

**NOTTINGHAMSHIRE POLICE AUTHORITY**  
**County Hall, West Bridgford, Nottingham, NG2 7QP**  
**Tel: Nottingham (0115) 977 4897**

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**MINUTES**  
**OF THE MEETING OF THE**  
**NOTTINGHAMSHIRE POLICE AUTHORITY**  
**HELD ON WEDNESDAY 25<sup>TH</sup> FEBRUARY 2009**  
**IN THE RUFFORD SUITE**  
**COUNTY HALL**  
**WEST BRIDGFORD**  
**NOTTINGHAM**  
**COMMENCING AT 10.00 AM**

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**MEMBERS PRESENT**

Cllr P Barnes  
Cllr J Clarke  
Cllr M J Cox  
Mr D Dean  
Mrs K Gill  
Mrs G Harrison  
Dr P Hodgson  
Cllr G Long  
Cllr I Malcolm  
Ms J Moore JP MBE  
Cllr J Napier  
Cllr D Shaw (from 10.15)  
Mr A J Street  
Cllr P Tsimbiridis  
Ms S Webber

**OFFICERS PRESENT**

Miss W Bentley (part)	-	Assistant Committee Officer
Ms S Blair	-	Better Times
Mr S Hobbs	-	Chief Executive
Ms J Hodson	-	Chief Constable, Nottinghamshire Police
Mr D Oates (part)	-	Performance Analyst, Nottinghamshire Police
Mrs C Radford	-	Deputy Chief Executive/Treasurer
Mr H Roberts	-	Deputy Chief Constable, Nottinghamshire Police
Mrs M Smith (part)	-	Policy Officer
Mrs D Warriner (part)	-	Committee Officer
Mrs A Williams	-	Director of Finance and Corporate Services, Nottinghamshire Police

plus 4 members of the public and 2 members of the press.

**1. MINUTES OF LAST MEETING OF THE AUTHORITY HELD ON 10<sup>TH</sup> DECEMBER 2008 (DOCUMENT A)**

The minutes of the meeting held on 10<sup>th</sup> December 2008 were agreed and signed.

**2. APOLOGIES FOR ABSENCE**

Received from Cllr K Walker.

**3. DECLARATIONS OF INTEREST**

Members had a dispensation on declaring an interest in Members Allowances.

Mr Dean declared an interest in the Participatory Budget Pilot item and Mrs Radford and Mrs Warriner declared an interest in the item on Police Authority staffing issues.

**4. QUESTIONS FROM MEMBERS OF THE PUBLIC UNDER STANDING ORDER 24**

Written questions had been received from Mr R A Lawrence (A), Mr A Grice (B), Mr & Mrs Willis (C) and Mrs McCarthy (D). Written answers were provided to A, B and C.

With regards to A, B and C, Cllr Cox reminded members that the Chief Constable had been given delegated responsibility for Injury Award Reviews three or four years ago and that anomalies existed in the process for those retirees over the age of 65 and those under this age. He expressed serious concerns as to the administration of the scheme by the Force.

The Chief Constable thanked Cllr Cox for his comments and assured members that she supported the view that people should always be treated with respect. She was looking into reviewing the process.

It was agreed to convene a meeting of the Protocol group within the next month to further consider the issues raised.

With regard to D, the question referred from the East Midlands Joint Committee on 23<sup>rd</sup> February, the Chief Constable indicated that a written response had been prepared and would be provided. Data on injuries and fatalities to pedestrians from cyclists on non-cycle paths was held by the councils up to 2008, and no deaths had been recorded in 2009. The problem of cyclists on non-cycle paths was taken seriously by the police and fines of £30 could be issued.

The Chair and members commented on the fact that that the number of questions from the public was unprecedented. This should be seen as positive in that the public are confident to raise issues through this process.

**5. PRESENTATION OF PETITIONS**

There were none.

