

BRITISH TRANSPORT POLICE AUTHORITY

MINUTES **POLICE AUTHORITY** **5TH MAY 2006, 10.30AM** **at** **FHQ, CAMDEN ROAD**

Present: Sir Alistair Graham (Chair)
Sir David O'Dowd (Vice Chair)
Mr L Adams
Mr M Brown
Mr C Foxall
Mr M Holden
Mr J King
Ms C Knights
Suzanne May
Mr R O'Toole

Apologies: Mrs W Towers
Mr R Gisby

In attendance: Mr I Johnston, Chief Constable
Mr A Trotter, Deputy Chief Constable
Mr D McCall, Assistant Chief Constable
Mr P Robb, Assistant Chief Constable
Ms S Budden, Director of Finance and Corporate Services
Ms L Scott, HR Director
Ms V Delices, Secretariat Manager

Mr R Hemmings, Chief Executive & Clerk
Ms D McGovern, Deputy Clerk
Ms L Bryant, PA
Mrs S Elvy, Research and Policy Officer
Miss L Barrick, Meetings Manager & Minutes

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25/2006
Non-Agenda

APOLOGIES

The Chair gave apologies from Mrs Towers and Mr Gisby.

26/2006
Agenda Item 1

MINUTES OF MEETING 7th MARCH 2006

The Committee received and **approved** these minutes.

27/2006
Agenda Item 2

MATTERS ARISING / ACTIONS OUTSTANDING

All items had been discharged. Mr O'Toole asked what was happening with the report from the Authority regarding its budget for 2006/7. Mr Hemmings replied that a paper had been written and was going to the Strategy, Budget and Performance Monitoring Committee (SB&PM). Ms Knights was concerned that the issue of the travel tax liability was sitting between Finance and Human Resources (HR) and asked if it had been back to the Chief Officer Group (COG). The Chief Constable confirmed it had been back to COG. Ms Scott said that there was a paper going to the Human Resources & Remuneration Committee (HR&R) but that she was not optimistic that anything could be done, and it looked like staff would have to be prepared to meet the cost. Ms Scott wanted to ensure that every avenue had been explored, as it would not be a popular announcement.

28/2006
Agenda Item 3

COMMITTEE ISSUES

Audit and Corporate Governance Committee

Sir David explained the present situation with regard to the National Audit Office (NAO) audit of the 2004/5 accounts. He said that initially it had looked likely that a disclaimer would be received but following much hard work by both parties this had improved to an adverse opinion. Sir David said that there were many reasons for the situation that had arisen and that after Ms Budden had come on board she had identified the problems and developed an action plan to put the department back on track. This had involved a whole scale restructure of the department with all but one staff member being replaced. The NAO had now issued a report setting out their findings, the reason for the adverse opinion and the actions that have been taken and are in place to address the identified issues. In the special A&CG meeting that had taken place immediately prior to the Authority meeting, the NAO had indicated that there was a chance that the 2005/6 accounts would also be qualified due to the status of the opening balances and the fact that the controls that were now in place had not been in place at the beginning of 2005/6. However, it was likely that if a qualification were received it would be in respect of the opening balances only. The Committee had been through the draft accounts and report in detail and had given comments to the NAO. The NAO had reported that, for this year, there had been significant

improvements, but that the proof would be in the audit testing to be carried out after the presentation of the draft account to the Audit & Corporate Governance Committee in June.

Ms Budden said that she had taken the A&CG Committee through the 2004/5 accounts in detail. She said that the accounts were difficult to read due to a number of transfers to reserves and also the fact that the outturn for the 2004/05 financial year was represented by two accounts – the completion accounts to mark the end of the Police Committee and first statutory account covering the nine months to March 2005. Ms Budden said that a important point to note was that the draft cumulative surplus remained at the £2m reported to the Authority much earlier in the year – the audit had not had a material effect on this figure. She explained that this surplus had not been part of the 2006/7 budget setting process as it had been a draft figure at that stage. It would now be carried forward into 2005/06 and form part of the cumulative position reported as at 31 March 2006. It is for the Authority to decide how to treat any surplus or deficit at the end of each year.

Sir David said that there were now much more rigorous controls in the finance department and Price Waterhouse Cooper were doing spot checks and updating the A&CG Committee. Sir David felt that whilst it was a disappointing outcome, a lot of work had moved it from a disclaimer to an adverse opinion and the report from the NAO now covered the legacy issues and the change from the Committee to the Authority. Sir David said that the good news moving forward was that the NAO were now on board as partners.

