

DYFED POWYS POLICE AND CRIME PANEL

Thursday, 16 November 2017

PRESENT: Councillor A. Lloyd-Jones (Chair)

Carmarthenshire County Council Members:-

Councillors K. Howell, T.J. Jones and E. Morgan

Ceredigion County Council Members:-

Councillor L. Edwards

Pembrokeshire County Council Members:-

Councillors M. James and R. Summons

Powys County Council Members:-

Councillor D.O. Evans

Independent Members

Professor I. Roffe

Mrs H.M. Thomas

In attendance from the Office of the Police and Crime Commissioner:-

Mr D. Llewelyn – Police and Crime Commissioner;

Mrs C. Morgans – Chief of Staff;

Mrs J. Woods – Chief Financial Officer

Ms A. Perry – Director of Commissioning

The following Officers were in attendance:

R. Edgecombe, Legal Services Manager

K. Thomas, Democratic Services Officer

D. Williams, Assistant Media and Marketing Manager

Chamber, 3 Spilman Street, Carmarthen - 10.30 am - 1.10 pm

1. APOLOGIES FOR ABSENCE AND PERSONAL MATTERS

Apologies for absence were received from Councillors K. Evans (Ceredigion County Council), L. George (Powys County Council) and W. Powell (Powys County Council).

The Panel noted that Mrs J Woods, the Commissioner's Chief Finance Officer had tendered her resignation and that it was anticipated a confirmation hearing for her replacement would be held on the 16th February, 2018. The Panel expressed its best wishes to Mrs Woods for the future

2. DECLARATIONS OF INTEREST

There were no declarations of personal interest.

3. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON THE 28TH JULY, 2017

UNANIMOUSLY RESOLVED that the minutes of the meeting of the Dyfed Powys Police and Crime Panel held on the 28th July, 2017 be signed as a correct record.

4. MATTERS ARISING FROM THE MINUTES (IF ANY)

4.1. Minute 6 - Annual Report of the Police and Crime Commissioner

- (1). Information was requested on the Commissioner's pledge to re-invest in the Closed Circuit Television (CCTV) Infrastructure in 2017/18 in relation to the timescale for that investment within Aberystwyth, whether the existing equipment could be utilised and if former employees could be re-employed to operate the new system.

The Police and Crime Commissioner advised that as work was still progressing on developing the specifications, tendering and procurement requirements, he was not in a position at the present time to provide any definitive timeline for the commencement of the project, which would see re-investment in 14 towns within the Dyfed Powys Police Area or, where Aberystwyth would sit within that programme.

With regard to the utilisation of existing equipment/infrastructure, the project team would be assessing the practicalities of incorporating those, where possible. However, it would need to be cognisant of a number of issues including compatibility and obsolescence together with the fact some of the existing systems were in local authority, and not Police ownership.

In relation to re-employing previous CCTV operators, that may not be possible on the basis some two years had lapsed since the system in Aberystwyth had last been operational, and those operators may have found alternative employment or, been redeployed. He confirmed that a recruitment exercise would be undertaken, at the appropriate time for new operatives.

- (2). In response to a question on CCTV installation within Powys, the Commissioner advised that, he believed the towns which would see that investment were Welshpool, Newtown, Builth Wells, Llandrindod Wells and Brecon. In choosing those towns, the project team had to have regard to a number of criteria one being the deployment had to be proportionate based on operational requirements, and not perceived need.
- (3). In response to a question on the anticipated £6m of funding to support the study undertaken by Public Health Wales on Adverse Child experiences, the Commissioner advised that the Home Secretary had recently confirmed the allocation. Administration of that fund would be undertaken by South Wales Police, in conjunction with Public Health Wales, and he would be liaising with those bodies over the coming months to determine the level of investment/service provision to be allocated for Dyfed Powys.

5. QUESTIONS ON NOTICE FROM PANEL MEMBERS TO THE COMMISSIONER

5.1. QUESTION BY COUNCILLOR T.J. JONES

Question by Councillor T.J. Jones

“The tragic terrorist attacks in London earlier this year highlighted the importance of armed police units being able to reach the scene of an incident quickly in order to minimise casualties. Given the high number of potential targets within the large geographical area covered by Dyfed-Powys Police has the Commissioner discussed with the Chief Constable what arrangements the force has in place to respond to such attacks? Assuming those discussions have occurred is the Commissioner satisfied that those arrangements are sufficiently robust to protect the public as far as possible no matter where or when such an incident might occur?”

