

## DEVON AND CORNWALL POLICE AUTHORITY

**MINUTES** of a meeting of the **Devon and Cornwall Police Authority** held at Police Headquarters, Middlemoor, Exeter on **Tuesday 16 December 2003**.

### **Present:**

Mrs J Owen (Chairman), Mr D Money (Vice-Chairman), Mr L D Brokenshire, Mr M I R Bull, Mr C Bulley, Mrs A Colborne Sir Simon Day, Mr T Evans, Mrs O England, Mr B C Greenslade, Mr M Hicks, Mr M Nevitt, Mrs C J Ryan, Mr J Smith, Mrs A Talbot, Mr W D Thomas, Mr P Tregunna and Mr C L Wallin.

### **APOLOGIES**

Mr S M Malloni, CC M Wallis, ACC R Stowe.

### **P/821 DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **P/822 ACC STEVE PEARCE**

The Authority placed on record their great appreciation of the work Mr Pearce had done for both the Force, the Authority and the communities of Devon, Cornwall and the Isles of Scilly during his time with the Constabulary and wished him well in his forthcoming retirement.

### **P/823 ITEMS REQUIRING URGENT ATTENTION**

There were no items that in the opinion of the Chairman that should be considered by the meeting as a matter of urgency.

### **P/824 MINUTES**

The minutes of the meeting held on 26 September were signed as a correct record subject to a minor alteration to the attendance record.

### **P/825 MATTERS ARISING**

[P/809] Drug action teams – John Smith advised Members that the report on performance, expected at the beginning of November, had not yet been received by the Council. The findings of the report would therefore be reported at the next meeting.

[P/813] Intranet contract – The meeting to consider the report covering potential performance penalties and how performance could be monitored had now taken place and the contract had been signed off.

[P/814] The selection process to appoint a new Assistant Chief Constable had taken place on 20 and 21 November. Mrs Caroline Winter, currently serving with Kent police, had been appointed and was to take up her post on 12 January 2004.

### **P/826 AUDIT COMMISSION MANAGEMENT LETTER**

The District Auditor, Mr Peter Arkell presented the report to Members. In considering the report, Members noted the following principal points:-

**P/826 AUDIT COMMISSION MANAGEMENT LETTER (Cont'd...)**

- A 'green traffic light' had been awarded for the implementation of the National Crime Recording Standard. This was to be commended. Some improvements had been recommended and good progress had been made against the action plan.
- A 'green traffic light' had been awarded for the implementation of Activity Based Costing. Again, this was to be commended.
- The Best Value Performance Plan was considered compliant in all significant respects with legislation and no specific recommendations were arising.
- A series of workshops had been established to assess the current arrangements for risk management. A report would be included in next year's Audit Letter.
- A review of the progress on the action plans for the management of sickness absence and call centres survey projects had been undertaken. The Audit Commission was encouraged to note that the actions plans were being actively used to drive forward improvements.
- The Authority and Force continued to maintain a sound record of budgetary control.
- Since the Audit Letter had been issued, the Audit Commission had been able to give an unqualified opinion on the financial statements. There were no issues to raise with Members.

The Audit Commission concluded that the organisation responded well to the many challenges and initiatives arising, both national and local. There continued to be a positive response to the performance agenda and they had identified much good practice. A good financial management framework was in place, supported by sound procedures.

They further concluded that the budget increase of 11 percent was supported by satisfactory explanations and that sound budgetary processes were followed. Consultation and liaison meetings were held with the public at a local level, attended by chief officers and senior financial staff.

Members and officers were reassured to note that the Audit Commission had undertaken a National audit of the council tax process in 2003-04 and had found it to be in order.

Members were reassured by the findings of the independent audit and asked that the good work of the staff and officers of the Force in contributing to this outcome be commended.