The Chief Constable spelt out the timetable of the 2004/5 accounts highlighting some of the main reasons for the situation that had arisen. The Authority came into existence in July 2004 and the legacy issues began to be addressed in September, including restructuring of the department. A new governance framework was put in place by the Authority. The Chief Constable said that he was now more personally engaged on these issues and had his own personal action plan. He also reminded the Authority that the 2004/5 accounts were from a particular era and that they should remember that the issues ran on into the early part of 2005/6.

Sir Alistair reported that he had attended two A&CG Committee meetings, the first of which was around the beginning of the NAO audit. The second was the meeting which had taken place that morning where he had seen a dramatic change and improvement in the relationship with the NAO and the status of the Finance department.

Agreed:

- **Ms Budden's report to the Audit and Corporate Governance Committee be circulated to all Members.**

- **The Authority asked that a “lessons learned” report be made to the A&CG Committee.**

Urgency Panel and London North HQ Paper

Ms Budden spoke to her report on the replacement accommodation for London North HQ and the counter terrorism unit. She explained that London North HQ had to move from Kings Cross due to a compulsory purchase order, and the CT unit was still at Tavistock Place, as there had not been room at the new FHQ. Replacement accommodation had been in hand with a move to a property on St Pancras Way for the London North HQ and Euston Station Parcels Deck for the CT Unit. However, St Pancras Way had fallen through at the last minute due to a dispute between the landlord and former tenant. Mounting operational concerns and uncertain nature of the tenancy had caused the move of the CT Unit to Euston Parcels Deck to be revised. Therefore, new proposals had gone to the Urgency Panel. Ms Budden said that the Urgency Panel had been used as the Force needed to move quickly to enter into a relationship with the landlords. It had originally been expected that the costs of the new strategy would have been within the approvals given for the original proposals. However, on a more detailed assessment more accurate costings had led to an additional £224K capital funding requirement. This could be met from within the existing capital budget to implement the Central London Accommodation Strategy successfully.

Agreed:

- **The additional £224K capital funding was approved.**

Professional Standards

In the absence of Mrs Towers, the Committee Chair, Mr Foxall spoke of the meeting. Mr Foxall said there were no individual significant points or cases to be discussed. There had been a presentation on the HMIC recommendations and in general the Committee was beginning to feel that the Professional Standards Department (PSD) was improving. On a final note Mr Foxall said that they were looking at developing a new approach to the quarterly report received at each Committee meeting to focus on where complaints may be ‘preventable’, and as there was difficulty in monitoring the numbers as they were so small.

29/2006
Agenda Item 8

POLICE RESTRUCTURING - NATIONAL

Mr Hemmings spoke to his paper and informed Members that the date which was missing on page 2 of his report was 25th October 2005. He said the paper was for information, but with regard to BTP review, he was awaiting a report from KPMG, who had been commissioned by the DfT. This report had been due to arrive the previous week. However, the BTP review was to be discussed in the next item.

30/2006

UPDATE ON PROGRESS OF DfT REVIEW AND POSSIBLE OPTIONS FOR RESTRUCTURING

Agenda Item 9

Mr Hemmings introduced his report which showed the point the review had reached. Mr Hemmings said that the paper covered three main areas the first being what a refocused BTP could look like, the second looking at ATOC's proposal that each TOC have a Service Level Agreement (SLA) with BTP, and thirdly a consideration of legal issues arising from proposals that the Force only investigate certain crimes.

The Chair said that there seemed to be an enormous emphasis on neighbourhood policing and that at present there was a tripartite relationship with the DfT, the Authority and the Chief Constable. The Chair was concerned that the SLA approach could directly interfere with the Chief Constable's powers to deploy his Force.

The Chief Constable said that the model for policing elsewhere is the national policing plan developed by the Home Office. Home Office forces then consult their community and come up with their plan. The Chief Constable said that BTP translates the national policing plan into its own national plan and this is then translated into local area plans. The Chief Constable had reservations about the SLA approach with specific contractual requirements for individual TOCs. These included operational challenges, which included the Force's ability to respond to terrorist threats and the fact that the pattern of demand for policing changes on an hourly basis. There would also be difficulty in attributing policing activities to specific TOCs, for example if a problem, arose on a multi user station. Operators and passengers may have differing opinions about what should be a priority covered under a SLA. As Chief Constable he had a responsibility to contribute to UK policing and this could be difficult under SLAs. He said that he could see the attractiveness of this to TOCs but he did have many concerns.

Mr Adams requested that each section of the paper be taken independently as they were important subjects. The Chair said that for now they were not asking for final decisions but for a broad steer regarding the direction of travel.

