difference between the declared base rate and the actual rate.
- The Authority has 3 different mechanisms for investing its surplus funds - investments managed by Investec, Devon and Cornwall Police Investment Fund managed by the Treasurer and short term deposits varying from overnight to 3 months which is managed by Devon County Council.
- The forecast for investments and the average rate for 2009/10
- Delivered a saving of £1m over the last financial year which will be used to support the strategy
- That the Authority will at all times invest its surplus funds prudently. Priority will be given to security and liquidity rather than yield. However, the highest available rate of interest consistent with proper levels of security and liquidity will always be sought
- That there is a difference in the strategy between Specified and Non-Specified Investments. Specified Investments are those usually offering high security and high liquidity and Non-Specified Investments are defined as any investments that do not meet the definition of specified investments
- That longer investments have been paying 5-6% interest rate even though the current going rate is 1%
- Recommended change to annex 3 'Lending List for External Fund Management' UK Government Bonds to increase from 15% to 30%
- That the Treasurer would like to add the Debt Manager Officer to the list of lending List for External Fund Manager (annex 3) with a unlimited figure
- That recommendation 3 will be discussed and considered under part 2 of the agenda for confidentiality reasons
- Capital spending and long term borrowing – because interest rates have not been favourable, no new borrowing has taken place in 2008-09. Furthermore it may be appropriate to delay borrowing beyond the year end
- It was highlighted that borrowing for a short period or having a large amount of borrowing maturing at one time increases the risk of being forced to borrow when rates are high. To avoid this, careful consideration will be given to the maturity structure of any new borrowing
- Clarification around foreign currencies – in exceptional circumstances, the Treasurer will be empowered to invest in foreign currencies but only with the explicit approval of the Resources Committee or the Urgency Committee

RESOLVED: That the Treasury Management / Investment Strategy be approved and specifically:

- (i) the Annual Investment Strategy be approved;
- (ii) the Borrowing and Debt Management Strategy be approved;
- (iii) the services of Devon County Council are retained to provide day to day cash management on behalf of the Police Authority;
- (iv) that the Police Authority continues to operate a Devon and Cornwall Police Investment Fund managed by the Treasurer;
- (v) that the Treasurer should retain the flexibility to invest funds directly and to vary amounts invested with The External Manager and in the Devon and Cornwall Police Investment Fund within the limits set out in the strategy;
- (vi) the Treasurer be authorised to create and maintain a counter-party list consistent with the principles in this strategy and sensitive to publicised changes in the fortunes of individual institutions;
- (vii) the use of Barclays as the Authority's bankers be noted.
- (viii) the lending list for External Fund Manager as shown at annex 3 be approved subject to the following amendments: That the limit is increased for UK Government Bonds to 30% and not 15% as shown and that the Debt Management Officer be added to the list with no limit

P/2310 Performance Management Committee

The Chairman of the Performance Management Committee gave Members an update on the meeting held on 28th January 2009. The Committee had formally recommended to the Authority a number of Police Authority Performance Priorities for adoption.

RESOLVED that the performance priorities for 2009 are neighbourhood policing, detections including Forensics, Human Resources, Protective Services and the Core Development Programme.

P/2311 Performance Targets

The Chairman of the Performance Management Committee introduced to Members the proposed targets for 2009/10.

Issues discussed during consideration of this item included:

- That the targets reflect the outcome of the debate which took place at the last Seminar. Minor refinements have been made and have been reflected
- Clarification and example given in relation to the target 'to deliver a positive outcome in at least 33% of all crime investigations, as a part which it is expected 30% of all crimes will be brought to justice
- The concerns that have been raised regarding the headline target 'To exceed 84% of respondents to the public survey who agree that 'the Police and local Council are dealing with anti-social behaviour and crime that matter in this area' not only by Police Authorities but also ACPO and other organisations

RESOLVED that the proposed targets for 2009/10 be agreed.