Response by the Police and Crime Commissioner

The Commissioner reassured the Panel that the Dyfed Powys Police Force had the appropriate arrangements and capacity in place to respond to such incidents and had increased the number of fire arms officers accordingly, as had all other U.K. Forces. He advised that all police forces were required to be in a position to respond to acts of terrorism and that was one of the key priorities within the Strategic Police Requirements. Additionally, the three South Wales Police forces had joint arrangements in place with strategically placed hubs to respond to incidents, three of which were situated within the Dyfed Powys Police area.

He advised that as part of the annual review of policing strategic requirements, discussions would be undertaken on allocated resources and to whether they should be adjusted to meet changing demands.

5.2. QUESTION BY COUNCILLOR T.J. JONES

Question by Councillor T.J. Jones

“A BBC News online article dated the 4th September 2017 stated that the number of drink driving tests undertaken by Dyfed-Powys Police this year compared to 2016 had fallen from 2,751 to 1,133 (over 50%) and suggested that this was due to budgetary pressures including reductions in the number of traffic officers on patrol. Has the Commissioner challenged the Chief Constable about this and sought an explanation? Can the Commissioner reassure the Panel and the public that he will make adequate resources available to the Chief Constable to enable these tests to be carried out and so protect the public from drunk drivers?”

Response by the Police and Crime Commissioner

The Commissioner confirmed there had not been a reduction in road traffic officers and the Chief Constable had also assured him of that fact, although he had not challenged him on that point. He advised that the reason for the decrease in the numbers of tests undertaken was attributable to a change in the rules relating to the powers to stop. Previously, whereas the practice had been to undertake random stop checks, officers were now required to have a reason to stop a suspected driver. That approach was more targeted and intelligence led and had resulted in an increase in the level of positive tests from 2.3% - 5.9%. However, it had also resulted in a reduction in the number of drink drivers arrested from 88 – 67.

He concluded by confirming that the level of road policing units had not been reduced.

6. QUESTIONS ON NOTICE FROM MEMBERS OF THE PUBLIC TO THE COMMISSIONER

The Panel, as part of its deliberations on the following public questions, referred to the time scale which may elapse subsequent to their receipt and presentation to the Board and the provision of a response.

The Lead Officer drew the Panel's attention to Agenda Item 9 that day on the Police Accountability Board, and advised that one of the recommendations arising from the two panel members in attendance at that Board meeting was that a meeting should be held with the Commissioner and his staff to discuss a number of issues which could include, questions from the public, press releases, panel members liaison with the Commissioner and general scrutiny matters. He suggested if the Panel was minded to adopt that recommendation, it may wish to include as part of the meeting a discussion on the processing of public questions received by the Panel.

UNANIMOUSLY RESOLVED that the Panel agree to the recommendation to meet with the Police and Crime Commissioner and that the issue of public questions received by the Panel be included on the agenda for that meeting.

6.1. QUESTION FROM J. HARRINGTON (PEMBROKESHIRE)

Question from J. Harrington (Pembrokeshire)

In accordance with the Panel's protocol The Chair, asked the following question on Mr Harrington's behalf, who was not in attendance at the meeting.

"North Pembrokeshire is plagued with motoring offences for which the police seem to have little or no concern. The number of incidents of driving while using a phone, disregarding speed limits (especially in 20mph and 30mph zones) and missing headlights is significant. Does the Commissioner agree that these are offences that the police should not ignore and will he challenge the Chief Constable about the failure of his officers to adequately tackle these problems?"

Response by the Police and Crime Commissioner

The Commissioner disputed the reference to there being a failure by his officers as, that was a subjective view, and he had been assured by the Chief Constable that issues of anti social behaviour were addressed. He was therefore convinced the force was robust and contributed to road safety initiatives.

He informed the Panel that he received regular correspondence on such issues countywide, with 20% of the positioning of the road safety community partnerships vehicles being community led. When specific information was received in relation to anti social driving those were drawn to the attention of Sergeant Ian Price through the 'Go Safe' Partnership which had a duty to respond. He agreed that such incidents should not be ignored.

