

NORTH YORKSHIRE POLICE AUTHORITY

The Minutes of the meeting held at The Golden Lion Hotel, Northallerton on 29 June 2006.

PRESENT:-

Members: Mrs Jean Anderson, Mr Bill Baugh, Mr David Carter, Mr A Curry, Mr J Fender JP, Mr Tony Hargreaves JP, County Councillors Bill Hoult, Jane Kenyon, Carl Les and David Lloyd-Williams, Councillor Ruth Potter, County Councillor Jim Snowball, Mrs J H Ryan JP, Councillor Mrs Irene Waudby, and County Councillor Greg White.

Officers: Chief Constable Della Cannings; Deputy Chief Constable Ian McPherson; Assistant Chief Constable Peter Bagshaw; Assistant Chief Constable David Collins; Director of Human Resources Jon Porter; Director of Finance Joanna Carter; Force Head of Finance David Chefneux; Authority Treasurer John Kirman; Authority Clerk Jeremy Holderness; Force Solicitor Litigation Leonard Miller; Force Head of IT Russell Hadfield; Head of Force Risk Management Unit Mark Hamill; Deputy Clerk Susan Colville.

Also in attendance: North Yorkshire Police (NYP) Branch Federation Deputy Secretary/Treasurer Mal Taylor.

COPIES OF ALL DOCUMENTS CONSIDERED ARE IN THE MINUTE BOOK

80. ELECTION OF CHAIRMAN**RESOLVED –**

That County Councillor Jane Kenyon be elected Chairman of the Authority until the Annual Meeting in 2007.

81. VICE-CHAIRMAN**RESOLVED –**

That Mr Jim Fender JP be elected Vice-Chairman of the Authority until the Annual Meeting in 2007.

82. PUBLIC QUESTIONS

The chairman of Boroughbridge Tier 2 Community and Police (CAP) Group asked, firstly, for clarification of the position in terms of the Authority's financial surpluses and reserves and whether there was likely to be a change in the pensions situation. The Chairman of the Authority said that a response would be provided to these queries as part of the consideration of the Draft Statement of Accounts at Item 6 on the Agenda.

Secondly, in relation to his experience in the Harrogate Area, the questioner suggested that, whilst he understood that police forces had been given until 2008 to implement it, Neighbourhood Policing (NHP) had been “rushed through” in North Yorkshire, without consultation with the community and in a disorganised manner. He maintained that, in general, the NHP Teams were working over too many wards, and that there appeared to be no contact telephone numbers for the Harrogate NHP officers, who he suggested were too few in number and themselves unhappy about the current arrangements.

The Chief Constable set out the background to the development of Neighbourhood Policing since her arrival in North Yorkshire, emphasising how NHP was one stage in an “evolutionary” change from reactive to proactive community policing. Its early introduction in North Yorkshire had been made possible by, and followed on from, the achievements in reducing crime, and had been driven by the Force in advance of Government policy. From an original 80 Community Police Officers, there were now nearly 400 NHP officers, together with approximately 75 Police Community Liaison Officers (PCSOs). NHP was still developing, based on a team approach, and the Force website gave full details of all NHP officers. All her officers were in continual contact/consultation with their local communities and the Assistant Chief Constable (Territorial Policing) would speak to the questioner outside the meeting to discuss in detail the local issues he had raised.

83. **PUBLIC MINUTES**

RESOLVED –

That the draft Public Minutes of the meetings of the Authority held on 27 March 2006 and 7 April 2006, having been printed and circulated, be taken as read and be confirmed and signed by the Chairman as a correct record.

84. **EXCLUSION OF THE PUBLIC**

A Member expressed concerns about the proposed exclusion of the public from the Items shown on the Agenda, and especially Item 14 Appendix B (comprising the Corporate Risk Register), on the grounds that they did not in his view contain exempt information falling into the categories now defined in the Local Government (Access to Information) (Variation) Order 2006. Another Member also queried the need to take both the “covering” reports and appendices comprising Items 16 and 17 “in private”, and suggested that in similar situations in future, consideration should be given to retaining the covering reports in the public section of the Agenda.

