

Devon And Cornwall Police Authority

Minutes

A meeting of the **Devon and Cornwall Police Authority** was held at Police Headquarters, Middlemoor, Exeter on **Friday 3 June 2005 at 11.00hrs** .

Present:

Mr M I R Bull, Mr C Bulley, Mr J Currie, Sir Simon Day, Mr I P A Doggett, Mr T Evans, Mr M Hicks, Mr B C Greenslade, Mr S M Malloni, Mr D Money, Mr M Nevitt, Mrs J Owen, Mrs C J Ryan, Mr J Smith, Mrs A Talbot, Mr W D Thomas, and Mr C L Wallin.

P/1021 Election Of Chairman

RESOLVED that **MR DAVID MONEY** be elected Chairman.

P/1022 Election Of Vice-Chairman

RESOLVED that **MR JOHN SMITH** be elected Vice-Chairman.

P/1023 Declarations Of Interest

There were no declarations of interest.

P/1024 Apologies For Absence

There were no apologies for absence received.

P/1025 New Police Authority Members

Devon County Council had confirmed the following councillors as their representatives on the Police Authority:

Sir Simon Day
Mr B Greenslade
Mrs J Owen
Mr J Smith

The Council for the Isles of Scilly had confirmed Mr M Hicks as their representative on the Police Authority.

Cornwall County Council had confirmed Mr J Currie as one of their representatives on the Police Authority but were still to advise the remaining two representatives.

P/1026 Items Requiring Urgent Attention

The newly elected Chairman paid tribute to the previous Chairman, Mrs Owen, for her contribution to the Police Authority during her term of office. Mention was also made of the three Cornwall County Council Members, Nonie Dendy, Len Brokenshire and Phil Tregunna who had now left the Authority.

P/1026 Items Requiring Urgent Attention (Cont'd...)

The Chairman read a statement in relation to Job Evaluation. As the Police Authority has commissioned its own Independent Review it was neither appropriate nor the intention to discuss the issue at this meeting.

P/1027 Minutes

The minutes of the meeting held on 18 February 2005 were signed as a correct record, subject to the inclusion of Mr T Evans on the list of those present.

P/1028 Chief Constable's Report

It was with regret, that Mrs Wallis reported the following deaths.

Serving police officer David Green died on the 29 April. Born 21 August 1957, he joined the Constabulary in August 2000 having served for the Nottinghamshire and Lincolnshire police. He served at Launceston and at Camelford and was most recently a Neighbourhood Beat Manager for Tintagel and Boscastle. His death came as a great shock. He was held in high regard and would be greatly missed.

PC Hulse collapsed and died on 30 April whilst on duty. Born on 8 October 1956, Mr Hulse joined the Constabulary in July 1992. He served in Torquay and Newton Abbot and most recently served in Ashburton as a patrol officer. PC Hulse leaves a widow and will be greatly missed.

Mrs Wallis reported that ACC Stowe was attending the funeral of Paul Vincent, a retired police officer who had rejoined the Constabulary as a member of police staff in the property section. Born in November 1952, Paul joined the Police in 1971 as a cadet in Bristol. He served in Torquay as a traffic officer and in Newton Abbot as a vehicle examiner and retired in May 2002. During his career, he had been awarded the long service and good conduct medals and had received a Royal Humane Society medal for the rescue of a man in Torquay. Paul died on 21 May 2005. He would be greatly missed.

Paul Cridland, son of Rose Cridland, a member of police staff based in the Finance Department, had recently died from meningitis. Paul was studying at Exeter University.

Members considered the report of the Chief Constable and were updated on a number of incidents noted in the report.

Major Incidents and Policing Diary

1.1 – 1.7 The recent murders and major investigations had been challenging however the reported outcomes were positive.

1.9 The level of violent crime was now reducing following a previous significant increase.

Court Successes

1.57 Torquay police officers were congratulated for their part in the successful drug operation that had resulted in the offenders receiving prison sentences of more than 20 years.

P/1028 Chief Constable's Report (Cont'd...)

Operational Priorities

Crime figures were showing further reductions, especially in burglary, robbery and vehicle related crime. IQuanta figures for April showed the Constabulary as 'green' in every category of performance.

Awards and Commendations.

