

SOUTH YORKSHIRE POLICE AND CRIME PANEL

**OFFICES OF THE SOUTH YORKSHIRE JOINT AUTHORITIES, 18 REGENT STREET,
BARNSELY, S70 2HG**

2 FEBRUARY 2018

PRESENT: Councillor S Sansome (Rotherham MBC) (Chair)

Councillors: J Dunn (Sheffield City Council), D Hughes (Doncaster MBC), J Otten (Sheffield City Council) and S Wilkinson (Doncaster MBC)

Independent Co-opted Members: Mr A Carter and Mr S Chu

Dr A Billings (South Yorkshire Police and Crime Commissioner), M Clements (Office of the South Yorkshire Police and Crime Commissioner), E Redfearn (Office of the South Yorkshire Police and Crime Commissioner) and F Topliss (Office of the South Yorkshire Police and Crime Commissioner)

Officers: D Cutting, M McCarthy, L Noble and A Shirt (Barnsley MBC)

Apologies for absence were received from:
Councillor A Khayum (Sheffield City Council), Councillor B Cutts (Rotherham MBC), Councillor D Griffin (Barnsley MBC), Councillor B Johnson (Sheffield City Council), Councillor R Sixsmith MBE (Barnsley MBC), M Buttery (Office of the South Yorkshire Police and Crime Commissioner) and S Parkin (Office of the South Yorkshire Police and Crime Commissioner)

1 **APOLOGIES FOR ABSENCE**

Apologies for absence were noted as above.

The Panel wished Councillors Khayum and Sixsmith MBE well in their recovery from long term illnesses.

2 **ANNOUNCEMENTS**

None.

3 **URGENT ITEMS**

None.

4 **ITEMS TO BE CONSIDERED IN THE ABSENCE OF THE PUBLIC AND PRESS**

None.

5 DECLARATIONS OF INTEREST BY INDIVIDUAL MEMBERS IN RELATION TO ANY ITEM OF BUSINESS ON THE AGENDA

None.

6 PROPOSED COUNCIL TAX PRECEPT FOR 2018/19

A report was submitted to notify the Police and Crime Panel of the South Yorkshire Police and Crime Commissioner's ("the Commissioner") proposed Council Tax precept for 2018/19.

The Commissioner reported that the provisional 2018/19 Police Finance Settlement had been announced on 19 December 2017. The Government's grant funding had been maintained at 2017/18 levels with the expectation that, should each PCC raise their precept by the maximum allowed, along with the new Council Tax base, there would be an increase in funding for each Police force.

The draft Council Tax referendum principles for 2018/19 would allow PCCs to increase Band D properties by up to £12 for the year. For South Yorkshire, this represented an increase of 7.6% and would produce a Band D Council Tax of £170.16. 70% of South Yorkshire properties are Band A and Band B, equating to annual increases of £8.00 and £9.33 respectively.

This would generate Council Tax income of £61m (including estimated collection fund surplus of £1.8m) for 2018/19, an increase of approximately £5.2m.

M Clements outlined the proposed budget for 2018/19, including the anticipated effect of inflation of £4.9m (£2.5m for the full 2% pay award), £1.3m cost pressures, £1.9m growth pressures, costs of transitioning to a new policing model and the continued cost of historic 'Legacy' issues relating to the Hillsborough disaster and child sexual exploitation (CSE). It was highlighted that the proposed increase in Precept and use of £7.3m reserves would be required to balance the 2018/19 budget.

There was estimated to be additional, non-recurrent costs of £2.0m for transitioning to the new Target Operating Model (TOM), Local Policing Review, Crime Review and Atlas Court Review. The extensive change programme would embed in 2018/19 and was predicated by SYP to facilitate significant improvements in both efficiency and effectiveness, which would be a catalyst to budget savings from 2019/20.

All the cost pressures, including Legacy costs totalled £17m. The Force had identified savings plans totalling approximately £6m (2.5%) for 2018/19, to off-set some of those costs. These included non-pay savings, additional income, review of establishment control processes and review of shift patterns and associated allowances.

It was highlighted that there was a significant risk and key pressures associated with Legacy costs. The outcomes of any Home Office Special Grant Funding

applications could affect the level and adequacy of the reserves in future years. In preparing the budget it had been assumed, under the current rules, that the maximum entitlement of the Special Grant would be given to South Yorkshire.

