

**BRITISH TRANSPORT POLICE COMMITTEE
MINUTES OF MEETING HELD AT WOBURN HOUSE, 20 TAVISTOCK SQUARE
LONDON
ON THURSDAY 15 May 2003 AT 10.00 HOURS**

Present

Mr James Jerram (in the Chair); Mr David Heseldin; Sir David O'Dowd; Dr Mike Mitchell; Mr Adrian Shooter; Mr Iain K Brown; Mr Mike Brown.

In Attendance

Mr I Johnston, Chief Constable; Mr. A Lake, Deputy Chief Constable; Mr P Robb, Assistant Chief Constable; Mr D Mulhern, Assistant Chief Constable; Mr F Johnson, Acting Finance & Admin. Director; Miss K Sanderson, Treasurer to the Committee; Mr R Hemmings, Clerk to Committee; Inspector A Gregory; Ms S Budden Finance & Admin Director designate; Mr S Thomas, Interim Personnel Director.

Also future Members: Ms Christine Knights; Mr K Ludeman

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17/2003 PART 1 & 2 BUSINESS

The Chairman reminded the meeting that this was the first time that the meeting was open to the public. He welcomed members of the public who were there.

AGREED:

- the allocation of business between Parts 1 and 2 of the Agenda.

18/2003 MINUTES - 27 FEBRUARY 2003

The minutes of the meeting held on 27 February 2003 were approved.

19/2003 MEMBERSHIP

The Committee thanked Mr. Hesildin and Dr. Mitchell (for both of whom this was their last meeting) for their valuable contributions to the work of the Committee. The Chairman welcomed Ms Christine Knights and Mr K Ludeman, who were to replace them, as observers to this meeting.

Mrs Lamplugh's apologies were noted; the Chairman reported that she was ill and the Committee sent their best wishes to her.

He also reported that the vacancy that arose upon Professor Atkinson's term of expiring was to be held open, pending decisions by the Secretary of State about appointments to the new Authority.

20/2003 CHIEF CONSTABLE'S REPORT

The Chief Constable presented his report, and updated the Committee on matters of current interest.

So far as performance issues were concerned, he reported that 5 out of the 7 crime targets had been met. In relation to targets for rail disruption offences, a change in the recording processes had distorted the figures, but he assured the Committee that management effort was being directed to this area. The performance against targets for fatalities had been missed, but the none the less represented an improvement over last year. The Committee noted the commendable situation for street robbery, especially as compared to other Forces. There are now clear linkages between the targets that have been set and achievements.

The Chief Constable informed the Committee of the appointment of Ms Sue Budden as the new Director of Finance and Administration. He thanked Frank Johnson for the work he had done whilst acting as interim Director.

The Chief Constable reported the opening of the new Police Station at Tottenham Court Road, which was a joint venture with LUL. He thanked them for the facility; which he was sure would improve policing capability in London. The Committee suggested that Network Rail might like to visit it, to see if there were any parallels that could be drawn.

The Chief Constable had sent a briefing note to David Heseldin about the circumstances of the recent breakdown of a Eurostar Train outside Waterloo. He agreed to send the final debriefing note to Committee members, recognising that most of the issues raised were railway operational matters and not policing matters.

The Committee had some concerns over recorded sickness levels. The Chief Constable confirmed that he was aware of the situation, especially on the support side. He was continuing to monitor the situation.

The Chief Constable reported that he was continuing to press for powers to be inserted in the Railways and Transport Safety Bill to enable Community Safety Officers to be

appointed and clarifying the Force's jurisdiction in relation to operations within the immediate vicinity of a railway station and more widely.

