

## North Yorkshire County Council

### Police and Crime Panel

Minutes of the meeting held on Thursday 20 July 2017, commencing at 11.00 am at Selby District Council, Doncaster Road, Selby.

#### **Present:-**

Councillors: Val Arnold (Ryedale District Council), Peter Dew (City of York Council), Mel Hobson (Selby District Council), Carl Les (in the Chair (North Yorkshire County Council)), Ashley Mason (City of York Council), Sandra Turner (Scarborough Borough Council), Peter Wilkinson (Hambleton District Council).

Community Co-opted Members: Santokh Singh Sidhu and Paula Stott.

North Yorkshire Fire & Rescue Authority-appointed observer to Panel: Councillor Tony Richardson (City of York Council).

Julia Mulligan (Police and Crime Commissioner)

Officers from the Office of the Police and Crime Commissioner: Fraser Sampson (Interim Chief Executive Officer), Michael Porter (Chief Finance Officer), Will Naylor (Deputy Police and Crime Commissioner), Tom Thorp (Policy and Scrutiny Manager).

Nominee for co-opted elected Member to the Panel: Councillor Tony Randerson.

Officers from NYCC: Diane Parsons (Panel Secretariat).

#### **Apologies:**

Councillors: Philip Barrett (Craven District Council), Michael Chambers MBE (Harrogate Borough Council), Helen Grant (Richmondshire District Council).

North Yorkshire Fire & Rescue Authority-appointed observer to Panel: Councillor Andrew Backhouse (Scarborough Borough Council/North Yorkshire County Council).

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**Copies of all documents considered are in the Minute Book**

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#### **221. Election of Chair**

##### **Resolved -**

That Councillor Carl Les be elected Chairman to serve until the first meeting of the Police and Crime Panel after June 2017.

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**Councillor Carl Les in the Chair**

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#### **222. Minutes**

##### **Resolved –**

That the Minutes of the meeting held on 18 May 2017, having been printed and circulated, be taken as read and be confirmed and signed by the Chairman as a correct record.

## **223. Election of Vice-Chairs**

**Resolved -**

That Councillors Ashley Mason and Peter Wilkinson be elected as the two Vice-Chairmen to serve until the first meeting of the Police and Crime Panel after June 2017.

## **224. Declarations of Interest**

Councillor Val Arnold notified that she is a Member of the North Yorkshire Fire and Rescue Authority (NYFRA). It was similarly acknowledged in relation to Item 10 (Local business case on options for improving collaboration between Police and Fire and Rescue Services) that both Councillor Tony Richardson and Councillor Tony Randerson are Members of the NYFRA.

Councillor Carl Les declared an interest ahead of Item 6 (Public Questions or Statements) that he is Chair of North Yorkshire Youth; a body which may be viewed as a competitor to PGL Travel Ltd.

## **225. Progress on Issues Raised by the Panel**

Considered -

The report of the Panel Secretariat advising of progress on issues which the Panel raised at previous meetings and other matters that have arisen since the last meeting and which relate to the work of the Panel.

### **Northallerton custody suite trial – evaluation report**

The Commissioner clarified that the evaluation of the Northallerton custody suite trial would be coming to the Executive Board around the end of September and as such could be brought before the Panel in November 2017.

### **Arrangements for extension to agreement for the Interim CEO**

Members raised concerns with the Commissioner regarding the recent extension of the collaboration agreement between the North and West Yorkshire Police and Crime Commissioners (PCCs) for the Commissioner's interim Chief Executive Officer, Fraser Sampson. In the first instance, the Panel's concern has regard to costs being met in relation to the substantive postholder and simultaneously continuing an agreement for the interim postholder to the end of June 2019. Members clarified that the Panel do not require information to be disclosed regarding the substantive postholder's circumstances but would appreciate an indication of timescales regarding when the position may be finalised regarding the Chief Executive Officer post, because of attendant impact on staffing costs. The Commissioner advised that she would be unable to confirm timescales due to the confidential nature of the process currently being managed.

A Member also raised a concern regarding the use of the word "interim" in the context of the Panel being presented with a much longer term arrangement. Fraser Sampson explained that the collaboration agreement affords latitude to the Commissioner (North Yorkshire) while arrangements are concluded for the substantive Chief Executive. This did not mean that the agreement would be for a minimum of two years but would enable a statutory process to be seen through appropriately. As such, the position is interim.

Members expressed disappointment that the Panel were not afforded a more formal means for reviewing the extension prior to its sign-off. This was particularly with regard to the

confirmation hearing held for the interim position in June 2016, where it was felt the Panel may have wished to consider different attributes and skills for the postholder, had it been known the arrangement would ultimately be lasting up to three years.

