

CUMBRIA POLICE AUTHORITY

Minutes of a Meeting of the Cumbria Police Authority held at 1.00 pm. on Monday 31 January 2005 at Police Headquarters, Carleton Hall, Penrith.

PRESENT

Mr R Watson (Chairman)

Mrs K E Brandwood

Mrs C A Egan

Mr T Heslop

Mr G Humes

Mrs M Johnson

Ms J Lashmar

Mr C S Moth

Mr J Nicholson

Mrs L L Shaw

Mr W Smith

Mr I Stewart

Mr A R M Toft

Mr J Woolley

The Chairman welcomed Mr Neil Rhodes, the newly appointed Assistant Chief Constable (Organisational Development and Partnership) to his first full meeting of the Police Authority.

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

102. APOLOGIES FOR ABSENCE

Apologies for absence were received from Ms S E Donnelly and Mrs L Slavin.

103. URGENT BUSINESS AND EXCLUSION OF THE PRESS AND PUBLIC

(a) Urgent Business

The Chairman advised Members that the following items were to be taken as items of urgent business for the reasons stated:-

Item 16, "Consultation – Community Safety Accreditation Scheme", to enable the early introduction of a Community Safety Accreditation Scheme in Cumbria;

Item 17, "Local Policing Team Accommodation in Carlisle ", to address accommodation issues arising as a result of the recent storm and to take forward the Local Policing Team initiative in Carlisle; and

Item 18, "Storm Damage – Displacement of Personnel from Rickergate, Carlisle", to address accommodation issues in Carlisle as a result of the recent storm.

(b) Admission of 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 for consideration of the following Agenda Items on the grounds that they involve the likely disclosure of exempt information as defined in the Paragraphs indicated of Part 1 of Schedule 12A of the Act:-

Item No.	Title	Paragraph No.
17	Local Policing Team Accommodation in Carlisle	8 and 9
18	Storm Damage – Displacement of Personnel from Rickergate, Carlisle	8 and 9

104. DISCLOSURE OF PERSONAL INTERESTS

The following Members declared personal but non prejudicial interests in Agenda item 17, “Local Policing Team (LPT) Accommodation in Carlisle as Members of Cumbria County Council – Mrs K E Brandwood, Mr T Heslop, Mr G Humes, Mr J Nicholson, Mr W Smith, Mr I Stewart, Mr A R M Toft, Mr R Watson and Mr J Woolley.

The following Members declared personal interests in Agenda Item 18, “Storm Damage, Displacement of Personnel from Rickergate, Carlisle” as either Members of Cumbria County Council or representatives of Cumbria Magistrates Courts Committee – Mrs K E Brandwood, Mrs C A Egan, Mr T Heslop, Mr G Humes, Mr C S Moth, Mr J Nicholson, Mr W Smith, Mr I Stewart, Mr A R M Toft, Mr R Watson and Mr J Woolley.

105. MINUTES

The Minutes of the meeting of the Authority held on 16 December 2004 had been circulated with the Agenda for the meeting.

With reference to Minute 95 (g), “Police Authority Members of CDRP’s”, the Clerk and Chief Executive advised Members that he had received notification that a Cumbria wide meeting was to be held in Penrith on 15 February 2005, commencing at 10 a.m. He asked whether a Member of the Authority would be able to represent the Authority at the meeting.

Mr I Stewart indicated that he was willing to attend the meeting on the Authority’s behalf.

RESOLVED, that

- (1) the Minutes of the meeting of the Authority held on 16 December 2004 be confirmed as a correct record and signed by the Chair; and

- (2) Mr I Stewart represent the Police Authority at the Cumbria CDRP meeting on 15 February 2005.

106. PERSONNEL COMMITTEE

The Chairman of the Committee presented the Minutes of the meetings of the Committee held on 13 and 26 January 2005.

With reference to the meeting held on 26 January the Chairman advised Members that the Chief Constable was progressing well following surgery. Members asked that their best wishes for his speedy recovery be forwarded to the Chief Constable.

RESOLVED, that

- (1) the Minutes be received; and
- (2) the Clerk and Chief Executive write to the Chief Constable expressing the Authority's best wishes for his speedy return to full health.

107 POLICING PLAN AND BEST VALUE COMMITTEE

The Chair of the Committee presented the Minutes of the meeting of the Policing Plan and Best Value Committee held on 19 January 2005.

