

North Yorkshire County Council

Police, Fire and Crime Panel

Minutes of the meeting held on Tuesday 5 February 2019, commencing at 2:00pm in the Grand Meeting Room at County Hall, Northallerton.

Present:-

Councillors: Val Arnold (Ryedale District Council), Michael Chambers MBE (Harrogate Borough Council), Carl Les (North Yorkshire County Council, in the Chair), Russell Lord (Richmondshire District Council), Chris Steward (City of York Council), Sandra Turner (Scarborough Borough Council), Peter Wilkinson (Hambleton District Council).

Community Co-opted Member: Paula Stott.

Julia Mulligan (Police, Fire and Crime Commissioner).

Deputy Chief Constable Phil Cain (North Yorkshire Police).

Officers from the Office of the Police, Fire and Crime Commissioner: Fraser Sampson (Interim Chief Executive Officer), Michael Porter (Chief Financial Officer), Will Naylor (Deputy Police and Crime Commissioner).

Officers from NYCC: Suzanne Truman (NYCC Finance – for Item 7), Diane Parsons (Panel Secretariat).

Copies of all documents considered are in the Minute Book

352. Apologies

Apologies had been received, and were noted, from Councillor Ashley Mason, Councillor Peter Madeley and Santokh Singh Sidhu.

353. Minutes

Resolved –

That the Minutes of the meeting held on 15 January 2019, having been printed and circulated, be taken as read and be confirmed and signed by the Chairman as a correct record.

354. Declarations of Interest

No declarations were made to the Panel.

355. Public Questions or Statements to the Panel

A questions had been submitted to the Chair and agreed in advance of the meeting from Ms Gwen Swinburn, as follows:

“Thank you Chair. I am afraid that I have not had time to review all the finance papers, and I appreciate you letting me submit this statement and questions late also.

My overwhelming concern this year has been how the PCC despite having apparently 17 staff seems unable to provide the most basic governance service that allows you and us to oversight her.

I first tried to look at the required transparency for her spending, all items over £500 are to be logged, as you do in North Yorkshire. Except the PCC hasn't uploaded any since summer last year.

Then I see all the late reports to this committee, including the finance papers. It cannot be that with the budget papers of all things that they are late.

The PCC website is opaque and out of date.

I expressed concern last year that the amount of money spent on her futile and irrelevant consultation was insulting. Surely there should be an expectation upon her to offer service options attached to her proposed budget options, and that she consults is on those?

Finally Chair, there is much discomfort around and about regarding the behaviour of the PCC, we have seen it in this place but most particularly her treatment of her staff, which seems, perhaps coincidentally, to have an extraordinarily high churn rate. I understand there are further complaints in the system about her conduct. I despair when for a small transgression a PC gets a public hearing.

My question is whether in view of all these reasons, and others unstated, is it possible for you to commission (at cost to the PCC) a root and branch review of her HR policies, practices and outcomes including churn, benchmarked against well run PCC offices?"

The Chair did not feel that it would be within the Panel's remit to undertake a root and branch review of the way the Police, Fire and Crime Commissioner ("the Commissioner") runs her office, or her HR policies. However the Panel will continue to monitor specific aspects such as through the staff survey which is shortly to be undertaken.

356. Members' Questions

The Commissioner was invited to comment on the recently reported increase of crime in North Yorkshire to more than 5% over the national average. The Commissioner sought to put this within the context of a rolling programme of inspections for crime recording undertaken by HMICFRS across the country in recent months, which she advised had resulted in reported increases in the majority of those areas inspected, including North Yorkshire. The Commissioner anticipates that these increases will level out across the board after the next round of inspections and referred the Panel to the previous discussions regarding crime recording and the changes which had been put in place around this last year.

357. Neighbourhood policing survey

Considered –

The Commissioner's report regarding the outcomes of the neighbourhood policing survey undertaken in 2018.

