

## **PART 1 MINUTES OF THE HERTFORDSHIRE POLICE AUTHORITY MEETING HELD ON FRIDAY 20 FEBRUARY 2009**

Members present:

Stuart Nagler (Chair), Richard Smith (Vice Chair), Sarah Coffey, Michael Colne, Tony Dodd, Bernard Engel, Robert Gordon, Brenda Griffiths, Chris Kitchin, Ian Laidlaw-Dickson, David Lloyd, Sue Warman, Allan Witherick, Anne Wright

Hertfordshire Police Authority Officers present:

Julia Harries	Committee Manager
Sally Patient	Communications Manager
Chris Sweeney	Treasurer
Andrew White	Chief Executive

Hertfordshire Constabulary Officers present:

Steve Devine	Assistant Chief Constable
James Hurley	Director of Resources
Matt Nicholls	Organisational Change and Planning
Steve Ottaway	Chief Inspector, Operational Support, Collaboration
Chris Powell	Head of Resources
Heather Valentine	Assistant Chief Constable
Frank Whiteley	Chief Constable

Also present:

Stephanie McMenemy, Chief Executive, Bedfordshire Police Authority

### **1. APOLOGIES FOR ABSENCE**

Sherma Batson, Kevin McGetrick and Bengie Walden

### **2. DECLARATIONS OF INTERESTS**

None

### **3. MINUTES**

#### **RESOLVED**

That the Part 1 minutes of Hertfordshire Police Authority held on Friday 21 November 2008 were agreed as a correct record and signed by the Chair.

### **4. CHAIR'S ANNOUNCEMENTS**

- a. Item 18, Police Authority Risk Register, would be taken in Part 1, since the Local Government Act 1972 exemptions did not apply.
- b. Simon Parr, Deputy Chief constable, was welcomed back to after his illness.
- c. Michael Colne, Tony Dodd and Bernard Engel, who were not standing for re-election in the forthcoming County Council elections, were thanked for all their hard work and valued contributions to the Police Authority over the years.
- d. The Safer Herts Campaign won a Silver Award at the Chartered Institute for Public Relations (CIPR) Thames and Chiltern PrideAwards in November 2008 for the Public Sector. All those involved in this highly successful campaign were congratulated for their efforts.
- e. Online Watch Link (OWL), the only system of its kind in the country, was named the best 'Innovation in strategy at a local level' at the recent e-Government National Awards. The Authority congratulated everyone who contributed to this successful achievement.

### **5. QUESTIONS**

None

### **6. PUBLIC PETITIONS**

None

## **ITEMS FOR DECISION**

### **7. POLICING PLAN 2009/12**

The Authority considered the proposed final draft rolling three-year Policing Plan 2009/12, as developed by the Policy and Planning Committee. The Plan is required by the Police and Justice Act 2006 and will be published by 31 March.

Members discussed the Plan and made comments which would be incorporated into the final version. The Authority thanked Sally and all those involved in the development and production of the Plan.

### **RESOLVED**

That the Authority approved the publication by 31 March 2009 of the three-year Policing Plan as set out in the report, with the addition of financial details in accordance with the budget resolution at Item 8 on the agenda.

### **8. REVENUE AND CAPITAL BUDGET 2009/10**

The Authority considered a report setting out the proposed 2009/10 revenue budget, the 2007/08 (revised) and 2009/10 to 2012/13 capital programme, the Minimum Revenue Provision (MRP) and prudential indicators as recommended by Resources Committee, and indicating the levels of precept increase and reserves required to support these proposals.

Members discussed various possible precept levels and their impact on the general public, in particular 4.5% and 4.86%. A Press Release announcing the agreed precept levels would be published immediately after the meeting. An additional resolution, set out at 7 below, was agreed by the Authority.

Brenda Griffiths proposed an amendment to the substantive motions set out in the report, seconded by Chris Kitchin, that the precept increase be set at 4.86%.

On a recorded vote, the following six members voted in favour of this amendment:

Sarah Coffey, Brenda Griffiths, Chris Kitchin, Stuart Nagler, Sue Warman and Anne Wright.

The following seven members voted against this amendment:

Michael Colne, Tony Dodd, Bernard Engel, Robert Gordon, Ian Laidlaw-Dickson, David Lloyd and Richard Smith.

Allan Witherick abstained from the vote.

This resolution was LOST.

The Authority took a recorded vote on the substantive motions, including a precept increase of 4.5%, as set out in the report.

The following eight members voted in favour of the resolutions:

Michael Colne, Tony Dodd, Bernard Engel, Robert Gordon, Ian Laidlaw-Dickson, David Lloyd, Richard Smith and Allan Witherick.