**P/827 PROVISIONAL FINANCE SETTLEMENT 2004-05**

The Government had announced the provisional finance settlement for 2004-05 for consultation. The percentage increase of 3.3% was fractionally higher than had been expected and was as a result of the limiting of increases in other Home Office services and reducing specific (ring fenced) police grants and transferring them to general funding. The national settlement indicated the following principal points:-

- No Crime Fighting Fund for new officers recruited in 2004-05
- No grant for Community Support Officers recruited in 2004-05
- Part of the Special Priority Payment grant transferred into the general grant allocation
- Removal of ring fenced grant for Airwave

It was noted that the Authority's lobbying of Government to prevent the further re-allocation of funding from one area to another earlier in the financial year appears to have resulted in an equal grant allocation. However, Police Authorities would not benefit from the recent additional £400m funding for local authorities announced by

**P/827 PROVISIONAL FINANCE SETTLEMENT 2004-05 Cont'd...)**

the Government. This would be allocated between County and District Councils. This meant that Police Authorities now received the smallest percentage increase in central funding – 3.3% compared to between 4% and 7% to other groups of authority.

There was some considerable concern about the treatment of the Airwave grant because it could jeopardise the ability to deliver contractual commitments. Additionally, because some authorities had already received phased grant funding whilst some had not, there was a risk of an inequality of treatment between authorities. Members were assured that the Home Office had acknowledged the fact that the position needed to be reviewed quickly.

The provisional settlement did not make allowance for extra police officers, therefore if the 70 extra officers required to meet the Authority's target number of police officers were to be recruited, the shortfall would need to be funded from the police precept. Consultation with the public was therefore essential and Members were asked to feed back comments from their Police Liaison meetings in the New Year. The Constabulary was currently undertaking a survey of residents of Devon and Cornwall the results of which would be used when the Authority discussed the budget for 2004-05 at their seminar on 28 January.

It was acknowledged that the current police pension was a strain on resources. Pension costs were rising because of the lack of a pension fund and the increasing longevity of police pensioners. The situation was likely to change because Police Pensions were under review and it was likely that new police recruits would face a different and cheaper pension regime. The current proposals could result in moving the funding issue from being a local to a National one.

It was suggested that representation be made to the Government for additional funding because of the strain the recent spate of major incidents had put on the budget. This was not considered appropriate. The Force had coped well with this.

It was agreed that there was a need to continue making representations to the Government on the funding received by this Force for the sake of the communities it served. It was suggested that the representations include a reference to police pensions.

**RESOLVED that**

- i. the report be noted;
- ii. the Authority make representations to the Government on the provisional settlement.

It was noted that this Authority had the lowest council tax in the Southwest for policing and was the 27<sup>th</sup> lowest nationally.

**P/828 CHIEF CONSTABLES REPORT**

Deputy Chief Constable Arnold presented the report that highlighted the pressure that officers were under and also their innovation

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

1.4 Operation Patina – murder enquiry near Ivybridge

A 39 year old man had been charged with the murder of Alicia Eborne following a major search and investigation. Eleven other major incidents were being managed in the same period.

**P/828 CHIEF CONSTABLES REPORT (Cont'd...)**

1.9 Major challenges

Pressures within the Constabulary were at an all time great with a number of active murder enquiries and eight other incidents. Force resources had been stretched but officers had worked extremely hard, many putting in unpaid additional hours. Overall, the Force had coped extremely well with the challenges it had faced and neighbourhood policing had not been affected.

Assault on police / injury to officers

There were a number of assaults on officers reported. The Deputy Chief Constable was pleased to report that regardless of the increasing risks to Officers on duty, sickness levels remained low. The help of the Occupational Health Support Unit was to be commended.

Firearms

The first discharge of a baton round by officers of the Devon and Cornwall Constabulary to resolve a firearms incident had taken place recently and had been commanded by ACC Steve Pearce. It had been an example of a textbook operation. Baton rounds were proving to be a less lethal option in the resolution of some firearms incidents.

1.20 Firearms incident at Helston

Following negotiations with a man holding a firearm in a building in Helston, a man had been found dead inside the premises the following morning. An internal enquiry was ongoing supervised by the Police Complaints Authority.

Operational Priorities

2.1 Crime statistics

Figures released by the Home Office showed that Devon and Cornwall Constabulary was one of four forces which had outstanding performances in all categories.

2.4 Personal Safety for Schoolchildren

A new personal safety video for schoolchildren had been launched in Plymouth entitled 'Think Safe Keep Safe'. This encouraged children to think ahead, listen to their feelings and share them with people they trusted. This was an good example of proactive policing.