In terms of the process already undertaken in relation to the Panel, Councillor Les clarified that he had received notification from the Commissioner's office as Panel Chair that the agreement had been extended around the end of June 2017.

Members considered that the Panel should have some means of being able to formally review and agree the extension and that this should therefore be revisited at the next Panel meeting in September. Diane Parsons recommended that the Panel take further advice prior to their next meeting as to how this might best be accomplished.

#### **PA Consulting – contractual costs**

The Commissioner advised that the costs payable to PA Consulting for work on development of the local business case will be published around the middle of October, once the contract has completed.

#### **Speed camera van deployment**

Councillor Richardson advised that he had not received a formal response from the Commissioner's office to the issues raised at the previous meeting, as had been agreed. Will Naylor advised that an officer from the Commissioner's office had been in contact with Councillor Richardson to discuss and clarify the issues he had raised but apologised if there had been any oversight on their part in finalising the matter. It was agreed that the OPCC would assist in putting Councillor Richardson in touch with a relevant officer from the Police to discuss his concerns.

#### **Resolved -**

That the Panel:

- (a) note the report and updates provided; and
- (b) give further consideration to its role in reviewing and agreeing the extended collaboration agreement for the Commissioner's Interim Chief Executive Officer.

### **226. Public Questions or Statements**

The Panel was advised of a question submitted by the Newby Wiske Action Group in relation to the sale of Newby Wiske Hall to PGL Travel Ltd. Councillor Carl Les declared an interest as Chair of North Yorkshire Youth, a market competitor to PGL Travel Ltd, and absented himself from consideration of this matter. Councillor Peter Wilkinson took the Chair for this question.

Mr David Stockport MBE, representing the Newby Wiske Action Group, was invited to address the Panel with the following questions, which had been circulated to the Panel in advance of the meeting.

*My question relates to the responsibility of the Police and Crime Panel to scrutinise the performance of the Police and Crime Commissioner and to consider the PCC's police and crime plan and annual report. These requirements are clearly an ongoing responsibility and updates are given at regular meetings of the Panel.*

*In the Forward [sic] section to the Annual Report 2015-2016 the PCC says "Listening and understanding the needs and views of people across North Yorkshire and the City of York is your Police and Crime Commissioner Julia Mulligan's first priority."*

*Throughout the process leading to the sale of Newby Wiske Hall there has been no consultation with residents of Newby Wiske or surrounding villages or their representatives*

*on the Parish Council. Given the statement made in the Annual Report will the Police and Crime Panel comment on whether they find this lack of consultation acceptable?*

*The plans of the potential new owners to turn the building and grounds into an adventure site has met with almost universal opposition from the residents of Newby Wiske and surrounding villages (at the time of writing there are currently 183 objections to the change of use and 69 out of 69 objections to the plans for the hall itself) will the Panel accept that the wishes of residents have clearly not been listened to and advise the PCC to withdraw from the sale while it is still 'subject to contract'.*

*Will the panel accept that Newby Wiske Hall and its grounds are entirely within the Conservation Area of Newby Wiske and that the current plans for the hall and grounds are totally unsuited to the development of a Grade 2 Listed Building within a Conservation Area?*

*Finally do the panel accept that working with and consulting local residents and representatives a plan could be developed which would meet the needs of the village, the wishes of residents and allow the PCC to obtain outline planning consent for a development which will increase the value of the hall and grounds to the financial benefit of the police.*

Mr Stockport followed up by asking the Panel if they are concerned that robust due diligence has been carried out by the Commissioner on PGL Travel Ltd and its holding company Prometheon.

The Commissioner advised the Panel that PGL had been deemed to be a suitable purchaser after careful consideration, following a lengthy process to oversee the sale of the Hall and transition of the new force HQ to Alverton Court. Mrs Mulligan also indicated that she has a duty to achieve best value in disposal of such an asset.

Councillor Wilkinson responded to the Action Group that as many of the concerns raised by them pertained to the future use of the site by PGL, it would be appropriate for those concerns to be directed through the planning process via Hambleton District Council. Councillor Wilkinson clarified for the Action Group that the Panel had no remit to consider planning-related issues of concern. He also clarified that he has no role within Planning at Hambleton Council but advised that colleagues at the District Council had suggested that this application would most likely go to a formal Planning Committee in October 2017. He expected this process to be a rigorous one, particularly in view of the number of objections raised.

Members highlighted that the Panel's powers in respect of such an issue are limited. Councillor Mason outlined for the Action Group that the Panel's interest would also be focussed more around challenging the Commissioner on how she has achieved best value for the people of North Yorkshire with the agreed sale, and how she would be investing that capitol for the benefit of the wider community.