Ms Knights asked the Chief Constable to talk more about what neighbourhood policing meant in relation to BTP. Suzanne May asked how could anyone know what their neighbourhood was.

The Chief Constable said that he did not see the refocus paper as set in stone; it was a response to the review and he was seeking common ground. With regard to neighbourhood policing, this was an approach London Underground had adopted, following considerable investment. Neighbourhood policing worked by the police officers and Group Station Manager having a relationship with daily contact and formalised

tasking arrangements. The Chief Constable said that he would like to do this elsewhere but it could not yet be funded across the whole network, although they were doing it where they could.

The Chair asked if this affected deployment of resources. The Chief Constable explained that it did not as long as officers weren't constantly being redeployed and there were good reasons given for the redeployment. He added that the MPS were planning to do neighbourhood policing across London and to do this they were employing a further 5,000 police officers. He further emphasised the requirement for TOC engagement and stated neighbourhood policing would only work if the key players attended the meetings.

Mr Brown said the Chief Constable's comments were very helpful. He told the Authority that only by investing in a further 200 officers had TfL been able to take forward neighbourhood policing for London Underground. Part of the foundation was building an effective relationship and identifying any issues. He said there was no doubt that senior officers made the operational decisions but that there was joint performance management. He felt that neighbourhood policing was the correct move forward but stated that it would require a lot of commitment. As an aspiration he supported and endorsed it.

Mr O'Toole said that he agreed with Mr Brown's comments but asked what the new arrangements under the DfT review were going to be, as these would have to be known before making any firm decisions. The Chief Constable said that one of the indicators was Derek Twigg's response to the Transport Select Committee where he said the refocused BTP option looked like the only one worth pursuing, but this had not been confirmed formally. The Chair said that there was no evidence that officials were seriously looking at breaking up BTP.

Mr O'Toole said that the industry very much wanted to keep BTP and that the Chief Constable had to have the authority to redeploy his Force as he saw fit. His concern was that no one liked the current agreement. Mr Hemmings said the agreement that was in place at present was general to all and did not allocate specific resources. Mr O'Toole felt that it was vague and needed addressing.

The Chair asked if what ATOC meant by an SLA could be translated; did they mean something similar to that which had been developed for L Area. Mr O'Toole said there had to be an encompassing, over arching agreement. This could not be with ATOC but whoever ended up funding BTP.

Mr O'Toole said the Authority should be thinking about the people who are paying the bill. He agreed that it was inappropriate to specify such detail as how many police officers

will work for each TOC. Mr O'Toole said that it would be worth coming up with a small agenda and meeting the main players at ATOC with the Chairman and Chief Executive and Clerk to debate this and other matters.

Mr King said that he was confused by ATOC's position and said from the reports on the ground he had heard it was very difficult to get TOCs to attend tasking meetings. He said he would be interested to know how much time was spent responding to ATOCs information requests. The Chair said that at present the attendance of some of the TOCs at tasking meetings was sporadic and not always at the right level. Ms Knights said that she was concerned about the neighbourhood policing model, as its success relied on others who may not necessarily attend or positively engage.

Mr Foxall said his perception was that ATOC wanted a security force for which they had to pay as little as possible. With regard to neighbourhood policing, he was concerned that this would involve huge investment. Mr Foxall said the budget would have to be looked at and budget holders may have to be asked for further investment. If this was not accepted the Authority would have to look elsewhere to fill the gap. If we were to go down the refocus route, it would be important to work out budgets and targets.

The Chair said that the Authority would come back to this in the future. He recognised that there could not be annual increases like those seen over the last two years and said that he would be happy to use Mr O'Toole's contacts to have dialogue about these issues. He said that refocusing and budget setting would be covered at a special meeting if need be and acknowledged that further work did need to be carried out in this area.

Mr Holden said that he was confused by the tactics and felt that the paper which had been sent to DfT regarding refocusing did not go far enough, as it was not clear what we were trying to achieve. He felt that the idea of a negotiating panel with ATOC was unlikely to work as they did not speak with a single voice. His opinion was neighbourhood policing would not help.

Mr Adams said that he had been confused by the document and reminded fellow members that the Authority had certain responsibilities. He said that the refocusing that was being discussed was about getting policing at a lower cost and that if the TOCs did not have they were likely to be asking for more police officers.

The Chair said that there was a lack of clarity from ATOC apart from when it came to funding and that ATOC had not responded to a request to put together a group to discuss refocusing.