The Chairman having confirmed the Authority’s commitment to an open and transparent approach in conducting its business so far as possible, the Clerk explained the basis on which Appendix B to Item 14 was considered to contain exempt information. He also reminded the Authority that even where exempt information was established, there remained a responsibility on the Authority to decide whether the public interest in maintaining the exemption and considering it in private was outweighed by the public interest in disclosing the information. In the Clerk’s view, the way in which the Corporate Risk Register explored the “vulnerability” of the police service and the chances of the information it contained being used by those who would exploit it, suggested that, on balance, the public interest was in maintaining the exemption. The Chief Constable, as Chairman of the joint Risk Management Group, confirmed that the matter had been discussed, and legal advice taken, by the Group in arriving at the same view as the Clerk.

RESOLVED -

That the public be excluded from the meeting during consideration of the items of business listed in column 1 below, on the grounds that they involve the likely disclosure of

exempt information as defined in the paragraph of Part 1 of Schedule 12A to the Local Government Act 1972 as specified in column 2:

<u>Item no</u>	<u>Paragraph No</u>
14 (Appendix B only)	3
15	3
16	3
17	3
18	2

85. **DRAFT STATEMENT OF ACCOUNTS**

CONSIDERED –

The joint report of the Chief Constable and the Treasurer presenting the draft Statement of Accounts 2005/2006 for the approval of the Authority, for submission to the external auditors.

Replacement pages 39 and 45 from the Statement of Accounts were circulated at the meeting, which reflected the updated position on the treatment of creditors and debtors, and further actuarial information on pensions.

Other issues drawn to the attention of, and discussed by Members, included:

- Summary of Revenue Account: within overall net spending of £125.989m:
 - £2.221m was appropriated to provisions reserve, including £1.4m of development revenue not spent due to capital projects not being completed (which was being carried forward as an underspend)
 - £1.452m to enhance the General Reserves, thereby bringing the latter to £7.442m ie close to the 6% revenue reserves recommended as prudent.
- Capital budgeted programme: out of a total of £8.315m, expenditure had totalled £6.665m:
 - representing 80% of planned expenditure.
 - leaving an underspend of £1.6m, of which £1m was committed.It was anticipated that development expenditure would rise substantially in the immediate future.
- Pensions: Under the new Police Pension Scheme which came into force in April 2006, the Home Office would be taking on financial liability for accrued pension rights, and holding the vast majority of funds. It was anticipated that the transfer would take place at the end of 2006/2007 although no confirmation had as yet been received.
- Earmarked reserves: The Medium Term Financial Plan (MTFP) showed an overall reduction in these funds (totalling £27.365m at 31 March 2006) of £10m during 2006/2007 and £5m during 2007/2008. Most of the remainder was expected to have been committed if not spent by the end of 2008.

The Chairman of the Performance Monitoring Board and the Finance and Resources Thematic Group congratulated and thanked the Finance staff for putting together the Accounts, and especially the Force Head of Finance, David Chefneux, who was attending his last Authority meeting before leaving the Force. The Statement of Accounts as presented for approval contained nothing that had not been anticipated, with levels of reserves in line with the forecasts made earlier in 2005/2006 when consideration was being given to the draft MTFP and the level of the 2006/2007 precept.

RESOLVED –

- (a) That the draft Statement of Accounts 2005/2006, as appended to the report, be approved.

-
- (b) That the position in respect of the audit process be noted.
 - (c) That approval be given to the changes to Financial Regulations Section 11 made necessary as a consequence of the changes to the Policy on Financial Provisions and Reserves approved as part of the above-mentioned statements.

86. **PRIORITY SPENDING INITIATIVES**

CONSIDERED –

The report of the Chief Constable highlighting and seeking approval to proceed with the delivery of a number of priority developments through the allocation of funding.