AGREED:

- a) **The Chief Constable's report be accepted and noted.**
- b) **The Committee endorsed the Chief Constable's attempts to insert appropriate provisions in the Railways and Transport Safety Bill to enable Committee Support Officers to be appointed and clarifying the jurisdiction issue.**
- c) **Network Rail be invited to visit the London Underground facility at Tottenham Court Road.**

ACTION:

- **The Chief Constable to circulate briefing note in relation to Eurostar to Committee Members.**
- **The Chief Constable issue an invitation to Network Rail.**

21/2003**BUDGET MONITORING 2002/3 – PROVISIONAL OUT-TURN**

Frank Johnson, the interim Finance Director, presented his report. He told the Committee that he had met the external auditors, Price Waterhouse Coopers, who indicated that they were prepared to sign off the Accounts. The situation represented a significant improvement over previous years, which the Committee was pleased to note. There remained one major issue in relation to the audit concerning recovery from debtors who are in dispute with charges being levied. The Committee was concerned to see this and wanted to ensure that strong action was taken to secure settlement of outstanding debts and resolution of any outstanding disputes. This would require intervention by or on behalf of the Secretary of State.

The Committee was encouraged by the staffing numbers as set out in Statement 4 to the Report. They noted that overtime had exceeded budgeted levels. In setting the Charges for the Financial Year 2003/4, the Committee noted that, whilst the Charges had been set at below inflation, improvements in managing sickness levels in particular had increased the manpower available to the Force. In the current year, there were 93 extra officers on the strength which, taken with Special Constables, meant that there were 200+ more officers in the field compared with two years ago. The Committee recognised that the Force was more effective than in the past and that any further increases in the effectiveness might only be sustained if charges are increased in future years. The Committee agreed to keep the situation under review.

AGREED:

- a) **The Chief Constable's proposals to pursue outstanding debts vigorously be supported.**
- b) **The provisional surplus for Overland policing for the year ended 31st March 2003, at £0.5m, be carried forward to supplement the Overland policing budget head for 2003/4.**
- c) **The proposals in relation to capital expenditure and the treatment for capital grants as outlined in the Report be noted and endorsed.**

22/2003

BUDGET 2003/4

The Interim Finance Director presented his Paper. He circulated a revised page 2, to take account of last-minute and recent changes in the figures.

The medium-term financial strategy had determined the approach to this year's budget. There was a constraint in income of a 4% increase, which meant that the budget had built from the bottom up. The year 2002/3 had seen an increase in recruitment, which could not be sustained. The Committee felt that, for the current year, the Chief Constable should be looking to maintain staffing levels at the average level of 2002/3. The implication of this was that, by natural wastage, 60 posts would not be filled during the current year.

The Committee expressed the view that, given the proportion of staffing costs in relation to the total budget, the Chief Constable should not yet introduce measures to rely on natural wastage to secure a balanced budget at the end of the year. The Committee was concerned to make sure that he should not necessarily plan now to reduce policing numbers, although it recognised that there need to be contingency arrangements for finding savings elsewhere to bring the budget into balance, if necessary. The Committee will review the situation at a future meeting.

The Committee noted that increases in support staff costs had been met by savings made in non-staff areas. This was particularly from the budget heading for agency staff, because permanent recruitment had taken place. The Chief Constable reported that he was looking closely at fleet management as an area for further rationalisation. He felt that, by making this more effective, a more cost-effective approach could be adopted.

The Committee asked about the impact of possible changes in pension regulations upon the budget. The Clerk reported that it was intended to bring a paper to the October meeting of the Committee to deal with the whole of the pensions issue. The Committee also expressed its concern about the lack of a contingency fund, which they felt left the Force in a potentially vulnerable position. This applied in particular to the creation of the new Police Authority. The Committee was aware that the Home Office had given financial support to Home Police Authorities for the establishment of new police authorities. The Committee asked that the Clerk approach the Department for Transport along these lines.

