

**BRITISH TRANSPORT POLICE COMMITTEE
MINUTES OF MEETING HELD AT FORCE HEADQUARTERS LONDON
ON THURSDAY 19 JULY 2001 AT 9.30 AM**

Present

Mr J Jerram CBE (in the Chair); Dr Helen Atkinson; Mr D Heseldin;
Mrs Diana Lamplugh OBE; Sir Trefor Morris CBE QPM; Mr S Osborne;
Mr A Shooter; Mr D Smith.

Apologies

Dr M Mitchell

In Attendance

Mr M Brown, London Underground Limited; Mr I Johnston, Chief Constable; Mr. A Lake, Deputy Chief Constable; Mr C Hulley, Assistant Chief Constable; Mr C Somani, Finance & Admin. Director BTP; Mr D Riddle, Clerk to Committee; Inspector W Baker; Miss K Sanderson, Chief Accountant SRA

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31PL2001 MINUTES 10 MAY 2001

The Minutes of the meeting held on 10 May were approved.

32PL2001 CHIEF CONSTABLE'S REPORT

Introducing his Report, the Chief Constable explained some of the changes taking place within the force, to strengthen management accountability and to drive performance, and to promote accuracy in crime recording. He advised the Committee of recent and forthcoming personnel changes in South West and North West Areas. He also advised the Committee of his intention to pursue a pilot project with south West Trains to examine the feasibility of enhanced joint working between BTP and TOC security personnel.

The Committee noted the commendable performance of BTP officers in the Bradford disturbances, and expressed concern at the number of injuries sustained by BTP personnel. The Committee agreed that this situation highlighted the need for action to regularise BTP jurisdiction outside the railway, and urged that DTLR and Home Office should be pressed for early action to address the problem and eliminate the risk.

The Chief Constable reported on the success of an Internet project in Scotland to tackle trespass and vandalism. David Heseldin welcomed the report and urged that the Force support the RPC in their efforts to engage the public in anti trespass and vandalism programmes.

The Deputy Chief Constable made a presentation on performance against policing plan targets. The data used for this purpose was current year, rather than rolling year, as the Chief Constable believed that this gave a sounder reflection of actions and performance within the planning year. The Committee welcomed this style of presentation, but asked that rolling year data should continue to be provided in the quarterly report of the Chief Constable.

In the first quarter of the year, the force had met 6 out of 12 targets. The Deputy's presentation explained the background factors, and also identified particular instances of good and not so good performance at Area level. The Deputy and the Chief Constable answered questions on the information, and discussed with the Committee issues of performance. The Committee welcomed the new style of presentation as a substantial step forward, and asked that future reports should develop the explanation of remedial action being taken where performance is below target. It was agreed that the written quarterly report should continue in its present format and range.

The Chief Constable observed that he would discuss with the SRA the question of incorporating crime prevention factors and actions into the franchise renewal process, and with Railtrack as to how similar considerations could be applied in relation to commercial lettings on stations. The Committee expressed full support.

- *CLERK TO MAKE REPRESENTATIONS TO DTLR AND HOME OFFICE FOR URGENT ACTION TO IMPLEMENT PROPOSED LEGISLATION ON BTP JURISDICTION OUTSIDE THE RAILWAY*
- *CHIEF CONSTABLE TO INVITE HMIC TO REFER TO THE ISSUE OF JURISDICTION IN HIS FORTHCOMING REPORT AND TO SUPPORT ENDEAVOURS TO GET LEGISLATIVE ACTION*
- *DEPUTY CHIEF CONSTABLE - FUTURE PERFORMANCE PRESENTATIONS TO HIGHLIGHT REMEDIAL ACTIONS WHERE APPLICABLE.*
- *CHIEF CONSTABLE TO RAISE WITH SRA HOW CRIME PREVENTION CAN BE BUILT INTO FRANCHISE RENEWAL*

33PL2001 NATIONAL CRIME RECORDING STANDARD

The Chief Constable reported on the new crime recording standard adopted by ACPO, and the Committee noted that there would be some increase in recording rates in certain categories of crime. It was agreed that the operative date of the new standard should be shown in future presentations of crime

data, to identify the reason for variances.