Awards presented included that to recently retired Chief Superintendent Ellis for his work during his service with the Constabulary. A posthumous award had also been presented to the family of PC Green.

Successes and Challenges – update

The Chief Constable was pleased to report a reduction in burglary and vehicle crime. Violent crime was reducing and detections were increasing.

The Constabulary had received a green light against the National Crime Recording Standard.

Personnel

There were now 350 Neighbourhood Beat Managers in post. The number of police officers had increased during the year by 75. Sickness levels had reduced. Call handling performance continued to improve.

Members considered a personnel snapshot for the 31 March 2005.

Spotlight on Success

Members noted the letters of thanks received by the Constabulary.

Matters discussed included:

It was understood that the protester at the Countryside Alliance protest that had thrown a missile at an MP was not a member of an organised protest group.

A Member wished to place on record his thanks to Police Officers in Torbay whose efforts had resulted in significant success in reducing drug related crimes in the area. He had also been impressed with the PSCOs recently posted to the area.

Airwave had now gone live in many areas of the Force. There remained only a few areas where coverage was not at the contractual level. The reduced level of coverage in these areas was not significant enough to cause operational concerns.

The Constabulary offered support to the volunteer police personnel returning from assisting in the recovery operation following the Tsunami in Asia.

P/1028 Chief Constable's Report (Cont'd...)

A Member thanked the Constabulary for the event in Plymouth on Domestic Violence Awareness. The preventative work that the police were doing was commended. It was suggested that this initiative should be force-wide. Mrs Wallis reported that ACC Stowe, Chief Superintendent Webster and Chief Superintendent Bunt had done a considerable amount of work analysing how the Constabulary dealt with such incidents. There had been an 8.4% rise in recording of domestic violence, however this was considered to be positive news since in the past, such incidents had not been so readily reported to the police. The Constabulary was striving to learn how it could further prevent domestic violence incidents from happening in the first place.

The Constabulary policy for the use of photographs of police officers in party election literature was simply that it was not allowed. It was accepted that this year, there had been a breach of this policy where the party concerned had used an existing photograph.

There was no evidence of an increase in violent crime with knives. In general, violent crime was reducing. This year had seen a reduction of 19%. Low level violence was on the increase, especially in cities across the country, although last year the Constabulary had achieved a reduction of the increase in this type of crime reducing the increase to 8% increase compared with a 30% increase in the previous year.

Members were encouraged by the pro-active work the Constabulary was taking in addressing the migrant worker issues in Cornwall.

The reduction of the number of Sergeants in BCUs as shown in the personnel snapshot was queried. Mrs Wallis shared these concerns and agreed to report back the reasons for the reduction in due course.

P/1029 Stop And Search Policy Approval

Members considered the Stop and Search Policy. The full impact assessment had not yet been finished but was expected to be complete by September 2005. Any subsequent changes would be reported to the Police Authority.

It was queried what checks were in place to ensure that all stops and searches were recorded by police officers. Stops and searches formed part of a police officer's role during time on duty and therefore officers would be encouraged to report any stops and searches they had undertaken to their supervisor at their debrief. If a police officer failed to record any stops or searches, then they would be in breach of Force policy.

Police Authority Officers were doing a significant amount of work towards publicising people's rights when stopped or searched. It was agreed that the office would send Members a copy of the leaflet that was being distributed to organisations, establishments, etc. within the Force area.

It was noted that there had been changes to the term used for Stop and Search – at one point, Stop and Stop and Search had been used. The Constabulary would take their lead from the Home Office on which term to use for the final document.

P/1029 Stop And Search Policy Approval (Cont'd...)

It was queried what the difference was between statutory and non-statutory or voluntary stops. If a police officer stops a person for a statutory reason, for example under drugs legislation or the Anti-Terrorism Act then this is recorded as a statutory stop. A non-statutory or voluntary stop is when a police officer may stop to talk to someone for any reason that has no statutory basis. If that person chooses not to stop for the police officer and the police officer wishes to proceed with the stop, then the stop becomes a non-voluntary one and this has to be recorded. It was agreed that there may be issues around establishment of the threshold between types of stop which might result in instances of over or under recording.

There was a need for the Authority to continue to monitor the Constabulary's use of stop and search and it was agreed that this would be best achieved by continuing with the Stop and Search Working Group which would then report to an appropriate committee of the Authority.