**6. QUESTIONS TO THE CHAIRMAN OF THE AUTHORITY UNDER STANDING ORDER 9.1 (A)**

There were none.

**7. CONFIRMATION OF DATE FOR AGM**

It was agreed to hold the Police Authority Annual General Meeting on **12<sup>th</sup> August 2009 commencing at 2pm.**

**8. MINUTES FROM COMMITTEE MEETINGS (DOCUMENTS B)**

**i) Community Engagement Committee 7<sup>th</sup> January 2009**

Miss Moore commended the feedback on customer confidence.

**ii) Staff Liaison Diversity Forum - none**

**iii) Performance Committee 4<sup>th</sup> February 2009**

Officer performance was praised by Mr Street as were the measures being taken to address the underspend due to retirement and movement of officers.

Miss Moore informed members that additional Animal Welfare Lay Visitors had been recruited.

*Mrs Warriner left the meeting.*

*Miss Bentley joined the meeting.*

**iv) Police Professional Standards Committee 20<sup>th</sup> February 2009**

Mr Dean presented the minutes. The presentation on MOPI had been well received and MOPI was vital to the organisation.

The Deputy Chief Constable clarified the notes in that 18% of ethnicity was not known across divisions and departments.

Relating to the point in the final paragraph, Mr Dean emphasised that decisions and appeals are taken seriously and messages are reinforced.

**v) Standards Committee 9<sup>th</sup> December 2008**

Mr Street referred to the significant changes required to the composition of the Standards Committee following legislative changes. Joint recruitment was being undertaken with the County Council.

**9. Members' Reports for November and December 2008 and January 2009 (Document C)**

Noted.

**10. Conference Reports - none**

## REPORTS FOR DECISION

**11. Joint Reports of the Chief Constable and the Chief Executive****i) Annual Policing Plan and 3-Year Strategy (Document D)**

Members noted that the Community Engagement Committee at which the final draft of the Plan would be submitted would meet on 1<sup>st</sup> April, not 31<sup>st</sup> March as stated in the report. The Plan needed to be published by the end of June 2009.

Some inventive ideas on publication were being pursued, making it a 'living document'. It would be actively disseminated to staff and officers and a summary produced for public distribution.

**RESOLVED 09/01**

To submit the final draft of the Plan to the Community Engagement Committee on 1<sup>st</sup> April 2009 for approval.

**ii) Draft Targets (Document E)**

Partnerships were fully engaged in the process with public confidence as a priority.

The greater need to involve partners had significantly improved partnership working, but consideration in setting more stretching targets than previously considered may be needed and this would raise an issue with regard to alignment with LAA targets.

CDRPs would meet and discuss targets suggested in the report. Members were asked to agree the targets in principle, subject to these discussions. Organisational targets would be reviewed at the March meeting of the Performance Scrutiny Board, along with the final draft targets.

**RESOLVED 09/02**

- 1 To approve in principle the proposed APAC targets.
- 2 Subject to any further representations made by partners, to consider final force and local targets at the Performance Scrutiny Board meeting on 27<sup>th</sup> March 2009.

**12. Report of the Treasurer****i) Members Allowances**

Nominations for a members allowances working group were sought.

Cllr M Cox, Ms G Harrison and Cllr J Napier were nominated.

**RESOLVED 09/03**

- 1 To nominate a member working group to incorporate the APA guidance within the Authority's scheme for approval.
- 2 That the working group make recommendations and report to the Police Authority meeting on 22<sup>nd</sup> April for the final approval of the Scheme.
- 3 To publish the Scheme by placing it on the Authority's website.

### 13. **Joint Reports of the Chief Constable and the Treasurer**

#### i) **Treasury Management Strategy (Document G)**

The Authority is required to approve annually the Treasury Management and Annual Investment Strategy.

Detail has been given on the Financial Climate within which the Authority and Force now operate and based upon the best available information, what the next twelve months and longer-term view could be.

