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# BRITISH TRANSPORT POLICE AUTHORITY

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## MINUTES

POLICE AUTHORITY

6<sup>th</sup> MARCH 2007, 10.00AM

at

GROUND FLOOR 1&2 – FHQ, CAMDEN ROAD

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- Present:**
- Sir Alistair Graham (Chair)
  - Sir David O'Dowd
  - Mr L Adams
  - Mr M Brown
  - Mr C Foxall
  - Mr R Gisby
  - Mr M Holden
  - Mr J King
  - Ms C Knights
  - Suzanne May
  - Mr R O'Toole
  - Mrs W Towers
  - Mr J Weimar
  - Mr T Phillips, Temporary Treasurer
- In attendance:**
- Mr I Johnston, Chief Constable
  - Mr A Trotter, Deputy Chief Constable
  - Mr D McCall, Assistant Chief Constable
  - Mr A Pacey, Assistant Chief Constable
  - Ms L Scott, HR Director
  - Mr B Coomber, Interim Director of Finance and Corporate Services
  - Mr P Zieminski, Chief Superintendent
  - Mr P Crowther, Chief Superintendent
  - Ms J Lincoln,
  - Mr N Khinch, Head of Finance
  - Ms J Dowding, Principal Accountant
  - Ms M Thomas, Management Accountant
  - Mr C Le Fevre, Management Accountant
  - Mr B Gosden, Chief Inspector
  - Ms S Brown,
  - Ms V Delices, Secretariat Manager
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- 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, Business Support Manager & Minutes
  - Mr R Dowling, Data Analyst

05.2007	<a href="#">Welcome</a>	2
06.2007	<a href="#">Minutes of Meeting 12th December</a>	2
07.2007	<a href="#">Minutes of Meeting 23rd January</a>	2
08.2007	<a href="#">Matters Arising</a>	2
09.2007	<a href="#">Committee Issues</a>	2-5
10.2007	<a href="#">Chief Constables Report</a>	5-6
11.2007	<a href="#">Budget Setting 2007 8</a>	6-10
12.2007	<a href="#">Policing Plan 2007 8</a>	10-11
13.2007	<a href="#">Update on Olympic and Paralympic Games</a>	11
14.2007	<a href="#">Policing Presentation Professional Stand</a>	11
15.2007	<a href="#">Policing Presentation Counter Terrorism</a>	11

## **05/2007 WELCOME**

### Non- Agenda

The Chair welcomed all to the meeting. He started by announcing the sad news of the death of Ian McGregor former Deputy Chief Constable of BTP. He asked that a letter of sympathy be sent to Mr McGregor's family.

The Chair welcomed Joy Lincoln to her first Authority meeting. He informed Members that Ms Lincoln was to be the acting Director of Finance and Corporate Services. He thanked Mr Coomber for his contribution as Interim Director of Finance and Corporate Services.

## **06/2007 MINUTES OF MEETING 12<sup>TH</sup> DECEMBER 2006**

### Agenda Item 1a

These were approved as an accurate record.

## **07/2007 MINUTES OF MEETING 23<sup>RD</sup> JANUARY 2007**

### Agenda Item 1b

These were approved as an accurate record.

## **08/2007 MATTERS ARISING**

### Agenda Item 2

All matters had been discharged.

## **09/2007 COMMITTEE ISSUES**

### Agenda Item 3

#### ***Selection Panel – Director of Finance and Corporate Services***

The Chair said the recruitment process had been completed but unfortunately a suitable permanent applicant had not been found. Ms Lincoln would be filling the role in an acting capacity and the post re-advertised later this year

#### ***Stakeholder Relations and Communications Strategy 09.01.07***

Mr King updated that a new style stop and search report was coming to the Committee. This had been improved to include area breakdowns, and the effect of various factors. A DVD was also being produced which would be available via the website in a range of languages explaining the stop and search process.

There had been a further paper to the Committee on an Independent Advisory Group (IAG) for BTP. At present BTP used other forces IAGs although the London Areas had put together a London focused IAG. It

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had been decided that a national strategic IAG was the best way forward and recruitment was expected to start in June.

