

**CUMBRIA POLICE AUTHORITY**

**Minutes of a Meeting of Cumbria Police Authority held on Wednesday 22  
March 2006 at Police Headquarters,  
Carleton Hall, Penrith commencing at 1.00pm.**

**PRESENT**

Mr R Watson (Chairman)

Mr M Ash	Mr C S Moth
Mr A L Barry	Mr J Nicholson
Mr R S Cole	Mrs L L Shaw
Mrs P M Halfpenny	Mrs L Slavin
Mrs M Johnson	Mr W Smith
Ms J Lashmar	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)  
Constabulary Director of Finance and Resources (Mr M Thompson)  
Constabulary Head of Marketing and Communications (Ms G Shearer)  
Constabulary Business Support Manager (Mrs S George)  
Deputy Clerk (Mr S. Edwards)

**MR C S MOTH**

The Chairman informed Members that this was Mr Moth's last meeting after four years service with the Authority. Mr Moth had been an excellent Member acting as both the Chair of Policing Plan and Best Value Committee and the Professional Standards Committee. He had also represented the Authority at the Association of Police Authorities. He had undertaken sterling work for the Authority and had always been willing to take on the many tasks that fell to him. As Chairman he had always found him to be most helpful and supportive.

Mr Watson presented Mr Moth with an Authority paperweight to mark his time on the Authority.

The Chief Constable, in presenting Mr Moth with a Constabulary plaque, thanked him for his support, contribution and observations over his time as a Member of the Authority. He had welcomed his support of the Constabulary during his time as a Member of the Authority.

Mr Moth expressed his delight at the gifts with which he had been presented. He had enjoyed his time as a Member of the Authority and commended the way that the

Authority, under the leadership of the Chairman, had worked together as a team to address the issues it had faced. He thanked the Authority staff for their support during his time as a Member.

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

### **171. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Ms S Donnelly, Mrs C A Egan and Mr J Mallinson.

### **172. URGENT BUSINESS AND EXCLUSION OF THE PRESS AND PUBLIC**

#### **(a) Urgent Business**

The Chairman advised that there were no items of urgent business.

#### **(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	Title	Paragraph
22	Draft Programme Management Structure	1
23	Record Management System	3
24	Lease for the Durranshill Site, Carlisle	3

### **173. DISCLOSURE OF PERSONAL INTERESTS**

Mr R Watson declared a personal but not prejudicial interest in Agenda Item No 24, Lease for the Durranshill Site, Carlisle, as a member of Carlisle City Council.

### **174. MINUTES**

The Minutes of the meetings of the Authority held on 15 February and 24 February 2006 had been circulated with the Agenda.

Mrs L L Shaw asked that, under Minute No 156, Disclosure of Personal Interests, of the meeting held on 15 February 2006, her name be added to those declaring personal, but not prejudicial, interests in the Carlisle Custody Facilities item, as her husband was a member of Cumbria County Council.

**RESOLVED,** that the Minutes of the meetings of the Authority held on 15 February and 24 February 2006 be confirmed as a correct record and signed by the Chair.

#### **175. AUDIT AND PERFORMANCE COMMITTEE**

The Chair of the Audit and Performance Committee presented the Minutes of the meeting held on 7 February 2006, a copy of which had been circulated to all Members.

**RESOLVED,** that the Minutes be received

#### **176. POLICING PLAN AND BEST VALUE COMMITTEE**

The Chair of the Policing Plan and Best Value Committee presented the Minutes of the meetings of the Committee held on 13 January, 21 February and 16 March 2006.

In presenting the Minutes he highlighted for Members the process the Committee had followed in developing the Annual Policing Plan.

**RESOLVED,** that the Minutes be received.

#### **177. PERSONNEL COMMITTEE**

The Chairman of the Personnel Committee presented the Minutes of the meeting held on 27 February 2006.