Using the best economic advice from the Authority's advisors and the information within the next three reports on the agenda, ie the proposed capital programme, prudential indicators, revenue budget and medium term financial plan, the Treasury Management Strategy has been developed. The Strategy itself explains the risks that can affect the Authority.

The Annual Investment Strategy is significantly different from previous years. Where the Authority previously approved a counter party list based upon the ratings given by Fitch with a minimum of an AA rating. The main change going forward is that the approved counter party list will be based upon the lowest common denominator across all three rating agencies. There is a facility for the Treasurer or Director of Finance to approve transactions where the lowest denominator is an A rating but this will be for a maximum of £2 million for 1 month.

Members commented positively on the report and the information contained therein for the clarity and detail provided.

#### **RESOLVED 09/04**

- 1 To approve the Treasury Management Strategy and Annual Investment Strategy for 2009/10, including the limits and instruments that can be used and the delegated authority as detailed in Appendix A section 8 of the report.
- 2 To approve the List for counterparties for lending/investment purposes as detailed in Appendix B of the report, which will be updated with changes as they are notified.

#### ii) **Capital Strategy, Asset Management Plan and Prudential Indicators (Document H)**

The Director of Finance introduced the proposed Capital Programme, Asset Management Plans and Prudential Indicators. The Capital Programme is the programme proposed following a detailed process of business cases and linked closely with the Policing for You vision, ensuring Value for Money, and the Asset management strategies for property and IT.

Members had recently had a presentation on the IT Asset plan and the Property Asset plan had been updated to reflect recent changes since its production last year.

All of the proposed projects had been costed taking account of the full revenue impacts in relation to borrowing costs and MRP requirements.

The prudential indicators reflect the proposed programme and demonstrate its affordability. The previous agenda item on Treasury management is also closely linked to this.

Members commented on the ease in understanding the links between each element of this process.

**RESOLVED 09/05**

- 1 To approve the four year capital programme set out in Appendix C of the report
- 2 To approve the statement of Prudential Code indicators set out in Appendix D.

**iii) Budget and Precept 2009-10 (Document I)**

The Director of Finance introduced this report, which incorporated the presentations and reports that members had received since Summer 2008.

Significant issues were highlighted from the current year forecast underspend, uses of reserves, the level of grant and potential impact of the current financial climate.

Employee costs account for almost 80% of the budget and the fact that there is a three-year pay settlement for both Police Officers and Police Staff provides some stability. However, risks exist if the future years' settlements are less than the agreed pay settlements. Grants had increased by 3.3% for 2009/10.

The Treasurer had given assurance on the robustness of the estimates and the levels and proposed use of reserves. Members were satisfied that there were sufficient reserves in place and these reflected the Reserves Strategy approved at the Police Authority meeting on 10<sup>th</sup> December 2008.

A net budget requirement increase of 4.9% was proposed together with a 4.94% increase in the policing precept. This equates to a 14p per week increase on a Band D property. Most properties in Nottinghamshire are either a Band A or band B, which would see an increase of 9p and 11p per week respectively.

The Treasurer and Director of Finance and finance staff were thanked for their work in the production of the report.

**RESOLVED 09/06**

Revenue Budget:

- a) that the net budget requirement of £196.039 million after the use of unearmarked reserves of £4.130 million be approved for 2009-10.
- b) that the proposals for use of reserves set out in paragraph 17.3 be approved.

Policing Precept:

- c) that the precept for policing purposes for 2009-10 is agreed at £50,343,151 (paragraph 21.10)
- d) that the police element of the Council Tax for 2009-10 be set at £152.82 for a Band D property (paragraph 21.5)

- e) that payments by instalments from the District and Unitary Councils be in accordance with the amounts and dates specified in Appendix A.

**iv) Update of Medium Term Financial Plan (MTFP) (Document J)**

This report finalises all of the financial information from the budget, precept, capital and treasury management reports.

The Director of Finance explained the assumptions and risks included within the financial forecast.

