

## Minutes

### Police Authority

**Date:** Thursday 21 January 2010  
**Venue:** Bedford Suite 5, The Bloomsbury Hotel,  
16-22 Great Russell Street, London

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### Present:

Ms Millie Banerjee, Chairman  
Sir David O'Dowd, Deputy Chairman  
Mr Lew Adams  
Mr Howard Collins  
Mr Ian Dobbs  
Mr Colin Foxall  
Mr Robin Gisby  
Mr James King  
Ms Christine Knights  
Suzanne May  
Mr Neil Scales  
Mrs Wendy Towers  
Mr Jeroen Weimar

### Apologies:

Mr Ron Culley  
Mr Michael Holden

### In attendance:

Mr Andrew Trotter, Chief Constable  
Mr Paul Crowther, Deputy Chief Constable  
Mr Alan Pacey, Assistant Chief Constable Operations  
Mr Stephen Thomas, Assistant Chief Constable Olympics  
Mr Mark Smith, T/Assistant Chief Constable Crime  
Ms Linda Scott, HR Director  
Mr Peter Zieminski, Chief Superintendent  
Mr Andrew Clarke, Head of Finance  
Ms Vanessa Delices, Secretariat Manager

Mr Paul Coen, Interim Chief Executive  
Mrs Liz Pike, Treasurer  
Mrs Samantha Elvy, Research & Policy Manager  
Miss Lucy Barrick, Business Support Manager & Minutes

## **PART I - ITEMS TAKEN IN PUBLIC**

### **01/2010 Welcome and Apologies**

Non-Agenda

The Chair gave apologies from Mr Culley and Mr Holden.

### **02/2010 Minutes of Meeting 09 December 2009**

Agenda Item 1

The minutes were approved subject to two amendments from Mr Dobbs and Mr King.

### **03/2010 Matters Arising**

Agenda Item 2

It was confirmed that the Olympics presentation would come to the March meeting.

The Chairman informed Members that the Accounts had been signed off on Monday 18 January and the NAO were expected to provide an unqualified opinion. She thanked all those who had been involved and worked hard to achieve unqualified accounts. She further updated that the work towards splitting the Accounting Officer (AO) role was progressing well, with the principle of the Chief Executive being the AO in relation to income and the Chief Constable being the AO in relation to expenditure agreed by BTP and, BTPA. The matter was now with the DfT. It was expected that the changes should be in place for the new financial year.

All actions had been discharged.

### **04/2010 Chief Constable's Report**

Agenda Item 3

The Chief Constable spoke to his report. The Force target to prevent cable theft was ahead with less live cable offences recorded. However, it was noted that there were some hotspots in East Anglia. Football was described

as still being a challenge to BTP. The policing of New Year's Eve in central London had been a success but the Force felt that the event needed reviewing. The Chief Constable had a meeting with the MPS and TfL Commissioners to discuss event policing. The discussion had covered queues on public highways and the Chief Constable advised that whilst he regarded these to be the responsibility of the MPS, BTP would assist around stations where possible.

A number of issues were beginning to arise in relation to the Olympics all of which Assistant Chief Constable Thomas was aware of and working to resolve. The Olympics Steering Group would be briefed on matters at its next meeting and the full Authority would be briefed in March. The Chief Constable had met with Mr Johnston at the London Organising Committee for the Olympic Games (LOCOG) and had a constructive discussion in relation to planning issues. It was noted that the Force was engaging with strategic partners around the Commonwealth Games which would be held in Glasgow in 2014.

There had been some changes to the portfolio responsibilities within the Strategic Command Team (SCT). The major movements being:

- Assistant Chief Constable Pacey was now responsible for all BTP Areas as Assistant Chief Constable Territorial Operations.
- The Assistant Chief Constable Crime post would become Assistant Chief Constable Protective Services which would encompass all resources around counter-terrorism into one position.
- Assistant Chief Constable Thomas would become Assistant Chief Constable Operational Support

It was agreed that once the portfolio chart had been finalised it would be distributed to Members, including the next layer down of chief superintendents.