P/2312 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:

- That figures on the electronic presentation may differ from the hard copy that Members had been given prior to the meeting – this was due to the Constabulary wanting to present the most up-to-date figures to the Authority
- The Force's Performance Targets
- That the Force are currently in 2nd position for 'The Police and local Council are dealing with the ASB and crime issues that matter in this area' target. The data used for this target has been taken from the British Crime Survey (01/10/07-30/09/08)
- It was highlighted that small percentage numbers are needed for the Force to rise positions in the 'Overall Satisfaction' target. The Force are currently in 13th Position. There is also a data lag in this target so it is hopeful to see improvements in the near future
- The performance of the 'Ease of Contact Satisfaction' target
- The 'Overall Satisfaction (Racist Incidents)' target – actions are currently taking place in the Force Diversity Unit, for example, making a telephone call to victims to check whether or not they are satisfied with the service they have received. The information will then be fed back to make any necessary changes. It was noted that sample numbers for this target are low
- That there has been uplift in the 'Serious Acquisitive Crime' target - this target has exceeded its one-year target which was set by the Authority. However, due to the recent economic crisis domestic burglary has shown an increase of 10.5% compared to the same period as last year. The return of Police Officers to the front line will also help to improve performance

- Clarification around the performance of the 'Most Serious Violent Crime' target and how it is now recorded, an example was given to Members of how the recording of this target has changed
- That the Force are starting to see an improvement in the Sexual Offences Sanction Detection Rate (trend: rolling 12 months to January 2009) target. Members were informed that ACC Simpson chairs a gold group which looks at this issue and that other initiatives have been put into place to help improve the performance
- That there is a decrease in 'Road Traffic Casualties' over the whole of the Force area
- Due to the small numbers of racist incidents, it was suggested that over a 12-month period it might be useful to sample all of the recorded crimes. It was also asked if it is known where the dissatisfaction lies to able the Force to rectify the issues
- The measurement of trends since the change of the recording of the 'Most Serious Violent Crime' target
- Clarification around who analyses the figures for road traffic casualties as they are a partnership affair. Even though this has not been a specific target for the Force, a clear focus has been maintained. The Force attends the Road Safety Partnership Reduction Group which is also attended by other partners and looks at engineering, enforcement and prevention
- That it would be useful for a presentation to take place at a Seminar to improve Members understanding of road traffic casualties and the different strands that play a part in the prevention
- Sincere appreciation to the Officers involved in making sure that performance is monitored and maintained

RESOLVED to note the report.

P/2313 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:

- The ACPO Annual Christmas Drink/Drugs Driving Campaign ran from 1st December 2008 to 1st January 2009 across the country. During the course of the campaign in excess of 3, 784 breath tests were conducted. Of these 339 (9%) resulted in a positive breath test and arrest. The number of collisions reported during the initiative reduced from 2,129 last year to 1,942 this year
- That the Association of Police Authorities agreed to adopt a Policing Pledge. The Pledge will help the Force to deliver a citizen focused policing service that meets the needs of the communities, raises public confidence and increases satisfaction levels
- The Neighbourhood Policing Web-site went live on the 13th December 2008 and it hoped to become a major point of information for the public
- On the 23rd December 2008 the Force introduced a system of crime mapping which is available to the public through the Neighbourhood Policing Web-site.
- That Assistant Chief Constable Richard Stowe retires from the Force on 31st March 2009. The Chief Constable expressed his personal thanks to ACC Stowe
- An update on Operation Quest
- That the Force are running a series of 2012 action meetings
- The Force is to host the 2009 Senior Women in Policing Conference from 30th March to 1st April 2009. The Chief Constable encouraged Members to attend the event
- The Force web-site now includes a 'BrowseAloud' facility
- That the White Paper Conference Company Ltd 'How to stop Anti-Social Behaviour and its root causes and reassure your community' was held in London during January 2009

- That as part of the Force's commitment to Leadership and Management training, it has delivered the Franklin Covey '7 Habits of a Manager' training to managers and leaders. The training that was delivered to a total of 1050 members of staff is currently being evaluated
- The importance of not letting the Neighbourhood Policing web-site get out of the date
- The ways in which the Policing Pledge has been communicated to staff
- Support for change of the crime mapping system
- Appreciation expressed to an officer who has been seconded to the Child Exploitation and Online Protection Centre

RESOLVED to note the reports.

P/2314 Members' Complaints Procedure

The Chief Executive presented a suggested Member Complaints Procedure for adoption.

Issues discussed during consideration of this item included:

- That there previously was not a protocol for Member Complaints
- Amendments which Members would like to see in the procedure
- For Members to send any additional comments to the Chief Executive

RESOLVED that necessary amendments be made and for the procedure to be taken to the Corporate Governance Committee for consideration with a recommendation to the next Police Authority Meeting in April.

P/2315 Policing and Crime Bill

The Chief Executive presented a report to Members which contained information on the general content of the Policing and Crime Bill.