**RESOLVED,** that the Minutes be received.

#### **178. COMMUNITY AND RACE RELATIONS COMMITTEE**

The Chair of the Community and Race Relations Committee presented the Minutes of the meeting held on 26 January 2006. In so doing she highlighted the work the Authority was undertaking on consultation with young people.

**RESOLVED,** that the Minutes be received.

#### **179. PROFESSIONAL STANDARDS COMMITTEE**

The Chair of the Committee presented the Minutes of the meeting held on 23 January 2006. In doing so he drew Members attention to the new approach adopted for dip sampling complaints highlighting the fact, that all Members of the Committee were now involved in the process, and had received appropriate training.

**RESOLVED,** that the Minutes be received.

### **180. CONSULTATION WORKING GROUP**

In the absence of the Working Group Chair Mrs L L Shaw presented the Minutes of the meeting of the Consultation Working Group held on 9 March 2006.

Mrs Shaw drew particular attention to work being undertaken on consultation with young people and the results of the survey conducted as part of the Best Value Review of Anti Social Behaviour. She also drew Members attention to the importance of developing links with Lancashire Police Authority to ensure that consultation undertaken over the next twelve months was co-ordinated where appropriate.

**RESOLVED,** that, the Minutes be received.

### **181. ACCOMMODATION WORKING GROUP**

The Chair presented the Minutes of the meeting of the Accommodation Working Group held on 13 December 2005. It was noted that all items contained in the Minutes that had required action had been dealt with at the December meeting of the Police Authority. The next meeting of the Working Group would be held in Barrow on 8 May 2006

**RESOLVED,** that, the Minutes be received.

### **182. PROGRAMME MANAGMENT WORKING GROUP**

In the absence of the Working Group Chair, the Chairman of the Authority presented the Minutes of the meetings of the Working Group held on 5 January and 8 March 2006. In presenting the Minutes the Chairman commended the programme management approach as adopted by the Chief Constable.

The Chief Constable reminded Members that the programme management approach to the Constabulary's major projects had been adopted approximately two years previously and was now showing its true benefits.

**RESOLVED,** that, the Minutes be received.

### **183. POLICE COMMUNITY LIAISON FORUMS**

The Chairs of the Police Community Liaison Forums presented Minutes of meetings held as follows: -

Allerdale, 25 January 2006;  
Barrow, 5 January 2006;  
Carlisle, 12 January 2006;  
Copeland, 24 January 2006;  
Eden, 11 January 2006;  
South Lakeland, 9 January 2006.

**RESOLVED,** that, the Minutes be received.

#### **184. MEMBERS REPORT BACK**

Mrs L Slavin reported on her recent attendance at a meeting of the APA Performance Management Group. At the meeting the importance of maintaining focus on performance during the forthcoming restructuring process was stressed and the Policing Standards Unit was producing a document for the benefit of Members, in which Cumbria was a case study. This document would be launched at the APA/ACPO Conference in May.

The APA was also arranging for work to be undertaken on citizen focus that would be reported to the APA conference in November.

The Chief Constable advised Members that the Audit Commission had recently undertaken some work on citizen focus and he expressed concern that there could be duplication with that now proposed by the APA. Mrs Slavin undertook to raise the matter with the Authority's Performance, Management and Policy Advisor who would take this matter up with the APA.

#### **185. POLICE AUTHORITY ISSUES**

##### **(a) Police Authority Meetings – April 2006**

The Clerk & Chief Executive advised Members that it was necessary to identify a date for a meeting of the full Police Authority in the week commencing 24 April 2006 to enable Members to consider the final draft of the Amalgamation Order and for the Authority to satisfy itself that the matters highlighted in the Amalgamation Resolution of 24 February had been met.

In addition a revised date was required for the meeting of the Policing Plan and Best Value Committee scheduled for 3 April 2006.

A paper concerning these matters had been circulated to Members.

**RESOLVED,** that

- (1) A special meeting of the Police Authority be held on Wednesday 26 April 2006 commencing at 10am;
- (2) The April meeting of the Policing Plan and Best Value Committee be held on Wednesday 26 April commencing at 1.30pm.