2.8 New recruits in the fight against crime

Additional Police Community Support Officers had been recruited in partnership with the Home Office, East Devon District Council and the Valley Regeneration Scheme. Nine would be deployed in Exmouth, and an additional new officer in Exeter. This was as a result of the very positive results seen following the introduction of the pilot scheme in Honiton and Truro.

2.12 New weapon to fight drugs in Torbay

The Deputy Chief Constable was pleased to report the launch of a portable drug testing machine in Torbay. The work going on in South and West Devon to combat drug crimes was commendable.

**P/828 CHIEF CONSTABLES REPORT (Cont'd..)**

2.15 Eden hosts emergency services exercise

Part of the exercise had included contingencies on how emergency services would access the attraction in heavy traffic.

2.18 Police Minister visits region

It was pleasing to note that Mrs Hazel Blears had attended a partnership conference in Cornwall. It was reported that she supported a citizen focus led service and was driven to increasing neighbourhood policing.

2.22 Twice as many arrests from Crimestoppers calls

The number of criminals arrested as a direct result of anonymous calls to Crimestoppers and doubled this year. Members noted that the Devon & Cornwall Constabulary also managed Crimestoppers calls for Dorset Police.

Awards and Commendations

3.3 A range of awards had been presented, including Long Service and Good Conduct medals for officers and support staff with service of more than 22 years. Overall, 550 years of police service was represented by those receiving this medal. Special Constables receiving Long Service awards were to be commended in particular because they gave their time for free.

3.5 Staff in the North and East Devon Crime Scene Investigation Unit had received official praise for helping to catch more than 600 criminals in the space of a year. This was very encouraging, however all BCUs were performing very well and it was always difficult to have to choose one above another to receive particular commendation.

Force Strength

The personnel snapshot taken on 31 October 2003 showed that the total number of police officers was 3272.8. This was 18.2 below the funding post profile (target) and had increased by 2 officers since the last meeting.

It was with regret that the Deputy Chief Constable reported the deaths of two serving members of police staff. Rachel Down lost her fight against cancer on 15 November 2003. She joined the Force in 1986, serving in Barnstaple and at HQ. Her most recent role was Admin and Finance Manager of the Crime and Operations department. Julie Stephens died on 16 November. Julie was a clerk/typist in the economic crime unit at Ashburton. Both members of staff were held in high regard and would be greatly missed.

A number of issues arising from the report were addressed. The percentage difference between detection and successful prosecution was queried. Commonly known as the 'Justice Gap' this topic was one that was addressed by the Local Criminal Justice Board. Members indicated that it would be useful to have a report providing information on where these figures could be accessed. Mr Arnold agreed to provide this information.

Members had previously been advised that a £39,000 grant had been received by the Force to fund a recruitment campaign for special constables. The rules governing the use of the grant would be checked to establish whether it would be possible to use it to pay subsidies to organisations such as community groups to give the Force access to some of the more 'hard to reach' groups.

North and East Devon had a particularly high number of special constables compared to other Force areas. The other BCUs were further forward in their implementation of neighbourhood policing which included redefining the role of the Special Constable. This new style of policing required more time and commitment. As North and East Devon BCU progressed with work for the realignment of the duties of Special Constables with those of police officers in the rollout of Neighbourhood policing, this would have an impact on overall numbers of specials, as it

**P/828 CHIEF CONSTABLES REPORT (Cont'd...)**

had in other areas. Members were advised that the Devon and Cornwall Constabulary still had the highest number of specials in the country.

**P/829 DEVON AND CORNWALL CONSTABULARY – SUCCESSES AND CHALLENGES OF 2003**

Members considered a report updating them on some of the challenges faced and successes achieved during 2003.

Total crime had reduced by 1.3% in the period April to November 2003. This included an 18.3% reduction in burglary, a 10.8% reduction in vehicle crime and a 15% reduction in robbery. Devon and Cornwall had the 7th lowest rate of crime per 1000 of population nationally. This was very pleasing, however there was no complacency. It was noted that these substantial reductions would result in difficulties in target setting for 2004.

