

West Mercia Police and Crime Panel

Monday, 29 October 2018, - 10.30 am

Present:

Minutes

Cllr Steve Mackay (Chairman), Cllr Tony Baker, Cllr Sebastian Bowen, Mrs Carole Clive, Cllr Karen May, Cllr Vivienne Parry, Cllr Stephen Reynolds, Cllr Kuldip Sahota, Cllr James Stanley, Cllr Emma Stokes, Cllr Dave Tremellen, Colonel Tony Ward OBE, Cllr Brian Wilcox and Cllr Michael Wood (Vice Chairman)

Also attended:

Anthony Bangham, Chief Constable, West Mercia Police
John Campion, West Mercia Police & Crime Commissioner

Andy Champness, Chief Executive, Office of the West Mercia Police and Crime Commissioner

Tracey Onslow, Deputy Police and Crime Commissioner

Tim Rice (Senior Public Health Practitioner),
Sheena Jones (Democratic Governance and Scrutiny Manager) and Samantha Morris (Scrutiny Co-ordinator)

Available Papers

The members had before them:

- A. The Agenda papers (previously circulated);
- B. The Minutes of the Meeting held on 18 September 2018 (previously circulated).

(A copy of documents A will be attached to the signed Minutes).

272 Welcome and Introductions

The Chairman welcomed everyone to the Meeting and thanked them for attending the meeting at short notice.

Cllr Sahota (Telford and Wrekin Council) was welcomed to his first meeting of the Panel.

273 Named Substitutes

Cllr Parry attended as substitute for Councillor Dakin (Shropshire Council).

274 Apologies and Declarations of Interest

Apologies were received from Cllrs Roger Evans, Gareth Prosser and Juliet Smith.

Councillor Mackay declared that he was a retired Police Officer in receipt of Police Pension (not West Mercia Police).

275 Public

None.

Participation

276 Confirmation of the Minutes of the previous meeting

The Minutes of the Meeting held on 18 September 2018 were agreed as a correct record and signed by the Chairman.

277 West Mercia Withdrawal from the Strategic Alliance with Warwickshire

The Chairman explained that today's meeting had been called to gain a better understanding of the reasons behind the 9 October joint announcement by the West Mercia Police and Crime Commissioner (PCC) and Chief Constable (CC) of their intention to withdraw from the current strategic alliance arrangements the force had with Warwickshire.

The Chairman reminded the Panel that at the time the strategic alliance was formed the then Chief Constable David Shaw said "An alliance was possible because we both aim to reduce harm and increase public trust and confidence in policing by using all our resources to tackle those harms that are most serious or most likely to occur. In time, we shall have an even greater proportion of our workforce in operational roles and a larger shared workforce than if we maintained current individual force arrangements."

The Chairman suggested that as the present PCC and CC were seeking to return to the previous arrangement, the Alliance was not working and some Members of the Panel were keen to discover what had led to this decision, as well as trying to grasp the implications for West Mercia Police as a whole, both in terms of structure and as far as possible finances.

The PCC explained that he was surprised that a Meeting had been called at short notice and whilst he was keen to support the Panel he was concerned that there was little value in a public meeting at this stage. He suggested this may only frustrate members who were not able to get answers to questions they may have, either because they didn't exist yet or because they couldn't be provided in public for legal or commercial reasons.

The current Alliance was affecting the delivery of efficient and effective policing in West Mercia and any new relationship would need to be based on different governance arrangements, which would deliver more autonomy and accountability to both constituent forces. There was a 12 month period for the exit strategy, which ended on 8 October 2019 and the PCC believed that a

new arrangement could be negotiated which would be mutually beneficial.

Discussion Points

- Discussions about future collaboration with Warwickshire were in the early stages – Warwickshire Police and Crime Panel met last week
- The costs associated with withdrawing from the Alliance were not known at this stage and would not be confirmed until the end of the negotiation
- A member suggested that when the Alliance was set up in 2012, it was envisaged that there would be £35m savings and withdrawing from the Alliance would prove costly and result in job losses for Police Officers. The PCC explained that the collaboration with Warwickshire wasn't working in the best interests of West Mercia and withdrawing from the Alliance was about governance and control, whilst retaining the benefits
- The PCC confirmed that Warwickshire had acknowledged the notice of withdrawal but as yet, had not formally responded to it
- A Member referred to the West Mercia Police Stakeholder Briefing Sheet, where it stated that discussions had been ongoing with Warwickshire since May 2017, in an attempt to resolve the issues. Concern was expressed that this had not been shared with the Panel in an open and transparent way. The PCC, whilst understanding the Panel's frustrations explained that he was being as open with the Panel as he was able to be at the current time, but discussions were at an early stage and although early indications showed that Warwickshire were interested, the negotiation hadn't progressed any further
- A further point was made, that the Panel had the role of 'critical friend' in holding the PCC to account and in doing so expected to be updated on issues as they were developing. The Panel were unaware of any discussions which had taken place, dating back to May 2017 and were disappointed as they were keen to work with and support the PCC. The PCC explained that the Alliance wasn't working for West Mercia and private discussions about the situation had been ongoing and although it had not been envisaged that it would be necessary to cancel the Alliance, it was necessary to dissolve the current

collaboration in order to change things. Although the potential costs of changing the current arrangements were not known at this time, the PCC confirmed that the change wouldn't affect the in-year budget