- *ACTION*
 - *FUTURE GRAPHS AND OTHER PRESENTATIONS OF CRIME DATA TO HIGHLIGHT THE OPERATIVE DATE OF THE NEW STANDARD – CHIEF CONSTABLE*
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34PL2001 FINANCIAL RESULTS FOR 2000/01

The Finance & Administration Director reported the final outturn for 2000/1 as a surplus of £100,000 for the overland railway and £400,000 for LUL, which would be carried forward to augment the reserves. The final results were noted and approved.

35PL2001 FINANCIAL RESULTS 2001/2 AND FORECAST

The Finance & Administration Director reported on the results to period 2, with a forecast for the year. The information was noted. His report identified a number of contingent factors that could lead to overspend if they all materialised. The Chairman commented that every effort should be made to manage variances arising or foreseeable in the course of the year rather than resort to the contingency reserve, which should be retained to cover unforeseen contingencies arising late in the year.

The Chief Constable was asked to keep the recruitment of Constable's and Special Constables under review to ensure that the budget expectations were achieved, and to report back at the earliest stage if the planned recruitment and growth could not be achieved.

- *ACTION*
 - *REPORT TO A FUTURE MEETING ON PERFORMANCE ON RECRUITMENT OF CONSTABLES AND SPECIALS IN RELATION TO BUDGET – CHIEF CONSTABLE*
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36PL2001 ACCOUNTING AND CHARGING FOR PENSION COSTS

The Finance & Administration Director set out proposals for dealing with the accounting treatment of the pensions holiday, in accordance with the Committee's previous decision (Minute18PL2001). The Committee had decided that there should be no increase in charges payable by TOC's in the current year but that appropriate provision should be made in the accounts. The Finance Director proposed that police services users should be invoiced for their share of the required provision with effect from the current year and on the footing that the liability for payment would arise at the time of the invoice but that payment would not be demanded for three years from the date of invoice. This would satisfy the accounting requirement, and the approach had been agreed with the SRA and Auditors.

Adrian Shooter expressed concern that the proposal would present problems for TOCs and might be resisted. The Chairman acknowledged the basis for concern by TOCs but reminded the Committee that the situation was not appreciated when the budget for the year was made, otherwise the zero increase in charges might not have been attainable without cuts in services. After discussion, the Chairman suggested that the Finance Directors of BTP and the SRA should write jointly to all TOC Finance Directors before any invoices are issued, explaining the background and the reasons for the action.

- *ACTION*
 - *FINANCE DIRECTOR BTP TO PREPARE A LETTER FOR SIGNATURE JOINTLY WITH FINANCE DIRECTOR SRA EXPLAINING THE REASON WHY THE SPECIAL INVOICES WILL BE ISSUED AND THE REQUIREMENT FOR FUTURE PAYMENTS.*
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37PL2001 BEST VALUE REVIEW – SICKNESS ABSENCE

The progress report on this BV Review was noted. The Committee welcomed the strength of analysis and looked forward to the final report with firm proposals for action to bring improvements.

Mike Brown offered to share the experience of LUL in managing sickness.

Helen Atkinson asked that at some stage in the future, the Force should analyse "availability" in the broadest sense taking account of abstractions for reasons other than sickness.

- *ACTION*
- *CHIEF CONSTABLE TO DISCUSS LUL EXPERIENCE WITH MIKE BROWN*
- *CHIEF CONSTABLE TO REPORT TO A FUTURE MEETING ON AVAILABILITY*

38PL2001 BEST VALUE REVIEW – COMMUNITY AND RACE RELATIONS

The Committee approved the objectives and scope of this Review, and the Review Plan, as set out in the Chief Constable's Report. Helen Atkinson will be the lead Member of the Committee on this Review.

Derek Smith, acknowledging the importance of this Review, urged that nevertheless the approach to resourcing and implementation of its recommendations should be properly proportionate to the whole range of priorities of the force.