With the maximum grant entitlement there would be a £7.1m shortfall to fund within the 2018/19 budget.

The Commissioner and Force would be meeting with representatives from the Home Office on 13 February to follow-up on written correspondence to the Home Secretary around key pressures / Legacy issues and Special Grant Funding.

Members noted that the level of reserves would be kept under review as part of the medium term resources planning and the monitoring of risks.

Councillor Dunn asked if the Force was successful in its application for Home Office Special Grant Funding, what the timescales would be for receiving this funding, and whether this had affected the way the budget had been formulated.

The Commissioner provided a detailed response relating to the complexities around Home Office Special Grant Funding.

M Clements added that there was generally a time delay between incurring the Legacy costs and grant funding being received from the Home Office. It was confirmed that Legacy costs were monitored closely and the funding matched with the expenditure in the accounts.

Councillor Dunn commented that it was very important for the Commissioner to continue working closely with the four local authorities and their respective Community Safety Teams.

The Commissioner agreed that working with the four local authorities and other partners was essential. All were being asked to do the same amount of work with fewer resources. It was important for the Force to understand where demand was arising; this could not be done without the help of partners.

Councillor Dunn asked, in terms of the proposed budget, if there would be any reduction in the number of visible Police Officers patrolling neighbourhoods.

The Commissioner replied that, over recent years Police Officer numbers had reduced by 500 to 2,400 Officers in South Yorkshire. Currently, there was no opportunity to grow this budget and restore the number of Officers. The Commissioner commented that he would be pressing the Chief Constable to become much smarter in the ways the Force engages with members of the public and local Councillors.

Mr Chu referred to the proposed budget for 2018/19. He asked if further details could be provided regarding the 'Non Recurrent Budget Adjustment' and the '2017/18 Unachieved Savings'.

M Clements replied that the 'Non Recurrent Budget Adjustment' related to additional support to the Force, which had been reflected in the current financial

year. This was non-recurrent in its nature and had been adjusted in the base budget. The 'Unachieved Savings' related to budget pressures in 2017/18 and would be resourced in the new financial year.

The Commissioner added that the Force had graded its confidence in achieving savings proposals for 2018/19 as 'high', 'medium' and 'low'. This, caused him some anxiety given previous failures to meet proposed savings. He added that he would be holding the Force to account in this area to ensure that they effectively programme manage the delivery of the savings identified.

Councillor Otten asked if the Commissioner was aware that Police Officers who were using the new Connect system were working on paperwork at the end of their shifts and thus, working overtime. He asked if this practice was affecting the overtime budget.

The Commissioner replied that officers and staff had received training on the new Connect system via a phased approach. There had been some issues with the system and work was ongoing to resolve these. The Commissioner added that he was not aware of any significant problems that impacted on the level of overtime and, regular discussions with the Chief Constable did take place regarding the Force's overtime budget.

Councillor Wilkinson asked what plans were in place for the future if the expected savings were not achieved and all reserves were used in 2018/19. If there were additional Legacy claims received during any year, what effect would this have on Police Officer numbers, operations and cash flow.

The Commissioner replied that he had repeated in conversations to the Force that, if they did not make savings, they could not fall back on reserves, because reserves would eventually run out. The Commissioner added that he wished to avoid having to make cuts on Police Officer numbers, however, savings needed to be identified each year by the Force.

Councillor Sansome asked if the Commissioner could provide detail on the amount of efficiency savings which had been identified.

The Commissioner replied that the savings plans totalled approximately £6m for 2018/19. He also added that he would provide Members with a report considered at the January 2018 Public Accountability Board which set out the proposed areas where savings would be made by the Force in 2018/19.

Councillor Sansome informed the Commissioner that the Panel would like to establish a Budget Working Group consisting of one Member per District, plus one Independent Member and appropriate support from the OPCC to help Panel Members to monitor the budget throughout the year and consider the precept proposals.

The Commissioner replied that he would try to support the Panel's request. He reminded the Panel that it was his responsibility to hold the Force to account in this area and for the Panel to hold himself to account, and this was noted.