The survey was undertaken between May and July 2018 and had 1400 respondents. The Commissioner felt that the feedback from the survey had been disappointing but not surprising in respect of the public's dissatisfaction with local policing. The Commissioner referred to the challenge faced by North Yorkshire Police ("NYP") around meeting the expectations set by government and others to be able to respond effectively to 'high harm' crime which is not necessarily visible to the wider public (such as online fraud and child

sexual exploitation) but also be cognisant that the public of North Yorkshire expect more visible and traditional local policing mechanisms in order to feel safe. NYP has been investing considerably in preventing and tackling 'high harm' crime in recent years, but the Commissioner felt that with shrinking resources, this had resulted in less visible policing at a local level and consequently an erosion of public confidence.

The Panel acknowledged the good practice around neighbourhood policing in Scarborough and Richmondshire as highlighted by the survey, and that it would be helpful to look at whether such models could be implemented elsewhere. However, concern was also expressed at the impact of the survey findings on police morale, particularly where the police was rated at the bottom of a list of public satisfaction with public services. DCC Cain conveyed to the Panel that staff are frustrated as they want to do their utmost for the public but are challenged in doing this because there is the lack of resource to be able to focus on prevention and intervention.

Members also expressed concern at the considerable numbers of respondents (44%) who felt that crime and anti-social behaviour ("ASB") is worse in their area compared with twelve months ago. The Deputy Commissioner highlighted that ASB figures are either steady or up slightly in North Yorkshire. However, local feedback from parish councils has conveyed dissatisfaction at the lack of engagement with the police locally and also there has been a lot of feedback that burglaries are dealt with less well than would be expected.

Both the Commissioner and DCC Cain outlined for the Panel that further resource is needed to work with communities to help to make them more resilient to crime and to prevent it from happening.

Resolved –

That the Panel note the report provided.

358. Precept proposals for 2019/20: policing and fire and rescue

Considered –

The report of the Commissioner setting out for the Panel her proposal for the policing and fire and rescue precepts for 2019/20.

The Commissioner's proposal would set the police element of the council tax for 2019/20 at £256.77 for a Band D property. This is an increase of £23.95 over the 2018/19 level.

The Commissioner and DCC Cain delivered a presentation to the Panel setting out further context for the policing precept proposal for 2019/20. This included some national context for police funding and the risks to the police force locally over the next few years such as; increasing demand, the police funding formula, the potential for further pressures in relation to police pay increases, police pension changes and a cut in government grant in real terms over the next year of £2.2m.

The Panel were informed that the investments in policing from central government take into account that Commissioners will take advantage of the increased flexibility available to them to increase their precept by up to £24 (Band D property). The Commissioner expressed that she would rather this money came from central government than from the taxpayer but felt that investment in the service is needed. The Panel were informed that the Commissioner views this as a one-off opportunity to increase the baseline and that next year's precept proposal would be purely to seek an inflationary increase.

The Commissioner's presentation also gave some detail on how the precept uplift in 2018/19 has been used, including the 60 additional staff recruited into the Force Control

Room, the extension of the FCR building and the recruitment of more officers and OCSOs. The Panel were also asked to note the improvement in the 101 and 999 services and that North Yorkshire's FCR is now viewed as one of the better-performing services nationally.

Within the context of the discussion under Item 6 (neighbourhood policing), the Commissioner further explained that while local policing could be considered to be at 'amber' level, prevention and early intervention are at 'red' and she would like to see the force become smarter at combining local policing with prevention and intervention through investment. As such, the Commissioner would like to recruit 50 additional police officers and 20 PCSOs and Community Safety Staff to boost visible local policing; to give more focus to prevention and early intervention around crime. This would cost £3.3m on an annual basis once implemented.

DCC Cain presented to the Panel on a vision for how this uplift could resource and equip local policing through a number of initiatives including a City Task Force, mental health co-ordinators and online PCSOs.

The Commissioner subsequently presented a proposal to set the fire element of the Council Tax precept at £71.27 for 2019/20, which represents a 2.99% increase (or £2.07) over the 2018/19 level for a Band D property. This level of increase is at the maximum permissible to the Commissioner without triggering a referendum.