##### **(b) Police Authority Member Vacancies**

The Clerk & Chief Executive reminded Members that the Authority currently had a vacancy for an Independent Member and, with effect from 1 April 2006, there would be a vacancy for a Magistrate Member. On 27 February the Personnel Committee had considered these vacancies and decided that, given the recent decision to

amalgamate with Lancashire Police Authority it was no longer appropriate to proceed with the appointment process.

Members were advised that the latest advice from the Home Office, who had been notified of the position, was that the question of whether or not to fill vacancies occurring prior to amalgamation was a matter of judgement for the Authority.

**RESOLVED,** that the position be noted.

**(c) Magistrate Vacancy**

Members gave consideration to filling vacancies arising on Committees, Working Groups and outside bodies as a result of the forthcoming Magistrate vacancy.

**RESOLVED,** that the following appointments be made to Committees, Working Groups and outside bodies –

Policing Plan and Best Value Committee – Mr R Cole

Professional Standards Committee – Mrs L L Shaw

Consultation Working Group – Mrs P M Halfpenny

Eden Community Liaison Forum – No appointment

Best Value Board – Mr A L Barry

Citizen Focused Policing Project Board – Mrs M Johnson

Best Value Lead Member – Mr A L Barry

Customer Focused Policing Lead Member – Mrs M Johnson

APA Professional Standards Member Liaison Network – Chair of Professional Standards Committee (when appointed)

APA Neighbourhood Policing Policy Group – Mrs M Johnson

**(d) Police Authority Diary of Meetings 2006/07**

Suggested dates for meetings of the full Authority for the period September 2006 to July 2007 had been included within the Agenda papers. A draft set of dates for the Authority's Committees and Working Groups had been circulated separately to Members.

In considering the proposed diary of meetings for 2006/07 Members decided that they would discontinue the practice of holding a seminar on the morning of Police Authority meetings, and that from September 2006 meetings of the Authority would start at 10.30am.

**RESOLVED,** that the dates for the Police Authority, Committee and Working Group meetings for 2006/07, as circulated, be agreed.

**(e) Rickergate Area Regeneration – Memorandum of Understanding**

The Clerk & Chief Executive advised that Carlisle City Council had circulated a draft Memorandum of Understanding for signature by the partner agencies responsible for properties within the area of the proposed Carlisle Regeneration Project. A copy had been circulated with the papers for the meeting.

It was not a legally binding document and was intended only to agree an accord to work together in good faith and in a spirit of trust and co-operation with the aim of securing the regeneration of the Rickergate area.

**RESOLVED,** that the Clerk & Chief Executive be authorised to sign the Memorandum of Understanding on behalf of the Authority.

**186. ANNUAL POLICING PLAN 2006/07**

The Chief Constable presented a paper appended to which was a draft of the Annual Policing Plan for 2006/07. This draft had been approved for submission to the full Authority by the Policing Plan and Best Value Committee on 16 March.

The Plan had to be “issued” by 31 March and , if it was approved by the Authority at this meeting, it would be placed on both the Authority and Constabulary websites by that date. After 31 March the document would be updated to reflect end of year performance and full publication including submission to both websites, would be completed by 30 June to meet statutory requirements.

He commended the plan to Members which again showed the Constabulary building on sound performance.

**RESOLVED,** that the Annual Policing Plan 2006/07, as submitted be approved for issue by 31 March 2006.

**187. UPDATE ON POLICE FORCE AMALGAMATIONS**

The Clerk & Chief Executive presented Members with a report that provided an update on developments in relation to the restructuring of police forces that had occurred since the Authority’s decision to seek voluntary amalgamation with Lancashire on 24 February 2006. Appended to the report were a series of supporting documents that provided further information for Members on the amalgamation process.

This was a fast moving area of activity and the Clerk & Chief Executive advised Members of further developments that had taken place since the report had been prepared and highlighted some future matters which would need to be addressed.

