

CUMBRIA POLICE AUTHORITY

**Minutes of a Special Meeting of Cumbria Police Authority held on
Wednesday 26 April 2006 in Conference Room 1, Police Headquarters,
Carleton Hall, Penrith commencing at 10.00am.**

PRESENT

Mr R Watson (Chairman)

Mr M Ash	Ms J Lashmar
Mr A L Barry	Mr J Nicholson
Mr R S Cole	Mrs L L Shaw
Ms S E Donnelly	Mrs L Slavin
Mrs C A Egan	Mr W Smith
Mrs P M Halfpenny	Mr J Woolley
Mrs M Johnson	

Also present:

Clerk & Chief Executive (Mr C. R. Alcock)
Treasurer (Mr D. Thomas)
Performance Management & Policy Advisor (Miss M Saunders)
Acting Chief Constable (Mrs C. Twigg)
Acting Deputy Chief Constable (Mr G Sunderland)
Acting Assistant Chief Constable (Mr P Kirkbride)
Constabulary Director of Finance & Resources (Mr M. Thompson)
Her Majesty's Inspector of Constabulary (Mr K Williams)
Deputy Clerk (Mr S. Edwards)

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

199. APOLOGIES FOR ABSENCE

Apologies for absence were received from Mr J Mallinson.

200. EXCLUSION OF THE PRESS AND PUBLIC

There were no items on the agenda for which the press and public were to be excluded.

201. DISCLOSURE OF PERSONAL INTERESTS

There were no disclosures of personal interests in relation to any item on the agenda.

202. POLICE FORCE AMALGAMATION

The Chairman welcomed Mr K Williams, HMIC, to the meeting.

The Chairman drew Members attention to a letter dated 25 April 2006 from the Police Minister, Hazel Blears MP, a copy of which had been tabled.

Members gave consideration to papers from the Clerk & Chief Executive, the Treasurer and the Acting Chief Constable, copies of which had been circulated in advance of the meeting.

The Acting Chief Constable presented her report updating the report originally submitted by the Chief Constable to the Authority's meeting in February where its conditional decision to volunteer was made. The report set out her professional advice on the proposal to volunteer to amalgamate with Lancashire Constabulary with effect from 1 April 2007. It was based on a detailed consideration of the known risks and benefits for policing services in Cumbria and on the assurances and position statements received from the Home Office, which were set out in Appendix 1 attached to her report.

The Acting Chief Constable was still of the view that voluntary amalgamation represented the best way forward. Standing alone, Cumbria's capacity to deliver the level of service, which she would like and the public would expect, in the realm of Protective Policing services, was limited. The Constabulary was also limited in its capacity to deal with more than one major incident at any given time, without there being an adverse impact on Neighbourhood Policing. It remained the case that Cumbria did not have the financial capacity to close the gaps in service provision that had been identified in the HMIC report "Closing the Gap". Merger with Lancashire, an excellent Constabulary which shared Cumbria's commitment to neighbourhood policing, represented the best solution to addressing the issues identified in that report and a considerable amount of work had already been undertaken to take forward the amalgamation process, so that the new Constabulary could be considered 'excellent' with effect from 1 April 2007. It was important to maintain the momentum achieved through work already done towards amalgamating the two Constabularies and, for this reason alone, volunteering to merge offered a considerable advantage. However, there were a number of other advantages identified for volunteering to merge the two forces and the Acting Chief Constable rehearsed these for the benefit of Members.

It was clear that, even if the Authority decided not to confirm its decision to amalgamate then it would be forced, by Charles Clarke MP, the Home Secretary, to amalgamate under similar timescales anyway. Any decision not to press ahead with a voluntary amalgamation would simply extend a period of uncertainty for the organisations involved and for the staff within them.

Amalgamation represented the best way forward for delivering the level of Protective Policing services that the public of Cumbria had a right to expect.