RESOLVED that the Stop and Search Policy be approved subject to the outcome of the Impact Assessment process.

P/1030 Reports Of The Committees

The Authority received reports of the Committee meetings that had taken place since the last meeting of the Authority.

1. Meetings of the **Audit Committee** were held on 24 March and 25 May 2005.

The following recommendation arose from the meeting.

[A/11] Corporate Risk Management

RESOLVED

- i. The significance of proper risk management needs greater recognition within the Constabulary and we ask the Chief Constable to reassure the Members of the Police Authority that steps will be taken to ensure that risk management is recognised as a priority in the corporate governance of the Constabulary.
- ii. That the Chief Constable provides the Authority with a detailed report on the progress of Corporate Risk Management implementation in six months time.

Members noted other items discussed by the Committee.

2. A meeting of the **Human Resources Committee** was held on 7 April 2005.

The following recommendation arose from the meeting:

[HR/118] Force Costed Training Plan

RESOLVED that the costed training plan be approved.

Mrs Ryan offered her congratulations to Superintendent Cooper for completing the plan so quickly following the Review.

P/1030 Reports Of The Committees (Cont'd...)

Members noted other items discussed by the Committee.

3. A Meeting of the **Performance Management & Audit Committee** was held on 17 March 2005.

Members noted the items discussed by the Committee. The last meeting of the committee had been cancelled and the next meeting would be held in July.

4. Meeting of the Planning and Consultation Committee was held on 15 March 2005.

Members noted the items discussed by the Committee. Mr Money commented on the recent consultation initiatives with students at the Plymouth College of Further Education. The exercise had proved very successful and he recorded his thanks to all involved.

5. A meeting of the **Professional Standards and Complaints Monitoring Group** was held on 2 March 2005.

Members noted the items discussed by the Committee.

6. A meeting of the **Resources Committee** was held on 24 March 2005.

The following recommendations arose from the meeting:

[PS/192] The Planning Process for Capital Property Schemes.

RESOLVED that the Terms of Reference for the Property Sub-Committee be amended to include:

- i. the approval of detailed business cases relating to property matters;
- ii. delegated authority to sign off schemes at the tender stage and to handle variations within set parameters.

[R/414] Extended Police Family Strategy

RESOLVED that the Extended Police Family Strategy be adopted

[R/415] Financial Monitoring Report 2004-05

RESOLVED the virement of £1m out of the programmes' budget into the Service Development Fund.

[R/417] Operational Estates Strategy

Mr Thomas gave credit to the officers involved in the preparation of the Operational Estates Strategy. It is envisaged the document will give a ten year strategy for operational police property and would be treated as a 'live' document which would be updated on an ongoing basis.

RESOLVED that the Operational Estates Strategy be approved

P/1030 Reports Of The Committees (Cont'd...)

[R/422] Courts Act 2003

There had been considerable concern about the impact of the Courts Act 2003 on the ownership of specific areas of Heavitree Road Police Station. This had now been resolved satisfactorily by the shared Memorandum of Understanding.

RESOLVED that the signing of the Memorandum of Agreement for the shared facilities at Heavitree Road Custody Centre be approved.

Members considered other items discussed by the Committee.

7. A Meeting of the **Standards Committee** was held on 19 April 2005.

The following recommendation arose from the meeting:

[SC/12] Standards Committee amendments to Terms of Reference and the Authority's Standing Orders

RESOLVED

1. That the Terms of Reference for the Standards Committee be amended to include:
 - i. "To monitor the effectiveness of the Authority's code of conduct for members and advise the Authority about the operation of its Code of Conduct for Members in the light of best practice, changes to the law, and guidance from the Standards Board for England." (Local Government Act 2000 S54 (2))
 - ii. "To ensure that all Members have access to training in all aspects of the Authority's Code of Conduct for members and that this training is actively promoted" (Local Government Act 2000 S54(2))
 - iii. "The determination of complaints about the conduct of members including cases referred by Ethical Standards Officers" (Statutory Instrument 2004 No 2617 The Local authorities (Code of Conduct) (Local Determination) (Amendment) Regulations 2004.
 - iv. "The granting of dispensations to Members from requirements relating to prejudicial interests as set out in Part 2 of the Authority's Code of Conduct for Members" (Statutory Instrument 2002 No 339 The Relevant Authorities (Standards Committee (Dispensations) Regulations 2002)
 - v. "The consideration and determination of appeals for information requested in accordance with the Freedom of Information Act 2000."
2. That Section 7 - Quorum - of the Authority's Standing Orders is amended to include the following additional paragraph:

"The Standards Committee will only be quorate if at least 3 members of the Standards Committee are present for the whole of the meeting – including at least one of the independently appointed members to the Standards Committee."
(Statutory Instrument 2001 No 2812 S6)

Members considered other items discussed by the Committee.