He reminded Members that earlier in the meeting (Minute No.185(a) refers) the Authority had agreed to hold a special meeting on 26 April to formally consider whether the matters highlighted in the resolution to amalgamate of 24 February had been met.

In considering the report Members paid particular attention to the process to be adopted for the appointment of ten Members from Cumbria to serve on the new strategic police authority. A suggested approach was set out in the report submitted by the Clerk & Chief Executive and following a full discussion Members agreed to adopt that procedure. An appropriate item would be included on the Agenda for the Special Meeting of the Authority scheduled for 26 April.

**RESOLVED,** that the update report be noted.

### **188. PROPOSED NAME OF AMALGAMATED CONSTABULARY**

The Chief Constable presented a report suggesting that the new, amalgamated Constabulary be known as the "Cumbria and Lancashire Constabulary". This name had been proposed as both existing Constabularies had established close links with their communities and, from the public perspective such a name would serve to preserve the strong reputation and identity to which people could relate and which were important to them.

The proposal was supported by the Chief Constable of Lancashire. An identical report was being submitted to Lancashire Police Authority on 23 March.

**RESOLVED,** that the new constabulary be called Cumbria and Lancashire Constabulary.

### **189. UPDATE ON THE CONSTABULARY CONFIDENCE AND EQUALITY BOARD**

The Chief Constable introduced a paper the purpose of which was to update Members on progress towards the development and delivery of the race and diversity agenda across the Constabulary. In doing so he suggested that in future rather than reporting to every quarterly meeting of the Authority reports should be submitted on an annual basis starting with the Annual Meeting of the Authority in June 2006.

The Deputy Chief Constable then took Members through the report in detail.

**RESOLVED,** that

- (1) The report be noted; and
- (2) In future annual reports on the work of the Confidence and Equality Board be submitted to the Annual Meeting of the Authority.

## **190. PRUDENTIAL INDICATORS 2005/06 AND 2006/07**

The Treasurer presented a report prepared together with the Chief Constable that was legal and technical in nature. At its meeting on 15 February, when approving the Budget for 2005/06 and associated matters, including the revised position for the 2005/06, the Authority approved a range of Prudential Indicators based upon the Authority's anticipated capital programme for the period 2007/08, including the limits on borrowings which would apply during this period.

Since the Budget setting meeting in February the position had changed, as on the 24 February the Authority, together with Lancashire Police Authority, had resolved to request the Home Secretary to amalgamate the two Authorities and Constabularies from 1 April 2007, subject to an acceptable outcome on a number of matters which were to be agreed prior to the amalgamation order being made.

As part of the amalgamation process the Home Office had offered financial support by way of "Pathfinder Grant" totalling £14 million made up of £1.7 million revenue grant and £12.3 million capital grant. However, total start up costs for establishing the new Constabulary were estimated at £19.6 million, of which £11.4 million was revenue and £8.2 million was capital. This left a £5.6 million funding gap to be met by the new Authority and a shortfall of £4.1 million between the amount of revenue grant compared to revenue expenditure and an excess of £4.1 million in capital grant.

The Treasurers to both Authorities had examined the matter in detail and were satisfied that the funding of the respective capital programmes could be restructured so that the shortfall of £5.6 million could be met by revenue resources being released by additional borrowing and the mismatch of £4.1 million between revenue and capital grant compared to revenue and capital expenditure could be addressed in a similar way by borrowing, or alternatively by using the excess capital grant to meet the current capital programme thereby releasing an equivalent amount of revenue resource over the same period. The Treasurer reminded Members that the Authority currently budgeted for a £1.5 million annual contribution to its capital programme.