AGREED:

- a) **The Overland Budget of £108.7m (total income and total cost) be approved**
- b) **The Overland Budget of £5.0m be approved**
- c) **The risks and opportunities outlined in the Paper be noted**
- d) **An increase of 4% in charges under the Police Service Agreements be approved, which was in line with previous decisions of this Committee**
- e) **The Chief Constable operate, for the time being, on a net constant figure for Police numbers, but that he keep the budget situation under review and begin to look at other areas of the Budget where the £1m shortfall might be identified if this becomes necessary and that a further report be made to the Committee later in the year.**
- f) **the Clerk enter into discussions with the Department for Transport about the funding for the transfer from the Police Committee to the new Police Authority.**

ACTION:

- a) **Chief Constable to keep Police numbers under review and report back if necessary.**
- b) **Clerk to hold discussion with Department for Transport.**

23/2003 STRATEGIC CHANGE PROGRAMME

The Deputy Chief Constable presented his Report. He explained that he was seeking the Committee's support for the re-ordering of priorities. He outlined progress on each of the major projects. He felt that, at a strategic level, major emphasis should be placed on the Force Headquarters relocation. He reported that the landlord had very recently expressed a willingness to grant a two-year extension to the lease, from December 2003 to December 2005. This gave more time to plan the move but should not lead to a slippage in the priority to be given to it. The Committee noted the intention to appoint an external project manager.

AGREED:

The priority of the strategic projects should be:

- a) **Force Headquarters' relocation (with a further report to be submitted to the Committee in June 2003)**
- b) **Conditions of Service – Police and Support Staff**
- c) **The Control Rooms Project, recognising that in the short-term efficiencies within the Control Rooms are being sought and that the Project should include staff training.**

23/2003 SPECIAL CONSTABLES – RECRUITMENT COST-EFFECTIVENESS

The Assistant Chief Constable presented his Paper. He emphasised that numbers continued to rise, despite wastage. Train operators were now more willing to forge partnerships with the Police, along the lines of the arrangements made with Connex.

The Committee wanted reassurance about the effectiveness of Special Constables, particularly in comparison with established Police Officers. It was explained that this depended on how Special Constables were used. If the intention was that they should be used to achieve visibility, then they are totally effective. The public do not readily differentiate between a Special Constable and a full-time Officer. Pairing a regular Police Officer with a Special is more effective than pairing two Special Constables together, and this was a management issue that Area Commanders were aware of.

The Chief Constable confirmed that Special Constables were undertaking frontline duties. Area commanders were now more able to rely on Special Constables for planning purposes. The arrangements were more effective than before and were now accepted by the regular Force. In his view, the Chief Constable felt that it was a resource well worth having as part of the overall portfolio resources available to him and Area Commanders for deployment.

Now that there was a higher critical mass of Special Constables, he would be able to assess in a better way their effectiveness. The Assistant Chief Constable intended to monitor the situation.

AGREED:

- a) In noting the significant progress that had been made in forging partnerships with train operating companies in relation to recruiting Special Constables, the Committee was encouraged by the trend.
- b) The Committee note that the negative wastage of Special Constables remains significantly lower, as some Special Constables have in fact left to become full-time regular Police Officers.
- c) The Assistant Chief Constables' (Operations) intention to monitor the development of Special Constables as part of the overall resource be noted and endorsed.

24/2003

BEST VALUE – PROCESS AND PROGRESS REPORT

The Deputy Chief Constable presented his Paper. Within the last six months, the challenge stage of the process had become much more rigorous. There had been much greater scrutiny of issues coming forward than had taken place in the past.

The Committee was concerned to ensure that there were not too many best value reviews and that the reviews that were being undertaken were properly resourced, with sufficient rigour and business case principle being applied. It was concerned to ensure that issues subject to best value reviews were being prioritised and that a clear focus was being brought to the whole process. The Committee wanted to see some projects come to fruition. The Deputy Chief Constable reported that the sickness management review had been very successful.

AGREED:

- a) The Committee note the best value progress and processes as set out in Appendices A and B of the Paper.

25/2003

AIRWAVE CONTRACT

The Assistant Chief Constable (Crime) presented the Paper. He reported that 21 Police Stations now have the airwave facility. There are 400 radios in use, the majority of which are issued to named Officers. This was to ensure that there was effective maintenance of individual pieces of equipment. He was pursuing some issues about special coverage, because this requires extra infrastructure. He was exploring ways to secure funding for this.