The Chair drew Members attention to Minute 25 (Annual Policing Plan 2005/06 – Results of Public Consultation) pointing out the heartening response rate of 30% to the public consultation survey and the good attendance figures at focus group meetings. The issues identified in the consultation would be taken forward by the Constabulary and Authority, though there was clearly a need for work in raising awareness of important issues such as the LPT initiative.

He expressed his thanks to the team within the Constabulary who had undertaken this particular item of work.

He then referred to Minute 26 (Cumbria Police Authority and Cumbria Constabulary Draft Strategy Plan 2005/08) and advised Members that from April 2005 Police Strategy Plans would be aligned with Crime and Disorder Reduction Partnership (CDRP) Strategies with a view to allowing more effective partnership working.

The Chair then drew attention to Minute 27 (Draft Annual Policing Plan 2005/06), and in doing so welcomed the proposal, outlined at the meeting, to produce a streamlined document aimed at simplifying the content of the Policing Plan and focussing on key performance targets. This would be considered further at the next meeting of the Committee and by the Consultation Working Group.

Finally he drew Members attention to Minute 31 (Police Authority Improvement and Assessment Framework) which dealt with the important issue of the adoption of a self-assessment process by the Authority. He commended detailed reading of this

Minute to all Members, and reminded Members that they had all received a copy of the report submitted to the Committee.

With reference to Minute 25 Members noted that 79% of those responding were over 50, whereas they were only 40% of the overall population. This was something that the Authority needed to bear in mind and take measure to address, if possible, in future consultations.

With reference to Minute 32 (Budget and Planning Cycles) the Treasurer advised that whilst work was ongoing to bring together the Budget and Planning Cycles his report on the Budget to the next meeting of the Authority would include milestones for the development of the 2006/07 Budget.

RESOLVED, that

- (1) the Minutes be received; and
- (2) the f recommendations set out in Minute 31 be adopted as follows:-

- (i) the Draft Terms of Reference for the Police Authority Self Assessment and Improvement Programme, as circulated with the report to the Committee by the Clerk & Chief Executive, be approved; and
- (ii) the establishment and membership of three Working Groups (to take forward work on the Police Authority Self Assessment and Improvement Framework) be approved.

108. PROGRAMME MANAGEMENT WORKING GROUP

The Chair of the Working Group presented the Minutes of the Programme Management Working Group held on 14 December 2004.

RESOLVED, that the Minutes be received.

109. POLICE COMMUNITY LIAISON FORUMS

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

Copeland,	5 January 2005.
Barrow	6 January 2005
South Lakeland,	13 January 2005
Allerdale	19 January 2005.

All four Liaison Forums had received a presentation on the Authority's 2005/06 Budget. A common theme at the meetings was that people did not wish to see a reduction in policing and were generally agreeable to paying more for an improved

service. However, the view was expressed that Council Tax was only one of a range of items which people on fixed incomes had to pay and this was something to be considered when the Authority agreed the level of Council tax at its February meeting.

It was noted that the Barrow and South Lakeland Forums had received presentations on domestic violence and the Assistant Chief Constable (Operations) advised that similar presentations could be arranged for the other four Consultative Committees.

Members noted that the Liaison Forum Meetings in Carlisle and Eden had been cancelled following the storms over the weekend of 8/9 January.

RESOLVED, that the Minutes be received.

110. MEMBERS REPORT BACK

Ms Lashmar and Mr Stewart reported on their attendance at a joint target setting meeting of the Barrow and South Lakeland CDRP's. It was noted that Government Office North West, in agreeing targets, needed to take increased account of local circumstances and bear in mind that all areas had specific needs. There was concern that targets set by CDRP's could drive policing activity and it was considered important to align targets set by Government North West to internal police targets. In addition it was important to emphasise that Cumbria, as a low crime area, was very safe when considered in the national context.

Ms Lashmar then reported on her recent attendance at the APA Plenary, as substitute for the Chairman. The main focus of the Plenary had been consideration of the Budget Settlement and the clear advice from the Home Secretary was that Police Authorities needed to consider the proposed level of Council Tax carefully to avoid the risk of capping.

RESOLVED, that the reports by Members be received.

111. POLICE AUTHORITY ISSUES

(a) Force Learning Panel

The Constabulary had restructured the Force Learning Panel to create an interface between the Constabulary as a whole and the training function. The Authority was asked to appoint a Member to serve on the Panel.

RESOLVED, that Mr J Woolley be appointed as the Authority's representative on the Force Learning Panel.