It was noted that the Potters Bar and 7/7 inquests were due to commence in the near future and the Force would ensure that the Authority was kept updated in regards to these. Mr Gisby said that he expected to be interviewed as part of the Potters Bar inquest and would advise of any conflict of interest arising. The Flanagan inquest is due to take place in May.

Following the recent European Court case on section 44 stop and search powers the Home Office had issued guidance that these were still legal pending an appeal of the ruling. The Force further advised that its number

of section 44 stops was reducing and it had always ensured that section 44 was only used where appropriate.

The Chief Constable advised that Christopher Garnett was conducting a review of the Eurostar incident which happened immediately prior to Christmas. The Authority and Chief Constable both expressed their pride in the way that BTP had managed the crowds. The Authority agreed that a letter should be sent to the Chief Constable congratulating the Force on its response to the situation.

Some police forces are using private security staff in their custody suites. The Force was examining the effectiveness of these arrangements and the costs associated with them. The Force would report back on this approach and the potential for its adoption in BTP at a later meeting. The Force added that if the new style were to be adopted it was likely to result in a significant saving.

On the event policing discussion, Members asked what the next steps were on the user pays principle if other agencies were in agreement on this as a way forward. It was noted that the Force had measures in place to determine the costs related to individual events in a robust way. It was agreed that Assistant Chief Constable Pacey would brief the Chief Constable and Chairman on the next steps. Assistant Chief Constable Thomas added that he was trying to identify areas for football policing where BTP jurisdiction fell within the “footprint” of that which the Clubs were obliged to pay for.

Members asked if there had been any discussion with LOCOG concerning the policing of the Olympic Stadium. The Force responded that initially LOCOG had said that it would pay for policing around venues and on transport but they now appeared to be backing away from this. However, it was noted that this issue would shortly be brought to a head and could set a precedent for event policing.

Members asked for some clarification in relation to their and the Force’s role with regard to level crossing offences. The Force said that its emphasis had been on enforcement but also to some degree education. It was noted that CCTV was a useful tool in level crossing offences and led to a high detection rate. The Force was also looking at whether it could influence sentencing guidelines and new offences. There was still discussion to be had around the exact roles of Network Rail, BTP, BTPA, Office of Rail Regulation and the Rail Safety and Standards Board to ensure that these supported one another. It was suggested that an operational event be arranged with all parties present to understand what each party was doing and how best to

take this forward in a joined up approach. Mr Gisby said that he would be happy to do a short presentation on Network Rail's work.

### **Agreed**

- The portfolio chart to be distributed to Members once finalised, including the next layer down of chief superintendents.
- The Force to keep the Authority updated in regards to the upcoming inquests.
- A letter to be sent to the Chief Constable congratulating the Force on its response to the Eurostar situation prior to Christmas.
- The Force to report back on possible use of private security in custody facilities and whether it was the way forward for BTP at a later meeting.
- Assistant Chief Constable Pacey to brief the Chief Constable and Chairman on the next steps regarding a user pays principle for event policing.
- The Force to arrange an operational event with representatives of Network Rail, BTP, BTPA, Office of Rail Regulation and the Rail Safety and Standards Board all inputting on their work around level crossing safety to establish a joined up approach going forward.

### **05/2010 Revenue and Capital Programme 2009-10 Monitoring - Period 9**

#### Agenda Item 4

The Force reported its figures to period 9. The year end position was forecast to be an underspend of £61k. This underspend took into account the movement of the reserves as agreed at the last Police Authority meeting. It was noted that there may be a further decrease in expenditure towards the year end as the Force prepared for the pressures of 2010/11. This would be held as a contingency fund for 2010/11, along with accrued expenditure for liabilities which fell in 2009/10. How this would be dealt with would be reported to the next meeting.

In the individual portfolios it was noted that the HR Department may be facing some expensive employment tribunals which had been noted as a risk.

