



HERTFORDSHIRE POLICE AND CRIME PANEL

Thursday 20 June 2013
Stevenage Borough Council

MINUTES

Present

Cllr R Hannam, Broxbourne Borough Council (Chairman)
Cllr M Alexander, East Herts District Council
Cllr A Franey (substitute), Welwyn Hatfield District Council
Cllr S Gaygusuz (substitute), St Albans City and District Council
Cllr C Goldstein, Hertsmere Borough Council
Cllr R Henry (substitute), Stevenage Borough Council
Cllr T Hunter, North Hertfordshire District Council
Mr I Laidlaw-Dickson, Co-opted member
Cllr R Martins (substitute), Watford Borough Council
Cty Cllr P Ruffles, Hertfordshire County Council
Cllr R Seabourne, Three Rivers District Council
Dr M Verlot, Co-opted member

Also Present

Mr J Stack, Broxbourne Borough Council
Mr G Miles, Broxbourne Borough Council
Mr T Hewins, Broxbourne Borough Council
Mr J Bugg, Office of the Police and Crime Commissioner

Two members of the public attended.

1 APPOINTMENT OF CHAIRMAN AND VICE-CHAIRMAN

The Panel reappointed Cllr Ray Hannam, Broxbourne Borough Council, as Chairman. Cllr Malcolm Alexander, East Herts District Council, and Ms Annabel Francis, co-opted member, were nominated as candidates for Vice-Chairman. **The Panel deferred the appointment of a Vice-Chairman until the next meeting on 25 July 2013,** as Ms Annabel Francis was not present at the meeting.

2 INTRODUCTIONS, APOLOGIES AND WELCOME

The membership of the Panel has changed:

- Cllr Charles Goldstein has replaced Cllr Morris Bright to represent Hertsmere Borough Council, Cllr Bright becomes the substitute member;
- Cllr Tony Hunter has replaced Cllr Mrs Tricia Cowley to represent North Hertfordshire District Council; and
- Cllr Derek Scudder (Deputy Mayor) has replaced Mayor Dorothy Thornhill to represent Watford Borough Council with Cllr Rabi Martins as the substitute.

Apologies

Cllr Mrs A Brewster, St Albans City and District Council
 Cllr J Dean, Welwyn Hatfield District Council
 Ms A Francis, Co-opted Member
 Cllr N Harden, Dacorum Borough Council
 Cllr D Scudder, Watford Borough Council
 Cllr Ms S Taylor, Stevenage Borough Council
 Mr D Lloyd, Police and Crime Commissioner
 Mr R Wilsher, PCC Chief Executive
 Ms D Currie, PCC Deputy Chief Executive

3 MINUTES OF THE MEETING OF 14 MARCH 2013

Agreed.

4 MATTERS ARISING

(a) Complaint raised at item 6 of the minutes of the meeting of 14 February 2013

Cllr Seabourne asked the Chairman for his view on the complaint raised. The Chairman agreed that he had not indicated that he had not sent the e-mail referred to by the member of the public, but that he had said he was not going to discuss the issue as it had been concluded.

5 PANEL RULES OF PROCEDURE

(a) New members of the Panel and political balance

Following the local elections in May 2013 and nominations by constituent councils of their representation on the Panel, the balanced appointment objective is still met.

It was AGREED that no changes to the membership of the Panel will be made.

(b) Work programme for the year 2013/14

Four meeting dates are scheduled: Thursday 21 November 2013; Thursday 23 January 2014; Thursday 13 February 2014; and Thursday 19 June 2014. The final meeting date is tentative, due to the possibility that the Government may move the 2014 election date to later in May or June 2014 and the constituent councils

may not have nominated their representative on the Panel by 19 June 2014. Additional meetings may be held if requested by members of the Panel.

It was AGREED that the work programme and dates of meetings in 2013/14 be approved.

(c) **Public participation in meetings**

ClIr Seabourne expressed concern that the Commissioner's public question session would occupy a disproportionate amount of time during meetings. The Commissioner has ample opportunity to engage with members of the public outside of Panel meetings. A question session could be held prior to the meeting.

ClIr Henry noted the Commissioner is keen to hear the views of members of the public and a formal allocation of time in the meeting would be helpful so questions and answers are recorded appropriately. Mr Laidlaw-Dickson suggested the changes to the Rules of Procedure will facilitate better engagement with members of the public by the Panel. ClIr Ruffles advocated public questions being included as part of the meeting, to provide accountability.

It was AGREED that the revised Rules of Procedure be approved.

(d) **Member training**

Mr Laidlaw-Dickson suggested there was a need for the Panel to receive external, independent, impartial advice from a body such as the Local Government Association or the Centre for Public Scrutiny. This would not necessarily be expensive and would enable the Panel to have more influence on setting the agenda for scrutinising the Commissioner, improving the Panel's ability to hold the Commissioner to account. It would also be helpful if the Commissioner submitted a report to each meeting of the Panel so progress against the Police and Crime Plan can be tracked.