The Panel considered that the fire and rescue services (FRS) budget continues to be balanced by reserves but that by 2021/22 there would be an unfunded balance of over £1m, without savings being made. However, the Panel also took into account the progress already being made on savings plans within the FRS and that the newly-appointed Interim Chief Fire Officer will be providing an assessment of the FRS for the Commissioner in due course to help develop the FRS and make it more efficient.

The Panel subsequently asked the Commissioner and colleagues a number of questions in relation particularly to the policing precept proposals.

The Commissioner was challenged on the public consultation undertaken on the precept and that the interpretation of the results was felt to be misleading. This was particularly due to the fact that those individuals who had elected for a freeze to the precept had been effectively taken out of the equation for the assumptions presented to the Panel. The Panel were informed that the consultation forms just one part of the wider decision-making process. A concern was also highlighted in respect of whether the Commissioner felt confident that the target recruitment levels would be reached in view of the difficulties in achieving target levels in recent years.

Members agreed the principle of boosting visible local policing but expressed disappointment at the lack of detail presented in the advance paperwork. Concern was expressed regarding the lack of numbers and costs to specify where and how the uplift may be used across the various new initiatives outlined. Additionally, concern was raised by Panel members that the planned additional recruitment of police officers, PCSOs and Community Safety Officers had not been factored into the draft staffing budget provided within the Commissioner's Medium Term Financial Plan. As a consequence the additional funding raised from the precept will sit in the Policing Priorities Fund 'pot' ("the PPF") and may be at risk of being used for other purposes, particularly in view of the pressures and risks to the police budget as identified earlier in the meeting.

The Commissioner advised the Panel that NYP will be tasked with developing a comprehensive plan for delivery against this vision after the precept has been agreed. The Commissioner felt it critical that NYP does this before she makes any such funding available to them and that by factoring these figures into the staffing budget now may commit funding without proper planning in place. The Panel agreed with the principle of a clear business case being sought from the force and also that money is only released from

the PPF when clear plans have been agreed. However, in the circumstances, the Panel felt that this renders it particularly critical that staffing plans of this level should be appropriately earmarked – at least in draft - within the projected budget to communicate a clear message to the police force and the public that this is how the funding will be used.

The Panel highlighted its considerable concern that during the course of discussions on this point, an inadequate level of assurance was provided to them that this funding will not therefore be used for alternative purposes. Further to Members' questions, the Chief Financial Officer concurred that there is an element of risk around this if the forecast savings plans for NYP are not met but that NYP will be held to account for its progress.

The Chair then invited all parties, other than Panel Members and officers supporting the Panel, to leave and the Panel went into closed session.

After a period of time of discussion, the Panel resolved that it would agree the Commissioner's proposal for increasing the fire and rescue precept for 2019/20.

However, the Chair informed the Commissioner and colleagues that due to the concerns expressed during the meeting around a lack of substantive detail on the Commissioner's plans for the significant additional investment and the lack of assurance that this money would be appropriately earmarked for recruitment, the Panel did not feel that an increase in the order of £23.95 (Band D) was acceptable without further detail. The Chair also expressed his disappointment that the lengthy presentations provided had not formed part of the advance paperwork to enable appropriate study time by the Panel. The Commissioner was also asked to provide further detail about her savings plans.

The Panel unanimously resolved to exercise its power of veto of the policing precept proposal under paragraph 4 of Schedule 5 of the Police Reform and Social Responsibility Act 2011.

Resolved –

That the Panel:

- (a) approves the Commissioner's proposal to set the fire element of the Council Tax precept at £71.27 for 2019/20 (Band D property);
- (b) rejects – by power of veto – the Commissioner's proposal to set the police element of the Council Tax precept at £256.77 for 2019/20 (Band D property).

359. Work programme

Considered –

The report by the Secretariat to the Panel providing an updated work programme for the Panel's attention.

Resolved –

That the Panel's work programme be noted.

The meeting concluded at 4:50pm.

DP