

Minutes

Police Authority

Date: Wednesday 02 November 2011

Venue: G1 & G2 FHQ, 25 Camden Road, London NW1 9LN

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Present:

Ms Millie Banerjee, Chairman
Mr Lew Adams
Mr Patrick Butcher
Mr Howard Collins
Mr Colin Foxall
Mrs Elizabeth France
Mr David Franks
Mr Michael Holden
Mr Neil Scales
Mr Anton Valk
Mr Jeroen Weimar

Apologies:

Mrs Wendy Towers

In attendance:

Mr Andrew Trotter, Chief Constable
Mr Paul Crowther, Deputy Chief Constable
Mr Alan Pacey, Assistant Chief Constable
Mr David McCall, Assistant Chief Constable
Ms Francesca Okosi, Director of Corporate Resources
Mr Simon Hart, Head of Finance
Mrs Elaine Derrick, Business Support Manager

Mr Andrew Figgures, Chief Executive
Mrs Liz Pike, Authority Finance Director
Mrs Samantha Elvy, Performance Review Manager
Miss Lucy Barrick, Business Manager & Minutes

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PART I – ITEMS TAKEN IN PUBLIC**72/2011 Welcome and Apologies**

Non-Agenda

The Chairman welcomed Mr Butcher and Mr Valk to their first full Authority meeting since their appointment on 1 September 2011.

Apologies had been received from Mrs Towers.

73/2011 Minutes of Meeting 22 September 2011

Agenda Item 1

The minutes were approved as an accurate record.

74/2011 Matters Arising

Agenda Item 2

All matters had been discharged.

75/2011 Chief Constable's Report

Agenda Item 3

The Chief Constable had met Tom Winsor who was leading the independent review of police officer and staff remuneration and conditions. They had discussed Part 2 of his Report which was expected to be published in January 2012. Winsor's Part 1 Report had been published in March 2011 and the recommendations had gone to arbitration from which a result was awaited. The Part 1 report focused on shorter term measures which could be implemented quickly, whilst part 2 looked at matters of a longer term nature and importance, for example career length, pension age and negotiating machinery.

There were various other policing reforms in progress at the time of the meeting, such as the move from the National Policing Improvement Agency to the National Crime Agency. It was noted that BTP and BTPA would need to monitor these reforms closely to ensure that they had the opportunity to engage and were aware of any possible cost implications resulting. The Chief Constable was on the board for the new Police ICT Company (NewCo) and advised that he would keep BTPA updated as this progressed.

There had been discussion with industry partners to clarify inter-organisational responsibilities when responding to incidents resulting from adverse weather. This followed difficulties in previous years in responding to stranded trains and passengers. However, it was noted that the risk could not be eliminated despite improved planning and coordination as there would remain challenges in reaching trains stranded in remote locations.

There had been a successful day of action on cable theft on 28 October with several partners participating across England, Wales and Scotland. The day had resulted in 62 arrests.

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The recorded thefts of live cable had decreased by 8% from the previous year with approximately 3.4 incidents a day currently, the North East now had fewer than two a day. The detection rate had also risen from 8% to 16% this year. BTP was working closely with all partners to contain the problem and the Network Rail resources had helped to make an impact, particularly with intelligence. The Authority noted that the work on a 'minutes disruption' measure being progressed by the Policing Plan Group would provide an indicator of the impact of cable theft. This would provide a better feel for the impact on the industry than incident numbers.

At a strategic level, the Deputy Chief Constable had met Lord Faulkner who would be tabling a Private Members Bill on proposed legislative changes to help tackle cable theft in the House of Lords week beginning 7 November. Lord Henley, the new Crime Prevention Minister, had also been briefed on cable theft by the Deputy Chief Constable. The Deputy Chief Constable had attended a Government Ministerial meeting to discuss the legislative issues as cable theft had gained a high profile and was seen as impacting on economic recovery. The feedback from this meeting had been positive and the proposals for legislative change were to be taken forward. The Transport Select Committee has also invited evidence from ACPO on metal theft, which the Deputy Chief Constable would provide at its hearing to address this issue.

A further metal theft issue arising was the theft of mobile phones to strip them of the metals they contain. This added weight to the need to address anonymity and lack of traceability through legislation.

The industry and BTP were ensuring a sustained media campaign to keep the issue in the public eye.

The Chairman and Chief Executive had a meeting with the Permanent Secretaries of the Department for Transport and Home Office where they had explained the scale of the metal theft issue and also the police reforms and the potential impact for BTP.

The report was noted.

Agreed

- The Chief Constable to comprehensively report to the December meeting on all the strands of reform and their potential implications for BTP.

