
BRITISH TRANSPORT POLICE AUTHORITY

MINUTES POLICE AUTHORITY 7TH DECEMBER 2004, 10.00AM

at
BMA HOUSE, TAVISTOCK SQUARE, LONDON

Present: Sir Alistair Graham (Chair)
Sir David O'Dowd
Mr M Holden
Mr L Adams
Mr J King
Mrs W Towers
Mr K Ludeman
Suzanne May

Apologies: Mr M Brown
Mr R Gisby
Ms C Knights

In attendance: Mr I Johnston, Chief Constable
Mr A Trotter, Deputy Chief Constable
Mr P Robb, Assistant Chief Constable
Mr P Nicholas, Assistant Chief Constable
Mr D McCall, Assistant Chief Constable
Ms S Budden, Director of Finance and Corporate Affairs
Mr S Thomas, Director of Human Resources
Mr P Zieminski, Chief Superintendent, Strategic Development
Mr J Latchford (part)
Mr A Watson (part)

Mr R Hemmings, Chief Executive & Clerk
Ms D McGovern, Deputy Clerk & Minutes
Mrs L Pike, Treasurer
Miss L Bryant, PA

76/2004	Apologies	2
77/2004	Minutes of Meeting 2nd November 2004	2
78/2004	Matters Arising/Actions Outstanding	2
79/2004	Committee Issues	2
80/2004	Chief Executive & Clerk Report	3
81/2004	Freedom of Information	3
82/2004	Freedom of Information – Police Authority	3
83/0004	Update on Capital Funding	4
84/2004	Scheme of Delegation	4
85/2004	Dates for Future Meetings	4
86/2004	FHQ Relocation	5
87/2004	Voice and Data Cabling	5
88/2004	Staff Travel	5
89/2004	Report on Counter Terrorism	6

PART I – ITEMS TO BE TAKEN IN PUBLIC

76/2004
Non-Agenda

APOLOGIES

Sir Alistair gave apologies from Ms C Knights, Mr R Gisby and Mr M Brown.

77/2004
Agenda Item 1

MINUTES OF MEETING 2ND NOVEMBER 2004

The Authority received and **approved** the minutes

78/2004
Agenda Item 2

MATTERS ARISING/ACTIONS OUTSTANDING

- Mr Hemmings confirmed the quora for meetings had been resolved, and the amended Corporate Governance documents had been approved by the Audit & Corporate Governance Committee
- Ms McGovern confirmed a meeting had been arranged with LCR and that she would request a verbal update from Mr Gisby prior to the meeting
- A paper had been received from the Chief Constable on counter-terrorism, and the Chair and Chief Constable had met with the Home Office to discuss funding – with little success

79/2004
Agenda Item 3

COMMITTEE ISSUES

Strategy & Performance Monitoring 21.09.04: No issues raised.

Professional Standards 25.10.04: It was noted that Q2 from 2004 was missing from all tables. Secretariat to check.

Stakeholder Relations & Communication Strategy 05.10.04: It was clarified that stop & search monitoring would be undertaken by the Strategy & Performance Monitoring Committee.

Human Resources and Remuneration 27.10.04: There was clarification from Mr Adams with regards to his comments, and emphasis from the Chief Constable that the Force could not afford to get its RES wrong. Mr Adams requested clarification with regards to the meeting at Tadworth. Ms McGovern stated that she was having difficulty in getting a date from them, and this would not happen until the middle of next year. Mr Adams asked who he should be dealing with in regards to centralised training. He was informed by Mr Thomas this would be Chief Superintendent Flood and Chief Inspector Ferguson.

Audit & Corporate Governance 03.11.04: Sir David complimented Ms Budden and the Deputy Chief Constable on having got to grips with the issues. Mr King asked whether a checklist could be provided for Members to use when visiting Areas. Mr Hemmings stated that this had been done, but it could be revised and re-circulated. Suzanne May asked whether more information could be given to Members for their Area Visits. Mr Hemmings agreed this ought to be done.