The Commissioner also advised that Dyfed Powys was the first police force within Wales to use new powers relating to the confiscation of vehicles for not having road tax. Additionally, he was of the view the force's approach to apprehending speeding drivers and road tax evaders was robust.

6.2. QUESTION FROM S. EDWARDS (CARMARTHENSHIRE)

Question from S. Edwards (Carmarthenshire)

In accordance with the Panel's protocol The Chair, asked the following question on Mr Edwards' behalf, who was not in attendance at the meeting.

"The trees in our towns are a great benefit. The trees in Carmarthen town centre are protected and have an amenity value of over £ 35 k, CCTV should not put these trees at risk. Does the Commissioner agree that when budgeting for and commissioning any new CCTV system he should ensure that the impact of the system upon the environment is kept to an absolute minimum? Will he give a commitment that where environmental considerations result in increased costs he will not sacrifice those considerations to save money"

Response by the Police and Crime Commissioner

The Commissioner gave a commitment that environmental issues would be taken into consideration on a case by case basis whilst having regard to operational requirements such as 'line of sight'. Where appropriate, an environmental impact assessment could be undertaken.

6.3. QUESTION FROM M. FOY (POWYS)

Question from M. Foy (Powys)

In accordance with the Panel's protocol the Chair, asked the following question on Mr Foy's behalf, who was not in attendance at the meeting.

"I have only seen one officer on foot patrol in my housing estate so far this year. Has the Commissioner challenged the Chief Constable about the amount of foot patrols that take place and where they are carried out? If he has, is he happy that what is going on is fair to all of us who live in the force area? If he has not challenged the Chief Constable why not?"

Response by the Police and Crime Commissioner:-

The Commissioner advised that whilst he didn't have operational control over the deployment of officers, as that power lay with the Chief Constable, he did challenge and regularly raise with him the provision of policing countywide. However, he would like the force to be more specific on checking the monitoring of the deployment of police resources. Whilst demand was led by the police control room, the force needed to be smarter on how it quantified the amount of time officers spent within the community, all of whom had been issued with hand held devices and a campaign had recently been launched to inform the public of that position.

6.4. QUESTION FROM M. ROACH (PEMBROKESHIRE)

Question from M. Roach (Pembrokeshire)

In accordance with the Panel's protocol the Chair, asked the following question on Mr Roach's behalf, who was not in attendance at the meeting.

"There has been a problem for years of anti-social driving by some younger motorists in Neyland, particularly around the marina complex. The Police have done nothing about it. Does the Commissioner agree that this is an issue that

should not be ignored and will he ask the Chief Constable to explain why his officers have failed to deal with the problem”.

Response by the Police and Crime Commissioner:-

The Commissioner confirmed the issue had been raised locally and a record check had revealed a total of seven calls having been received by the force regarding incidents in Neyland over the previous 12 months. Those incidents had been referred to the ‘Go Safe’ Partnership and drawn to the attention of the local inspector.

7. 6TH ANNUAL CONFERENCE FOR POLICE AND CRIME PANELS

Further to minute 12 of the Panel’s meeting held on the 28th July, 2017 the Panel received a report from its attendees at the 6th Annual Conference for Police and Crime Panels held at the University of Warwick on the 6th November 2017.

The panel noted that the conference programme included:

1. A plenary session with a panel of speakers representing Police and Crime Panels. Police and Crime Commissioners and the Centre for Public Scrutiny incorporating a variety of relevant topics and the proposed formation of a National Association of Police and Crime Panels.
2. Regional/All-Wales Forums discussing issues relevant to those particular Panels
3. Workshops on a range of issues including complaints handling, confirmation hearings and developing PCP ‘Champions’ for particular issues.

The Lead Officer to the Panel drew its attention to the proposals for the establishment of a National Association of Police and Crime Panels and the preference amongst police and crime panels for the establishment of a Special Interest Group (SIG) under the auspices of the Local Government Association (LGA). He advised that as the establishment of Police and Crime Panels within Wales was different to England, that preference placed Welsh Local Authorities in a difficult situation in that they were not members of the LGA, and had been informed by the Home Office they would not be to utilise their Grant to pay the required membership fee. However, the Chairs of the four Welsh Panels’ had agreed they should meet with the Welsh Local Government Association to consider the situation. Arrangements for that meeting were being progressed by the Office of the Police and Crime Commissioner for South Wales.