It was reported that London Underground Limited are trying to get airwave available underground. Discussions are continuing, which include other police services in London, the effect of which would be to agree a specification of what needs to be done. The Committee was concerned to ensure that the British Transport Police did not bear the financial risk.

AGREED:

- a) **The Committee note the contents of the Paper and support the Chief Constable's efforts in relation to establishing Airwave throughout the Force.**

26/2003 CLERK'S REPORT

The Clerk presented his Paper and reported that a recent Police Appeals Tribunal had upheld the Chief Constable's decision and dismissed an appeal against a requirement to resign. He also reported that the Committee had been successful in a preliminary point in relation to the EWS dispute over charging arrangements, which meant that the dispute would now proceed to full arbitration.

The Committee considered appointments to the Audit Panel and Complaints and Discipline Sub-Committee.

AGREED:

- (a) **The Clerk's report be noted**
- (b) **Mr Keith Ludeman be appointed to the Audit Panel.**
- (c) **Mr Iain Brown be appointed to chair the Panel.**
- (d) **Ms Christine Knights be appointed to the Complaints and Discipline Sub-Committee.**

27/2003 MINUTES OF THE AUDIT PANEL, 27TH MARCH 2003

Dr Mike Mitchell, the Chairman, presented the Panel's Minutes. Whilst noting that the results of the internal auditors was still poor, this represented an improvement over previous years; the Committee noted that progress was being made. The Clerk reported that further discussions were to take place between himself, the Director of Finance, the Internal Auditors and the Treasurer to the Committee.

**28/2003 MINUTES OF THE COMPLAINTS AND DISCIPLINE SUB-COMMITTEE
8TH MAY 2003**

The Chairman, Sir David O'Dowd, presented the Minutes. In particular, he highlighted the need for active case management in relation to civil cases, the Sub-Committee having expressed concern about the level of solicitors' costs being incurred. The Sub-Committee also expressed concern about the Force's ability to manage a "whistle-blowing" policy. It felt this would be helped by having a Professional Standards Unit. The Committee noted the Sub-Committee's views and endorsed its recommendation that this should be examined further.

29/2003 DERAILMENT AND ACCIDENT INVESTIGATIONS

Members of the Committee raised some concerns about the role of and the way in which British Transport Police get involved in accident investigations. These appeared to commit a significant amount of resource. The Chief Constable briefed the Committee on current policy and practices. The Bill currently before Parliament would remit the arrangements and relationships between the British Transport Police, Health and Safety Executive and other agencies to be agreed through protocols rather than in Statutory Instruments. He felt that this might not be a wholly effective way of dealing with the matter. He confirmed that he was anxious to limit the Force's liability to become involved in investigations in the first place. Once involved, it was difficult for the Force to become disengaged.

Individual Members of the Committee asked to be briefed on this so that they could raise the matter in other places. In particular, they felt that the Association of Train Operating Companies might be of assistance.

AGREED:

The Committee endorse the Chief Constable's position on this and that he provide a more detailed briefing to individual Members.

PUBLIC MINUTES OF PART 2 BUSINESS

29/2003 POLICE APPEALS TRIBUNAL

The Clerk reported the outcome of a recent Police Appeals Tribunal, which had dismissed the Appeal.

30/2003 CHIEF CONSTABLE'S REPORT

The Chief Constable's Report was noted.

31/2003 TERMS AND CONDITIONS – POLICE REFORM AND SUPPORT STAFF

The Committee held a discussion in camera. They also received advice from the Clerk in relation to the legal and constitutional position.

AGREED:

- (i) That the Report from the Chief Constable and the Clerk be noted.**
- (ii) The Committee endorse its decision of 12th December 2002 in relation to the approach to be undertaken**
- (iii) The Chief Constable and the Clerk be authorised to continue negotiations with respective Association and Union, along the lines set out in the Chief Constable's Report.**

The Meeting concluded at 12.45 p.m.