The following six members voted against the resolutions:

Sarah Coffey, Brenda Griffiths, Chris Kitchin, Stuart Nagler, Sue Warman and Anne Wright.

In accordance with Standing Orders, since the votes in favour did not constitute at least half of the total membership and include more than half of the members appointed by Hertfordshire County Council, the resolution was LOST.

A further recorded vote was taken on the same motion of a 4.5% increase.

The following seven members voted in favour of the resolutions:

Michael Colne, Tony Dodd, Bernard Engel, Ian Laidlaw-Dickson, David Lloyd, Richard Smith and Allan Witherick.

The following seven members voted against the resolutions:

Sarah Coffey, Robert Gordon, Brenda Griffiths, Chris Kitchin, Stuart Nagler, Sue Warman and Anne Wright.

In accordance with Standing Orders, since the votes in favour did not constitute at least half of the total membership and include more than half of the members appointed by Hertfordshire County Council, the resolution was LOST.

A third recorded vote was taken on the same motion, after a brief adjournment.

The following nine members voted in favour of the resolutions:

Michael Colne, Tony Dodd, Bernard Engel, Robert Gordon, Ian Laidlaw-Dickson, David Lloyd, Stuart Nagler, Richard Smith and Allan Witherick.

The following five members voted against the resolutions:

Sarah Coffey, Brenda Griffiths, Chris Kitchin, Sue Warman and Anne Wright.

The resolution was PASSED including the relevant sub-clauses below:

## **RESOLVED**

1. That the precept increase be set at 4.5% for 2009/10.
2. That the revenue budget requirement for 2009/10 be £184.931m, including a domestic budget for the Police Authority of £1.125m.
3. That £1.100m of General Reserves and £0.842m of the specific Capital Financing Reserve be used to support the 2009/10 revenue budget.
4. That the Band D Council Tax for the Police Authority be set at £142.82 and that the amount of tax calculated for all bands and precept amount required from the District Councils be as set out in Annex 1 of the report.
5. That the Capital Programme for 2008/09 (Revised) and 2009/10 to 2012/13 be as set out in Section 10 of Annex 2 of the report.

6. That the Minimum Revenue Provision (MRP) Policy and Prudential Indicators be as set out in Section 10 of Annex 2 of the report.

Additional Resolution:

7. That the Police Authority recognises that Hertfordshire Constabulary is a high-performing Police Force working efficiently and effectively with limited resources. The Authority notes that Central Government continues to restrict the grant allocation provided to Hertfordshire, using the grant 'ceiling' mechanism.

## **9. TREASURY MANAGEMENT STRATEGY 2009/10**

The Authority considered the Treasury Management performance from 1 April to 31 December 2008, the proposed Treasury Management Prudential Indicators for the next three financial years and the proposed Treasury Management strategy for 2009/10 to 2011/12. This had been reported to Resources Committee in February which agreed that a detailed examination of the Authority Treasury Management Policy be undertaken.

### **RESOLVED**

1. That the Treasury Management performance was noted.
2. That the Treasury Management Prudential Indicators for the next three financial years were approved, as set out in the report.
3. That the Treasury Management strategy for 2009/10 to 2011/12 was approved, as set out in the report.

## **10. COLLABORATION**

### **A(i) SECTION 23 AGREEMENT FOR THE BEDFORDSHIRE AND HERTFORDSHIRE JOINT DOG UNIT**

The Authority considered a report giving an update on progress against the business case for the creation of a Joint Dog Unit for Bedfordshire and Hertfordshire including the terms of a formal collaboration agreement.

## **RESOLVED**

1. That progress in respect of the business case was noted.
2. That the Section 23 collaboration agreement for the formation of the Bedfordshire and Hertfordshire Joint Dog Unit with effect from 1 April 2009 was approved.

### **A(ii) SECTION 23 AGREEMENT FOR THE JOINT BEDFORDSHIRE AND HERTFORDSHIRE PROFESSIONAL STANDARDS DEPARTMENT**

The Authority considered a report giving an update on progress against the business case for the creation of a Joint Professional Standards Department for Bedfordshire and Hertfordshire including the terms of a formal collaboration agreement.

## **RESOLVED**

1. That progress in respect of the business case was noted.
2. That the Section 23 agreement for the formation of the Bedfordshire and Hertfordshire Joint Professional Standards Department with effect from 1 April 2009 was approved.

### **A(iii) SECTION 23 AGREEMENT FOR THE BEDFORDSHIRE AND HERTFORDSHIRE SCIENTIFIC SERVICES UNIT**

The Authority considered a report giving an update on progress against the business case for the creation of a Joint Scientific Services Unit for Bedfordshire and Hertfordshire including the terms of a formal collaboration agreement.

