

The **POLICE AUTHORITY** met at **SHIRE HALL, WARWICK**, on the **21st NOVEMBER 2007**.

Present:-

Philip Blundell (Independent Member)(**Chair**)
Ian Francis (Lay Justice Member)(**Vice Chair**)

Independent Members:-

Dorrette McAuslan, Steve Nicklin, John Rennie and Phil Robson

Lay Justice Members:-

Mike Edwards and Alan Woodward

County Councillors:-

Chris Davis, Eithne Goode, Bob Hicks, Richard Hobbs, Katherine King, Phillip Morris-Jones, Izzi Seccombe and John Vereker.

Police: -

Chief Constable Keith Bristow, Deputy Chief Constable Andy Parker, Assistant Chief Constable Bill Holland, Simon Pameley, Richard Elkin, Carl Baldacchino, Derek Kitchen and Cathy Ward.

Police Authority: -

Eric Wood, Dave Clarke, Tony Brown, Neil Gulliver, Sian Stroud, Debbie Mullis and Steve Baldwin.

In Attendance:-

John Burbeck, Richard Lyttle and Vaughan Jones (UNISON).

1. Chair's Announcements

(1) APA Visit to Northern Ireland

The Chair briefly reported that he and Eric Wood together with other colleagues from the APA visited Northern Ireland last week to look at how police is managed, the role of the Northern Ireland Policing Board and the levels of community engagement currently in place. The visit provided some valuable information when considering future arrangements in England and Wales.

(2) Fire at Atherstone-on-Stour

The Chair reported that the Home Secretary had visited Atherstone-on-Stour last Friday to be briefed on events and to visit the site of the fire. She spent time talking to officers about the incident and had been well received.

(3) Fire at Atherstone-on-Stour – Governance Arrangements

The Chair asked for the following note to be circulated to the Members:-

Note to Police Authority members: Police Authority governance in relation to the Atherstone-on-Stour fire.

Background

Members are aware that Warwickshire Police are undertaking an investigation in relation to the recent fire at Atherstone-on-Stour, which affects the Warwickshire County Council and in particular, its Fire and Rescue Service. The investigative process is likely to be lengthy and complex. Warwickshire County Council elected members who are appointed to the Warwickshire Police Authority should be mindful of the potential for conflicts of interests to arise in relation to their dual roles.

Over recent years, inquiries into major incidents handled by the public services have sometimes found failings in the governance arrangements in place due to lack of clarity, lack of accountability to governing bodies or conflicts of interests. The purpose of this note is therefore to provide total clarity at the outset of this difficult situation, to ensure that Police Authority and County Council interests are properly protected and that no member is left in any doubt as to their obligations as this matter gains momentum over the coming months.

Consistent with the embedded governance arrangements in place between the Force and the Police Authority, an independent member of the Police Authority participates in the Gold Group briefings arranged by the Chief Constable. This member undertakes this role on behalf of all members but good governance requires that the member has the opportunity to report back to other Police Authority members, and that as a corporate body, the Police Authority retains the ability to hold the Chief Constable to account in relation to the investigation undertaken by Warwickshire Police and generally in relation to the Force's work in relation to the fire.

Advice to Elected Members

Against this background, Warwickshire County Council elected members should be alert at all times to the potential for conflict of interests in respect of both Police Authority meetings, and in respect of any Police Authority business they undertake in between WPA meetings, such as Group or Panel meetings, or any other interactions with the Police Force.

At the Police Authority meeting on 21 November, WCC elected members are advised to declare a personal interest in relation to the public agenda item relating to the Chief Constable's operational update on the Atherstone-on-Stour fire.

*Should any questions arise on this item, they will be deferred to the exempt section of the agenda. If such questions do arise, there is an increased likelihood that they could give rise to potential prejudicial interests on the part of WCC elected members. **At this stage, WCC elected members are therefore advised to declare a prejudicial interest and withdraw from the discussion should questions about the investigation be raised in the exempt session.***

This should also reflect the approach that WCC elected members are advised to take in their future dealings with the Police Authority, recognizing the potential for prejudicial interests to increase as the investigation progresses. It is a matter for individual members to decide whether or not they have a prejudicial interest in relation to any item of Police Authority business. However the precautionary approach adopted in this advice should help protect elected members from any difficulties around future potential for conflicts of interests. Sian Stroud explained the advice which had been given to Members in the note particularly those Members who were also Members of the County Council.

Richard Hobbs reminded the meeting that all Members of the County Council were effectively Members of the Fire Authority. He also commented that consideration would need to be given to the budgetary effect of the fire investigation given the key role that Councillors play in approving the budget.