The capital spend had slowed a little due to delays with London North custody. This had put some pressure on the programme but it was not a major issue. The delay had been due to a delay in securing planning consent and there had also been problems to be worked through regarding electricity supply.

The Olympics capital underspend was noted but was not an issue as it would be carried over to the following year. This had been the result of issues with the global information system.

The question was asked as to whether leasing vehicles as opposed to buying them would be more cost effective, as leasing involved a degree of management information and support which could help increase cost effectiveness. The Force replied that this had been considered in the past and the issue would be kept under review.

### **Agreed**

- The Force to review the vehicle purchase/leasing situation from time to time to ensure they were achieving value for money.

### **06/2010 BTPA Budget Proposals 2010/11**

#### Agenda Item 5

The projected year end position for the Authority was an overspend of £607k. The overspend was entirely related to costs resulting from the Judicial Review and the project which followed the judgement, including consultancy and staff costs. Therefore, this was an impact for 2009/10 only as the spend would not be repeated in 2010/11. The legal costs awarded against the Authority were not included in the £607k as these were covered by a grant from the DfT.

The budget proposals for 2010/11 were for either a 1.3% or 0% increase. The budget proposals had been developed using the forecast outturn for 2009/10, minus the Judicial Review specific costs, plus inflation at 1%. The only difference between the two was an additional £25k in the legal costs budget. All the savings from other areas of the budget had been used to strengthen the position on legal costs and the 1.3% gave a bit more flexibility in this high risk area.

Mr Dobbs said that it was likely that the Authority would face a costly arbitration in 2010/11 and questioned whether the £342.8k would be enough. There was discussion around increasing this provision but as it was such an unknown it was decided that it should be flagged as a potential liability and the budget remain as proposed. In light of this the 0% proposal was approved.

**Agreed**

- A budget of £1.918.5m was approved representing a 0% movement in budget.
- The communications on the budget to flag up the potential liability of the potential legal costs that the Authority could face in 2010/11.

**07/2010 2010/11 Budget PSA Charge**

## Agenda Item 6

The Authority had already agreed an increase of 1.3% in the police budget and now had to decide what the increase in PSA charge should be for 2010/11. Following the decision on the previous item the Authority's own Budget was now known. The only remaining matter to consider was the outcome from discussions with DfT on the Authority's capital finance accounting arrangements. These discussions had concluded that the current practice was correct and therefore there was no scope for any changes to offset the PSA charge.

There had been some correspondence from PSA holders expressing their disappointment at a 1.3% increase as they felt this should be lower or no increase. The Authority considered this but agreed that a 1.3% increase should remain the way forward as part of a two-year plan, as it was based on a clear and challenging efficiency savings plan which already contained some significant risks. The Authority was firm that communications around the budget needed to be clear to ensure that they were fully understood by all.

The Authority was aware that the biggest financial risk it faced was in funding pensions. The results of a Triennial Review were due shortly and it was agreed that a full report on the pension situation would be brought to an early meeting of the Authority.

**Agreed**

- An increase of 1.3% in the PSA charge be set for 2010/11 with an objective of securing 0% increase in 2011/12. This translates into an overground budget of £202,176,000 for 2010/11.
- A comprehensive briefing paper on pensions and how possible to mitigate the risk to be brought to an early meeting of the Authority

## **08/2010 Committee Issues**

Agenda Item 7

### **Special Audit & Corporate Governance 09.12.09 & Audit & Corporate Governance 15.12.09**

The charging governance framework had been approved by Tribal and agreed by the Committee. This would be subject to some changes once the Accounting Officer role was amended. The Committee had received an internal audit report on Tadworth which had found a few control matters to be dealt with. An update on these would be coming back to the March Committee meeting.

### **Policing Plan Working Group 14.01.10**

This had been the second meeting of the Group. The national targets had been approved for recommendation and the area targets would be coming to the next meeting. Area Commanders were currently negotiating complementary local targets with the operators in their Areas.

