

MINUTES

CUMBRIA POLICE AUTHORITY

Minutes of a Meeting of Cumbria Police Authority held on Monday 25 September 2006 in Conference Room 1, Police Headquarters, Carleton Hall, Penrith commencing at 1.00pm.

PRESENT

Mr R Watson (Chairman)

Mr M Ash
Mr A L Barry
Ms S E Donnelly
Mrs C A Egan
Mrs M Johnson
Ms J Lashmar

Mrs L L Shaw
Mrs L Slavin
Mr W Smith
Mr J Woolley

Also present:

Clerk/Chief Executive (Mr C R Alcock)
Treasurer (Mr D Thomas)
Chief Constable (Mr M Baxter)
Deputy Chief Constable (Mrs C Twigg)
Assistant Chief Constable (Mr N Rhodes)
Assistant Chief Constable (Mr G Sunderland)
Constabulary Director of Finance and Resources (Mr M Thompson)
Constabulary Head of Marketing and Communications (Ms G Shearer)
Deputy Clerk (Mr S Edwards)

PART 1 – ITEMS CONSIDERED IN THE PRESENCE OF THE PRESS AND PUBLIC

40. APOLOGIES FOR ABSENCE

Apologies for absence were received from Mr J Bland, Mr R Cole, Mrs P M Halfpenny and Mr J Nicholson.

41. URGENT BUSINESS AND EXCLUSION OF THE PRESS AND PUBLIC

(a) Urgent Business

The Chairman advised Members of his intention to take a paper produced by the Chief Constable entitled “Acting Deputy Chief Constable, and Acting Assistant Chief Constable Arrangements” as an item of urgent business, as a decision on the subject matter of the report could not be delayed until the next scheduled meeting of the Authority. This item would be taken in Part 1 of the meeting.

(b) Exclusion of the Press and Public

RESOLVED, that under Section 100A(4) of the Local Government Act 1972, as amended, the press and public be excluded from the meeting during consideration of the following items on the grounds that they involve the likely disclosure of exempt information as defined in the paragraphs indicated in Part 1 of Schedule 12A to the Act –

Item No	Title	Paragraph No
27	Police Reform - Special Priority Payments 2006	2
28	Indemnities for Police Authority Members and Officers	5

42. DISCLOSURE OF PERSONAL INTERESTS

There were no disclosures of personal interest in relation to any item on the Agenda.

43. MINUTES

The Minutes of the meetings of the Authority held on 28 June and 25 July 2006 were submitted.

Mr Woolley asked that the Minutes of the meeting held on 28 June be amended to reflect the fact that he had not been present.

RESOLVED, that, subject to the above amendment, the Minutes of the meetings of the Authority held on 28 June and 25 July 2006 be confirmed as a correct record and signed by the Chairman.

44. AUDIT AND PERFORMANCE COMMITTEE

The Minutes of the meetings of the Audit and Performance Committee held on 22 and 28 June 2006 were before the Authority.

In moving both sets of Minutes, the Chair of the Committee drew Members' attention to the second part of the resolution to Minute No 134, Budget Out Turn Report 2005/06 – as follows:

“The following determinations in respect of the financing of the 2005/06 capital expenditure be approved –

- (i) usable capital receipts amounting to £285k be applied to meet capital expenditure under Part IV of the Act (Section 60.2 of the Act);
- (ii) a sum amounting to £119k be set aside in the revenue account as a minimum revenue provision for credit liabilities (Section 63.5 of the Act)".

The Chair asked that this part of the resolution, which was a recommendation to the Authority, be confirmed.

The Chairman of the Authority drew Members' attention to the excellent performance figures achieved by the Constabulary and he congratulated the Chief Constable and his staff on their performance.

RESOLVED, that the Minutes be received and the following recommendation contained therein adopted –

“The following determinations in respect of the financing of the 2005/06 capital expenditure be approved –

- (i) usable capital receipts amounting to £285k be applied to meet capital expenditure under Part IV of the Act (Section 60.2 of the Act);
- (ii) a sum amounting to £119k be set aside in the revenue account as a minimum revenue provision for credit liabilities (Section 63.5 of the Act)".

45. PERSONNEL COMMITTEE

The Chairman presented the Minutes of the meeting of the Personnel Committee held on 11 July 2006, a copy of which had been circulated with the Agenda for the meeting.

RESOLVED, that the Minutes be received.