The Commissioner offered to provide a written briefing on the pre-sale process for the Panel for its next meeting, although indicated that as this remains a commercially sensitive transaction, there are aspects that she would be unable to share. Further to a request from one of the representatives of the Action Group who attended the meeting, the Commissioner offered to meet with a small number of residents to give further details about the process, but reiterated that some of the information could not be put in the public domain.

Councillor Wilkinson thanked the Commissioner for her offer of further briefing on the process for the September 2017 meeting and also welcomed her offer to engage further with the local residents in the meantime.

The Panel thanked the members of the Newby Wiske Action Group for taking the time to attend the meeting to submit their questions.

**Resolved –**

That the Panel will take a further briefing from the Commissioner on the pre-sale process for Newby Wiske Hall at its next meeting in September 2017.

**227. Members' Questions**

Further to the discussions under Item 5 regarding the extended collaboration agreement for the Interim CEO, a Member raised a query as to why the professional registration fees for the CEO are being paid for by the taxpayer. It was cited that in some other areas of the public sector, professional fees are met by the individual. Fraser Sampson advised that the Solicitors Regulation Authority determines that professional certification is needed to be able to practise. It is seen as a direct regulatory cost to be met rather than a cost related to personal development.

Members went on to express a number of concerns regarding the recent performance of the 101 non-emergency service. These included several reports of local residents advising of six-hour waiting times to get through to someone in the force control room (FCR), with many residents either abandoning the call completely or considering use of the 999 emergency service instead. The PCC acknowledged that there had been a 20% rise in call volumes between April and June this year; the exact reasons for which are currently unclear. This is not a local issue but one being experienced across the country.

The PCC sought to reassure the Panel that the matter is being taken very seriously by the Chief Constable who is keen to ensure that the service is being adequately resourced. The Deputy PCC reiterated some of the improvement measures that have been implemented, as discussed at the previous Panel meeting. These include increased staffing, taking administration out of the FCR and reviewing how best officers and teams can share direct contact information with the public and partners. The Panel will continue to keep this issue under review with a formal report from the PCC to be taken in November 2017.

In response to a query regarding the changes to be brought about to the handling of police complaints next year, the Deputy PCC advised Panel that a briefing could be brought to the Panel in the New Year.

**228. Appointment of Elected Co-opted Member to the Panel**

Considered -

The oral update by the Panel Secretariat on the process for appointing an elected co-opted Member to the Panel.

Diane Parsons updated that following the previous Panel meeting, the Labour Groups across the force area had been approached to nominate an elected Member to represent their interests on the Panel. Councillor Tony Randerson, currently both a Member of Scarborough Borough Council and the County Council, had received the endorsement of the Labour Groups. Diane Parsons invited the Panel to give their formal agreement to the nomination of Councillor Randerson, prior to submission of a formal business case to the Home Office. It was highlighted that Councillor Randerson had been invited by the Panel Chair to attend Panel meetings as an observer.

**Resolved -**

(a) That Councillor Tony Randerson is endorsed by the Panel as its appointee to the Labour co-opted Member seat; and

- (b) That a submission endorsing Councillor Randerson be henceforth submitted to the Home Office for formal agreement.

**229. Progress update from the Deputy Police and Crime Commissioner**

Considered -

The presentation by the Deputy Police and Crime Commissioner, updating on his work priorities and progress since appointment in November 2016.

Will Naylor took the Panel through some of the key priorities from his agreed work plan, which broadly focusses on the following areas:

- a) Putting the public first;
- b) Supporting the PCC in delivering her manifesto;
- c) Supporting the PCC in holding the Chief Constable to account;
- d) Giving North Yorkshire a voice in Westminster.

A number of points were raised around these work areas and key discussion points are summarised below.

In relation to supporting the PCC in delivering her manifesto, it was highlighted that one key area of work is around developing the Appropriate Adults service. The PCC advised that there are particular issues around the effective delivery of the service in the York area, related to capacity, such as helping vulnerable people who are held in custody for a long time. Councillor Mason asked the Deputy PCC to contact him with further details and it was acknowledged that it may be helpful to look at the potential for joining up the service between the County Council and City of York Council.

In relation to work supporting the PCC in holding the Chief Constable to account, it was noted that efforts are being made to help make the implementation of Community Speedwatch within communities happen much faster. The PCC asked the Chair if he could engage with 95 Alive to look at helping to make the process smoother and less bureaucratic from a customer perspective.

Further to a question from a Member regarding phone-related scams, the Deputy PCC outlined some of the measures in place to tackle these, including better training to help officers to recognise fraud and more support for banks. The Deputy PCC reflected that it would be helpful to have the Panel's support (via the Members' constituent authorities) to help businesses and communities to protect themselves

Further to the Deputy PCC referencing his role on a Home Office governance group, a Member asked if he could take back to the group that the Panel would need greater resources at its disposal to effectively take on an increasingly expanding role. The Deputy PCC acknowledged the potential impact of future changes specific to the police complaints legislation on the Panel's own complaints volumes.