Central to the resolution of these problems was the substitution of borrowings for elements of funding within the existing capital programmes which were currently met from revenue contributions, or indirectly by the use of capital reserves originally sourced from revenue. Essentially Cumbria's capital programme required reprofiling so as to release up to £5.8 million in revenue resources, matched by a similar increase in borrowings. The cost of the borrowings, in interest terms, would be broadly offset by the increase in investment income, as the revenue resources would remain in hand. There would be an increase of up to £72,000 in loan repayment costs for Cumbria in 2006. Lancashire Police Authority would be similarly reprofiling its capital programme. There would be close liaison between the Treasurer and his counterpart in Lancashire to ensure there was no greater borrowing than required and that the timing of borrowings were undertaken to best effect for the existing and new Authority.

The revised funding profiles for the capital programmes for 2005/06 and 2006/07 were set out in Appendix 1 to the report, and a revised set of Prudential Indicators amended to reflect the potential for the increased use of borrowings, had been circulated as Appendix 2 to the report.

**RESOLVED,** that

- (1) The revised funding profile for 2005/06 and 2006/07 capital programmes, as set out in Appendix 1 to the report by the Treasurer and Chief Constable, be approved; and
- (2) The revised Prudential Indicators as set out in Appendix 2 to the report by the Treasurer and Chief Constable, be approved.

## **191. CHIEF CONSTABLE'S PERIODIC REPORT**

The Chief Constable presented his quarterly report to the Authority, a copy of which had been previously circulated. As with the Chief Constable's last periodic report in addition to listing incidents of note and awards and recognitions it was themed, the themes being reducing crime, investigating crime, promoting safety and providing assistance. In presenting his report the Chief Constable highlighted various items of note for Members.

**RESOLVED,** that the report be noted.

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

### **192. DRAFT PROGRAMME MANAGEMENT STRUCTURE FOR AMALGAMATION**

The Chief Constable presented a report which had been prepared jointly with the Chief Constable of Lancashire. The report set out for Members work undertaken to date by the two Constabularies towards the anticipated amalgamation in April 2007. Appended to the report were charts and terms of reference which clearly demonstrated work to date on a programme management structure.

**RESOLVED,** that the report be noted.

### **193. RECORD MANAGEMENT SYSTEM (RMS)**

The Chief Constable reminded Members that on 22 August the Authority had sanctioned RMS and IMPACT in the context of an overall information management programme. The strategy had been to implement RMS as a strategic intelligence solution, but the proposed voluntary amalgamation with Lancashire Constabulary had led to the re-evaluation of this decision and he presented a report which proposed an alternative solution for progression by the Constabulary towards meeting its strategic intelligence requirements.

**RESOLVED,** that SLEUTH be implemented as the Constabulary's strategic intelligence solution and that the Constabulary look to progressively adopting and integrating all underlying applications with Lancashire Constabulary.

#### **194. LEASE FOR THE DURRANHILL SITE, CARLISLE**

The Chief Constable reminded Members that a suitable site for the construction of a new custody complex for North Cumbria, to be followed by the construction of a new area headquarters, had been identified in Carlisle. The Police Authority had submitted an outline planning application for the site which was to be considered by Carlisle City Council on 24 March 2006.

Subject to planning permission, and prior to an order being placed for the construction of the custody complex, the Police Authority was required to enter into a lease for the site with the site's owners, if it was to take possession.

The Chief Constable presented a report to members, the purpose of which was to seek their conditional approval to the lease (a copy of which was attached for information, with an associated Licence, as Appendix 1 to the report), subject to planning consent first being received for the site. This approval would enable essential transactions to take place at the earliest possible opportunity, rather than being delayed while the matter was referred to a future meeting of the Authority.

The Clerk & Chief Executive advised that, under the Authority's Scheme of Delegation, this was a transaction which did require Police Authority approval. The Authority was being asked to agree in principle to a lease being taken on; not to agree or approve the specific detail of its projected terms, which were subject of a process of negotiation, vetting, and advice on its behalf by the Constabulary's property and legal professionals.