46. PROFESSIONAL STANDARDS COMMITTEE

The Chairman presented the Minutes of the Committee which had been held on 15 June 2006, a copy of which had been circulated to all Members.

RESOLVED, that the Minutes be received.

47. CONSULTATION WORKING GROUP

The Chair of the Working Group presented the Minutes of the meeting held on 5 September 2006.

A Member referred to the recent consultation on anti-social behaviour undertaken at a school in Penrith advising that circulation of the results of the consultation should be made to Eden District Council as Penrith did not have a Town Council.

The Working Group Chair advised that she would be attending the Polish mass in Carlisle on the coming Sunday and possibly on one further occasion prior to Christmas.

RESOLVED, that the Minutes be received and the recommendation contained therein adopted.

48. POLICE COMMUNITY LIAISON FORUMS

The Chairs of the following Police Community Liaison Forums presented Minutes of meetings as follows –

Allerdale, 5 July 2006.

Carlisle, 13 July 2006.

Copeland, 4 July 2006.

Eden, 12 July 2006.

A Member from Barrow referred to representations she had received from Members of the Barrow Forum asking that dates for meetings of that Forum be programmed 12 months in advance. The Chair of the Forum noted the comments.

RESOLVED, that the Minutes of the Police Community Liaison Forums presented above be noted.

49. MEMBERS REPORT BACK

Mr Woolley presented a paper concerning his attendance at the APA Training Liaison Network held on 12 July 2006 and at a recent IPLDP training day.

Ms Lashmar reported on her attendance at the Cumbria Young Persons Scrutiny Panel and at the Constabulary's Confidence and Equality Board. She referred to the Constabulary's appropriate language booklet, which had been circulated at the Confidence and Equality Board and the Deputy Chief Constable advised that this booklet could be made available to Members.

Mrs Johnson reported on her attendance at a recent meeting of the APA Neighbourhood Policing Policy Group, and Mrs Egan reported on her attendance at the APA Local Priorities Board.

RESOLVED, that the Members reports be received.

50. POLICE AUTHORITY ISSUES

(a) APA Annual Conference, 29/30 November 2006, Leeds

Members were asked to consider representation at the APA Annual Conference in November. It was noted that, in addition to Member attendance, the Clerk/Chief Executive and Chief Constable would also be attending.

RESOLVED, that the Authority's representation at the APA Annual Conference 2006 be as follows –

Mr R Watson (Chairman), Mr M Ash, Mr A L Barry, Mrs M Johnson and Mrs L L Shaw.

(b) Business Continuity Board

RESOLVED, that Mrs C A Egan be appointed as the Authority's representative on the Constabulary's Business Continuity Board.

(c) APA Science and Technology Policy Group

RESOLVED, that Mrs L L Shaw remain as the Authority's named representative on the APA Science and Technology Policy Group and that consideration be given to the appointment of substitutes in the event of Mrs Shaw being unable to attend meetings.

(d) Police Authority Committee and Working Group Structure

The Clerk/Chief Executive reminded Members of the background to this matter and presented a proposal to revise the Authority's Committee and Working Group structure. The proposal sought to address issues raised by Members and equip the Authority to move forward in the post-merger period. If Members agreed the structure, the next stage would be the development of terms of reference for the new committees and working groups. He assured the Chief Constable that he would be consulted as revised terms of reference were developed.

RESOLVED, that the proposed amendments to the Authority's Committee structure be approved.

(e) Age Discrimination

The Clerk/Chief Executive briefed Members on the introduction of the Employment Equality Age Regulations.

(f) "SPARSE" Rural Services Partnership

The Clerk/Chief Executive advised Members that "SPARSE" was a new group established to promote service delivery in rural areas, whose work was being sponsored by the Commission for Rural Communities and DEFRA. Membership for the Police Authority would cost £300 per annum.

RESOLVED, that the Authority join "SPARSE" at an annual cost of £300.

(g) The Commission for Local Administration in England

The Clerk/Chief Executive advised that the Commission for Local Administration in England had received a complaint made against the Authority. This matter had initially been reported to the Standards Committee on 15 June 2006. The

Ombudsman had decided to investigate the complaint and Members would be advised as to the outcome of the investigation in due course.

RESOLVED, that the position be noted.