The Communications Strategy was an Area that the Authority had been weak on but this was now moving forward. A placement student with an interest in communications was to be recruited to progress this.

***Professional Standards 30.01.07***

Mrs Towers said the APA had issued guidance for Professional Standards oversight and this was due to be finalised shortly. In the meantime the Committee was ensuring that it was in line with the draft guidelines.

The Taylor review recommendations would be coming into force in Spring 2008. Until then police forces were advised to implement those recommendations that did not require changes in legislation. The Taylor review's aim was to change the police discipline system by moving away from the regimented and bureaucratic system currently in place. The Chair was concerned that the move away from the current system to a more employment style system could cause some unrest with the public, as the police have considerable state powers. Mrs Towers agreed but added that any serious complaints regarding things like assault would go under gross misconduct so there was a division. She added that interviews with all officers involved would also no longer be compulsory.

Staff group meetings had been scheduled again for 2007 and were beginning in April.

The APA was holding training for Tribunal panels, and as the Authority had only one Member qualified to participate in these at present it would be a good opportunity to for a further Member to be trained.

There was a national concern amongst police forces and authorities that the IPCC was increasingly recommending the use of external forces in managed investigations. ACPO and the IPCC had agreed to take legal advice on when such action may be necessary.

***Industry/Authority "Working Together" Group 01.02.07***

Mr Hemmings said the first "Working Together" group meeting had gone well and terms of reference for the group had been agreed. A small working party had been set up to do some case studies before going any further. The second meeting had begun to look at the results of these case studies. Mr Hemmings said there had been mixed messages about engagement in the different BTP Areas. Mr Weimar said the feeling from some TOCs was that they were asked to comment on plans rather than have a part in their development.

The Chair said the Group was genuinely about a partnership approach to constrain costs rather than looking for immediate cuts. He added that the Inspector secondments were having a very positive impact on the relationship. The Area based targets for the Policing Plan had also been a valuable process.

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The Deputy Chief Constable said he was very encouraged by the positive engagement with the industry around policing plan targets. He said the next step was to try and help the TOCs to see beyond their own requirements and look at the bigger picture for the railways.

Mr Adams asked who was responsible for the action to map out overlapping groups. Mr Hemmings said he and Chief Superintendent Zieminski would be doing it from the BTP(A) side and the Industry Members of the group would be looking at it from their side.

Mr King asked if the Group was reflecting passenger needs. Mr Gisby said the terms of reference were aimed at the overlap between BTP and the industry. In participating industry representatives were inevitably responding using their experience of managing stations and feedback from passengers; therefore he was content that the group was not neglecting the needs of passengers. Mr Weimar added that staff issues had come through very strongly and how the concerns were to be addressed needed to be looked at.

The Chair said the Group was progressing along encouraging lines and would continue to report back to the Authority.

***Strategy, Budget and Performance Monitoring 13.02.07***

The Chair said the forecast for the budget had been reported as break even. There had been a useful discussion around the Policing Plan with Sir David. There had clearly been some tension in the discussions around detection versus reduction targets. This would be discussed in more detail later on the agenda.

***Human Resources and Remuneration 20.02.07***

Ms Knights opened by saying she would like to pass on the Committee's thanks to all those HR staff who had been involved in the incident in Cumbria and to Jo Bird and her team.

There had been a paper on uniform put to the Committee outlining proposed changes to bring in a national uniform. Ms Knights said the Committee had asked that the paper be reviewed again, with particular attention paid to female and BME officers. The budget also needed clarifying. The Committee had asked that when this additional work had been carried out that a paper be brought to the full Authority.

With regard to diversity training this was to be investigated further with input from Mr Brown.

Progression targets were to be included in the Policing Plan to replace specialist targets. However, specialist targets would continue to be monitored by the Committee via the management information.

