

Minutes of the meeting of the Warwickshire Police and Crime Panel held on 25 October 2018

Present:

Members of the Panel

Councillors:

Mike Brain	Warwickshire County Council
Richard Chattaway	Warwickshire County Council
David Reilly	North Warwickshire Borough Council
Nicola Davies (Chair)	Warwickshire County Council
Neil Dirveiks	Warwickshire County Council
Tony Jefferson	Stratford-on-Avon District Council
Barry Longden	Nuneaton and Bedworth Borough Council
Derek Poole	Rugby Borough Council
Andrew Thompson	Warwick District Council

Independent Members

Andy Davis
Bob Malloy

Office of the Police and Crime Commissioner (OPCC)

Neil Hewison	Chief Executive
Philip Seccombe	Police and Crime Commissioner (PCC)
Elizabeth Hall	Treasurer
Sara Ansell	Head of Finance

Warwickshire County Council Officers

Jane Pollard	Legal Services Manager
Janet Purcell	Democratic Services Manager
Tom McColgan	Democratic Services Officer

Also in attendance

Councillor Keith Kondakor
Councillor Mark Cargill

1. General

(a) Apologies for absence

Apologies for absence were received on behalf of Councillor Warwick.

(b) Members' Disclosures of pecuniary and non-pecuniary interests

There were no disclosures of interest.

2. West Mercia and Warwickshire Strategic Alliance

- 2.1 The Police and Crime Commissioner stated that discussions between Warwickshire and West Mercia Police Forces around forming a strategic alliance had started in 2010 and the two forces had entered into an alliance in 2012. The combined budget of the alliance was £300million with Warwickshire contributing £95million which amounted to 95% of Warwickshire Police's annual budget. The Commissioner stated that he felt that the alliance was working well and had enabled the forces to maintain strong operational performance while achieving budgetary savings. On 8 October 2018 the Commissioner had received a letter from the Police and Crime Commissioner and Chief Constable for West Mercia informing him that they were terminating the alliance from 9 October 2019. This decision had not been one which the Office of the Police and Crime Commissioner had been anticipating and they had only had 12 hours to react to the letter before the West Mercia Police and Crime Commissioner issued a public statement.
- 2.2 The Police and Crime Commissioner stated that he felt Warwickshire Police now had three options as to how to constitute itself from 9 October 2019 onwards: rebuild as a standalone force; collaborate with other forces/partners; reform collaboration with West Mercia. The terms of the alliance meant that Warwickshire had to prepare an exit strategy which would be the primary focus of the Police and Crime Commissioner over the coming months and a number of planning teams would be formed in order to draw up a strategy. He emphasised that day to day policing would continue and would not diminish as a result of this. He also sought to reassure the Panel that Warwickshire had good relationships with local and regional partners and whatever the future structure of the force it would be built on strong foundations.
- 2.3 The Police and Crime Commissioner stated that the end of the alliance would create a number of challenges especially around the budget for 2019/20. The alliance was expected to make £11million in savings over 2019/20 and a proportion of these savings now had to be realised by Warwickshire outside of the alliance. He added that the budget which was set would also have to take into account that the structure of the force would substantially change half way through the financial year and he considered this placed the Chief Constable in a difficult position as he would need to continue the alliance while also planning for how to structure a force after October 2019. Additionally there was the matter of splitting on going shared projects including the new linked control centres and a £40million ICT improvement programme.
- 2.4 The Police and Crime Commissioner concluded that he was very disappointed by West Mercia's decision, as were many residents who had communicated with him, but that he would continue to be committed to looking for opportunities to improve policing in Warwickshire.
- 2.5 The Chair invited Councillor Kondakor to put a question to the Police and Crime Commissioner as a Member of Warwickshire County Council and Nuneaton and Bedworth Borough Council.

- 2.6 In response to Councillor Kondakor, the Police and Crime Commissioner stated he felt the priority for his office and for Warwickshire Police had to be to take stock of Warwickshire's position in order to make the good decisions for Warwickshire rather than to speculate on West Mercia's position.
- 2.7 In response to questioning from Councillor Chattaway, the Police and Crime commissioner stated:
- a) The alliance agreement placed the full cost of terminating the alliance on the party that ended the agreement. If costs could not be agreed they would be set through arbitration. The Commissioner did not yet know what the costs would be but was taking financial and legal advice.
 - b) The planning teams established to draw up an exit strategy were not made up of front line officers and did not take away from front line resources.
 - c) The West Mercia Police and Crime Commissioner had informed the Police and Crime Commissioner of his intention to terminate the alliance on 1 October 2018 at a meeting in Birmingham which was the first the possibility had been raised. No reasons for the termination had been given. There had been no other communications on the matter either to the Commissioner or to officers before the notice of termination on 8 October 2018.
 - d) The structure of Warwickshire Police post alliance would not be determined by a referendum but the Office of the Police and Crime Commissioner would be seeking to engage with the public through consultation. Impact assessments would also be undertaken which the Commissioner anticipated would be part of his submissions to the Panel.
 - e) There remained a legal obligation to set a budget by February 2019 for 2019/20 despite the termination of the alliance. The Police and Crime Commissioner was also engaging with all of the Members of Parliament representing Warwickshire to lobby for a review of police funding as Warwickshire Police received around half of its funding from council tax which was higher than urban forces and demonstrated the unfavourable funding position faced by rural police forces.
 - f) The Police and Crime Commissioner had made a manifesto commitment to maintain an independent police force which was accountable to the residents of Warwickshire and he intended to honour this. He felt that a full merger with West Mercia or any another force would not provide any significant financial efficiencies beyond those achieved by the alliance.