F Topliss outlined the consultation undertaken on behalf of the Commissioner throughout the year regarding the 2018/19 budget proposals. It was noted that intense public consultation had been carried out in January 2018 in each district to ask if members of the public would be willing to pay the extra £12 or equivalent. Across most of the districts the feedback was positive, however, residents in Barnsley were more reluctant to pay the additional cost.

Councillor Dunn asked if the consultation would be extended to allow members of the public to provide feedback throughout the year when the budget had been set to ask if they feel they are getting value for money.

F Topliss confirmed that consultation already takes place throughout the year and this would continue. During 2018/19 specific questions would be asked around neighbourhood policing and whether people feel safer in their communities.

Councillor Dunn added that Elected Members could also help provide feedback through their locality working.

Councillor Dunn asked what action the Commissioner was taking to address the considerable budget pressures on the Force and the local authorities regarding increasing operational costs for policing football matches.

The Commissioner replied that there was no specific formula in place to help recover the costs of policing of football matches. It was explained that the fee for policing football matches was negotiated by the Force with each football club.

The Commissioner referred to an application made to the Supreme Court for permission to appeal against the judgement made in the Court of Appeal relating to the charging for special policing services between Ipswich Town Football Club v Suffolk Constabulary. He added that, if Suffolk Constabulary lost the case, this could have consequences for every Police Force in the country. The implications may impact on those forces who had previously charged for on-street policing of football matches and crowd management at major entertainment events in the last 5 years, with fees being refunded to football clubs etc. by police forces and local authorities. This would add further pressures on the budget.

Further details regarding the Court Case would be circulated to Panel Members.

Councillor Sansome asked if the Commissioner could confirm that there would be no reduction in partnership grants given to the four local Community Safety Partnerships.

The Commissioner replied that he was currently in the process of examining the grants given to various partners. He added that there would be some reductions, however, negotiations were currently taking place.

D Cutting provided Members with guidance, as set out in Schedule 5 of the Police, Reform and Social Responsibility Act 2011, regarding the steps to be taken if the Panel decided to veto the proposed precept.

RESOLVED – That Members of the Police and Crime Panel:-

- i) Voted unanimously on the recommendation within the report and agreed the proposed annual increase in Council Tax for 2018/19 of £12 for a Band D property (a 7.6% increase) to £170.16. For Band A properties this equated to an annual increase of £8.00, to £113.44 and for Band B properties an increase of £9.33, to £132.35 be approved.
- ii) Noted that the Commissioner had agreed to provide Members with a copy of a report considered at the January 2018 Public Accountability Board which set out the proposed areas where savings would be made by the Force in 2018/19.
- iii) Noted that the Commissioner would try to accommodate Members' request to support a Budget Working Group.
- iv) Noted that the Commissioner would provide Members with further details regarding the Supreme Court Appeal between Ipswich Town Football Club v Suffolk Constabulary.

7 PUBLIC QUESTIONS:-

8 TO THE POLICE AND CRIME COMMISSIONER

There were no written public questions to the Police and Crime Commissioner.

9 TO THE POLICE AND CRIME PANEL

There were no written questions to the Police and Crime Panel.

10 QUESTIONS FROM POLICE AND CRIME PANEL MEMBERS TO THE POLICE AND CRIME COMMISSIONER

In accordance with Procedure Rule 11 (General Questions from Members of the Panel), the following question had been submitted and the response from the Police and Crime Commissioner:-

Received from Councillor Otten

Do you believe it is a good use of police resources to intervene in peaceful protests regarding the felling of trees in Sheffield?

Response

The police have no reason to "intervene" in peaceful protests as long as they remain peaceful and within the law.

However, it is my understanding that the tree-felling contractors have employed a company (SIA) to remove protestors where they have been dismantling safety zones and trespassing within them (breaches of a High Court injunction).

In these circumstances it is prudent that the police are deployed on stand-by, not least so that they can de-escalate a situation, if possible.

Supplementary Question from Councillor Otten

Councillor Otten asked if the Commissioner was aware that the Police had successfully de-escalated tree protests in Sheffield. Additionally, was the Commissioner satisfied that the Police are sufficiently aware of their duty to protect protestors from inappropriate use of force by the security company employed by the contractor.

Response

The Commissioner commented that this was a very difficult area for the Police and that this situation had been ongoing for a considerable length of time.