P/1030 Reports Of The Committees (Cont'd...)

8. A meeting of the **Urgency Committee** was held on 22 April 2005.

Members considered the items discussed by the Committee. A number of issues had required decisions to be made before this meeting of the Authority and when there was full membership of the Authority before the local elections.

P/1040 Committee Memberships

It was confirmed that the Best Value Committee had been suspended in its current form and that Best Value issues would be incorporated into other Committees where appropriate. Members would continue to be fully engaged with Best Value Reviews.

It was requested that Mr Nevitt (Vice-Chairman of Best Value) draw up a summary of the issues that the Best Value Committee had considered during its existence for Members information.

The Authority was looking to realign Lead Member roles and to integrate them into the committee process. Mrs Ryan would be writing to all Members with regard to this matter in due course.

RESOLVED that

- i. the Committee memberships as shown on the circulated list be noted;
- ii. the Chairman and Vice-Chairman of the Authority be authorised to appoint the new Members of the Authority to specific Committees and to any changes in existing membership;
- iii. Committee Chairmen and Vice-Chairmen of Committees be elected at the next meeting of each Committee
- iv. A further report to be submitted to the July meeting of the Police Authority detailing the revised Committee Membership.

P/1041 Members' Allowances

RESOLVED that the Chairman of the Audit Committee receive an additional allowance of £1000 per annum pro-rata with effect from 14 February 2005, the date of the first meeting of that Committee.

P/1042 Race Equality Scheme

Members considered the Police Authority draft Race Equality Scheme and details of consultation undertaken. The scheme was intended to be a 'live' document that would be updated as appropriate.

Members felt it important that where the consultation had highlighted issues, the Authority and Constabulary should learn from this feedback and progress as appropriate.

It was suggested that the plan refer to people of all racial groups, rather than different racial groups.

P/1042 Race Equality Scheme (Cont'd...)

It was felt that diversity and equality of opportunity was a diverse field that should not be limited to consideration by just one Committee. However, there was a need to monitor progress against the action plan and it was agreed that this would be best achieved by giving the responsibility to the Human Resources Committee.

It was asked how the Human Resources Committee would ensure that integration of diversity issues was achieved within all of the Police Authority's business processes. The Chief Executive offered to provide a detailed explanation following the meeting.

It was noted that there was no reference to Health and Safety in the scheme. It was agreed that this would be investigated and the Authority's statutory obligations in this area would be checked.

The Commission for Racial Equality had yet to comment on the scheme.

RESOLVED

- i. that the Race Equality Scheme be approved and adopted;
- ii. that the Terms of Reference of the Human Resources Committee be amended to include "The approval, amendment and monitoring of the Race Equality Scheme Action Plan."

P/1043 Quality Of Service Commitment

RESOLVED that the Planning and Consultation Committee be delegated authority to approve the Quality of Service Commitment implementation plan and to monitor progress against this plan.

All Members would be kept fully engaged with this process.

P/1044 Police Authority Liaison Meetings

Members discussed matters raised at the recent round of Police Authority Liaison Meetings.

Mrs Owen reported that at the Exeter special Police Authority Liaison Meeting the theme of local youth issues had been discussed. A number of Section 30 Orders had since been issued and these had proved very successful.

P/1045 Exclusion Of The Press And Public

RESOLVED that under Section 100 (A)(4) of the Local Government Act 1972 the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 9 and Paragraph 14 of Schedule 12A of the Act, being information relating to

- i. Any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

The following item was considered in closed session by the committee with only members of the police authority, appropriate officers and expert advisors present, on the grounds that exempt / confidential information may be disclosed.

P/1046 Presentation On The Taser Gun

Members received a presentation about the new Taser Gun.

The meeting closed at 13.20hrs