The Treasurer then presented his report, which updated Members on a number of issues surrounding the financial implications of the process for the voluntary merger of Cumbria and Lancashire Police Authorities and their Constabularies. The report advised on the further application of national moderation criteria by the Home Office to the Business Case submitted by the Constabulary and confirmed that a minimum figure of £14 million of grant was available to support the merger of Cumbria and Lancashire. (Over the next few weeks further discussions would take place with the Home Office which might see some modest improvement in the grant available).

The report also advised on a decision by the Chancellor as part of the Budget Statement on 22 March 2006, which maintained the Spending Review Funding available to the Home Office for the 3 year period 2008/09 to 2010/11 at the same level as for 2007/08 with just a 2.7% year on year increase over that period largely reflecting inflation.

The report also provided advice on the current position of the Home Office over the harmonisation of the police precept element in Council Tax, whose resolution was amongst the criteria specified by the Authority as needing to be satisfied for their volunteering for merger to cease being conditional.

The report also informed Members about funding criteria and levels of financial assistance available from the Home Office towards the amalgamation costs of those police authorities proceeding under compulsory Amalgamation Orders initiated by the Home Secretary, rather than on a requested basis. Since the February meeting, it had been established that these were to all intents and purposes to be the same as for the volunteers.

Finally, the paper reported on the recommendation by the Joint Programme Board (JPB - set up to co-ordinate the force merger) to lease premises in Lancaster for a two-year period, in order to accommodate the 41 officers comprising the Joint Programme Team on one single site, convenient to both Constabularies. It was possible these premises could also accommodate Committee meetings of the new Strategic Authority during that period. The premises were to be taken by and in the name of Lancashire Police Authority in advance of the new Authority being established (on or around 1 June 2006) and the Authority was asked to endorse this decision.

In considering the report, Members expressed concern at the removal (as part of the 'moderation' process) of the 10% contingency allowed by the Business Case. They expressed the view that the Home Office did not fully understand the degree of risk faced by Authorities during this amalgamation process.

The Clerk & Chief Executive presented his report, the purposes of which were to recap the amalgamation process; to record how the Authority had reached its decision; to update Members on key developments in the restructuring proposals since then, together with their implications; and to identify matters affecting the voluntary merger of both Police Authorities and their respective Constabularies which needed positive decisions today.

Key amongst the latter category were the terms of the Amalgamation Order, a statutory instrument which was the delivery mechanism or 'contract' for merger and whose provisions were important element in establishing whether or not the six criteria or conditions for volunteering identified by members for their satisfaction were fulfilled. Unfortunately, despite requests, the final draft of the Amalgamation Order had not been received from the Home Office in time and so could not be confirmed by the Authority today.

The Clerk & Chief Executive reminded Members that, on 24 February, they had made a decision to volunteer conditionally for merger. The main purpose of the meeting today, albeit hampered by the lack of an Amalgamation Order, was to ascertain whether the six criteria set by the Authority on 24 February had been satisfied. If Members had found that they were, then the Authority might have decided it could proceed with the voluntary amalgamation on an unconditional basis. The specific issues which Members would need to consider were the likelihood of improvements in operational and protective policing services; financial issues such as start-up and transitional costs, grant funding and precept equalisation; governance of the new organisations; human resources; and the timetabling of the process. He then outlined the current position with regard to each of the above criteria, some of which were dependent on national initiatives moving forward at a slower pace.

Once these outstanding matters were resolved to the satisfaction of the Authority, they could be incorporated within the Amalgamation Order being drafted by the Home Office in consultation with the Authority. Unfortunately, whilst Members were in a position to consider whether some of their criteria for volunteering had been met, based on the information in front of them, they were certainly not in any position to decide whether they were resolved by the Amalgamation Order, or whether the Amalgamation Order itself was satisfactory overall. Indeed, over certain core issues, such as how precept harmonisation could be achieved, no conclusive information was available, beyond recurring assurances from the Home Office that they would be resolved. He therefore suggested that it would be appropriate for Members to consider reconvening in a week, by which time it could be expected there would be a complete Amalgamation Order available for them to consider.