The report identified £757k of proposed priority spending for 2006/2007 comprising items previously reported to Strategic Planning and Best Value Board as priority spending initiatives, two subsequently identified, new items (Email archiving and Single Sign-on), a number of “carry forward” items which could not be completed in 2005/2006, and additional funding for the Local Criminal Justice Board. Totalling £1.509m, the items had been selected on the basis that they would contribute to neighbourhood policing, reduction in bureaucracy and increased time spent on operational activities. The report set out proposals for funding the initiatives in 2006/2007, from funds available from the 2005/2006 outturn, the Police Authority’s Development Reserve and the 2004/2005 development reserve.

Members discussed and queried a number of issues, and noted particularly that, although business cases for four projects (Workforce Modernisation, Resource Fit Consultancy, Workplace Attendance and Mobile Police Stations) had been considered and agreed at Strategic Planning Board on 6 March 2006, similar detailed cases for the two new items remained outstanding. It was agreed that the Members’ Seminar scheduled for 10 July would provide an opportunity for preliminary consideration of these, together with further detail on the emerging Management of Information Project, to be followed by formal consideration and determination of Email archiving and Single Sign-on at the special Strategic Planning Board meeting arranged for the afternoon of 31 July 2006.

RESOLVED –

- (a) That, subject to the approval of detailed business cases for the Email Archiving and Single Sign-on projects at the special meeting of the Strategic Planning and Best Value Board on 31 July 2006, approval be given to the utilisation of the following, in order to fund these and the other initiatives set out in the report:
 - (i) £757k priority spending initiatives reserve.
 - (ii) £590k NYPA development Reserve.
 - (iii) £162 from the 2004/2005 development reserve.
- (b) That the following be noted:
 - (i) The further requirements into 2006/2007 and beyond in relation to mobile data utilisation.
 - (ii) The emerging requirements to support Management of Information (MOPI).
 - (iii) The emerging requirements to enhance the management of lost/found property and evidence.

87. GOVERNANCE ARRANGEMENTS FOR JOINT WORKING AT REGIONAL LEVEL

CONSIDERED –

The report of the Clerk suggesting how the Authority could exercise appropriate oversight of joint activity being undertaken to strengthen the delivery of protective services within Yorkshire and Humberside and to remit work to design suitable structures to the clerks of the four authorities concerned.

The Clerk confirmed that the Members of the four regional authorities who had met on 22 June had indicated their support for progressing towards joint governance arrangements, and work was already underway to that end, with a view to having some draft proposals ready by the end of July. He suggested it might be necessary to hold a special meeting of NYPA before the end of July.

The Chief Constable emphasised the need for any joint body to have clear terms of reference, bearing in mind the existence of other collaborative arrangements in the region, and the need for wise use of resources towards the provision of the best possible police service. She called for dynamic working together, with true accountability. At the same time, it needed to be remembered that hers and the other three Chief Constables' direction and control of their forces, and their accountability to their respective authorities, ought not be inhibited in any way.

Mention was also made of exiting relationships with adjoining and nearby forces outside the region, and the need to ensure their continued cooperation as any new Yorkshire and Humberside regional arrangements moved forward.

RESOLVED –

- (a) That the Clerk be instructed to work with counterparts in the other three authorities to design a structure that facilitates joint scrutiny and decision-making over joint working taking place currently on a regional basis.
- (b) That Members meet again, informally, at the Seminar on 10 July to consider emerging proposals under (a) above, and note the possible need for a subsequent special meeting of the Authority before the end of July.

88. COMMUNITY ENGAGEMENT BOARD – DRAFT MINUTES

With reference to Minute 145 concerning Police Restructuring, the Clerk reported that the Association of Police Authorities had, that morning, advised that the Home Secretary had not withdrawn, but had extended the deadline for, the statutory objection period, and that public consultation should therefore continue. Should the Home Secretary decide to reconvene a meeting of the four regional authorities, he was likely to give three to four weeks notice. In the meantime, Members would be kept informed of the up to date position.

RESOLVED –

That the draft Minutes of the meeting of the Community Engagement Board held on 24 April 2006 be noted and accepted.