**RESOLVED 09/07**

To approve the Medium Term Financial Plan.

**v) Obsolete Stock (Document K)**

Members agreed the proposal to write off obsolete stock, which would be donated to overseas forces (after removal of all badging and insignia).

**RESOLVED 09/08**

To agree the proposal to write off the obsolete stock identified in the report. A presentation would be made to Members on the proposed new uniform.

**14. Report of the Chief Executive**

**i) Police Authority Improvement/Development Plan (Document L)**

The Chief Executive introduced the revised plan which took account of an assessment carried out against the Police Authority framework, the Member Review system and the work of the Police Authority Improvement Group.

Lead members for the IIP Application and Every Child Matters would be considered outside the meeting.

**RESOLVED 09/09**

- 1 To approve the action plan. (Appendix 1)
- 2 To note the activities being undertaken or proposed in relation to areas of development identified.
- 3 To agree that each committee and panel be required to identify a lead member for each action belonging to that committee/panel in the plan.
- 4 To identify a lead member for IIP Application and Every Child Matters.
- 5 To agree revised job description of Chair of Authority. (Appendix 2)
- 6 To note the composition of a small group to work particularly on engagement and diversity issues.
- 7 A staff and member training plan for 2009/10 would be circulated.

**15. Report of the Chief Constable**

**i) Review of the Special Priority Payment Scheme (SPP) for 2009  
(Document M)**

The proposal that the Scheme mirror that of the 2007 and 2008 schemes in terms of eligible posts was approved.

Although BME representation figures were not available for the 2008 Scheme, monitoring and review arrangements that were in place indicated that discrimination was not apparent.

**RESOLVED 09/10**

- 1 To note the report, including the attached protocol.
- 2 To approve the attached protocol (Appendix 1 of the report) for the SPP scheme for Nottinghamshire Police for application between January 2009 and December 2009.

**REPORTS FOR INFORMATION**

**16. Report of the Chief Executive**

**i) Participatory Budget Pilot (Document N)**

*Mr Dean left the meeting.*

The Participatory Budget Pilot was proceeding in partnership with Mansfield District Council.

Dates of forthcoming public meetings were stated as 28<sup>th</sup> February, Mansfield Town Football Club and 14<sup>th</sup> March, Kingsway Hall, Forest Town. An additional public meeting may be held at the end of March. All members were invited to attend.

*Mrs Warriner rejoined the meeting and Miss Bentley left the meeting.*

**RESOLVED 09/11**

To note the report and in particular the dates of the public meetings as follows (morning and afternoon): 28<sup>th</sup> February, Mansfield Town Football Club; 14<sup>th</sup> March, Kingsway Hall, Forest Town.

*Mr Dean rejoined the meeting.*

**17. Joint Report of the Chief Constable and the Treasurer**

**i) Review of Injury Awards (Document O)**

As discussed under item 4, a meeting of the Protocol group would be convened, by the end of March or sooner, to consider this item

**RESOLVED 09/12**

- 1 To note the report and request a review in a further 12 months.
- 2 To convene a meeting in accordance with the Protocol with the Federation and NARPO and Police Authority representatives to review the operation of the scheme to date and consider any representations for changes to the scheme.

**18. Report of the Chairman****i) Charging detainees for Custody Services – oral report**

The Chair suggested that, in light of the fact that £7m was paid out for custody suites, detainees could be charged for their stay, at the least for their food. This could potentially pay for extra police officers to be recruited. When this had been proposed previously, in 2006, the Chief Executive had written to the Home Office on behalf of members asking that this suggestion be considered. At that time, the Home Office had rejected it.

A further approach could be made to the Home Office to check the current position.

Members agreed with the idea in principle, but were concerned over possible problems of administration and human rights issues.

**RESOLVED 09/13**

To discuss this further at a members business meeting.