Issues discussed during consideration of this item included:

- That the Chief Executive has been updating Members through the weekly Police Authority Newsletter
- Highlighted the critical elements of the Policing and Crime Bill to Members
- The additional legal responsibility for the Authority
- That the Bill predicates 'police force collaboration agreements' in situations where the Chief Officer considers this to be in the interests of efficiency of effectiveness not the Authority
- That Probation Boards will now be responsible bodies under the Crime and Disorder Act
- Concerns around the proposal for the Home Secretary to be given powers to give direction to the Chief Officers – it was highlighted that the APA will be looking closely at this point
- The importance of making local MP's aware of the proposals – The Chief Executive to send a letter to local MP's
- The performance of the Police Authority will be scrutinised like never before
- Concerns that the Authority is not prepared – it was felt that it would be useful for this item to be discussed further at a Police Authority Seminar
- Formal thanks to ACC Simpson for her input for the recent meeting with the local MP's
- Highlighted that Officers of the Police Authority have been carrying out work around the forthcoming inspection on the Authority
- That it is felt the Authority is well positioned in respect of the inspection- the Authority have had input into drafting the national guidelines

- That the HMIC and Audit Commission have undertaken 3 pilot inspections – these being Derbyshire, Kent and West Yorkshire – they will be now reassessing the inspection regime post the 3 pilots
- The consultation exercise which will be taking place in March 2009 on the inspection regime
- Formal inspections to be rolled out post July
- That the preliminary desktop inspection for Devon and Cornwall has been completed- the inspection is looking positive except for a few concerns around partnership

P/2316 Independent Custody Report

The Chief Executive presented a report which summarised the output from independent custody visiting for the period 1st June 2008 to 31 December 2008.

Issues discussed during consideration of this item included:

- That it is a legal requirement for custody visits to take place
- Formal thanks expressed to Becky Quance-Woodland for producing the report and formal thanks to the Force for maintaining such a high standard of custody units
- That the Authority and Force are grateful for the amount of effort the Independent Custody Visitors put in to their voluntary work
- That all graphs should have the appropriate indexes on them
- Minor grammatical changes
- A way in which the graphs can be set out and be more user friendly
- A discussion around mental health patients being held in custody units and that from April 2009 a change will be implemented and custody units will start to refuse entry of mental health patients
- Clarification around who makes the decision to refuse entry and where the detainee would be sent
- The work that is currently being undertaken to provide safe and appropriate accommodation for detainees with mental health issues
- The concerns of custody staff – they feel that they are not qualified to deal with mental health patients
- To report in next years Independent custody report if there has been any improvement on this subject
- The IPCC report which clearly says that taking mental health patients to custody units must stop
- Disappointment that this has not been introduced sooner – capital funding has been available for the past 2 years
- Clarification around nurses and doctors not being available at custody units
- Point raised regarding the recruitment of Independent Custody Visitors and where the Authority advertise

RESOLVED that the report be noted.

P/2317 Committee Minute Pack

Members were presented the Committee Minute Pack. This pack provides minutes of the Committee meetings that have taken place since the last meeting of the Authority on 5th December 2008.

Issues discussed during consideration of this item included:

- An item from the Community Engagement Committee – Members were requested to fill in a brief questionnaire with regards to which partnership groups they sit on within their role as a Police Authority Member. It was highlighted that there is a need to improve on the Authority's partnership working
- A question was raised in relation to an item on the Resources minutes – it was agreed for this question to be raised under part 2 of the agenda

RESOLVED That the minute pack be noted.

P/2318 Seminar Dates for 2009

The Chief Executive presented a report that recommend dates for Police Authority Seminars in 2009 and the first Seminar in 2010.

Issues discussed during consideration of this item included:

- Suggested dates that were not suitable for Members

RESOLVED that the Chief Executive look at alternative dates for both the April and July Seminars.

P/2319 Consideration to Excluding the Press and Public

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

Agenda item No	Minute No	Report Title	Relevant Act	Relevant section
7	P/2320	Treasury Management Strategy for 2009-10	Local Government Act 1972 as amended by the Local Government (access to information Act 1985)	Information relating to the financial or business affairs of any particular person (including the authority holding that information).
13	P/2321	Committee Minute Pack	Local Government Act 1972 as amended by the Local Government (access to information Act 1985)	Information relating to the financial or business affairs of any particular person (including the authority holding that information).

P/2320 Treasury Management Strategy for 2009-10

The Treasurer provided information in relation to the Authority's investments with an external agency.

RESOLVED that discussions be undertaken with our external investors and matters raised and that a report be submitted on how to progress the issue.

P/2321 Committee Minute Pack

A short briefing was provided to a query within the Resources Committee minutes relating to the Police Authority.

The meeting closed at 13:00hrs

Signed.....
Date