(h) Constabulary Alternative Learning Programme Board

The Chief Constable advised that, since the paper had been prepared, the position had changed slightly in that the Constabulary would now appreciate the Authority nominating two Members to serve on the Force Learning Panel, one of whom could take the lead on training and the other taking the lead on development.

RESOLVED, that Mr Woolley and Mrs Johnson be appointed to serve on the Force Learning Panel, and Mrs Johnson attend future meetings of the Constabulary Alternative Learning Programme Board.

51. UPDATE ON POLICE FORCE MERGERS

The Clerk/Chief Executive presented Members with a report which provided an update on developments in relation to the restructuring of police forces that had occurred since the last meeting of the Authority.

He advised Members that two key future dates were a seminar for Chairs and Chief Constables convened by the Home Secretary to take place on 2 November, and a joint away day between the Authority and the ACPO Team to be held in early November.

Members noted the 2 November seminar being convened by the Home Secretary and gave consideration to possible dates for a joint away day with the ACPO Team.

RESOLVED, that

- (1) the report be noted; and
- (2) the Clerk/Chief Executive and Chief Constable liaise with regard to dates for the joint away day.

52. MERGER COSTS

The Treasurer presented a report prepared jointly with the Chief Constable, the contents of which had been developed in partnership with the Treasurer and Chief Constable of Lancashire.

Cumbria and Lancashire had submitted a joint claim to the Home Office for a total of £763,000, of which £271,000 represented Cumbria's element.

The Home Office response to the claim would be reported to the Authority in due course.

RESOLVED, that the report be noted.

53. BUDGET UPDATE

The Treasurer presented a report submitted jointly with the Chief Constable, the purpose of which was to provide the Authority with an updated position on income and expenditure against the revenue and capital budgets as approved for the current financial year.

The Treasurer advised that, as of the end of July, the revenue budget was £817,000 within the identified budget requirement. Given this position, the Authority was asked to note an "in principle" intention to recommend the earmarking of £500,000 of the 2006/07 projected surplus for capital purposes when presenting the revised estimates for budget in February, to include any costs arising from interruption to the Constabulary's power supply.

With regard to the capital budget, Members were advised that 18 projects, with a total expenditure of £5.8m, had been formally signed off as complete by their respective budget holders and had been removed from the programme. The assets created as a result of the completed projects had been added to the Authority's Asset Register. There were no variances over and above those previously agreed by the Authority on these schemes. Variances to the remaining schemes within the Capital Programme were highlighted in the report.

RESOLVED, that

- (1) the report be noted;
- (2) the latest estimates of expenditure against the approved Capital Programme be approved; and
- (3) the "in principle" intention to recommend the earmarking of £500,000 of the 2006/07 projected surplus for capital purposes when presenting the revised estimates for budget in February 2007 be noted.

54. MEDIUM TERM FINANCIAL FORECAST

A report prepared jointly by the Treasurer and Chief Constable, which set out the latest forecast of the Authority's financial prospects for the period to 2010/11, had been circulated to all Members.

The Treasurer presented what was a major strategic report which would normally have been submitted to the Authority in May, but had not been on this occasion because of the then on-going amalgamation process. The report before Members was a comprehensive one.

The period to 2010/11 had been chosen to synchronise with the period of the forthcoming Government Comprehensive Spending Review, the outcome of which will be presented during 2007 and which would shape the size and content of public spending plans for the subsequent three years to 2010/11. The requirement for robust medium term financial projections now had added importance in light of the Prudential Code for Finance, which required decisions about future capital

investments to be made in the context of the overall longer term financial position of the Authority.

The Medium Term Financial Forecast (MTFF) had to take account of the resources expected to be made available by Government over the period of the Forecast.

Overall, the Forecast painted a downward picture of the Authority's financial prospects over the four year period to 2010/11. While expenditure was forecast to increase by £10.2m to £100.5m. income was not projected to increase at that rate and if Council Tax increases were to be in line with assumptions in the Forecast, the gap could only be managed by finding savings and cashable efficiencies from planned expenditure.

Amongst issues specifically referred to by the Treasurer were the impact of capital schemes on the Authority's overall financial position.

RESOLVED, that

- (1) the report be noted; and
- (2) it be noted that the key messages emerging from the Forecast would be used as the basis of dialogue with the Constabulary in preparing for the forthcoming budget cycle.