He added that the Police have a responsibility to ensure peaceful protests can happen; problems arose when protests became un-peaceful and the Police have to intervene. The Police also have an equal responsibility to ensure that the contractor could implement the policy of Sheffield City Council in relation to tree felling and highway maintenance.

The Commissioner stated that his anxieties had increased more recently, due to the sheer numbers of people protesting, this had also been shared with Sheffield City Council.

The Commissioner understood that there was currently a pause in the works taking place. He hoped this would allow Sheffield City Council and its contractors to think about its policy and include dialogue with the peaceful protestors and the Police. The Commissioner concluded that, it was in everyone's interest to have a reasonable solution.

11 MINUTES OF THE PREVIOUS MEETING HELD ON 15 DECEMBER 2017

Mr Chu requested that his suggestion set out in Minute 18 be amended to read:

‘Mr Chu suggested that, outside of the small grants programme, the Commissioner may wish to commission charities to undertake some of the missing person work’.

The following matters arising were noted:-

- L Noble reported that enquires had been made with West Yorkshire Police and Crime Panel to understand what scrutiny role their Panel performed in overseeing their Commissioner's risk management arrangements. It was confirmed that the Panel did not receive regular reports on risk management, nor did they receive a risk register. Instead, they requested that the Chair of the OPCC / Force Joint Audit Committee attends the Panel on an annual basis to speak about the work of the Committee.

After discussion, the Panel requested that the Chair of the South Yorkshire Joint Independent Audit Committee attends the June 2018 Panel meeting to update the Panel on the work of the Committee.

- With regards to the establishment of a Regional Network, work was progressing to formulate the terms of reference, agree a meeting venue and membership of the Network. The annual fee for being part of the Regional Network would be £500 per panel.
- In relation to the establishment of a Special Interest Group (National Association of Police and Crime Panels), work was progressing to formulate the terms of reference and how the Group would operate. Another Panel had raised the issue of funding the Special Interest Group from the Home Office grant and whether this was possible given the rules around use of Grant monies for lobbying / influencing. Confirmation from the Home Office was currently awaited.

Councillor Hughes referred to Minute 15, he asked the Commissioner if it would be beneficial to have less Force overtime and more Police Officers employed in the communities of South Yorkshire.

The Commissioner replied that Police Officer overtime did concern him and that he had discussed this with the Chief Constable. If overtime was used correctly, there could be savings for the Force. The overtime bill would be kept under review by the Commissioner.

Councillor Sansome referred to the 'Decision Log', noting that the actions in relation to Minute 18 from the Panel meeting held on 15 December 2017, were still outstanding. He asked the Commissioner when information would be provided to the Panel.

The Commissioner replied that the Force was currently compiling the figures; once this process was complete he would make what information he could available to Panel Members.

RESOLVED –

- i) That the minutes of the Police and Crime Panel held on 15 December 2017 be agreed and signed by the Chair as a correct record, subject to the above amendment requested by Mr Chu.
- ii) To request the Chair of the South Yorkshire Joint Independent Audit Committee attends the June 2018 Panel meeting to update the Panel on the work of the Committee.

12 SOUTH YORKSHIRE POLICE AND CRIME PLAN REFRESH 2018 / 2019

A report of the Police and Crime Commissioner was presented setting out a draft refresh of the Police and Crime Plan for 2017 to 2021 ('Plan') in accordance with the requirement set out in Chapter 3, paragraph 5 of the Police Reform and Social Responsibility Act 2011.

The Commissioner made the Panel aware that neither the overall aim nor the priorities in the Plan had changed since last year. Emphasis had changed in some of the outcomes to reflect new and evolving policing and crime demands identified through consultation. In the refreshed Plan, South Yorkshire Police and partners had been asked to work towards four key outcomes.

Councillor Sansome asked if Equality Analysis had been completed under the Equality Act in respect of the Police and Crime Plan.

E Redfearn replied that when the Police and Crime Plan had been prepared, the OPCC did consult with a wide variety of interested parties including the public and various community groups across South Yorkshire. It was confirmed that the OPCC did not formally carry out an impact assessment using the equality checklist. However, all the relevant points individuals had provided were taken into consideration.

Councillor Otten asked that sex workers be added to the key strands of vulnerability set out within the Plan. The Panel supported Councillor Otten's request.