**ACTIONS: Secretariat to check Professional Standards report and re-circulate if necessary
Ms McGovern to continue arranging a Human Resources and Remuneration meeting at Tadworth
Mr Adams to liaise with Chief Supt. Flood and CI Ferguson
Secretariat to issue checklist and briefings for Members**

80/2004

Agenda Item 4

CHIEF EXECUTIVE & CLERK REPORT

Mr Hemmings spoke to his report. Sir Alistair stated it was disappointing that there had been no resolution in the disputes, and confirmed that he raised this at every meeting with DfT. Mr Holden asked whether the reason for the delay was known, and it was confirmed it was not. It was further confirmed that work on the charges review was already underway, and this was at risk if a decision was not reached soon. Sir Alistair stated that the key issue was that the companies involved were able to withhold payment during the dispute, although it was acknowledged that it was the DfT themselves who were financially disadvantaged, not the BTP. Mr Hemmings confirmed the legal view that withholding payment of the increase did not represent a fundamental breach of the contract, which would have entitled the Authority to regard the contract as being vitiated. Mr Holden asked whether the position with Customs and Excise over VAT was final. Mr Hemmings stated that it was, and the only option remained was to go through the European Courts. Mr Hemmings confirmed PSA holders had been informed of the potential increase.

81/2004

Agenda Item 5

FREEDOM OF INFORMATION

The Deputy Chief Constable spoke to his report, and provided a presentation. It was confirmed a Freedom of Information Manager had been appointed, as well as a Supt. to oversee all records management. It was not possible at this stage to predict the volume of requests, and that certain types of information requests would have a steer from ACPO.

82/2004

Agenda Item 5.1

FREEDOM OF INFORMATION – POLICE AUTHORITY

Ms McGovern spoke to her report. Mr King requested that the guidance on dealing with Protective Marking be re-circulated.

ACTION: Secretariat to re-circulate protective marking guidance

83/2004
Agenda Item 6

UPDATE ON CAPITAL FUNDING

Sir Alistair stated that he had received a letter from Sue Killen at the DfT confirming an additional £2.5m capital budget for 2004/5. Ms Budden confirmed this would cover the key capital items from the supplementary budget, such as CBRN suits, accommodation for dogs, accommodation for PCSOs, CCTV, a number of accommodation issues and DDA. Mr Johnston stated that it would be quite tough, given that just over three months were available to spend it. It was noted that Sue Killen's letter did not set out any firm commitments for the future. Mr Ludeman suggested that pressure continued to be applied, and that it might be helpful for DfT to know when the BTP key decision making times were. Sir Alistair confirmed that at each meeting with DfT, each side was to produce and action list and progress update.

The Authority **agreed** to:

- i) Welcome the additional 2004/5 allocation**
- ii) Reiterate their understanding that the Secretary of State had given a clear direction about solving the legacy funding issues**
- iii) Confirm their expectation that the Department will provide all the capital funding required for 2005/6**

84/2004
Agenda Item 7

SCHEME OF DELEGATION

Mr Hemmings spoke to his report, stating that the delegations as they stood were unworkable, and that the proposals were consistent with government and NDPB practice. The proposals were **approved**.

85/2004
Agenda Item 8

DATES OF FUTURE MEETINGS

Ms McGovern requested that any problems should be e-mailed to her.

DATE OF NEXT MEETING

Signed.....

Chairman

PART II – ITEMS TO BE TAKEN IN PRIVATE

86/2004

Agenda Item 11

FHQ RELOCATION

It was agreed:

- 1) The Authority noted their disappointment in the significant increase in costs since the September meeting
- 2) To approve the proposed arrangement on the revised figures as set out in the report, with a view to concluding the deal by the end of December 2004
- 3) To include the capital costs in the Authority's bid to the DfT for capital funding
- 4) Mr Latchford approach the landlord to discuss a two way break clause and extension of the rent free period
- 5) A special Audit & Corporate Governance meeting be convened to address targets for efficiency savings

87/2004

Agenda Item 9

VOICE AND DATA CABLING

It was agreed:

- 1) That the full business case would be circulated to Members (AW)
- 2) That a summary of why the OJEC procedure was not being followed would be included (AW)
- 3) That Members would have one week from this to respond to the Chief Executive & Clerk
- 4) That if objections were raised, the paper would be deferred to the January meeting
- 5) That if Members had not responded within this time, the proposals set out in the report would be deemed to be approved

88/2004

Agenda Item 10

STAFF TRAVEL

ACTIONS: Mr Hemmings and Mr Thomas to arrange payment for the safeguarded staff travel scheme

Mr Hemmings to ensure TOC's are billed accordingly as part of the supplementary charge

Ms McGovern to arrange for the tax issue to be explored at the next Human Resources and Remuneration

89/2004
Agenda Item 12

REPORT ON COUNTER TERRORISM

It was therefore agreed:

- 1) Pressure would continue to be exerted on DfT, but the Force should make contingency in its budget in order that the special response unit remained up to full strength**
- 2) A realistic business case for improved response outside of London should be brought to the Authority, but that discussions with individual TOC's should continue**
- 3) The issue of IT should be more fully explored, particularly where co-operation with TOC systems could be achieved**