## **RESOLVED**

1. That progress in respect of the business case was noted.
2. That the Section 23 agreement for the formation of the Bedfordshire and Hertfordshire Joint Scientific Services Unit with effect from 1 April 2009 was approved.

## **B DRAFT BUSINESS CASE FOR THE FORMATION OF A JOINT BEDFORDSHIRE AND HERTFORDSHIRE CONSTABULARY FIREARMS UNIT**

The Authority considered a report setting out a proposal for the creation of a joint firearms support unit to serve Hertfordshire and Bedfordshire.

**ACTION** – Andrew White to add the creation of the Firearms Unit to the Authority Risk Register

### **RESOLVED**

1. That the Authority agreed the business case as set out in the report, and instructed the Constabulary to work to bring about a joint unit as set out in the case presented. A formal Section 23 agreement will be presented to the Authority prior to the commencement of formal operations. The Authority reserved the right to review its commitment if there is any significant amendment to the business case presented in the report.
2. That the Authority agreed that planning permission be sought and building work at Bedfordshire Police Headquarters commence prior to the formal approval of a Section 23 agreement.

## **11. PROPOSAL TO SUSPEND THE AUTHORITY'S STANDING ORDERS**

The Authority considered a report proposing changes to meeting dates in June/July, which would necessitate a temporary suspension of Standing Orders.

### **RESOLVED**

That the meetings remain as already scheduled, as set out below:

Friday 26 June 10.30am Committee Room B, Police Authority Annual General meeting

Friday 3 July 10.00am Committee Room B, Scrutiny Committee

Friday 10 July 10.00am Committee Room B, Community Engagement Committee

Friday 17 July 10.30am Ashbourne Room, Police Authority – this meeting may be cancelled if there is insufficient business

**ACTION** – Julia Harries to circulate revised programme of meetings

## **ITEMS TO NOTE**

### **12. MINUTES OF COMMITTEES**

The Authority noted the minutes of the recent committee meetings.

### **13. WRITTEN REPORTS FROM MEMBERS ATTENDING EXTERNAL EVENTS**

The Authority noted reports from Stuart Nagler and Richard Smith on the Association of Police Authorities Council on 21 January, and Sue Warman on the National Police Learning and Development Conference on 26/27 November.

### **14. DECISIONS TAKEN UNDER DELEGATED POWERS**

The Authority noted a report setting out two decisions taken by the Chief Executive under his delegated powers: the extension to existing vehicle recovery contracts and the lease of a private dwelling for a police operation.

#### **RESOLVED**

That the decisions taken under delegated powers by the Chief Executive were noted by the Authority.

### **15. EXTENDED USE OF TASER**

The Authority considered a report setting out the intention of the Constabulary to extend the use of Taser to non-specialist firearms trained officers.

#### **RESOLVED**

That the Authority noted the report.

**POLICE AUTHORITY RISK REGISTER** (*listed as Item 18 on the agenda*)

The Authority considered a report giving an update on the revised risk register.

**RESOLVED**

1. That the risk register should be reviewed at every meeting of the Audit Committee and twice-yearly by the Full Authority, in Part 1 business as far as possible.
2. That future registers should show any changes clearly.

**ACTION** – Andrew White to prepare reports for Audit Committee and Authority, with changes clearly marked.

**16. EXCLUSION OF PRESS AND PUBLIC**

**RESOLVED**

That under section 100A of the Local Government Act 1972, the Press and Public were excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in paragraph 7 of Part I of Schedule 12A of the Act, and the public interest test not to disclose information outweighed the public interest in disclosing it.

**17. PART 2 MINUTES**

**RESOLVED**

That the Part 2 minutes of Hertfordshire Police Authority held on Friday 21 November 2008 were agreed as a correct record and signed by the Chair.

**18. POLICE AUTHORITY RISK REGISTER** (*taken in Part 1 business*)

**19. OPERATIONAL MATTERS**

The Authority noted an oral report from the Chief Constable on recent operational matters of interest.

## 20. DATES OF FUTURE POLICE AUTHORITY MEETINGS

Friday 24 April, 1.30pm, Ashbourne Room – Extra-ordinary meeting to discuss joint Bedfordshire Police and Hertfordshire Constabulary firearms unit

Friday 26 June, 10.30am, Committee Room B – Annual General meeting

Friday 17 July, 10.30am, Ashbourne Room – this meeting may be cancelled if there is insufficient business

Friday 20 November, 10.30am, Committee Room B

**ACTION** – all to note

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Chair