At the previous meeting there had been questions about sickness and Ms Knights updated that there had been an increase and it was unlikely that the target would be met but as yet this was not a serious issue. Work was being done to look into reasons for the increase, which mainly fell into musculo/skeletal and miscellaneous categories, with categories being expanded to include more information. Ms

Knights suggested that colleagues might occasionally like to request the management information report to keep updated.

Mr Hemmings had looked into incentives for senior officer positions and as a result the Assistant Chief Constable recruitment had been opened to officers who had not yet completed the strategic command course.

The Chief Constable said he would appreciate an early steer from the Authority on the uniform issue. He said the pensions issue was one of the biggest threats to BTPs integration into the wider police family. He said he would be fighting this hard with the Treasury. Mr Hemmings added that this was an ongoing discussion with the Home Office and there had been an indication of a slight change in stance. Mr Brown said it was important that this issue was resolved before a vacancy arose.

## **10/2007 CHIEF CONSTABLE'S REPORT**

### **Agenda Item 4**

The Chief Constable asked the Deputy Chief Constable to say a few words about the incident in Cumbria. The Deputy Chief Constable said he had been very pleased with the response from the local police and other emergency services involved. Assistant Chief Constable Robb was the Gold Commander with Chief Superintendent Ripley as Silver Commander both of whom were doing excellent jobs along with all the other officers involved. He added the investment in media staff had paid dividends. The Rail Accident Investigation Board (RAIB) had done a remarkable job having their first report out within three days. He also paid tribute to Mr Armitt's dignified and honest report to the media, which helped to allay public concern.

Mr Gisby added that he would like to thank everyone in the Force who had played a part, the response had been superb. He said the degree of cooperation between all the agencies involved in the operation and investigation had been, and continued to be, excellent.

The Chair said he wanted to get a message of thanks out to the staff.

Mr Holden asked to what extent the RAIB had acted more efficiently than their predecessors. The Chief Constable said the transparency they had offered had resulted in public understanding. BTP was working in tandem with RAIB in the investigation.

Mr Adams said he had recently attended Operation Trinity which had been a table top exercise of a Virgin Train Crash in the North West. He said he had come away confident that should such an incident occur the Force and other agencies were well prepared and the perceived levels of cooperation were excellent. This had since been proven.

The Chief Constable reminded the Authority that in addition to the Cumbria rail crash, the Force had had to deal with a level crossing fatality in Norfolk and the fatality of man on top of a train.

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The Chief Constable moved onto the performance targets saying that the trends were headed in the right direction and all targets were being reached at present. There had been a large increase in the reports of graffiti, but this was due to encouraging reporting and a rise in detections. Only one of the organisational objectives was being hit at present, but if the March intake went ahead three out of the four should be achieved.

The feedback from the top management programme had been positive. A note was circulated detailing the findings (copy in the minute book). The Chief Constable said this would be useful for the Strategic Plan away day.

There was concern over the funding for the policing of the Olympics and whether the DfT and TOCs were having adequate engagement with the organisers. Mr Gisby said it had to be remembered that it was not just London that would be affected.

Mr Foxall noted the comment that funding was not expected from the Home Office but added that this was a very serious issue.

Mr King suggested that it would be a good time to release some intelligent and targeted PR for the force's role in the Olympics. This would then help to get stakeholders involved.

The Chief Constable gave an update on meetings which had taken place.

The secondments with TOCs were progressing well and building on relationships. A meeting had been held with Mr Holland the Managing Director of Arriva Trains Wales in which Mr Holland had been very positive about the relationship with BTP, but had serious reservations about the new charging model, which were being pursued legally.

Mr King suggested that it may be helpful to share the Chief Constable's report with Passenger Focus Managers to keep them abreast of BTP performance and issues.

The Chief Constable included an Annex on Football policing for Members information.

Mr Brown noted that this was a massive drain on resources but unavoidable. Mr Holden noted that the troublemakers were a small proportion of those travelling but used a large amount of BTP resources.

Assistant Chief Constable Pacey said the biggest impact was on long haul operators where passengers and staff often felt intimidated by rowdy fans.

Mr Adams said the main issue was that the infrastructure was not capable of dealing with these large influxes and this needed to be improved.