89. **PERFORMANCE MONITORING BOARD (OPERATIONAL BUSINESS) – DRAFT MINUTES**

RESOLVED –

That the draft Minutes of the meeting of the Performance Monitoring Board (Operational Business) held on 8 May 2006 be noted and accepted.

90. **PERFORMANCE MONITORING BOARD (FINANCIAL BUSINESS) – DRAFT MINUTES**

RESOLVED –

That the draft Minutes of the meeting of the Performance Monitoring Board (Financial Business) held on 8 June 2006 be noted and accepted.

91. **STRATEGIC PLANNING BOARD – DRAFT PUBLIC MINUTES**

RESOLVED –

(a) That the Public Minutes of the special meeting of the Strategic Planning Board held on 31 May 2006 be noted and accepted.

(b) That the draft Minutes of the meeting held on 12 June 2006 be noted and accepted.

92. **MEMBERS' ALLOWANCES**

CONSIDERED –

The report of the Treasurer providing details of allowances and expenses claimed by Members of the Authority for the financial year 2005/2006.

RESOLVED –

That the report be noted and accepted.

93. **REPORT OF THE RISK MANAGEMENT GROUP**

CONSIDERED –

The report of the Risk Management Group (on behalf of the Force and the Authority) informing of progress on risk management since the adoption of the Risk Management Strategy in March 2005, presenting the updated Strategy (at Appendix A) for endorsement, and seeking approval to, and the adoption of, the Corporate Risk Register at Appendix B.

One of the two Members representing the Authority on the Risk Management Group (together with the Clerk) emphasised the importance of embedding risk assessment/management into all processes. He commended the new Risk Management software tool (RisGen), and urged all Members to take up the offer of a demonstration.

RESOLVED –

(a) That the progress made in Risk Management since the endorsement of the Strategy in March 2005 be noted.

-
- (b) That the latest revision of the Risk Management Strategy, as at Appendix A to the report, be endorsed.
 - (c) That, as agreed earlier in the meeting (Minute 84), the Corporate Risk Register comprising Appendix B to the report, be deferred for consideration in private session.
-

The public was excluded from the meeting during consideration of the following items of business and have no right to inspect the relevant documents.

94. **RISK MANAGEMENT UPDATE – APPENDIX B**

CONSIDERED –

Appendix B to the above-mentioned report of the Risk Management Group, comprising the draft Corporate Risk Register for the Force and the Authority at strategic level.

It was noted that the Register contained risks, controls and risk management actions which in the opinion of the Risk Management Group represented the strategic layer of risk within the body corporate and the Force, and that as the Risk Management model matured, additional risks, identified at departmental and Area Risk Management Workshops, would be added as the Risk Management Group saw fit. Existing risks might also be closed off if considered no longer applicable.

The Head of the Force Risk Management Unit provided additional detail, and answered questions, on the process of compiling the Register, including the use of the new software tool, RisGen, which he offered to demonstrate at the earliest, appropriate Members' Seminar.

RESOLVED –

- (a) That the draft Corporate Risk Register be approved and adopted.
- (b) That arrangements be made for a demonstration of the Risk Management software tool, RisGen, at a Members' Seminar as soon as possible.

95. **STRATEGIC PLANNING AND BEST VALUE BOARD – PRIVATE MINUTES**

The Force Director of Finance provided the up to date position on the procurement of the relevant accommodation, including the amount of the bid made by the Force, and the outcome of that bid. She confirmed that in accordance with the Minute, work was underway to provide the full business case for acquisition, together with an outline draft Estates Strategy and other outstanding business cases, initially to the Members' Seminar on 10 July, and subsequently for formal consideration at the special meeting of the Strategic Planning Board planned for 31 July 2006. The draft outline Estates Strategy would be circulated to Members in advance of the Seminar.

RESOLVED –

- (a) That the private Minutes of the special meeting of the Strategic Planning and Best Value Board held on 31 May 2006 be noted and accepted.

-
- (b) That the up to date position on the procurement of the accommodation concerned, and the plans for submission to Members of the relevant business case, together with the draft outline Estates Strategy, be noted.