Other details highlighted in the report included:-

- Police Performance Assessment Framework – The force had achieved above average scores in all policing domains and had been identified as 'outstanding'.
- More Officers / Neighbourhood beat managers – The Force continued to get officers out into communities despite difficult financial times.
- Call handling – the new local rate number had been well received, however more work in routing calls once answered was a priority.
- Sickness levels – casual sickness remained very low.
- Major incidents – the force had coped well with the recent all time high level of major incidents despite the financial burden placed on it. The Chief Executive and the Treasurer were being kept informed of the pressures on financial resources.

Members acknowledged the hard work of officers and staff in achieving the successes detailed in the report and asked for their praise to be recorded.

The following matters were raised by members: -

Mr Arnold confirmed that the issues surrounding the Competence Related Threshold Payments had been resolved. A benchmark position had been established following a review of the officers affected.

Mr Thomas had visited the Information and Intelligence Management Units in the Summer and commented on the enthusiasm of the staff there. He had been made aware however, of the IT systems issues and considered more investment in IT was required in order to benefit fully.

**RESOLVED** to note the report.

**P/830 DEVON AND CORNWALL LOCAL CRIMINAL JUSTICE BOARD – THE FIRST SIX MONTHS**

This report gave an overview of the work of Local Criminal Justice Boards which had been established in April 2003 following Lord Justice Auld's recommendations from his review of the Criminal Justice system in 2001. The LCJB in Devon and Cornwall was chaired by the Chief Constable, Mrs Wallis and had achieved above average figures in bringing more offences to justice, tackling persistent young offenders and speeding up the time it takes to process cases through the Courts in the first six months of operation. The National targets were challenging and there were some areas in which the LCJB were not meeting the targets set however one of the main strengths of the board was of bringing people together to tackle these issues and improving reluctant partners' commitment to achieving the level of performance required.

**P/830 DEVON AND CORNWALL LOCAL CRIMINAL JUSTICE BOARD – THE FIRST SIX MONTHS (Cont'd...)**

Currently, the Police Authority was not represented on LCJBs and this fact had caused some debate at Police Authority seminars and between the Association of Police Authorities and the Home Secretary. A review of LCJBs was promised but it was not clear when this would be. One of the problems foreseen in allowing Police Authorities to be represented was that all the other service Boards, for example the Probation Board, would then need to be invited. Members considered it important that they receive regular reports on LCJBs in the absence of Police Authority membership to them. It was agreed that a twice-yearly report be given at meetings of the Police Authority. The Performance Management and Audit Committee already received reports and Carl Wallin and Simon Malloni had been appointed Lead Members for LCJBs.

**RESOLVED** to note the report.

**P/831 THE CRIMINAL USE OF FIREARMS**

Nationally, the criminal use of firearms was at an all time high. The Home Secretary was introducing a package of concerted measures against the use of firearms for all Chief Constables underpinned by strategic activity at a national level. This action plan had recently been received by the Force and work was already underway to progress many of the issues contained within.

The report detailed the number of incidents involving the use of firearms during 2002/03. This included where the use of a firearm was supposed (9) and overall totalled 30 incidents. The latest Force Strategic Assessment identified that the threat from the criminal use of firearms within Devon and Cornwall remained very low.

It was confirmed that following the recent National Firearms Amnesty, the guns surrendered had not been submitted for forensic examination. This was because of the remit of the amnesty. However, the Force now had a very robust system in place which required that all firearms recovered from crime scenes, or which were suspected of having been involved in any form of criminal activity would be forwarded to the National Firearms Database for examination.

Overall, Members were impressed with the proactive work being undertaken to ensure gun crime in Devon and Cornwall remained low.

**RESOLVED** to note the report.

**P/832 THE PROCESS FOR APPROVING THE ANNUAL STATEMENT OF ACCOUNTS FOR 2003-04 ONWARDS**

The timetable for approving and publishing the Annual Statement of Accounts had been changed following the updating of the Accounts and Audit Regulations 2003. The legislation required the dates to be brought forward by three months in a staged process as follows:-

Annual Accounts	To be Approved By	To be Published By
Current	30 September	31 December
2003-04	31 August	30 November
2004-05	31 July	31 October
2005-06	30 June	30 September

The timings did not fit in with the preferred timing of Police Authority meetings at which accounts were put forward for approval by Members. It was therefore proposed that from 2003-04, the Resources Committee be given delegated authority to approve the accounts. The position would be reviewed on an ongoing basis to fit in with committee requirements.