The following questions/issues were raised on the report:-

- The Panel was advised that, as part of the conference, a debate had been undertaken regarding the recruitment of a Chief Executive by the National Police Commissioners’ Association at an approximate £100k salary. Clarification was sought on whether the Dyfed Powys Police and Crime Commissioner was a member of the Association and, if so, the level of financial contribution paid thereto.

The Commissioner confirmed that he was affiliated to the Association, and was one of the independent/plaid members appointed onto its Board. With regard to the level of subscription, whilst he was unaware of the exact sum, he would relay that information directly to the Panel members.

- Reference was made to the general content of the conference and the relationships between the Police and Crime Panels and their Commissioners. A suggestion was made that it may be beneficial for the Panel when it met with the Commissioner to discuss public questions (minute 6 above refers) to take the opportunity of discussing with him issues identified in the conference for example, the views expressed that the relationship between Panels and the Joint Audit Committees were not robust enough to provide effective challenge.

The Commissioner in response advised that whilst he was happy to meet with the Panel, as suggested, it was important it recognised that whilst there may be concerns in other force areas there were measures in place to hold him to account. With regard to the Joint Audit Committee he advised that the workings thereof related to him and the Chief Constable and not necessarily direct with the Panel.

- Reference was made to the level of reserves held by the Dyfed Powys Police and whilst it was accepted there was no statutory level the force had to maintain, clarification was sought on whether the reserves currently held were similar to local authorities at 4%.

The Chief Financial Officer confirmed that whilst the Police were not required to maintain a set level of reserves, it was set at an appropriate level for the forces' requirements and was reviewed annually. The current level of general reserves held by the force was 5%, in addition to which additional earmarked reserves were held for specific projects e.g. the C.C.T.V project.

8. JOINT AUDIT COMMITTEE

The Panel, further to Minute 8 of its meeting held on the 12th July, received a report on the meeting of the Joint Audit Committee held on the 31st October, 2017 attended by Councillor William Powell, as an observer on its behalf. The Panel noted that Councillor Powell had detailed a number of observations in his report on the operation of the Joint Audit Committee resulting in the formulation of the following three recommendations for the Panel to consider forwarding to the Commissioner to promote openness and transparency in the work of the Committee to facilitate public interest and scrutiny:-

1. That if there are agenda items in respect of which no report is being published, the agenda should include a summary of the key facts or issues being discussed, so that the public can better understand what it is to be considered and be able to make a more informed decision as to whether or not to attend,
2. That where a particular agenda item is to be treated as exempt from publication the reasons for non publication should be set out in the agenda with reference to a published set of criteria (such as that contained in the Local Government Act 1972) together with an explanation as to what this means in terms of the conduct of the meeting. This will reassure the public that information is being withheld for proper reasons and only where it is in the public interest to do so,
3. If the Panel is to send observers in the future, it is suggested they receive specialist financial training."

The following issues/questions were raised on the report:

- Reference was made to reports presented to the Joint Audit Committee and a view expressed they should be more structured and include a risk analysis and mitigation measures, which was accepted by the Commissioner.
- In response to a question relating to recommendations made to the Dyfed Powys Police Force by Her Majesty's Inspectorate of Constabulary, the Commissioner confirmed that whilst they had not originally fallen within the Joint Audit Committee's remit, he had introduced changes for their future submission to that Committee.
- Reference was made to recommendation 3, and views expressed that whilst specialist financial knowledge would not be required, panel members attending the Joint Audit Committee, as observers, should receive some form of 'walk through' explanatory discussion with the Commissioner's Finance Officer on the budget. In that regard panel members were encouraged to attend the forthcoming budget seminar.