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The Chief Constable said he and Mr O'Toole were in the process of setting up a meeting with the Football Association (FA) but the issue was that the FA were only responsible for the FA Cup and did not run the premiership and other leagues.

Ms Knights said the Rail safety and Standards Board (RSSB) were setting up groups with the FA and others that it might be worth plugging into. Also, GNER had implemented a new policy on alcohol aboard their trains.

**Agreed:**

- **The Force to send out the Chief Constable's report to Passenger Focus Managers.**

**11/2007 BUDGET SETTING 2007/8**

Agenda Item 7

The Chair introduced this item saying there had been much discussion at the last meeting and points raised then had now been clarified in the papers. He added that letters from TOCs had been circulated and should be considered when making the final decision.

The Chief Constable said attention had focused on developing option 2 as Members had shown support for this. Option 2 was not without risks as it meant that the funding for high priority growth would have to be found from somewhere within the approved budget. This would mean a massive financial challenge for the Force, aside from the efficiency savings already outlined at £3.4M.

Mr Coomber said that the current strategic plan had been developed to address the serious underinvestment within BTP and 07/08 was the last year of this 3 year investment programme. In answer to members earlier concerns relating to future costs arising from current investment decisions, these were set out in detail in annex 2. Mr Coomber assured members that the scale of future commitments was such that they would not place an unreasonable burden on the force in future years.

Mr Coomber outlined the potential budget demands for 2008/9 and beyond, should option 2 be approved. This showed an increase of 3.1% before efficiency savings and inflation were taken into account for 2008/9. He said this was manageable barring TOC dispute and FRS 17 issues that may arise. He added that he felt the future was manageable within the Authority's requirement to maintain budget increases in line with inflation. However it would be extremely challenging to achieve the inflation only increases if further growth emerged from the next Strategic Plan 2008-11.

With regard to how the BTP would manage efficiency, Mr Coomber said good practice had been looked at, but there was not a lot of information around specific changes which other forces had made. He said the Force would be trialling a methodology where they would aim to make 2% efficiency savings year on year.

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Mr Coomber concluded that the past investment in BTP had resulted in corresponding increases in performance.

The Chair distributed a proposition to the budget discussions which he formally moved (copy in the minute book).

Mr Hemmings said the proposed Authority budget had gone to the SB&PM Committee where he had been asked to reflect on the proposed figures to see if a reduction was possible. Mr Hemmings said the consultancy budget had been revised following this, but he was confident that all the Authority's statutory duties and communications responsibilities could be discharged. However, the cost of the disputes was a risk to the budget as it was difficult to predict this accurately.

The Chair said the capital budget had been agreed with the DfT and the budget for the London Underground had been agreed with TfL. The areas for debate were the Force overground and Authority budgets.

Sir David asked how the efficiency target was being dealt with. Mr Coomber replied that there would be a review process in which all every activities would be scrutinised individually.

Mr O'Toole asked when the repayment of the loan was expected to begin. Mr Coomber answered that the DfT had expressed a wish for this to begin in April.

With regard to dilapidation, Mr O'Toole asked if there was a feel for the scale of costs associated with this. Mr Coomber responded that this was likely to be between £1M and £4M, but he expected it would be towards the lower figure.

Mr O'Toole asked for an update on the dispute situation. Mr Hemmings said at present one had been confirmed with the possibility of three others. Any short-term cash flow issues would be covered by the DfT until the disputes were resolved. Mr Coomber added that dispute could result in a permanent impact on BTPs finances but there would need to be clarity to whether DfT finance was a loan or grant. Mr Weimar asked what the assumption was for this budget. Mr Coomber answered that the current assumption was that DfT assistance was a grant. Mr Weimar said this was a risk for the future. The Chair agreed but said to charge this back to the Force would be a major change of policy and add further obligations to PSA holders.