Dr Verlot emphasised the importance of performance management in the context of assessing progress against the Commissioner's Police and Crime Plan, especially the use of external best practise and comparisons with similar policing areas, for instance, incidents of domestic violence in a comparable area such as Dorset.

The Chairman advised that opportunities for further training would be explored by the host authority officers and presented to the Panel for consideration. Officers will feedback members' comments on training gaps to the Local Government Association and the Centre for Public Scrutiny.

It was AGREED that the Commissioner be requested to provide an update report to each meeting of the Panel so progress against the Police and Crime Plan can be tracked.

6 QUESTIONS AND PETITIONS FROM THE PUBLIC

The Panel received written questions from Mr Mark Ryan on the statutory publication of information by the Commissioner and associated matters.

Cllr Martins expressed concerns the questions submitted by Mr Ryan indicates that the Commissioner is ignoring statutory legislation and edicts from the Home Secretary. The Panel must have confidence that the Commissioner does take his statutory duties seriously.

Cllr Seabourne suggested the Commissioner should be asked for his comments, as there may be a simple reason why sections of the allowance and expenses information have not been published, such as items may have been claimed for but not paid yet. There is a broader concern if the Commissioner's office has provided factually incorrect information to Mr Ryan, although it must be noted that the setup surrounding police and crime commissioners is a new concept and, as a consequence, errors will be made. The Commissioner must cite how learning will be used to improve the underlying procedures. Cllr Seabourne questioned whether all of the information required to be published has now been published?

Mr Laidlaw-Dickson noted the definition of a key decision in the context of the Commissioner's decision making is not clearly defined, which is not helpful when the Commissioner is required to publish a list of key decisions.

Mr Ryan stressed the questions are directed at the Panel and not the Commissioner, particularly question eight. The Chairman advised that in order to answer the questions the Panel needs to consult the Commissioner and scrutinise his response.

It was AGREED that the Commissioner's office be requested to provide comments in writing to the Panel prior to the next meeting on 25 July 2013 on the matters raised in the questions to enable the Panel to give a full response to Mr Ryan.

A member of the public asked the Panel to comment on how the Panel would respond to the closure of police facilities. Dr Verlot explained this would most likely be an operational matter and outside the remit of the Panel. However, if the closure impacted on the Commissioner's delivery of the Police and Crime Plan, it would be appropriate to seek further explanations. The role of the Panel is to scrutinise and hold the Commissioner to account. It does not hold the Chief Constable or Constabulary to account. The Chairman noted in this scenario that local councillors would respond to shortfalls in policing via their local authority channels.

7 MEMBERSHIP OF THE PANEL AND THE PCC'S COMMUNITY SAFETY BOARD/FORUM

Mr Miles advised there is no legal prohibition on councils appointing the same member on the Panel and on the Commissioner's Community Safety Board or Forum, but there is a risk of an appearance to the public of a conflict of interest if the Panel is reviewing decisions made by the Board or Forum.

The Chairman suggested the Community Safety Forum was a second opportunity to scrutinise the direction of the Commissioner. It is the responsibility of the constituent councils to decide on the representative from the local authority. Each council has its own standards for the appointment of roles.

Cllr Seabourne considered it would appear inappropriate to serve on both bodies. Maintaining public integrity is essential and there is a potential conflict of interest.

Dr Verlot suggested the collaboration between services may become a strategic matter, which would affect the Police and Crime Plan. The overlap between the two bodies may become stronger and more apparent as the role of the Community Safety Board and Forum are defined.

The Panel noted the possible issues with being a member of both the Panel and the Police and Crime Commissioner's Community Safety Board or Forum.

8 ISSUES ARISING FROM THE HOUSE OF COMMONS SELECT COMMITTEE ON HOME AFFAIRS

Cllr Alexander suggested it would be helpful if the Commissioner disclosed the number of hours he works in a week.

It was AGREED that the Commissioner's office be notified that if the Panel is informed of the suspension of the Chief Constable a report will need to be provided to the Panel outlining the reasons for that decision, which will be considered by the Panel at a special meeting as soon as possible.

It was AGREED that the Commissioner's office be requested to provide in writing to the Panel prior to the next meeting on 25 July 2013 how compliance with the statutory publication of information will be achieved and how the associated procedures will be improved.

9 ANY OTHER BUSINESS

Mr Miles informed the Panel that the Commissioner has proposed the appointment of a Deputy Commissioner. Mr Laidlaw-Dickson welcomed the Commissioner's decision to undertake a recruitment process, a course of action few police and crime commissioners have chosen to select a deputy. The Chairman stated that the procedure for confirmation hearings has been reviewed since the previous confirmation, which was a learning experience.

It was AGREED that, if required, the confirmation hearing for the Deputy Commissioner will take place at 6pm prior to the next meeting of the Panel on Thursday 25 July 2013.

Mr Miles pointed out [CoPaCC](#) as an interesting website which provides comparative national information on police and crime commissioners.

Mr Laidlaw-Dickson suggested future Panel annual monitors should be discussed at the relevant meeting of the Panel before they are published on the website.

10 **DATE OF NEXT MEETING**

7pm, Thursday 25 July 2013 – Stevenage Borough Council