The Commissioner, in supporting the suggested 'walk through' training, reminded that Panel that the Joint Audit Committee was an advisory Committee reporting to himself and the Chief Constable. In that regard, he considered if the Panel were to send observers to future meetings it would need to set parameters on their role and in providing feedback to the Panel. He suggested the Panel may wish to give consideration thereto when it met with him as part of the meeting agreed in minute 6 above

- Reference was made to recommendation 2, and the Lead Officer advised that the provisions of the Local Government Act did not apply to the operation of the Joint Audit Committee. However, any exempt report submitted should refer to set criteria detailing the reasons for the exemption

UNANIMOUSLY RESOLVED

- 8.1 that the report be accepted and the three recommendations be forwarded to the Police and Crime Commissioner for his consideration**
- 8.2 That discussion on whether the Panel should send observers to future meetings of the Joint Audit Committee, and their role, be undertaken at the forthcoming workshop to be held with the Police and Crime Commissioner**

9. POLICE ACCOUNTABILITY BOARD

The Panel, further to Minute 8 of its meeting held on the 12th July, received a report on the meeting of the Police Accountability Board 3rd November, 2017 attended by Councillors Rob Summons and Mrs Helen Thomas, as observers on its behalf. The Panel noted that its representatives had detailed a number of observations in their report on the Board's operation resulting in the formulation of the following three recommendations for the Panel to consider forwarding to the Commissioner to promote openness and transparency in the Board's work:-

1. That if there are agenda items in respect of which no report is being published, the agenda should include a summary of the key facts or issues being discussed, so that the public can better understand what it is to be considered and be able to make a more informed decision as to whether or not to attend,

2. That where a particular agenda item is to be treated as exempt from publication the reasons for non publication should be set out in the agenda with reference to a published set of criteria (such as that contained in the Local Government Act 1972) together with an explanation as to what this means in terms of the conduct of the meeting. This will reassure the public that information is being withheld for proper reasons and only where it is in the public interest to do so,
3. That a meeting be held with the Commissioner, and his staff, to discuss the way forward in the future. This meeting to discuss questions from the public, press releases, panel member's liaison with the Commissioner and general scrutiny matters."

The following issues/questions were raised on the report:

- Reference was made to one of the observations made within the report relating to I.T. difficulties in publishing some documents on-line for Board meetings. The Commissioner confirmed there was an issue with the force's IT infrastructure which, it was hoped, would be resolved by the New Year with the launch of the new website.
- Reference was made to the observers' attendance at the meeting and to whether the Panel should be represented at future meetings. It was suggested that as the Board's meetings were held throughout the county, the nearest local member to that venue could attend on the Panel's behalf.

UNANIMOUSLY RESOLVED that:-

- 10.1 That the report be accepted and the three recommendations be forwarded to the Police and Crime Commissioner for his consideration**
- 10.2 That the Panel be represented at future meetings of the Police Accountability Board by the nearest Panel Member to the venue where the meeting was being held.**

10. RESEARCH SYMPOSIUM

The Panel received for consideration a report on the recent research symposium held at Police Headquarters Llangunnor on the 5th October, 2017 where it was represented by the Vice Chair, Professor I. Roffe. It was noted that the purpose of the symposium was to bring academics, experts in policing, partners, police officers and staff together to share research and raise awareness of the importance of research evidence in policing. It was also designed to promote stronger collaboration between the police and academic partners and to support police staff and officers to build partnerships with higher and further educations.

The following issues/questions were raised on the report:-

- Reference was made to the recent 6th annual conference held in Warwick where a discussion had taken place on the possible introduction of 'drug consumption rooms' by the Police and Crime Commissioner for North Wales. The Commissioner, whilst not commenting directly on the North Wales approach advised that other Commissioners were advocating similar policies including the provision of drugs on prescription.

The Commissioner advised that the issue had been discussed at an All Wales Police Level and raised with the Welsh Government where it was considered to be something to be addressed via the health service and Area Service Boards were currently investing money into that approach.

With regard to the North Wales pilot, he considered the outcome thereof, together with other studies being taken across the U.K. should be awaited in order for a U.K. perspective to be achieved.

- In response to a question on the issue of farm crime, the Commissioner advised that he had recently met with the National Farmers Union to discuss its impact on farmers' livelihoods and he would be launching a Rural Crime Strategy at the forthcoming winter fair at Llanelwedd. Additionally, the force had recently undertaken a rural audit where it had been identified that a positive outcome on equality of service provision in the rural area was vital.