The Commissioner acknowledged Councillor Otten's request.

Mr Carter suggested that further detail around the role of the Police and Crime Panel be added at page 16. E Redfearn commented that page 5 of the Plan had more detail around the work of the Panel, however, the Commissioner agreed to re-visit the wording set out at page 16.

RESOLVED – That Members of the Police and Crime Panel:-

- i) Received the PCC's Draft Police and Crime Plan 2017 to 2021 – Refresh 2018/19; and
- ii) Agreed to provide comments to the Panel's Support Officer by 8 February 2018.
- iii) Requested that sex workers be added to the key strands of vulnerability.
- iv) Requested that further detail around the role of the Police and Crime Panel be added at page 16.

13 ATLAS COURT UPDATE

A report of the Police and Crime Commissioner was presented to provide Members of the Police and Crime Panel with an update on progress with SYP's review of Atlas Court.

A table within the report provided Panel Members with an update on the Force's progress in relation to each objective, including timescales for completion.

Councillor Wilkinson queried if the Sheffield City Council 101 and Out of Hours Service had been routed through to South Yorkshire Police. She asked what effect

this had on the waiting times for 101 and how many calls to 101 were for Sheffield City Council and how many were for the Police.

The Commissioner stated that he was unable to answer the latter part of Councillor Wilkinson's question, however, he could confirm that the contract for Sheffield City Council 101 and Out of Hours Service had been returned to SCC and therefore, it should reduce demand on the 101 service.

Mr Chu asked for assurances from the Commissioner that he would be holding the Force to account in terms of implementing each of the objectives.

The Commissioner replied that there was a significant amount of activity taking place around the implementation of Smart Contact, which he would be monitoring very closely. The timescales for the Force achieving the objectives were scheduled for completion by spring/summer 2018.

Mr Chu requested that a progress update report with regards to the review of Atlas Court / Contact Management Objectives be presented to the June 2018 Panel meeting.

The request was acknowledged by the Commissioner.

RESOLVED – That Members of the Police and Crime Panel:-

- i) Noted the contents of the report.
- ii) Requested that an update report on progress with regards to the review of Atlas Court / Contact Management Objectives be presented at the June 2018 Panel meeting.

14 PCC DECISIONS

A report was presented to provide Members of the Police and Crime Panel with information on decisions taken by the Police and Crime Commissioner (PCC).

RESOLVED – That Members of the Police and Crime Panel noted the contents of the report.

15 WORK PROGRAMME

Members considered the 2018/19 Work Programme.

L Noble reminded Members that, at the last meeting of the Panel, it was suggested that an additional (Member only) meeting be convened prior to the Annual Meeting, to look back at the year and start planning for the year ahead.

Members agreed that an additional Panel meeting be held in April 2018, possibly at the conclusion of the Panel meeting scheduled for 20 April 2018.

RESOLVED –

- i) That Members of the Police and Crime Panel noted the contents of the 2018/19 Work Programme.
- ii) That Members' availability be sought for an additional (Member only) Panel meeting to be held in April 2018 (possibly after the conclusion of the Panel meeting scheduled for 20 April 2018).

16 2018/19 POLICE & CRIME PANEL MEETINGS

A report was submitted to set out a schedule of meeting dates for the Police and Crime Panel in 2018/19.

Members were informed that future meetings of the Panel would be held at Barnsley Town Hall.

RESOLVED – That Members of the Police and Crime Panel:-

- i) Considered and approved the 2018/19 dates as set out below:-

Meeting Date	Pre-meeting for Members	Panel meeting
Friday 20 April 2018	9:30 am	10:00 am
Monday 4 June 2018	12:30 pm	1:00 pm
Monday 2 July 2018	12:30 pm	1:00 pm
Monday 3 September 2018	12:30 pm	1:00 pm
Monday 3 December 2018	12:30 pm	1:00 pm
Monday 4 February 2019	12:30 pm	1:00 pm
Monday 1 April 2019	12:30 pm	1:00 pm

- ii) Agreed to hold additional / extraordinary meetings / training events as and when appropriate / necessary.

17 DATE AND TIME OF THE NEXT MEETING

The next meeting of the Panel will be held on Friday 20 April 2018, 10:00 am, at the Town Hall, Church Street, Barnsley, S70 2TA.

CHAIR