The HMIC then outlined his role in the process, confirming to members his own belief that bringing the two forces together would fill the gap in Protective Policing services identified as needing to be filled. He had read all the reports before the Authority but was unaware that the Authority had not yet received a copy of the draft Amalgamation Order, which he understood but regretted.

Members expressed extreme disappointment that, through no fault of anyone in the room, they did not have a copy of the crucial document before them for consideration. They expressed their desire to move forward with this process and expressed frustration that they were unable to do so at the present meeting. It was duly moved and seconded that no action should be taken today and that the Authority should re-convene in seven days time in order to enable proper consideration of the Amalgamation Order when received.

Members then raised a range of issues with the Officers, including the future of Neighbourhood Policing in the amalgamated Constabulary; Council Tax harmonisation; and the timescale for approval of the Amalgamation Order, Officers responding as appropriate. HMIC regretted the lack of progress and wondered whether there was not something that could be achieved today. Members reiterated their disappointment at not being able to approve the Amalgamation Order at the present meeting and restated their commitment to moving forward with the amalgamation process. They considered it important to make clear that they were still committed to the process and that any difficulty resulting from the fact it was not possible to approve the Amalgamation Order at their present meeting should be seen as an administrative delay within the process, rather than any lack of commitment from the Authority.

Members then considered whether it would be appropriate to continue with the process of appointing Members to the new Strategic Authority at the present meeting. They decided to take that part of the process forward notwithstanding the lack of any Amalgamation Order to consider.

The Chairman thanked HMIC for attending the meeting. (Note: At this point HMIC, the Acting Deputy Chief Constable and the Acting Assistant Chief Constable left the meeting.)

The Clerk & Chief Executive outlined a process which could be adopted under the Authority's Standing Orders (number 16) if members wished to proceed to appoint Members to the ten places out of twenty seven which would be allocated to Cumbria on the new Strategic Police Authority, when it came into existence. Those ten places were broken down as five places for County Councillors, two places for Magistrates, and three places for Independent Members.

Members first turned their attention to the appointment of County Councillors to the new Strategic Authority. The Clerk and Chief Executive advised that the five places had to be allocated on a politically-proportionate basis. On current figures, this would mean two for Labour Members; two for Conservative Members; and one for a Liberal Democrat Member. Five nominations had already been received which duly matched the places available as follows:-

Mr M Ash (Liberal Democrat)
Mr R S Cole (Conservative)
Mr J Nicholson (Conservative)
Mr W Smith (Labour)
Mr W Watson (Labour)

Members indicated their approval for the five nominations.

Consideration was then given to the appointment of Magistrate Members. Nominations had been received from Mrs C A Egan and Mrs L Slavin. Members indicated their approval for the nominations.

Four nominations had been received for the three Independent Member places. Each nomination had been seconded. Following a secret ballot, the following nominations were made to the new Strategic Authority ;-

Mrs M Johnson
Ms J Lashmar
Mrs L L Shaw

The newly-nominated representatives on the Strategic Police Authority were advised that it was proposed to hold an "Away Day" for intended Members of the Strategic Authority on Friday, 12 May 2006, in Lancaster.

RESOLVED, that

- (1) A further meeting of the Police Authority be held on 3 May 2006, commencing at 1.00pm, to consider the final draft Amalgamation Order;
- (2) the recommendation of the Joint Programme Board to ask Lancashire Police Authority to take a lease of accommodation at Lancaster for a minimum period of two years, for single-site accommodation for the Amalgamation Programme Team, which could also be used for Committee meetings for the new Strategic Authority should that Authority so decide, be endorsed; and
- (3) the following Members be appointed to serve on the Cumbria and Lancashire Police Authority –

County Councillors

Mr M Ash
Mr R S Cole
Mr J Nicholson
Mr W Smith
Mr R Watson

Magistrates

Mrs C A Egan
Mrs L Slavin

Independent Members

Mrs M Johnson
Ms J Lashmar
Mrs L L Shaw

NOT PROTECTIVELY MARKED

There were no Part 2 items.

The meeting ended at 12.20 p.m.

NOT PROTECTIVELY MARKED