The Force updated that it had been looking at a single confidence measure in line with that of other forces. However, other forces were measured by the British Crime Survey but this did not cover BTP. Therefore, the Force had been looking at other possible measures in this regard. The National Passenger Survey (NPS) could feed into this but as it did not cover all operators. Therefore, the BTP rail staff survey was being reinvigorated so that a link could be created to show the impact on passenger satisfaction using staff as a proxy for those operators that were not included in the NPS. The national targets had been divided between those relating to passenger/staff perceptions of safety, reducing disruption and organisational targets.

The focus would be on increasing the perceptions of safety at those stations which had a low score. A few key stations had been identified with Passenger Focus and these would be the initial focus to try and drive up satisfaction.

Ms Knights said that with regard to the organisational targets, the HR&R Committee had recommended representation targets as they wanted to move responsibility for representation away from being solely that of HR to a broader ownership. It was noted that the Force was third in the country for its BME representation but was low for females. The progression and recruitment figures would continue to be monitored.



The Authority congratulated the Deputy Chief Constable on a comprehensive piece of work which was valuable, clear and driven by evidence. The Plan demonstrated exactly where the resource was going and what it was trying to achieve. It was suggested that there should be a communications plan to ensure that stakeholders were aware of the Plan. It was agreed that the Force would present the finished Plan to the March meeting, along with a proposal for communications, including who was taking what role in this.

### **Agreed**

- The Force to present the finished plan to the March meeting, along with a proposal for communications, including who was taking what role in this.

### **Stakeholder Relations & Communications Strategy 20.01.10**

The Committee had been updated that the Merseyside and Strathclyde contracts were yet to be signed but this was expected to take place soon. There was still less night visiting taking place than the Committee would like to see but it was hoped that this would improve with the restructure which had taken place at the MPA.

There had been five occasions where Tasers had been drawn but no discharges with the presence of the Taser being sufficient to ensure compliance. The Committee had also been impressed with the robustness of the training.

Behavioural Assessment Screening System (BASS) training had not been rolled out as a programme but on request by Areas. As a result the North East Area had not completed any training but this was booked for March. The Committee felt that it was important for the Force to share the good practice of the BASS training.

The Quality of Service Research team had developed a suite of surveys for neighbourhood policing teams (NPTs) to use with their communities. There was also an excellent template which had been developed for identifying and addressing local issues.

The Committee had discussed compiling a legacy document which would ensure that the good practice built up within the Committee would not be lost.

Mr King also added that he would be meeting with the new NIAG Chair.

## **09/2010 Proposed Creation of Charging Group**

### Agenda Item 8

It was proposed that a Charging Group should be established to deal with three areas of work. These included the continuing work following the judgement from the Judicial Review. It was likely that matters would need to be decided quickly and it was proposed that the Group have delegated authority to deal with any matters as they arose.

The Group would have an advisory role in relation to the charging method post 2013 and reviewing how the Authority discharges its statutory duties in relation to governance with TfL.

The establishment of the group with a remit as described in the paper was approved.

The Authority asked that a timetable be developed with regard to addressing charging post 2013. It was noted that if legislative change was required this needed to be done quickly. Also, that some Members would be moving on as their appointment terms came to an end resulting in a loss of corporate memory so it was important that progress was made.

Members advised that stakeholders needed to be told that the work on the post 2013 charging arrangements was taking place and given regular updates. It was agreed that communications plan should be drawn up for this purpose.

### **Agreed**

- The establishment of a Charging Group with the proposed terms of reference was approved.

**PART II - ITEMS TAKEN IN PRIVATE**

**10/2010 The Introduction of the New Charging Model Lessons Learned**

Agenda Item 11

The draft report on lessons learned from the implementation of the New Charging Model was discussed. The decision was taken to seek legal advice before any publication.

**11/2010 AOB**

Agenda Item 13

There was no AOB

**Date of next meeting**

Thursday 11 March 10.00 at G1 & G2 FHQ, 25 Camden Road

Signed \_\_\_\_\_

Chairman