(b) Risk Management Training

The Constabulary had invited the Authority to nominate a Member to participate in risk management training to be held on 1 February 2005.

RESOLVED, that Mrs C A Egan attend the Risk Management Training arranged by the Constabulary on 1 February 2005.

(c) Police Authority Meeting Dates

Members were reminded that it had become necessary to rearrange the Authority's Annual Meeting in June of the current year. After detailed consideration of diary commitments the suggested date was 28 June 2005.

Members were also reminded that at the December 2004 meeting of the Authority they had agreed meeting dates for the Authority to the end of 2005. Dates were now proposed for the period January to July 2006.

In the course of considering Authority meeting dates reference was made to the Accommodation Working Group, the next meeting of which fell on the same day as the County Council's Budget meeting. Members considered that it would be appropriate to rearrange the meeting to avoid this clash of dates.

RESOLVED, that

- (1) the Annual Meeting of the Authority be held on Tuesday 28 June 2005;
- (2) Police Authority meetings be held as follows in 2006 –
Wednesday 18 January
Wednesday 15 February
Wednesday 22 March
Wednesday 28 June
- (3) the next meeting of the Accommodation Working Group be held on 25 February 2005 at Carleton Hall, Penrith, commencing at 2 p.m.

112. BUDGET 2005/06

The Treasurer presented a report prepared jointly with the Acting Chief Constable which updated Members on a number of issues which would feed through to the final Budget report to be presented to the Authority on 10 February 2005. The issues addressed within the report included –

- The announcement of the Final Settlement
- Representations made to the Office of the Deputy Prime Minister (ODPM), and copied to the Home Office, on the Provisional Settlement and the replies received.
- The announcement on Capital Grant and Supported Borrowing in 2005/06
- The tax base and collection surplus 2005/06 declared by District Councils
- The impact of the storms on the tax base for 2005/06
- The timing of the Authority's Budget meeting on 10 February 2005.
- Finalisation of the Chief Constable's Budget proposals.

In considering the report issues raised by Members included the impact of “gearing” as a result of above average council tax increases and the impact of the storms on both the council tax base and in producing additional costs for the Authority.

RESOLVED, that

- (1) the report be received and its contents noted; and
- (2) the Authority’s Budget meeting be held on 10 February 2005 commencing at 11 a.m.

113. CUMBRIA LOCAL GOVERNMENT PENSION SCHEME 2004 VALUATION – EMPLOYER CONTRIBUTION RATES

The Treasurer presented a report which informed Members of the valuation by the Pension Fund Actuary of the Authority’s pension fund membership of the Cumbria Local Government Pension Scheme in respect of police staff pensionable service as at 31 March 2004. The valuation enabled the Actuary to certify the future contribution rates to be paid by the Authority for the period commencing 1 April 2005 on the basis that the Authority’s share of the deficit could be recovered over an initial period of 15 years. Alternative contribution rates were provided for recovery periods of 20 and 25 years as provided for under recent regulations issued by the Secretary of State.

Currently the Authority’s contribution rate was 13.8%, and had been since 1 April 2002 following the last valuation of the Scheme in 2001. The Authority was required to determine and notify the recovery period to be assumed by the Actuary for the purposes of enabling him to give his contribution certificate.

RESOLVED, that

- (1) the contribution rates proposed by the Scheme Actuary be noted; and
- (2) the continuation of a 15 year recovery period be confirmed for the purpose of enabling the Actuary to issue his certificate for the Authority’s contribution to the Cumbria Local Government pension Scheme for the period commencing 1 April 2005.

114. AUDIT COMMISSION REPORTS

(a) Annual Audit Letter for 2003/04

The Chair welcomed Mrs Fiona Daley and Mr Richard McGahon from the Audit Commission to the meeting. In doing so he noted that this would be Mrs Daley’s last attendance at the Authority as her role within the Audit Commission was changing. He thanked her for her valued input to the Authority over the last ten years.

Mrs Daley indicated that she had enjoyed her time working with the police service in Cumbria and personally thanked all those with whom she had worked over the previous ten years.

Mrs Daley then presented the Annual Audit letter for 2003/04. The key messages to the Authority were set out on pages 2 and 3 of the letter. The Audit Commission had given an unqualified opinion on the Authority's accounts for the year 2003/4. The Audit Commission had also issued an unqualified opinion on the 2004/5 Best Value Performance Plan.