76/2011 Quarter 2 Performance Group Report

Agenda Item 4

The Chair of the Performance Review Group updated that:

- BTP was currently meeting 10 of its 11 operational targets and 30 of its 47 local targets. There were seasonal adjustments to be applied to the 'number of offences' figures, the only national target not

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being achieved. BTP was confident that this would be brought in on target at the year end.

- There was a lot of work looking at disruption related offences. A particular concern was trespass which was a worrying trend across the network.
- Project management of the larger scale projects, such as IT and CCTV was proving challenging. This was largely owing to issues with external contractors.
- There had been an HMIC inspection on data quality which had given a positive outcome.
- Members were reminded of their EDHR champion role
- BTP had a strong public order provision with a number of Police Support Units (PSUs) ready and capable.
- Stop and search figures had been reviewed. There was an issue over whether stop and accounts should be recorded. BTP had stopped recording these as there was no longer a requirement to do this. However, there was a request from the Metropolitan Police Authority (MPA) that BTP continue to record. This was under review but it was noted that 7% of stop and accounts took place in London and BTP tried to work in similar ways to its regional partners. The non-recording had also been raised by the advisory groups.
- The DfT had been advised that it was imperative that BTP discharge their function under the Strategic Policing Requirement. It had been recommended that BTP should be signed up to the first year of the trial, then, if content, the DfT should be invited to sign up as part of secondary legislation.

The report was noted.

77/2011 Chief Executive's Report

Agenda Item 5

The Chief Executive added that the Estates Department had successfully concluded rent reviews for the BTPA offices and FHQ. The landlords for BTPA had originally requested a 20% increase in rent for the second five years of the lease which had been negotiated down to 10%. The FHQ rent review had been negotiated down by 22% from the landlord's opening amount. An outstanding debt of £250k owed to BTP had also been settled as part of the FHQ rent review.

A question regarding the risk to the security of bank deposits held on behalf of BTPF was raised. It was agreed that a report to the Finance Group should be made to cover this.

The report was noted.

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Agreed

- A report to be prepared to go to the Finance Group on the security of bank deposits held on behalf of BTPF.

78/2011 Quarter 2 Finance Group Report

Agenda Item 6

Mr Weimar had been appointed Chair of the Finance Group succeeding Mr Dobbs who had resigned from the Authority in September to move overseas. Mr Franks had joined the Group and Mr Butcher would be joining the Group in January. The Group would be looking at how structure and resources were used to achieve value for money within BTP and had also requested increased visibility of the capital programme.

At the end of quarter 2 BTP was reporting an overspend of £0.8m, primarily driven by Operation Bench (BTP's response to the August unrest). There was ongoing discussion with DfT on the recovery of the £1.5m estimated cost of Operation Bench. The DfT had stated that in principle they would follow the Home Office's lead on this matter. However, in the meantime BTP was being prudent and trying to recover the money from within its own budget in the event that the money was not refunded. It was noted that this was not without operational impact which would have to be bought out. There was a possibility that should the £1.5m be paid by the DfT not all of it would be required to buy out the operational risk and so there might be a further but unquantifiable saving.

The position for the BTPA budget was an underspend at the end of quarter 2 but this was expected to be spent as additional legal costs were anticipated.

The Group received the End of Project Report on the London North Custody project. There was some concern as there had been a significant overspend. This led to a useful discussion on contingency funds for projects which were considered to be too low. BTP were asked to look at this and the risk management of projects as it was noted that Britspace, who had been the main contractor for the custody suite project, had gone into administration. The Group noted that more work was needed on the assessment of value for money at the closure of projects.

The report was noted.

79/2011 Strategy Group Update

Agenda Item 7

The Strategy Group had received an excellent presentation on BTP's response to the McNulty Report which would be brought to the December Authority meeting.

Members were reassured that the Strategic Plan was being written to be coherent with the McNulty response and the Medium Term Financial Plan (MTFP).

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It was explained that whilst a 30% reduction in cost per passenger kilometre was advocated this did not read across as a 30% reduction in cash for BTP as the 30% was in real terms as opposed to nominal, savings had already been made and the numbers were fluctuating depending on passenger growth and other factors.

The 30% reduction had not been accepted at this point but was a contextual point in the analysis. However, it was acknowledged that significant investment had been made in BTP since the inception of the BTPA and there should be sustainable change resulting from the investment.

Agreed

- BTP to present the McNulty response work to the full Authority in December.
- The discussion at the December meeting to be fed into the DfT Command Paper.