UNANIMOUSLY RESOLVED that the report be received.

11. PROGRESS REPORT ON THE DELIVERY OF COMMISSIONED SERVICES

The Committee received for consideration a progress report prepared by the Office of the Police and Crime Commissioner on the delivery of Commissioned Services. It was noted that the Commissioner believed a key priority for the future was ensuring a fundamental focus on accessing vulnerability, risks and the need of the individual, whether victim or offender, with the focus being on the initial point of contact with each individual and how risk and need would be correctly identified at that stage with people being directed into the most appropriate service. That approach would allow for the pathway between services to be streamlined with the individual being supported to access those services most likely to help them recover and improve their quality of life.

The following questions/issues were raised on the report:-

- Reference was made to the regional commissioning of Sexual Abuse Referral Centres and to the concerns identified in the report, by the three bullet points on page 105, on the potential £80k shortfall for the Dyfed Powys Force area for the current year and the loss of front line jobs.

The Commissioner confirmed that he had raised the issue with the Welsh Government. Additionally, discussions had taken place at a recent regional collaboration meeting on the commissioning of services via the consortium, which included discussions on funding with the Chairs of the Health Boards.

The Panel was advised that as part of its approach, the Commissioner's office was looking at consistency of provision in its commissioning both regionally and locally. On a local basis, meetings had been held with the local health boards on funding of services whereby the shortfall in funding by the Hywel Dda Health Board had been resolved and it was hoped the position with the Powys Health Board would be similarly resolved in the near future.

- Reference was made to the provision of a custody triage for the over 18's and to what provision was being made for the under 18's.

The Director of Commissioning advised that a Project Board had been established to discuss that issue and the Youth Offending Service would participate therein. From the Police perspective, it was not considered appropriate to have under 18's coming through the custody process when there were viable alternatives available.

- In response to a question on the Llamau Project on Child Sexual Exploitation the Commissioner confirmed that a high proportion of children reported missing were in care. He also confirmed that where child exploitation was discovered, the police did initiate prosecution proceedings which included on-line abuse.

UNANIMOUSLY RESOLVED that the report be received.

12. DECISIONS TAKEN BY THE COMMISSIONER

The Panel received, for information, a report detailing the decisions made by the Police and Crime Commissioner for the period 21st July – 6th November, 2017.

In response to a question on unallocated Community funding, it was confirmed that would be carried over to the next financial year.

UNANIMOUSLY RESOLVED that the report be received.

13. PANEL EXPENDITURE

The Panel received an update report on the on the level of expenditure of its 2017/18 Home Office Grant and noted that for the period 1st April, 2017 to 30th September, 2017 a claim of £17,093.46 had been submitted to the Home Office out of a total grant allocation of £72k.

UNANIMOUSLY RESOLVED that the report be received.

14. TASK AND FINISH GROUP

The Panel was reminded that at its meeting held on the 28th July 2017 it had agreed to establish a Task and Finish Group to undertake a piece of pro-active scrutiny, with the topic to be finalised following its training session in September. The Lead Officer, advised that whilst three topics had been suggested following the session, as detailed in the report, it was important any chosen topic did not conflict/impinge upon work being undertaken by the Commissioner's Office.

Following an outline by the Commissioner on the work his office was undertaking on the three suggested topic areas, a view was expressed that the Panel could discuss with the Commissioner potential alternative areas for scrutiny at the forthcoming workshop.

UNANIMOUSLY RESOLVED that the report be received and discussion on a potential task and finish group be undertaken at the forthcoming workshop meeting with the Police and Crime Commissioner.

15. COMPLAINT AGAINST THE POLICE AND CRIME COMMISSIONER

The Panel received a report detailing four reasons why the Chair was recommending it take no action on a complaint made against the Police and Crime Commissioner on the grounds set out in regulation 15(3) (e) of the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012 on the basis that to do otherwise would be an abuse of the complaints procedures set out in those regulations.

UNANIMOUSLY RESOLVED that the Panel take no action in relation to the complaint received against the Police and Crime Commissioner, and that the complaint be closed for the four reasons detailed within the report.

CHAIR

DATE