Councillor Mason referred to the confirmation hearing held for the Deputy PCC in October 2016 and reflected that Members had been impressed with Mr Naylor's approach to the role since his appointment and in particular those Members with whom he had engaged and briefed recently on themed sub-group areas.

**Resolved -**

That the presentation be noted.

**230. Emergency Services Governance: The Police and Crime Commissioner's Local Business Case**

Considered -

The report of the Police and Crime Commissioner setting out options to improve collaboration between Police and Fire Services.

The Commissioner's local business case (LBC) was published for consultation on 17<sup>th</sup> July. As such the Commissioner took the Panel Members through some of the key principles in her presentation. The Commissioner highlighted that the Policing and Crime Act makes no provision for the process of engagement about a local case but felt that steps taken in North Yorkshire to engage with various stakeholders had gone well beyond the basic requirement.

The Commissioner outlined the three potential models which could be adopted to help improve collaboration – representation, governance and single employer models – and highlighted that to reach a recommendation the model had to meet the three tests of economy, efficiency and effectiveness. The Commissioner highlighted that the current situation in relation to collaboration between Police and Fire and Rescue is tactically-led, organisation by organisation, and that as such progress had not been as effective as it could have been. The Commissioner outlined that she would like to see a move to a more outcomes-led approach, which she felt the recommended option of moving to the governance model would achieve. This model would involve the Commissioner replacing the Fire and Rescue Authority (FRA) but the two services would remain operationally distinct.

The Commissioner took the Members through a Benefits Assessment of the three key models explored in the business case, whereby for example it was highlighted that whilst the Single Employer Model would be high risk, the Representation Model would likely factor as 'low' in terms of its effectiveness. Mindful that the Panel had only received the business case a few days prior to the meeting, the Commissioner offered to provide a separate briefing session for Members to enable them to get a clearer understanding of some of the finer points of the assessment undertaken.

Members queried the Commissioner's references to a lack of progress on collaboration from the Fire and Rescue Service over recent years. The Commissioner felt that there had been a lack of progress on the part of both the police force and the Fire and Rescue Service since the Statement of Intent had been issued in 2013.

Members raised concerns about the ability of the Commissioner to undertake a meaningful conversation with the public about such a significant issue, particularly when the business case was felt to be somewhat impenetrable. The Members were advised that the PCC had to follow specific Treasury guidelines in developing the business case but that effort had gone into developing a raft of other materials, such as FAQs, to help make the issues easier to grasp. It was agreed that Paula Stott would assist in reviewing the PCC's leaflets and other materials to ensure they are adopting a 'plain English' style and provide some constructive feedback.

The PCC was asked if she would share information about the responses received from the public survey with the Panel at its next meeting. It was agreed that a thematic analysis could be provided and raw data, if the Panel required this.

The PCC explained that she will examine the responses to the public survey and weigh these against the case that she has made. She will factor in whether the recommended option is in the public interest based on the assessments undertaken for the business case, even where the response from the public may not be wholly supportive. An independent company will undertake the analysis of the survey results and an independent sample will

also be obtained to help avoid the survey being 'self-selecting'. If a Tier 1 authority doesn't support the proposal then the Home Office must submit the business case to an independent assessment.

The PCC clarified for Members that in the event of adoption of the Governance Model, she would not be taking on an additional Deputy PCC although it may mean additional resources required within her team.

The PCC outlined some potential benefits and initiatives which she felt could be driven forward if the governance model were to be adopted and funds were reinvested to enable greater resilience across communities. An example was provided of the pilot Safety Service in Bedale and Catterick, whereby a PCSO and FRS officer have been working in the community on fire safety, fraud prevention and other issues.

The Chair thanked the Commissioner for providing an outline of the business case and clarified that the Panel will look to have a more detailed discussion at its next meeting on 14<sup>th</sup> September, where it will also reach a decision on the proposal put forward by the PCC.

The Panel has been offered the opportunity to engage in a focus group with the independent company involved in the consultation, if helpful, and it was agreed that Tom Thorp could add on a briefing into the detail of the business case. Members were asked to advise the Panel Secretariat of interest in this meeting.

**Resolved -**

That the Panel:

- (a) note the Commissioner's presentation on the local business case; and
- (b) table a discussion on the merits of the Commissioner's business case at its next meeting on 14<sup>th</sup> September 2017.

**231. Work Programme**

Considered -

The report of the Panel Secretariat, inviting the Panel to consider its Work Programme.

**Resolved -**

That the report be noted.

**232. Any other business**

The PCC asked the Members for their assistance in helping her to reach other political groups and Members across the force area regarding the local business case.

The meeting concluded at 1:45pm.

DP