Mr O'Toole asked what the consequences of putting off the modernisation included in option 2 would be. The Chief Constable said he felt the consequences of this were extremely serious for the Force, as it would mean a serious problem in plugging into the criminal justice system if the IT system was not acquired. Also, the control rooms project was vital for the Force to function as call volume was a serious issue. He added that the Force already had to find £3.4M efficiency savings and having to find money for all the other high priority pressures was already going to be a big challenge.

Mr O'Toole said there was very strong feeling within the industry about the rising costs of BTP and whilst the Strategic Plan may have been explained to TOCs their involvement was very small. He formally moved an amendment that the budget should be £182.8M, to be achieved by deferring the growth of £3.2M for modernisation to 2008/9.

The Chair said he would take this as an amendment, but he personally did not think it was an acceptable position to put the Force in. He felt it was better to follow through the investment as laid out in the Strategic Plan and bring in a rigorous medium term financial plan with the next three year plan.

Mr Adams said he disagreed with Mr O'Toole's amendment and the Chair's proposition. He said modernisation could not be deferred and there was also the estates issue which had to be dealt with as the Force had a responsibility to its staff. He added that in London North 48% of the police officers had less than two years service and this would result in a large increase to the payroll costs as the officers became more experienced. Mr Adams moved a further amendment that the budget be £194.2M (option 1).

The Chair accepted this as a further amendment.

Mr Brown said whilst he understood Mr Adam's impassioned views and wanted to see the Force in a financially stable position it had to be remembered that stakeholders had a key role in this. He felt the Force was in a stronger position this year than previously, notwithstanding the disputes. The "Working Together" group was an encouraging development. He said if option 1 was approved he felt this would close off the relationships that were being forged with the industry and the Force and Authority could find themselves in an isolated position. He supported option 2.

Sir David said the Authority had declared to the industry some time ago that the increase for the 2007/8 budget would not be above 10%. He felt if the Authority set a budget above this it would lose all credibility. He supported option 2.

Mr King agreed that the 9.9% increase should be approved, but he added that markers needed to be laid down. The Force was now facing new challenges including counter terrorism, increasing passenger numbers, a significant number of passengers choosing not to travel at particular times or on particular days and the fact that by the time the next Strategic Plan was in place a number of franchises would have changed. All these factors must be noted.

Mr Foxall said it seemed common ground that an 8% increase could not be avoided. He said the Authority had tried hard to get to a standstill position but some things were unavoidable, the Crime Recording Centre being an example. He felt the Authority and Force were on the edge of potential for a long term agreement with the industry and a medium term financial plan would help to secure this. Mr Foxall thought it would be helpful if a common agreement on the

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budget could be reached, as this would be a good basis for moving forward. He supported option 2.

Suzanne May said she agreed that approving anything above 9.9% would cause serious credibility issues. She said it was a huge risk if the modernisation work was not taken forward, and as such she supported option 2.

Ms Knights echoed the comments of others around credibility and the need for modernisation. She supported option 2.

Mr Gisby said it was disappointing that revenue was being asked for to progress business processes when this required management action, particularly when pushing so hard for efficiency savings. He was also concerned that every capital item taken forward had brought increases in revenue costs. He concluded that he would like to see more efficiency savings. Mr Gisby said he supported option 2.

Mr Holden sympathised with Mr Adams argument but agreed that option 2 was the best way forward. He added that personally he would have liked to have seen an increase around 8.9%. He said when informing the industry of the budget outcome the message about inflation only budget increases to be proposed in the next three year plan should be included. He also wanted to ensure that future capital schemes should produce efficiencies.

Mrs Towers said she was concerned that the high priority growth was going unfunded, but she supported option 2.

Mr Coomber said future funding expectations within BTP were around the level of inflation and a robust efficiency regime was to be established. He added that the Force would do its best to remain within any budget set, but could not legislate for challenges that could occur throughout the year. He said he was clear that whatever was put in place needed a good governance regime.

The Chief Constable said HMIC had criticised the control room arrangements on two occasions which was not a good position to be in. He said this needed to be remedied as soon as possible. He said the real challenge for 2007/8, should option 2 be approved, was the high priority growth which would have to be funded somehow.