The Chair stressed that it was up to individual County Councillors to decide whether they felt that they had a prejudicial interest in this matter.

2. General

(1) Apologies

An apology was received from Anne Forwood.

(2) Declaration of Members' Personal and Prejudicial Interests

John Rennie declared a personal interest as President of the Warwickshire Neighbourhood Watch Association.

Katherine King declared a personal interest in Agenda item 4(2)(ii) and a prejudicial interest in Agenda item 5 and that she would leave the meeting when that item was discussed.

Eithne Goode declared a personal interest in Agenda item 12 as the local County Councillor and a prejudicial interest in Agenda item 13 as a member of Warwick District Council. She would leave the meeting when that item was discussed.

All County Councillors present at the meeting declared a prejudicial interest in the item relating to the fire at Atherstone-on-Stour as referred to above and which would be considered later on the agenda. They also confirmed that they would leave the meeting at that time.

(3) Minutes of the Meeting held on the 31st October 2007 and Matters Arising

Keith Bristow requested that the following amendments should be made to the minutes:-

- 1) Minute 8(1) – The second sentence in paragraph 3 to read ‘With regard to the targets for future years, it was essential that the control of terrorism, serious crime and other issues of major crime should be included in the targets and he was very keen to get the other agencies on board in this area.
- 2) Minute 8(8) – Delete the word ‘injuries’ at the end of the first sentence in the second paragraph and insert the words ‘victims of vehicle crime’.

These amendments were agreed.

It was then Resolved:-

That the minutes of the Police Authority’s meeting held on the 26th September 2007 as amended be approved.

There were no matters arising.

3. 150 Forward Programme

Andy Parker reported that the programme was on course and that all staff would shortly be posted under the Implementation Plan. One significant change in the programme had been that Chief Superintendents Neil Brunton and Steve Burrows had now taken responsibility for much of the day to day work and changes had already been absorbed into the mainstream work of the Force. Following the abolition of the BCUs, the Force had introduced regular briefing and tasking sessions from the 1st November and these appeared to be working well. In addition, the new shift system would be introduced with effect from the 21st January 2008 and the new Task Force becomes operative from the 1st January and will provide greater resilience for the Force particularly around major incidents.

Bill Holland added that as far as neighbourhood policing was concerned, the Force intended to maintain the PCSO establishment at 140.5 and the number of police constables would not dip below 109.

John Rennie took the chair for Agenda item 4.

4. Resources and Standards
(1) Report of the Governance Stream Lead

was noted.

With regard to the PURE assessment, Dave Clarke commented that the main reason why the Audit Commission had not been able to give the Authority a higher score had been due to the fact that they were not able to sign off the final accounts before the 30th September. He recognised that there had been a number of problems which had led to this situation but stressed that these would be addressed and the same situation would not arise in future.

(2) Finance Reports
(i) Treasury Management Performance 2007/08

The report of the Treasurer to the Police Authority was considered.

Dave Clarke responded to a number of questions from Members particularly in relation the money currently invested with Northern Rock and the management of the internal and external investment portfolios.

(ii) Capital Programme Monitoring Report 2007/08

The joint report of the Treasurer to the Police Authority & the Director of Resources was noted.

(iii) Financial Management Report 2007/08

The joint report of the Treasurer to the Police Authority & the Director of Resources was considered.

Keith Bristow commented that the most recent estimate of the cost of the investigation into the fire at Atherstone-on-Stour in addition to officer and staff resources was likely to be in the region of £1.8m and this issue had been firmly lodged with the Home Secretary during her recent visit to the site. It was intended that a letter would be sent to the Home Office shortly outlining more details of the costs to the Force.

In response to a question from Steve Nicklin, John Rennie confirmed that the Savings Allocation Group would not continue beyond the current financial year. The role it currently undertakes would be taken over by the Resources Panel which would be a member body.

It was then Resolved:-

That approval be given to the process for the continued refinement of financial management reporting formats as set out in the joint report.

(3) Report of the Professional Standards Committee

was considered.

Alan Woodward commented that in a recent report by the IPCC entitled 'Police Complaints: Statistics for England and Wales 2006/07', Warwickshire had fared quite well overall. With regard to local resolution of complaints, Warwickshire had achieved the highest percentage increase for the number of cases resolved.

Katherine King asked how the Force made the public aware of the complaints process, the level of help that is given to children and young people to complain and how the Force records complaints made by children and young people. Phil Blundell suggested that it might be appropriate to request a specific report from the Force on the issues raised by Katherine King rather than to try to deal with them at this meeting. Alan Woodward agreed that that should be arranged with the Head of Professional Standards.

John Rennie pointed out that the Force receive compliments and thanks as well as complaints and he would like to see these reported at future meetings.