Recommendations from the Audit Commission's work for Members attention were –

- ensuring that the Authority's longer term financial position was closely monitored;
- implementing quality assurance arrangements to ensure the accuracy and reliability of Activity Based Costing information;
- developing and refining a risk management arrangements;
- ensuring that the detailed action plan arising from the Audit Commission's data quality report was implemented;
- contributing towards better outcomes for young people and safer communities through partnership working; and
- ensuring that strategies for information management, systems and technology were developed and approved.

RESOLVED, that the Annual Audit Letter for 2003/04 be noted.

(b) Auditors Statutory Report on the Best Value Performance Plan 2004/05

Mr McGahon presented the Auditor's Statutory Report on the Best Value Performance Plan for 2004/05. He advised Members that the Plan had been prepared and published in accordance with Section 6 of the Local Government Act 1999 and Statutory Guidance issued by the Government.

RESOLVED, that the Auditors report on the Best Value Performance Plan 2004/5 be noted.

115. POLICE AUTHORITY IMPROVEMENT AND ASSESSMENT FRAMEWORK.

The Chairman advised that this matter had been dealt with during consideration of the Policing Plan and Best Value Committee Minutes earlier in the meeting.

116. CHIEF CONSTABLE'S PERIODIC REPORT

The Acting Chief Constable referred to the content of the report which had been circulated with the Agenda papers for the meeting. In particular she reported on the Constabulary's response to the severe weather over the weekend of 8 and 9 January 2005 and the impact the storm had on the Constabulary. In doing so she praised the response of every service and the public, and in particular those police officers and staff, some of whom had turned out on a voluntary basis, and had worked in terrible

conditions for extended periods of time. During the course of the weekend the Constabulary and the other agencies had received amazing support from the public and many commercial organisations had also responded extremely quickly to calls for assistance. Aid had also been received from neighbouring Forces. It had been a remarkable achievement that the handover to the City Council had been able to take place after five days. This matter was now in its de-brief phase and any lessons that could be learnt from the events of that particular weekend would be learnt. She had invited Government Office North West to chair an overall de-brief for those involved at a future date.

The Acting Chief Constable also drew attention to the report within the Chief Constable's report on the fatal road accident at Mossband Viaduct on the A74 on 22 December 2004 which had resulted in severe traffic disruption over an extended period. This had been a complicated and difficult incident to deal with, which, in the interests of public safety had necessitated the closure of the main north/south route for an extended period of time to ensure that essential work was carried out to make the road safe for all road users. Assistance in dealing with the traffic problems arising as a consequence of the accident had been received from two neighbouring Forces. A de-brief was to take place on this incident, this time involving the Highways Agency.

The Acting Chief Constable then highlighted other items within the report, including the current position with regard to Operation Lara and the outcome of the investigation in to the "Lady in the Lake" murder investigation. Members noted the secondment of an officer within the South Cumbria area to work on cockling liaison for an initial period of three months to further improve the Constabulary's knowledge of and contact with the minority ethnic groups involved in the cockling industry.

Members raised various matters with the Acting Chief Constable including the recent visit by Peter Sutcliffe to Arnside, spot checks on HGV's and road safety matters in general. Members also suggested that it would be appropriate for the Authority to write to those outside Forces that had assisted the Constabulary in the two recent major incidents thanking them for their support.

RESOLVED, that the report be noted.

117. CONSULTATION – COMMUNITY SAFETY ACCREDITATION SCHEME.

Members considered a report the purpose of which was to appraise them of the results of consultation with local authorities in relation to the introduction of a Community Safety Accreditation Scheme (CSAS) within Cumbria and to seek their views as to whether or not the Constabulary should move towards implementing a CSAS.

The Assistant Chief Constable (Organisational Development and Partnership) advised Members that the White Paper "Policing a New Century: a Blueprint for Reform", which had been published in December 2001, set out the Government's plans for reforming the police and building a civil society. This document proposed a number of measures for increasing the visibility of community patrols, such as the creation of Community Support Officers. The Government had also given an undertaking in the

White Paper to legislate in order to allow Chief Constable's to delegate, or "accredit", certain non-police staff with limited but targeted powers to deal with anti-social behaviour, disorder and nuisance. The relevant legislation was contained in the Police Reform Act 2002, Section 40 of which referred to Community Safety Accreditation Schemes. The legislation enabled a Chief Constable to establish and maintain a CSAS in order that some powers normally available to Police Constables or others could be conferred on persons accredited under the Scheme, the purpose of which had to be to contribute to community safety and security and to combat crime and disorder, public nuisance and other forms of anti-social behaviour. The Scheme was aimed primarily at "uniformed" local or public authority staff but might be extended to private organisations. There were also proposals being considered for CSAS to encompass town and parish councils.