The Chair said the Strategic Plan 2005/8 had been costed as far as possible. He understood that the industry did not feel they had been adequately consulted, but the current Plan had to be developed before relationships could have been established. Full buy in would therefore have been difficult to secure. He said this was the last big push and he could not see the point of prolonging it until 2008/9. He said the Force had got on with all the projects previously approved and were making the best of what they have. He added that he hoped those proposing amendments would reconsider.

Mr Adams said he was prepared to support option 2, but he wanted to be sure that the Force had the necessary tools to do their job.

Mr O'Toole said if a clear explanation was sent out stating that growth would not be seen in the next Strategic Plan he was prepared to support option 2 at 9.9%.

There was unanimous support for option 2 with the presumption that future budgets' during the next Strategic Plan period would not have increases beyond inflation.

**Agreed:**

- **The budget for 2007/8 for the overground police force be set at £186,000,000**
- **The budget for 2007/8 for the underground police force be set at £49,112,000**
- **The budget for 2007/8 for the Authority be agreed as £1,755,000**
- **The capital programme for 2007/8 be agreed at £7,500,000**
- **The Chief Executive & Clerk be authorised to calculate the amount of the sums to be paid by each PSA holder and to take such steps as may be necessary to levy the charge and render appropriate accounts to each PSA holder**

**12/2007 POLICING PLAN 2007/8**

Agenda Item 8

The Deputy Chief Constable introduced his paper. He said this was the first year that a more localised planning process had been attempted. A number of central targets had been maintained. There was then a layer of common targets which all Areas had to work toward, but with different emphasis depending on crime patterns in specific Areas. The bottom layer was that of local targets which were agreed with the individual Area TOCs.

The Deputy Chief Constable said the Policing Plan Working Group (PPWG) chaired by Sir David had been very helpful in the development of the targets and their comments had been taken on board. The new style targets would mean a big difference to performance management, but he felt confident that the Force was up to the challenge.

The process for developing the targets would continue to be refined but there was more enthusiasm from TOCs for joint targets. Some of the targets for 2007/8 were not as high as those levels achieved for 2006/7, but the Deputy Chief Constable justified this by the fact that there were many more targets to work toward than there had been previously.

Sir David said he would like to thank the Members of the PPWG for their contributions, and also the Force for their hard work. He said it had been decided that the idea of a general crime reduction target for the railways was a matter for the strategic plan. However there had been some discussion on more specific reduction targets and the PPWG would have liked to have seen more.

Mr Weimar said the "Working Together" meeting had echoed the positive effect of this process. Ms Knights said it was a good opportunity to have more visibility with the industry and to take forward

partnership working. Mr King added that it would result in better information from the Areas which would be valuable to the Authority.

The targets were **agreed** as outlined in the appendices.

**13/2007 UPDATE ON OLYMPIC AND PARALYMIC GAMES AND THE ESTABLISHMENT OF AN EXTRA POST AT ASSISTANT CHIEF CONSTABLE LEVEL**

Agenda Item 9

The Chief Constable said the Olympics posed a massive potential cost for BTP, and were perhaps the biggest single threat to its credibility and existence. To ensure that every angle was covered in the planning for this event the Chief Constable proposed that an Assistant Chief Constable be recruited with London and the Olympics as their remit. Mr Weimar said he strongly supported this. Mr Adams added his support, saying it was a very sensible proposal.

The proposal to recruit a new Assistant Chief Constable for London and the Olympics was **agreed**.

**14/2007 POLICING PRESENTATION – PROFESSIONAL STANDARDS**

Agenda Item 5

This presentation was postponed until the next meeting as Detective Chief Superintendent Carroll was called away.

**15/2007 POLICING PRESENTATION – COUNTER TERRORISM**

Agenda Item 6

Assistant Chief Constable Pacey gave a presentation on the strategies employed to defeat terrorism.

**16/2007 AOB**

Agenda Item 10

There was no AOB.

**DATE OF NEXT MEETING:**

**Tuesday 8<sup>th</sup> May 2007 at 10am**

Signed.....

Chairman