55. TREASURY MANAGEMENT ACTIVITIES

The Treasurer presented a report prepared jointly with the Chief Constable, the purpose of which was to report on the Treasury Management activities which had taken place between June and August 2006, in accordance with CIPFA's Code of Practice on Treasury Management.

Members noted that increased income as a result of interest rate increases had been factored into the Budget Update Report considered at Minute No 53 above.

RESOLVED, that the report be noted.

56. PUBLIC CONSULTATION SURVEY 2006

The Chief Constable advised that this item had been withdrawn and would be submitted to the meeting of the Policing Plan and Best Value Committee on 17 October 2006.

57. INITIAL WORK AND DRIVERS FOR PRIORITIES 2007/08

The Chief Constable advised that this item had been withdrawn and would be submitted to the meeting of the Policing Plan and Best Value Committee on 17 October 2006.

58. NATIONAL POLICING IMPROVEMENT AGENCY

Members considered a report prepared by the Chief Constable.

The National Policing Improvement Agency (NPIA) would come into effect from April 2007, subject to legislation. It would be a single National Improvement Agency for policing and would support forces in their quest to constantly seek improvement and to achieve national standards. It would supersede organisations such as PITO, CENTREX and NCPE, and should result in a more coordinated and effective approach to the implementation of national improvement programmes.

The Chief Constable advised that he would provide an update paper on the potential impact of NPIA on the work of the Constabulary at the January 2007 meeting.

RESOLVED, that the role of NPIA and its potential implications for the Constabulary be noted.

59. LOCAL AREA AGREEMENTS AND THEIR IMPLICATIONS

The Chief Constable presented a report, the purpose of which was to provide the Authority with an overview of the current position with the development of a Local Area Agreement (LAA) for Cumbria, which would come into existence in April 2007. The Safer and Stronger Communities Agreement, part of the LAA, had come into force in April 2006.

Whilst new to Cumbria, Local Area Agreements had been introduced elsewhere on a pilot basis, with effect from April 2006. The timetable for the introduction of the LAA in Cumbria was set out within his report.

Potentially, the LAA was very powerful, as it would pull together the work of all the local authorities and other key partners within Cumbria and there were financial benefits when targets set within the LAA were met. The Constabulary's involvement in the LAA, as a member of the Safer and Stronger Communities Group and the Children and Young Persons Board, demonstrated its commitment to supporting the development and success of the LAA and would be crucial in ensuring that targets set by the LAA were compatible to those already identified by the Constabulary.

Members welcomed the report from the Chief Constable and it was suggested that at a future date it would be appropriate to receive a further report which provided an overview of the risks and opportunities presented by the LAA.

Members also considered that it would be appropriate for it to be represented on the Cumbria Strategic Partnership, the overarching body with responsibility for progressing the LAA. Should the request be successful the Authority's representative should be the Chair, or the Vice-Chair in the Chair's absence.

RESOLVED, that

- (1) the report be noted; and
- (2) an approach be made to the Cumbria Strategic Partnership with a view to obtaining a place for the Authority on the Partnership.

60. CRIME AND DISORDER REDUCTION PARTNERSHIPS

The Chief Constable presented a report, which set out the Constabulary's work with the Crime and Disorder Reduction Partnerships (CDRP) under the following areas of activity –

1. a breakdown of BCU relationships with, and support given to, CDRPs;
2. key activities undertaken in relation to CDRP related audits and plans;
3. views on the likely affect of the current SSCF arrangements and the forthcoming LAA;
4. views on the future delivery of CDRP work following the CDA review; and
5. options for future engagement and support.

RESOLVED, that the report be noted.

61. CUMBRIA 101 PROJECT UPDATE

Members considered a report by the Chief Constable which provided an update on the Cumbria 101 Project. This Project was a partnership bid to the Home Office to secure funding to establish and run a 101 call centre in Cumbria, which would receive non-emergency calls for police, County Council and local authority services relating to anti-social behaviour and community safety issues.

The partnership was developing a bid for submission to the Home Office which, if it was successful, would be referred to the Police Authority for approval before entering into a binding contract.

The Assistant Chief Constable (ODP), who was leading on this matter for the Constabulary, advised that the County Council was the lead authority for this initiative and would be the body entering into the contract with any service providers.

RESOLVED, that the report be noted.

62. RESOLVED 2006

The Chief Constable advised that this item had been withdrawn.