**P/832 THE PROCESS FOR APPROVING THE ANNUAL STATEMENT OF ACCOUNTS FOR 2003-04 ONWARDS (Cont'd)**

- (ii) That the Resources Committee be given delegated authority to approve the Annual Statement of Accounts;
- (iii) That an additional meeting of the Resources Committee be scheduled towards the end of August 2004 as a fallback position for approving the 2003-04 annual accounts.

**P/833 REPORTS OF COMMITTEES**

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

1. A meeting of the Complaints Monitoring Group was held on 19 September and 3 December 2003.

The following recommendation arose from the meeting:

**[12/19.09.03] RENAMING OF THE COMPLAINTS MONITORING GROUP**

**RESOLVED** that the name of the Complaints Monitoring Group be changed to Professional Standards and Complaints Monitoring Group.

Mr Wallin drew Members' attention to a draft paper providing guidance on the establishment of lists of independent people to sit on misconduct panels. It was recommended by the Home Office that these panels be in place by 1 April 2004. The Association of Police Authorities was inviting comments on the draft paper and Members were urged to provide any comments they had to Mr Wallin by 19 December.

2. A meeting of the Human Resources Committee was held on 21 October 2003.

Members noted the items discussed by the Committee. There were no recommendations arising from the meeting.

The Chief Executive advised that currently there were many issues that the Human Resources Committee was considering that all Members needed to be briefed on. It was suggested that a Police Authority seminar be held in due course to address this.

3. Performance Management and Audit Committee was held on 18 November 2003.

Members noted the items discussed by the Committee. There were no recommendations arising from the meeting.

4. A meeting of the Planning and Consultation Committee was held on 9 October 2003.

Members noted the items discussed by the Committee. There were no recommendations arising from the meeting.

The Chief Executive advised that work on the new website was progressing and it was hoped that the site would be launched at the end of January 2004.

5. A meeting of the Resources Committee was held on 16 October and 24 November 2003.

The following recommendations arose from the meeting:

**P/833 REPORTS OF COMMITTEES (Cont'd..)**

**[R/311] EXETER VICTIM CENTRED CRIME UNIT**

**RESOLVED** that

- i. the scheme be approved in principle.
- ii. match funding be provided from the sale of the existing Venny Bridge property.
- iii. the audit arrangements required by the Home Office be approved.

**[R/295] PLYMOUTH CJU/CPS CO-LOCATION**

**RESOLVED** that

- i. the committee authorises the Programme Manager to instruct the agent to acquire the lease for a period of 10 years on the 2<sup>nd</sup> Floor of St Andrews Court, 12 St Andrews Street, Plymouth at or below the leasing costs quoted;
- ii. representation be made to Government seeking financial assistance towards the costs of co-location.

**P/834 POLICE AUTHORITY LIAISON MEETINGS**

Members noted the meetings that had taken place since the last meeting of the Police Authority.

**P/835 DEFERRAL OF AGENDA ITEM 13**

**RESOLVED** to defer the presentation on the Devon and Cornwall Constabulary's approach to Terrorism to the next meeting of the Authority.

**P/836 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 of Schedule 12A of the Act, being information relating to

1. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matters arising between the authority or a Minister of the Crown and employees of, or office-holders under, the authority.
2. Any terms proposed or to be proposed by or to the authority in the course of negotiations for a contract for the acquisition or disposal of property or the supply of goods or services.

**P/837 POLICE COMMUNITY SUPPORT OFFICERS – THE FUTURE**

Members considered a report concerning the future strategy in relation to Police Community Support Officers.

**RESOLVED** to agree to the Strategic Statement for Police Community Support Officers as detailed in the report as an interim measure, subject to all the issues raised.

**P/838 DELIVERY OF ICT SERVICES**

**RESOLVED** that the current contract be extended for a further 12 months, until 31 March 2005.