96. **ANNUAL PROCUREMENT REPORT AND DEPARTMENT UPDATE**

CONSIDERED –

The report of the Chief Constable outlining the activities of the Procurement Department during 2005/2006.

This included:

- Government, national and regional initiatives/direction
- Procurement Team Activity
- Collaboration and utilisation of pre-tendered contracts
- Contract and tender administration
- Supplies
- Print and Design Unit
- Extract detailing additions or amendments to the Contracts Register from April 2005
- Notification of direct cashable efficiencies recorded for procurement activity for 2005/2006 of £208,800.

The Force Director of Finance drew particular attention to two aspects. Firstly, there had been two specific instances in which Procurement had recommended the withholding of payments during implementation of systems, at specific payment trigger points where the contract service levels have not been met. Secondly, the above-mentioned efficiency gains, as collected for Government purposes, did not capture all the added value.

RESOLVED –

That the Annual Procurement Report be noted and accepted, including:

- (i) The activity of the Procurement Department during 2005/2006
- (ii) The changes to the Contract Register during 2005/2006.

97. **RELOCATION OF COUNCIL STAFF ON A TEMPORARY BASIS TO EASINGWOLD POLICE STATION**

CONSIDERED –

The report of the Chief Constable providing an update on the position following a decision made by the Strategic Planning and Best Value Board on 16 June 2003, as part of the relocation of policing services, that Easingwold Police Station could be declared surplus and the Police Office relocated to a "One Stop Shop" on a licence-to-occupy basis in the Galtres Community Centre in Easingwold.

The report confirmed that for a number of reasons that proposal could not be progressed, and that NYP was now a partner in the Easingwold Community Project being developed by North Yorkshire County Council on two sites in Easingwold. Phase 2 of the project was planned to be on the Tanpit Lodge site or former Health Clinic site, and would include NYP along with several other potential partners in providing a range of local services, including a District Council One-Stop Shop. Library, Easingwold Town Council, Citizens' Advice, a Police Office and a shared information access point for the Police, NYCC, the Primary Care Trust, the National Health Service and Hambleton District Council, with IT access and a staffed reception.

In order to enable construction to commence on Phase 1 of the project at Manor Road, Easingwold, and to assist with accommodation until Phase 2 is completed, NYP have made space available at Easingwold Police Station for 3 years for Hambleton District Council, Easingwold Community Care Association and Easingwold Town Council, who commenced their temporary occupation there on 27 February 2006.

Members agreed that these arrangements illustrated a “true spirit of collaboration with local authorities and other agencies”, enabling Phase 1 of the Easingwold project to proceed whilst still maintaining a high profile Police presence in Easingwold and an enhanced public enquiry facility.

RESOLVED –

- (a) That, in the light of the Easingwold Community Project, progress on the proposed sale of Easingwold Police Station be noted and accepted.
- (b) That the temporary occupation by Hambleton District Council, Easingwold Community Care Association and Easingwold Town Council on a Licence-to-Occupy basis entered into with NYCC as licensee, be noted and accepted.

(In accordance with the Authority’s Code of Conduct, County Councillor Carl Les declared a personal interest in the above item as a Member of Hambleton District Council, and a personal and prejudicial interest as a Member of NYCC Cabinet. He left the meeting for the duration of the consideration of this item of business.)

98. **APPLICATION FOR FINANCIAL ASSISTANCE FOR POLICE OFFICERS IN LEGAL PROCEEDINGS**

CONSIDERED –

The report of the Clerk which requested the Authority, after taking into account of the Chief Constable’s views, to determine an application made for financial assistance for the legal representation of officers of the Force who were involved in legal proceedings.

The report outlined the provisions of Home Office Circular 43/2001 which confirmed the discretionary powers available to police authorities to enable such financial assistance to be given, and provided guidance on the circumstances of their use. Full details of the background to the legal proceedings concerned, the application for funding, together with the Chief Constable’s views, were given in the report, and a representative of the Force Legal Services Department was present at the meeting to provide supplementary advice and/or information as required.

Members queried and discussed various issues and aspects of the application.

RESOLVED –

That the application be refused.