At this juncture, Katherine King left the meeting having earlier declared a prejudicial interest in the next item.

5. General Report of the Chief Constable

was considered.

The Chair confirmed that any discussion on the fire investigation in Atherstone-on-Stour would be dealt with under the exempt part of the agenda.

Keith Bristow reported that the Force had dealt with and solved 4 murders since August 2007.

Under Operation Gotham, Lee Moffitt had been charged with the murder of Gavin Regan and appeared before Nuneaton Magistrates Court on 19th November. He had been remanded in custody to appear before Warwick Crown Court on 30th November.

In another operation, Elizabeth Dalton has been charged with the murder of Duncan Smith in Rugby. She had been charged yesterday, November 20, with murder and was due to appear before magistrates today.

With reference to the public misconduct hearing, the Chair congratulated Andy Parker for the way he dealt with the media immediately following the conclusion of the hearing.

The meeting adjourned from 11.50am to 12noon.

6. Urgent Business
APA Parliamentary Information Day

The Chair informed the Authority that the APA had arranged a Parliamentary Information Day on the afternoon of Wednesday 5 December at Westminster. This was an opportunity for Authorities to meet with their local MPs to discuss local funding issues and those they share with other police authorities. He hoped that all 5 Warwickshire MPs will be available that day and encouraged Members to attend on the day. Eric Wood agreed to circulate details to all Members.

Annual Governance Statement

John Vereker informed the Authority that, as part of the preparatory work towards the production of the Annual Governance Statement, the Audit Commission had produced a toolkit which, among other things, guidance on the composition of the Authority's Audit Panel and where responsibility for corporate governance should sit within the Authority. Both of these issues would need to be addressed urgently by the Authority.

7. Date of Next Meeting

The next meeting of the full Authority will be on Monday 17th December 2007 at 10.00am.

8. Exclusion of Members of the Public

Resolved: -

That the members of the public be excluded from the meeting for the following agenda items on the grounds that their presence would involve the disclosure of exempt information as defined in paragraphs 1, 3, 4 and 7 of Schedule 12A of the Local Government Act 1972.

9. Exempt Minutes of the Meeting held on the 31st October 2007 and Matters Arising

Resolved:-

That the exempt minutes of the Police Authority's meeting held on the 31st October 2007 be approved.

There were no matters arising.

10. Supplementary Report of the Governance Stream Lead – Property Development Plan Update

It was agreed to defer consideration of this item until the Authority's next meeting.

11. Wolston Police Station and Adjoining Land

The report of the Chief Executive was considered.

The Authority approved the sale of the Police Station and adjoining land.

12. Warwickshire Justice Centre Programme

The report of the Senior Responsible Officer was considered.

John Burbeck reminded the Authority of the outcome of their last meeting and brought them up-to-date with developments on the project.

At this point, John Burbeck and Richard Lyttle left the meeting to allow the Authority to consider a number of issues.

After further discussion, the Authority passed a number of resolutions relating to the development of the project.

Additional Items

At this juncture, Eithne Goode left the meeting having earlier declared a prejudicial interest in the next item.

13. Planning – Proposed Development at Police Headquarters

The report by the Director of Resources was considered.

Simon Pameley introduced the report and briefly reminded Members of the background leading up to the refusal of planning permission by Warwick District Council. After due consideration, the Authority decided that they required further information and it was agreed that the debate should be adjourned until the Authority's next meeting on the 17th December. This would allow further time for careful consideration to be given to Authority's next course of action.

14. Police Performance

Keith Bristow briefly commented on the performance report which had been circulated at the start of the meeting and highlighted the continuing improvement in performance since the Authority's last meeting despite the number of major incidents which the Force had had to deal with recently.

At this juncture, all County Councillors on the Police Authority left the meeting having earlier declared a prejudicial interest in the next item.

15. Fire at Atherstone-on-Stour

John Rennie stated that he had been asked by Izzi Seccombe to make the Authority aware of the numerous compliments which had been received regarding the excellent way that the Police had dealt with the communities and the families involved. They had shown great compassion and professionalism in everything they had done.

Phil Robson then explained the governance arrangements which were needed to be put in place to monitor the police investigation. He had attended the Gold Group meeting on behalf of the Authority and would continue to do so and report back to the Authority as appropriate. He requested the Authority to give consideration to establishing a Reference Group on behalf of the Authority to help him manage the governance role for the Authority.

He, together with Keith Bristow, then went on to provide more details around the investigation of the fire which would be undertaken by the Police Investigation Team which was working closely with the Fire and Rescue and the Health and Safety Executive.

.....
Chair of the Authority

The meeting closed at 2.05 pm