**19. Reports of the Chief Constable****i) Neighbourhood Policing (Document Q)**

*One member of the public left the meeting.*

Members were assured by the Chief Constable that there would be no detriment to either delivery or commitment of neighbourhood policing by the reconfiguration of neighbourhood areas. Each beat would still have the same priorities and would still be expected to respond to public concerns within one hour. In addition, benefits would be gained by the change, in that auditability would be enhanced and local accountability would be maintained.

Continuity of service would be kept and service levels upheld, such that members of the public should not be adversely affected.

Details of how members would work with neighbourhood teams would be considered at a meeting of the Community Engagement Committee.

**RESOLVED 09/14**

- 1 To note the report and the decisions made by the Force Executive Group.
- 2 To agree the detail of members' responsibility at the next meeting of the Community Engagement Committee on 1<sup>st</sup> April.

*Three members of the public left the meeting.*

**ii) Extended Issue of Taser (Document R)**

TASER (Thomas A Swift Electronic Rifle) is a brand name for a conductive energy device which utilises an air cartridge which on activation discharges two probes that attach themselves to the subject and delivers an electrical current along the wires to achieve incapacitation.

Supt B Cameron indicated to members that he had carried out an analysis and a risk assessment of the extended use of Taser. Members were reassured that issues relating to disability had been considered. Although it was possible for secondary, stress-related problems to occur due to the situation in which a Taser was deployed, for example, as a result of a fall, no deaths directly related to Taser use had been recorded.

Initial costs of Taser purchase would be met by the Home Office, but ongoing costs, together with costs of consumables, batteries, holsters and other items and training would need to be found from the Operational Support Budget.

As Pc Andy Bovell explained, officers trained in Taser use received additional training in conflict management over and above that provided to regular officers. Taser use always depended on the situation and other tools were also available, eg CS spray, firearms etc. Before a Taser would be fired, a suspect would be warned clearly that its use was imminent and given chances to comply. A red dot would be shone on the suspect with an indication that this was a Taser weapon, followed if necessary by a crackling sound being emitted from the device, indicating that electricity was present. In most cases, this was sufficient deterrent to end the incident.

On the rare occasions when Taser was fired, it interfered with the body's ability to stand as it caused all muscles to contract, rendering the suspect immobile. If no effect had been noted after three or four 5-second firings, its use on the suspect was stopped. On all occasions when Taser was issued, whether it was used or not, its issue was recorded and serial numbers recorded. For identification purposes, Tasers were yellow and AFID (Anti felon identification) tags were fired from the cartridge when it was used which identified the cartridge, providing an accurate audit trail. A (disabled) Taser and various components were passed round for members to view.

Sup Cameron and Pc Bovell were thanked for their presentation.

A demonstration was then given of a live Taser being fired at a screen.

#### **RESOLVED 09/15**

To note the report.

*The following people left the meeting: Cllr P Barnes, Ms S Blair, Ms J Hodson, Mr H Roberts, Mrs A Williams and members of the press.*

#### **EXCLUSION OF THE PUBLIC**

Under Section 100(A) (4) of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 the public were excluded from the meeting for the remaining items of business on the agenda on the grounds that it involved the likely disclosure of exempt information as defined in Schedule 12A, Part 1, in Paragraphs (relevant paragraph number(s)) to the Act and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

**EXEMPT ITEMS**

- 20. EXEMPT MINUTES OF THE POLICE AUTHORITY MEETING ON 10<sup>th</sup> DECEMBER 2008**
- 21. EXEMPT MINUTES OF POLICE PROFESSIONAL STANDARDS COMMITTEE MEETING ON 20<sup>TH</sup> FEBRUARY 2009**
- 22. EXEMPT REPORT OF THE CHIEF CONSTABLE**
  - i) Lease**
- 23. EXEMPT REPORTS OF THE CHIEF EXECUTIVE**
  - i) Appeal to Standards Committee**
  - ii) Senior Officer Issues**
  - iii) Police Authority Staffing Issues**

*The meeting closed at 1.30pm*