- 2.8 The Chair asked whether the discussion on the terms of ending the alliance by the Alliance Group Governance Meeting on 13 June 2018 had raised any alarm that West Mercia may be considering a termination. The Police and Crime Commissioner responded that the two forces had been engaged in updating the alliance agreement as necessary and the 'exit arrangements' was one of the areas discussed. However there had been no evidence that a termination was coming and the agreement had been to extend the period of notice on termination from 6 months to 12 months at West Mercia's request. The Alliance Group Governance Meetings were monthly and the subject had not been raised since.
- 2.9 Councillor Longden observed that the letters released by West Mercia seemed to suggest that they had been pushing for a reformed alliance with Warwickshire and had terminated the current alliance in order to force this process through although they did not lay out what a reformed alliance was to look like. He noted that a full merger certainly seemed to be on their agenda and asked if there was pressure nationally for forces to merge.
- 2.10 The Police and Crime Commissioner responded that he had not been given any reason for the termination of the alliance beyond the efficiency gains for West Mercia mentioned in the letter.
- 2.11 In response to the Chair, the Police and Crime Commissioner stated that he felt that trust between Warwickshire and West Mercia had not irrevocably broken down but that it would be difficult to build a new partnership given the circumstance.
- 2.12 Councillor Chattaway stated that he felt that it was clear the Panel would benefit from hearing from the Police and Crime Commissioner and Chief Constable for West Mercia as the public statements which they had released contradicted themselves and contradicted some of what the Police and Crime Commissioner had said.
- 2.13 The Police and Crime Commissioner reiterated that Warwickshire had been engaging with discussion around the details of the alliance such as demonstrated by the transformation programme. There had, however, been no discussion of terminating the alliance or changes that would fundamentally alter how the alliance operated.
- 2.14 In response to Andy Davis, the Police and Crime Commissioner stated that he agreed that plans for any consultation on the precept for 2019/20 would now have to be reconsidered given the change in circumstance and, wider consultation would also be needed on the structure of Warwickshire Police from October 2019. He also confirmed that although the value of the savings achieved by the alliance was hard to estimate Her Majesty's Inspectorate of Constabulary estimated savings of around £60million and the most conservative estimate put savings at £35million, a third of which benefitted Warwickshire.
- 2.15 In response to Councillor Jefferson, the Police and Crime Commissioner stated that he had received an invitation to informally discuss a way forward from the West Mercia Police and Crime Commissioner. All communications from West Mercia concerning the termination of the alliance had referred to a future 'mutually beneficial' arrangement but they had not indicated what this would look like and had not made any formal proposal.

- 2.16 In response to Bob Malloy, the Police and Crime Commissioner stated that he did not know if his West Mercia counterpart shared his commitment to maintaining a strategic alliance between the forces as opposed to a full merger.
- 2.17 Councillor Thompson welcomed the Police and Crime Commissioner's commitment to consulting and stated that it was regrettable that West Mercia had taken the decision to terminate the alliance with no public consultation. He noted that the alliance had been held up nationally as best practice and asked if The Rt Hon Nick Hurd MP, Minister of State for Policing and the Fire Service had commented on the termination.
- 2.18 The Police and Crime Commissioner stated that Warwickshire's MPs had briefed the Minister but the Government's view would be that it was a local decision. The Commissioner added that he had been promoting the alliance model nationally in his role as lead of the Association of Police and Crime Commissioners' portfolio group on emergency services collaboration which had added to his sadness at the decision taken by West Mercia.
- 2.19 In response to Councillor Longden, the Police and Crime Commissioner stated that he was not aware of any internal pressures that may exist within West Mercia as his role was to hold the Warwickshire Chief Constable to account and on this occasion to support him in establishing a new structure of the force. The Commissioner stated that it was not his role to comment on or criticise West Mercia and suggested that this was the same for the Panel.
- 2.20 Councillor Chattaway stated that the decision taken by West Mercia would impact upon Warwickshire residents and that he was keen to hold those responsible for taking the decision to account. He also suggested that the Panel may wish to request information under the Freedom of Information Act to ensure all relevant information had in fact been disclosed.
- 2.21 The Police and Crime Commissioner sought to assure the Panel that his office would not conceal any relevant information from the Panel.
- 2.22 In response to Councillor Kondakor, the Police and Crime Commissioner stated that he agreed that 12 months to disentangle such a large alliance was an almost impossible task. The Commissioner confirmed that both organisations could agree to extend the transition period.
- 2.23 The Chair noted the suggestions from the Panel to invite the West Mercia Police and Crime Commissioner, Chief Constable or the Chair of the West Mercia Police and Crime Panel to a subsequent meeting. The Chair stated that as a first step she would write to the Chair of the West Mercia Police and Crime Panel to request a meeting during the Police and Crime Panel Conference on 12 November 2018. The two Chairs and Vice Chairs would be invited to attend and notes of the meeting would be sent to the Panel. The Chair also stated that the Police and Crime Commissioner and Chief Constable would be at the next meeting of the Panel on 22 November and the Panel would be able to receive a further update on the alliance and better consider its role in the process of transitioning from the alliance.

2.24 **Resolved:**

That the Panel:

- 1) Note the update from the Police and Crime Commissioner
- 2) Agrees that the Chair and Vice Chair arrange a meeting with their Counterparts in West Mercia.

The meeting rose at 11:15am

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Chair