**RESOLVED,** that, subject to obtaining planning approval from the planning authority on Friday 24 March 2006, approval be granted to the Authority entering into a form of lease for the former Rathbone's Bakery site, Durranhill, Carlisle, as the site for a new custody complex and for construction of a new area headquarters for North Cumbria.

The meeting ended at 3.05 p.m.

**CUMBRIA POLICE AUTHORITY**

**Minutes of a Special Meeting of Cumbria Police Authority held on Thursday 13  
April 2006 in Conference Room 1, Police Headquarters,  
Carleton Hall, Penrith commencing at 2.00pm.**

**PRESENT**

Mr R Watson (Chairman)

Mr M Ash  
Mr R S Cole  
Ms S E Donnelly  
Mrs C A Egan  
Mrs M Johnson

Ms J Lashmar  
Mr J Nicholson  
Mr W Smith  
Mr J Woolley

**Also present:**

Clerk & Chief Executive (Mr C. R. Alcock)  
Treasurer (Mr D. Thomas)  
Acting Chief Constable (Mrs C. Twigg)  
Assistant Chief Constable (Mr N. Rhodes)  
Constabulary Director of Finance & Resources (Mr M. Thompson)  
Constabulary Estates Manager (Mr P Robinson)  
Deputy Clerk (Mr S. Edwards)

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

**195. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Mr A L Barry, Mrs P M Halfpenny, Mr J Mallinson, Mrs L L Shaw and Mrs L Slavin.

**196. EXCLUSION OF THE PRESS AND PUBLIC**

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

**197. DISCLOSURE OF PERSONAL INTERESTS**

Mr R Watson declared a personal, but not prejudicial, interest in agenda item no.4, "Custody Facilities, Carlisle", as a Member of Carlisle City Council.

Mrs C A Egan declared a personal, but not prejudicial, interest in agenda item no. 4, "Custody Facilities, Carlisle", as a Magistrate in Carlisle and as her husband was an officer of Carlisle City Council.

**198. CUSTODY FACILITIES, CARLISLE**

The Assistant Chief Constable presented a paper submitted by the Acting Chief Constable and Treasurer which sought Member approval to the first of a two phase process to redevelop BCU facilities in North Cumbria following the damage sustained in the storms in January 2005. The first phase would see the development of new Custody Facilities which would enable the replacement of the emergency arrangements that had been in place for over a year. The report contained a timetable for the development of those facilities which were planned to be operational before the end of 2006.

The second phase of the development would, subject to an appropriate level of financial grant and agreement of funding, see the construction of a new BCU Headquarters on the same site and the custody facilities had been designed in such a way as to facilitate that development.

The Treasurer then informed Members of the financial aspects of the proposal. Full details of both the capital expenditure required to construct the facilities and future revenue costs associated with the Custody Facility were included within the report.

Members indicated their support for the proposals contained within the report as explained by the Officers. They asked various questions regarding funding and capacity of the proposed developments to which the Officers responded as appropriate.

The Acting Chief Constable advised Members that the Heads of Terms for the site on which the facility was to be constructed would be signed early in the following week at the latest. The Assistant Chief Constable advised Members that he and the Constabulary's Director of Finance and Resources would be meeting the Home Office shortly to discuss proposals for phase two of the development.

**RESOLVED,**

that

- (1) Phase One of the capital scheme to redevelop the BCU Headquarters for North Cumbria on the site at Durranhill in line with the Authority's Financial Regulations, be approved;
- (2) the future plans to take forward Phase Two of the scheme to provide a BCU Headquarters in Carlisle as set out in paragraph 6 of the report by the Acting Chief Constable and Treasurer, be noted;
- (3) the application of previously unapplied capital grants amounting to £1.772 million, together with £2.8m ad hoc capital grant awarded by the Home Office towards this scheme, as set out in the report by the Acting Chief Constable and Treasurer, be approved; and
- (4) the impact on the revenue budget and the pressure this will create on future budgets of the amalgamated Authority be noted.

**There were no Part 2 items.**

The meeting ended at 2.20 p.m.

**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