Agreed

- The concept of individual SLAs with individual TOCs be not supported.
- The broad strategy set out by the Chief Constable in relation to neighbourhood policing be endorsed and that proposals be refined in light of the points made during the discussion and the further dialogues which were to be undertaken with DfT and ATOC.
- A discussion group with ATOC as described by the debate be sought.
- This topic to come back to the next meeting.

31/2006

Agenda Item 10

BUDGET AND POLICING PLAN PROCESS 2007/8

Mr Hemmings spoke to his report, reminding Members of the process undertaken for the 2006/7 budget and planning cycle and setting out options for the 2007/8 process.

The Chair said that he was pleased to see Passenger Consultation drafted into the process, as he felt this had been a weakness previously.

Mr O'Toole said that the workshops were a fundamental part, but he had concerns regarding one to ones as he felt that expectations needed to be managed, so these would need careful handling.

Mr Foxall said he was very glad to see the passenger consultation included but he felt that the process had been over complicated and was even more complex than the previous year's. Mr Foxall was doubtful that having one to one's with TOCs would be particularly useful. He suggested that ATOC be asked to create a negotiating team and then a limited number of workshops be held to work alongside this, which would include the other groups.

The Chair said that initially on viewing last year's process he felt that it was over complicated but he did feel that it had been worthwhile. He was concerned about ATOC's capacity to have a representative negotiating team as this may only give the big players a feeling of inclusion.

Ms Knights said that she was interested in Mr Foxall's view, but that there was a need to look at what had worked last year as she felt that the information had still not got through.

Mr Brown said that he was very concerned about the process to date because it did not appear to specifically include TfL. London Underground carries more passengers than all the other TOCs put together and gives more funding, yet TfL were not mentioned separately. Mr Brown said this must be addressed this year as the strength of feeling at TfL was growing surrounding this. The Chair agreed.

The Chair said that an early date would be set to talk to TfL and also to talk to ATOC. He said that the duty was to properly consult properly and that he would bring this matter back to a special meeting at a later date if it could not be resolved.

Agreed

- **The process be revised to reduce complexity**
- **The process be revised to take cognizance of the TfL contribution.**
- **The ATOC proposal could not supersede the Authority's consultation requirements and proposed budget making process.**

32/2006

Agenda Item 11

REVIEW OF MEMBERS' ALLOWANCE SCHEME

Mr Hemmings explained that he had reviewed the Allowances Scheme, and was proposing a change in the remuneration to the Vice Chairman. The Chair explained that the whole scheme had been considered but when compared against other Police Authorities it was in line, so no further changes were proposed. The Chair believed that the basic structure was working well and said that the Secretary of State's approval had to be gained to make any changes.

Agreed:

- **The scheme as presented which included revised arrangement for the remuneration to the Vice Chairman was approved.**

33/2006

Agenda Item 13

JULY AUTHORITY MEETING

Mr Hemmings spoke to the paper and reminded Members this had been discussed at the October 2005 Authority Meeting. Preliminary arrangements had been made to hold the meeting in Glasgow but there had been a slight extension to the plans in that there was a proposal to have workshops on the afternoon of Monday 3rd July followed by the Authority Meeting as scheduled on Tuesday 4th. It was also proposed to hold a dinner on the evening of 3rd July, to which key people from the political, transport and policing sectors would be invited. Mr King said that he thought this would do an enormous amount of good and would be a great opportunity to meet with Scottish Executive and Transport for Scotland.

The Chair felt that less structured workshops scheduled for 3rd July would be very helpful.

Mr O'Toole asked what was being done about Wales. Mr Hemmings said the intention was that the Annual Meeting in July 2007 would be held in Wales.

Agreed:

- **The recommendation to hold the meeting in Scotland over 2 days was approved.**

34/2006

Agenda Item 4

CHIEF CONSTABLE'S REPORT

The Chief Constable spoke to his report the main points of which were:

- The performance targets for 2005/6 were all achieved.
- 2 of the 4 organisational targets were achieved and the BME specialist officer target only fell short by 1 officer. The Chief Constable felt that gender was the bigger challenge for the Force, but an additional 88 female officers recruited throughout 2005/6 was a big step forward.
- BTP had featured in the Muslim News Awards and had sponsored the Hindu Forum of Britain Ball.
- The Force was still hitting its PNC target, making it one of only seven forces nationwide to be achieving this.
- The budget settlement had presented a big challenge but it was hoped that some things that were not included in the final budget settlement could be driven forward using efficiency savings.
- Operation Shield had proved to be very successful with positive feedback from the industry, passengers and rail staff.
- The Crime Recording Centre had become operational as of April and over the next 3 months the full transition would take place for all areas.
- Assistant Chief Constable Robb had been invited to sit on the newly formed Community Safety Steering Group (CSSG), chaired by the RSSB. This group will agree national priorities and strategies aimed at reducing the risks and costs posed by crime, disorder and other forms of inappropriate public behaviour.
- London and Continental had become the latest operator to become accredited under the Railway Safety Accreditation Scheme.
- BTP would be sending officers to Germany to help police the travelling fans for the World Cup.
- BTP had been selected by the Home Office to help pilot a mobile automatic number plate recognition enabled device.
- The Chief Constable and Deputy Chief Constable had given oral evidence at the 3 Transport Select Committee's held in April.
- The Victim Code of Practice came into effect on April 1st 2006.

The Chief Constable invited Members to read the Cases of Interest Section and appendix B which outlined violent incidents on the railway over 10 days.

35/2006
Agenda Item 5

POLICING PRESENTATION - CRIME RECORDING CENTRE

Assistant Chief Constable Robb gave a presentation on the benefits, challenges and progress of the Crime Recording Centre.

36/2006
Agenda Item 6

VEHICLE FLEET REPLACEMENT PROGRAMME 2006/7

The Chief Constable spoke to the paper and said that in February money had been requested for this, and this second phase was asking for approval.

Agreed:

- **The Authority authorised phase 2 of the programme as indicated in paragraph 3.3 of the report.**

37/2006
Agenda Item 7

HMIC BASELINE ASSESSMENT 2004-5

Mr Hemmings introduced this paper saying that it was a historical document and the Authority could expect a formal presentation around September/October when the 2005/6 Assessment had been completed. HMIC had indicated that preliminary findings would be available for the July meeting.

The Chief Constable said that 18 out of the 24 areas received improved ratings showing some return on the investment in the Force. He also said that although a number of budget bids had failed for funding to address areas where poor / stable gradings had been received, action plans were in place.

Ms Knights said that all issues raised with regard to training had been pursued through the HR&R committee with Mr Adams as the lead. Mr Adams said that training was an area which had received a poor/stable grading, and said that on the next assessment this should be showing fair and improving.

Mr Holden was slightly concerned that 7 poor gradings had been received and 3 of these were stable.

The Chief Constable said the Criminal Justice Processes remained a risk area. Assistant Chief Constable Robb said that much was improving in this area and that he now sat on the board of London Criminal Justice. He pointed out that BTP had no funding for this, unlike the Home Office Forces who were given additional funds to procure the system.

The Chief Constable said that the Force was running the risk of being criticised on this area again but he was trying to make improvements.

With regard to call handling, Assistant Chief Constable McCall said that terms and conditions had been changed and there

were now supervisors which allowed for a better system. The software had been updated. The staff were also better trained and there had been changes made so officers could go through to any control room to run checks, rather than being limited to their own area. The Chief Constable also spoke of the Crime Recording Centre which had taken a lot of pressure away from the control rooms. With the new Airwave system, officers would be able to press a button to change their duty status rather than call the control room. Eventually all officers would have Global Positioning Systems to improve deployment.

38/2006

Agenda Items 12

BTPA DIVERSITY ISSUES

Mr Hemmings spoke to his paper which gave an update on the Authority's duties regarding diversity and equality and how they were currently meeting these. Mr Hemmings explained that in future all papers should include consideration of diversity.

Agreed

- **All papers coming to the Authority or Committee meetings should address diversity issues.**

PART II – ITEMS TAKEN IN PRIVATE

39/2006

Agenda Item 14

OUTSTANDING DISPUTES

Mr Hemmings spoke to his paper which laid out the outcome of the disputes which had been ongoing.

40/2006

Agenda Item 15

AOB

Mr King mentioned that GMP had withdrawn from providing a dedicated service to the local tram, system and wondered if there was a chance for BTP to bid to Police it. The Deputy Chief Constable said he believed that the GMP had pulled out due to cost cutting.

The Chief Constable said that as far as he was aware the tramline did not run along the main railway lines so it may be that a Home Office force would have a better chance of managing it, especially if it ran through densely populated estates where wider community issues were involved.

Mr King asked what the process was for making a decision on this sort of issue. The railway was expanding in Scotland and the arrangements will need to ensure that BTPs position is safeguarded. The Chief Constable assured Mr King that this was picked up.

DATE OF NEXT MEETING:

Monday 3rd - Tuesday 4th July 2006, Radisson SAS Hotel, Glasgow

Signed.....

Chairman