- Unfortunately, due to commercial sensitivity, the PCC wasn't in a position to discuss all of the facts around risks and benefits of the change with the Panel but reiterated that he would like to retain the benefits of the Alliance, whilst having clear governance in place. A member advised the PCC that whilst acknowledging and accepting that it wasn't possible to share the details of a commercially sensitive negotiation in a public meeting, there was provision for the Panel to consider such issues in exempt session
- The PCC reiterated his commitment to working with Warwickshire as long as it benefitted the residents of West Mercia, had clear governance arrangements and the service was efficient and effective. Potential options for future arrangements included a shared service, hosted services with either Force providing these, or stand alone services.
- Dissolution of the Alliance wasn't detailed in the Policing Plan, but the PCC had an obligation to keep all policies under review
- It was important that the Panel understood that the funding arrangements for the Alliance was split 69% for West Mercia and 31% for Warwickshire. The governance arrangements did not reflect this as neither the PCC nor the CC from either Force had overall control and each could veto the others decisions. This meant that the PCC's decisions could impact on policing decisions in the other Force's area.
- The PCC invited the CC to share his views on the decision with the Panel. The CC explained that efficiency and effectiveness of the service was at the nub of the problem with the existing Alliance. Currently, there were no service level agreements but 50/50 voting rights between partners, which wasted a considerable amount of time in meetings making decisions. 86% of services were currently provided by West Mercia which was not sustainable for West Mercia in the long term
- Any future arrangements should ensure that there were clear Service Level Agreements (SLA's) and decision wasn't dependent on two CC needing to agree
- The CC went on to give examples to demonstrate

why the Alliance was being renegotiated:

- There was a key plan for the Alliance to have a shared Control Room in Worcester, instead of 3 separate control rooms in Worcester, Leek Wootton and Shropshire and to close Shropshire and Leek Wotton rooms. Warwickshire reneged on the agreement and replaced the Leek Wotton Control Room with a new facility in Warwick
- It was impossible for the Control Room performance in West Mercia to match Warwickshire's performance, due to the size of the geographical area covered by West Mercia
- Warwickshire had a significantly more firearms incidents than all of West Mercia, but West Mercia was providing 69% of the funding and Warwickshire was providing 31% of the funding
- Road policing in Warwickshire was very busy and 31% of the funding was not an adequate funding contribution
- As there had been no meaningful progress to date and it hadn't been possible to reform the alliance arrangement from within, West Mercia believed that there was no choice but to end the current Alliance agreement, with a commitment to negotiate a mutually beneficial new relationship with Warwickshire
- The PCC reassured the Panel that the dissolution of the Alliance wouldn't affect frontline policing or result in redundancies. It was about using resources effectively and efficiently
- A Member commented that it would have been helpful for the CC to speak earlier on in the discussion, as it would have alleviated some of the questions and given an earlier understanding of the reasons why the Alliance wasn't working for West Mercia
- Another Panel Member suggested that the Panel was unfair in asking about the PCC's negotiation tactics and that the PCC had acted prudently in the situation and should be allowed to proceed with the process
- A member questioned whether any learning and analysis would be carried out to ensure a similar situation didn't occur moving forward. The PCC confirmed that there would be analysis and continuous learning
- It was suggested that at the time the Alliance was

set up, it was in good faith with guidance from the Home Office and that times had changed and it was right to review the situation

- The PCC advised that he had spoken to the Chairman of the Panel confidentially a couple of days before the announcement to alert him to the situation
- A question was asked about whether the PCC thought the Alliance had influenced the findings in the PEEL Report, the PCC believed that it had influenced the report in a negative way
- The Chairman asked the PCC whether he thought there were any risks to West Mercia from withdrawing from the Alliance. The PCC advised that there were always risks but that the 12 months' notice period was an opportunity to mitigate those risks.

The Panel

- Remained concerned that they hadn't been advised about the ongoing discussions and concerns in respect of the viability of the Strategic Alliance before the PCC and CC's 9 October announcement of their intention to withdraw from the current strategic alliance arrangements the force had with Warwickshire, even though there was provision in the Terms of Reference of the Panel for any exempt or confidential information as defined in the rules on access to information in the Local Government Act 1972 (as amended) to be discussed
- Would wish to work more closely with the PCC and requested future updates, which if necessary could be held in exempt session.

The Chairman thanked everyone for attending the meeting.

The meeting ended at 12.05 pm

Chairman