Powers which might be delegated to accredited persons included:-

- the issue of fixed penalty tickets for certain offences, including dog fouling, litter, cycling on footpaths, throwing fireworks on a thoroughfare, wasting police time or giving a false report, giving false alarm to the fire brigade, trespassing on a railway or throwing stones at trains;
- the power to request a name and address for fixed penalty offences and from a person acting in an anti-social manner;
- the power to confiscate alcohol/cigarettes/tobacco products from young persons;
- regulating traffic for escorting abnormal loads;
- requiring the removal of abandoned vehicles; and
- stopping a vehicle for the purpose of testing.

Accreditation schemes were not compulsory but where they were established they should be sensitive to local needs.

Prior to introducing a CSAS there was a requirement under the Police Reform Act for a Chief Constable to consult with the Police Authority and every local authority within the relevant police area. There was also a requirement that details of any CSAS were to be included in the Annual Policing Plan.

Consultation had taken place with the County Council and the six District Councils, and the responses received were summarised in the report before Members. In addition interest in a CSAS had also been expressed by the Vehicle and Operator Services Agency, BAe Systems, Rosehill Business Security and Carlisle Housing Association.

Members raised various questions and concerns relating to CSAS, including the seeming proliferation in the number of people in uniform from different organisations all with different powers and roles and the potential confusion that could result; the need to ensure that accredited people were constantly reminded about the limits on their powers; the possible impact on respect for the Constabulary if accredited staff transgressed or lacked customer care skills; the fact that they were not under the control of the Chief Constable; and whether they would be accepted by the public. The Acting Chief Constable and the Assistant Chief Constables responded to Members questions and concerns as appropriate.

Notwithstanding their concerns Members accepted the principal of the proposals but considered that further work was required and that any proposals should be brought back to the Authority for further consideration. Members stressed the importance of ensuring that strict standards were applied to accredited staff and asked for clarification on how the Scheme would be monitored.

RESOLVED, that the report be noted and the Chief Constable develop proposals for a Community Safety Accreditation Scheme within Cumbria for future submission to the Authority.

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

118. LOCAL POLICING TEAM (LPT) ACCOMMODATION IN CARLISLE.

Members considered a report which detailed two options for accommodation for the Carlisle City West LPT. The preferred option was accommodation owned by Carlisle Housing Association in Shady Grove Road. This accommodation was considered to be more accessible for members of the public and provide greater visibility for police officers due to its location in the heart of the community. It was also located within a potential crime and disorder hot spot and was a less costly option than the alternative proposal.

Members gave full consideration to both of the options within the report.

RESOLVED, that

- (1) the report be noted; and
- (2) the Clerk & Chief Executive be authorised to sign a lease on property owned by Carlisle Housing Association in Shady Grove Road, Carlisle to provide accommodation for the Carlisle City West LPT.

119. STORM DAMAGE – DISPLACEMENT OF PERSONNEL FROM RICKERGATE, CARLISLE.

The Acting Chief Constable presented a report, the purpose of which was to update Members on the current status of the relocation of the personnel displaced by the recent storm damage to Rickergate and to seek financial approval for the proposed adoption of a lease on a property in Portland Square and associated insured capital costs. In doing so she stressed that this represented a short to medium term solution. However the opportunity would be taken to look at the future shape of policing in Carlisle over the longer term.

The Assistant Chief Constable (Organisational Development and Partnership) briefed Members on the current position with regard to Rickergate and expanded on the information provided within the report on the various options for accommodation for back-office functions which had been identified in the Carlisle area. Financial details on the options were contained within the report before Members. The Treasurer confirmed that the costs identified should be recoverable from the Authority's Insurers under Business Continuity cover, although the Authority would have to meet the costs in the first instance. The Treasurer also commented on the accommodation provided by the County Council and on the need to formalise the arrangements, now that firmer medium-term plans were being made, including rental terms for the anticipated period of occupation.

RESOLVED, that

- (1) the report be approved; and
- (2) the Clerk & Chief Executive be authorised to sign the lease on 24/26 Portland Square, Carlisle, with capital approval for the associated costs, as detailed in Appendix 1 to the report.

The meeting ended at 4.05 p.m.