- *ACTION*
- *CHIEF CONSTABLE TO NOTE THAT HELEN ATKINSON IS LEAD MEMBER*

39PL2001 FORCE STRATEGIC PLAN 2002

The Committee noted progress of the Chief Constable's work on a strategic plan for the force.

- *ACTION*
- *CHIEF CONSTABLE TO REPORT ON STRATEGIC PLAN TO COMMITTEE MEETING IN OCTOBER 2001*

40PL2001 CS INCAPACITANT - SCOTTISH AREA PILOT

The Chief Constable reported that he proposed a pilot project on the use of CS Incapacitant in Scotland. Scotrail, the Strathclyde PTE and the Passenger representatives would be consulted. The legal position regarding the ability of BTP officers to use CS Incapacitant was clear in Scotland but not, as yet, in England. However, the Chief Constable said that he was optimistic about receiving approval from the Home Secretary for the use of CS Incapacitant by the Force in England.

He considered that the case for use of CS Incapacitant in BTP was strong. BTP officers were assaulted more often than their Home Office counterparts, and it was clear that CS played a part in reducing assaults. There was a business case for its use as well as a safety case.

The Committee expressed full support for the pilot and the future use of CS Gas on the understanding that appropriate training and support is given to officers to whom CS is issued.

41PL2001 CHEMICAL, BIOLOGICAL, RADIOLOGICAL AND NUCLEAR TERRORISM

Mr. Adrian Dwyer made a presentation to the Committee.

The Committee noted that the force would require special equipment, and that provision would be made for it in future budgets.

The Committee noted that planning and preparation for risk had been concentrated largely on London. They felt that attention should be given to other urban areas with Metro systems.

The Chief Constable agreed that a presentation would be given to senior personnel in London Underground.

- *ACTION*
- *CHIEF CONSTABLE TO ARRANGE FOR A PRESENTATION TO BE MADE TO LUL MANAGERS, IN LIAISON WITH MIKE BROWN*
- *CHIEF CONSTABLE TO BRIEF THE COMMITTEE IN DECEMBER ON POSSIBLE IMPLICATIONS OF CBRN FOR OTHER URBAN AREAS.*

42PL2001 LADBROKE GROVE RAIL INQUIRY PART 1 REPORT

The Report of the Chief Constable was noted.

43PL2001 AIRWAVE AND LONDON UNDERGROUND

The Committee noted the Report of the Clerk. Sir Trefor Morris emphasised his view that the Force should take independent consultancy advice on the problem of interoperability between Airwave and LUL. After discussion, the Chairman was authorised to make an approach to PITO, as suggested in the clerk's Report, subject to prior discussion with ACC Hulley to clarify the issues.

- *CHAIRMAN TO DISCUSS AIRWAVE PROBLEMS WITH ACC HULLEY*
- *CLERK TO APPROACH PITO FOR MEETING*

44PL2001 FUNDING FOR AIRWAVE

The Committee noted that the Home Office had not yet decided whether to extend funding to BTP for the core service for Airwave.

45PL2001 APPOINTMENT OF ACC SCOTLAND

The Committee noted that ACC Forrest had been appointed Assistant HMIC in Scotland, and would leave BTP during August. The Chief Constable will make proposals for filling the post to the Chairman as soon as possible.

46PL2001 TRAVEL FACILITIES FOR POLICE OFFICERS

The Committee expressed appreciation of the decision by ATOC to grant travel facilities to BTP officers in London equivalent to the facilities provided to Met Police Officers, free of charge.

47PL2001 POLICE CHARGES – DISPUTES

The Committee noted the position on the disputes by TOC's arising from the 1999 Review of Charges, from the report of the Clerk. The Clerk also reported on the dispute declared by the Committee/SRA in respect of the refusal by Arriva Trains Northern to pay invoices for supplementary charges in respect of the Southall accident and anti-terrorism initiatives in 1997/8, and the Ladbroke grove accident in 1999/2000.