80/2011 Disaster Recovery Report

Agenda Item 8

This had been discussed at the Strategy Group where various assurances on cost, location and timescales had been sought. The recommendation from the Group was to approve a full disaster recovery capability at the Birmingham Axis building and the required expenditure as detailed in the report attached as Appendix A.

BTP reassured the Authority that the estate would be ready, but noted that there was a dependency on IT.

Agreed

- A full disaster recovery capability at the Birmingham Axis building was approved, following assurances on cost, timescales and location.
- The expenditure of £1,021k in 2011/12 for set up was approved
- A total sum of £1,321k (including the £1,021k set up cost) was approved as the whole life cost over 10 years.

81/2011 Policing Plan Group Minutes 28/09/11

Agenda Item 9

No substantial changes had been proposed to the main headings of the Policing Plan following feedback from stakeholders.

There was work underway to find an acceptable metric for measuring disruption on the network. BTPA and BTP were working with Network Rail and ATOC to find a solution and it was expected that there would be a proposal on this by December. A target could not be set until a reliable measure had been identified.

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There had been some concern from Area Commanders about how performance could be improved in an Olympic year without an increase in budget. The Policing Plan Group advised that they were cognisant of this factor and would be mindful of it in drawing up the Plan.

Problem solving plans for hotspot areas were becoming difficult to negotiate. It was agreed that any plan needed to be acceptable to the stakeholders but deliverable for BTP.

82/2011 Professional Standards Committee 26/10/11 Oral Update

Agenda Item 10

There had been discussion at the Committee about whether officers who had been the subject of complaints should receive copies of the Investigating Officer's (IO) Report, as was currently provided to the complainant on completion. There was a concern among Committee members that as this information was effectively public once in the hands of the complainant, that by not receiving a copy the officer was put at a disadvantage. BTP had advised that access was allowed if requested by the officer, and officers would be reminded of this via the intranet. If access was requested the officer would be invited to go to meet the Professional Standards Department (PSD) to discuss the report. There was a further concern that officers may be put off viewing a copy if this could only be done at PSD. The Committee had been arguing for circulation of the final report to officers as a matter of course. BTP were concerned that by circulating the IO Report to officers as a matter of course this could be bureaucratic and increase the workload with officers questioning sections of the report. The uptake of this would be monitored in the next quarter by PSC.

There had been a significant increase of complaints recorded in the last quarter from the previous quarter (127 complaints in Q2 compared to 98 in Q1 and 107 in Q4). An August spike appeared to be common but there was no clear explanation for this. It was noted that there had not been any delays in investigations resulting from the increased workload.

There remained a larger percentage of complaints against PCSOs in terms of breaches than they constituted of the organisation. This was ongoing theme which was being monitored.

The grievance data supplied was improving and there was now an HR representative attending the Committee. There were currently no significant concerns with regard to these figures.

The Committee was updated on how complaints regarding mutual aid officers would be handled during the Olympics. It had been agreed that once the mutual aid officers had arrived with BTP any investigation would be carried out by BTP and handed back to the officer's own force for adjudication and sanction and vice versa. If a complaint was received once the officer had finished their mutual aid duties it was expected that this would be handled by the officers own force with assistance as required.

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PSD was mindful that there would likely be an increase in complaints over the Olympics period but advised that it was confident it would have the appropriate resources to manage.

There were several changes to the regulatory framework for conduct, performance and complaints that had been consulted on and were due to come in mid/late 2012. These were to reflect the changes with the introduction of Police and Crime Commissioners and included other revisions of process following feedback. BTP and BTPA provided a joint response to the consultation on 28 October. BTPA will need to mirror these regulations for BTP as far as they are relevant to the structure of the Force. This will be a significant piece of work and will require Secretary of State approval.

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PART II - ITEMS TAKEN IN PRIVATE

83/2011 Minutes continued

Agenda Item 12

It was noted that the West Coast franchise, whilst being awarded in January, would not go live until December 2012.

The minutes were approved as an accurate record with this minor clarification.

84/2011 Firearms Capability Project

Agenda Item 13

The Authority was updated on the progress of the firearms project.

The report was noted.

85/2011 Charging Model - Implications for PSA Holders

Agenda Item 14

In order to finalise the Police Service Agreement (PSA) document for meaningful consultation it must be supported by a charging model to explain the implications of its adoption. The Authority discussed the current charging model and potential modifications to this as the way forward. The Authority noted there must a compelling reason to make any modification to the Model as it had not been successfully challenged to date.

86/2011 Draft MTFP

Agenda Item 15

The Authority considered the Medium Term Financial Plan. A decision on the 2012/13 budget would be taken at the December Authority meeting and a public announcement made following this.

Signed.....

Chairman