63. APPOINTMENT OF INDEPENDENT MEMBERS AND LAY JUSTICES

The Clerk/Chief Executive presented a report, the purpose of which was to inform Members of the process and timetable for the appointment of Independent

Members and Lay Justices to the Police Authority, with a view to resultant appointments being made with effect from 1 April 2007.

The timetable for the appointment process was appended to his report.

RESOLVED, that the report be noted.

64. CHIEF CONSTABLE'S PERIODIC REPORT

The Chief Constable presented his Periodic Report to the Authority, which included details of incidents of note that had occurred throughout the Force area.

In addition to operational policing matters, the report also included details of awards and recognition made to police officers and police staff by the Chief Constable, Deputy Chief Constable and Assistant Chief Constable (Operations).

RESOLVED, that the report be noted.

65. SPECIAL PRIORITY PAYMENTS 2005

The Chief Constable presented his year end report on the third year of operation of the Special Priority Payments scheme in Cumbria.

RESOLVED, that the report be noted.

66. ACTING DEPUTY CHIEF CONSTABLE AND ACTING ASSISTANT CHIEF CONSTABLE ARRANGEMENTS

The Chief Constable presented a report, being dealt with as an item of Urgent Business, a copy of which had been tabled.

He advised Members that the Deputy Chief Constable had been invited to act as a Syndicate Director for the Strategic Command Course 2006. It was a considerable honour to be asked to act in this role and Members joined with the Chief Constable in congratulating the Deputy Chief Constable.

Taking into account both the course and postponed annual leave, the Deputy Chief Constable would be absent from the Constabulary from 23 October 2006 until 1 January 2007. It would be necessary, during this period, to designate one of the Assistant Chief Constables to act as Deputy Chief Constable to fulfil the functions of the post and for a Chief Superintendent to be appointed as Acting Assistant Chief Constable for the period during which the Deputy Chief Constable was absent from the Constabulary.

Members indicated their full support for the proposals made by the Chief Constable.

RESOLVED, that

(1) the report be noted;

- (2) the Assistant Chief Constable, Mr G Sunderland, be appointed Acting Deputy Chief Constable with effect from 00.01am on Monday 23 October 2006 to 1 January 2007; and
- (3) that Chief Superintendent, Mr P Kirkbride, be appointed Acting Assistant Chief Constable with effect from 00.01am on Monday 23 October 2006 to 1 January 2007.

PART 2 – ITEMS CONSIDERED IN THE ABSENCE OF PRESS AND PUBLIC

67. SPECIAL PRIORITY PAYMENTS 2006

The Chief Constable presented a report which proposed a scheme for the disbursement of Special Priority Payments granted under the auspices of the Police Reform programme. The report provided a summary of the Scheme and detailed the posts which, in the opinion of the Chief Constable, most merited a Special Priority Payment in 2006.

Members were reminded that each year there was a requirement to revisit the preceding year's Scheme. The Chief Constable had consulted the Police Federation on the proposals and he thanked them for their cooperation.

As the proposed scheme reflected that of the previous year, there was no need for it to be resubmitted to the Home Office for their approval.

RESOLVED, that

- (1) the posts and roles outlined in Appendix A to the Chief Constable's report for the 2006 Special Priority Payment Scheme be noted;
- (2) it be noted that as the 2006 Scheme broadly followed previous schemes, it would only be forwarded to the Home Office for information rather than approval; and
- (3) each officer holding one of the posts identified in Appendix A to the report receive a Special Priority Payment of the amount detailed in Appendix B to the report, in accordance with Home Office guidance.

68. INDEMNITIES FOR POLICE AUTHORITY MEMBERS AND OFFICERS

The Clerk/Chief Executive presented a report which enabled consideration of the extent of indemnity afforded to Members and Officers of the Authority and whether this protection should be developed, as had been the intention of statutory regulations issued in 2004.

RESOLVED, that

NOT PROTECTIVELY MARKED

- (1) an indemnity for Members and Officers of the Authority be secure to the full extent contemplated by the 2004 regulations;
- (2) any indemnity given be in accordance with the detailed recommendation set out in the report and the principles set out in Appendix 1 to the report;
- (3) any indemnity given be underwritten by the provisions of insurance; and
- (4) the Chief Executive and Treasurer be authorised to settle the precise terms of indemnity following detailed negotiations with the Authority's insurers.

The Meeting ended at 3.05pm.

NOT PROTECTIVELY MARKED