Adrian Shooter referred to a letter sent to the Clerk by Mike Mitchell of First Group, about the Ladbroke Grove costs. After some discussion, the Chairman pointed out that the Committee had no alternative but to recover the costs of the force in any year from the users, and therefore that the questions raised by the correspondence from Mike Mitchell were questions for the Minister, either in the disputes process or as a matter of policy and not for the Committee.

48PL2001 STRATEGIC REVIEW OF RAILWAY POLICING

The Clerk tabled a report confirming that Terms of Reference and a Brief for the Review were substantially agreed by the Steering Group. The appointment of consultants was being advertised in accordance with European procurement rules, and it was envisaged that an appointment would be made in November with a view to the Review being completed by April 2002.

49PL2001 AUDIT PANEL

The Committee noted that the Panel would comprise Simon Osborne, Mike Mitchell and Sir Trefor Morris, and that it would meet for the first time in September.

- *ACTION*
- *CLERK TO ARRANGE DATE FOR FIRST MEETING*

50PL2001 TRAIN ACCIDENTS AND INCIDENTS

The Committee noted that a meeting of the proposed Group to pursue customer care issues (Minute 29PL2001) had not yet been fixed. In the meantime, the Chief Constable had initiated a strategic forum on accident management, after discussion with senior personnel in ATOC, Railtrack and HSE. The Committee agreed that, to obviate any duplication, the Customer Care initiative should be left to the Chief Constable, to be pursued alongside his strategic forum. He was asked to ensure that representatives of the Rail Passenger Council were invited to participate.

The Committee noted a paper prepared by ACC Nicholas as a basis for discussion of the issues with other parties.

David Heseldin asked if the paper prepared by officials in DTLR and appended to the report by ACC Nicholas could be circulated within the RPC, and the Chief Constable undertook to find out.

NOTE: It was subsequently established that the DTLR paper is confidential and not for circulation beyond the Police Committee.

51PL2001 POLICE PAY – LONDON ALLOWANCES

The Committee approved the implementation in the force of awards by the PNB for officers serving in or near London, as set out in the Chief Constable's Reports, and noted the costs.

52PL2001 FORCE HQ RELOCATION

The Finance Director BTP stated that he hoped to report fully to the October meeting of the Committee. The Chairman asked that the business case and relocation proposals be discussed with SRA before the report is presented to the Committee.

- *ACTION*
- *FINANCE DIRECTOR BTP TO DISCUSS PROPOSALS FOR HQ RELOCATION WITH SRA BEFORE PRESENTING REPORT TO POLICE COMMITTEE IN OCTOBER*

53PL2001 CIVIL CLAIMS AGAINST THE FORCE

The Committee noted the analysis of civil claims and Employment tribunal cases, and endorsed the action taken by the Complaints & Discipline Committee. It was agreed that a similar report should be submitted annually, with quarterly summary reports. The quarterly reports should also highlight any claims or ET cases with significant financial or reputational risk implications.

- *ACTION*
- *CHIEF CONSTABLE TO SUBMIT DETAILED CASE ANALYSIS ON AN ANNUAL BASIS*
- *CHIEF CONSTABLE TO SUBMIT SUMMARY REPORT EACH QUARTER, TO C&D SUB-COMMITTEE AND POLICE COMMITTEE, HIGHLIGHTING ANY INDIVIDUAL CLAIMS OR ET CASES WITH SIGNIFICANT FINANCIAL OR REPUTATIONAL RISK IMPLICATIONS*

54PL2001 COMPLAINTS & DISCIPLINE SUB-COMMITTEE

The minutes of the meeting of the Sub-Committee held on 11 July were received and noted.

55PL2001 ANNUAL REPORT 2000/2001

The Chief Constable's Annual Report was received and noted. The Committee complimented the Force on the quality of the Report.

The Chairman thanked Derek Smith for his contribution to the work of the Committee, and for the consistent strong support given to BTP by LUL, and wished him well in his new job on leaving LUL. The Committee noted that Mike Brown, who is Customer Services Director (Stations) at LUL, would be the LUL representative on the Committee in future.

The meeting concluded at 1.30 pm.

Signed

Chairman

Date.....