

North Yorkshire Council

North Yorkshire Police, Fire and Crime Panel

Minutes of the meeting held in the Brierley Room at County Hall, Northallerton on Monday, 5th February, 2024, commencing at 10.30 am.

Councillors Carl Les OBE (North Yorkshire Council) in the Chair; Danny Myers (City of York Council), Chris Aldred (North Yorkshire Council), Lindsay Burr MBE (North Yorkshire Council), Tim Grogan (North Yorkshire Council), Emilie Knight (City of York Council), Rich Maw (North Yorkshire Council), Heather Moorhouse (North Yorkshire Council) and Peter Wilkinson (North Yorkshire Council).

Community Co-opted Members: Fraser Forsyth, Mags Godderidge and Martin Walker

Jonathan Dyson (Chief Fire Officer) (North Yorkshire Fire & Rescue Service)

Elliot Foskett (Acting Chief Constable) (North Yorkshire Police).

Officers from the Office of the Police, Fire and Crime Commissioner: Zoë Metcalfe (Police, Fire and Crime Commissioner for North Yorkshire), Michael Porter (Chief Financial Officer), Tamara Pattinson (Director, Delivery and Assurance), Jenni Newberry (Head of Commissioning and Partnerships) and Amanda Wilkinson (Director of Public Confidence).

In attendance: Councillor John McCartney (North Yorkshire Council).

Officers present: Diane Parsons (Principal Scrutiny Officer).

Apologies: Councillor Michael Pavlovic (City of York Council) and Simon Dennis (Office of the Police, Fire and Crime Commissioner).

Copies of all documents considered are in the Minute Book

730 Welcome and apologies

The Chair welcomed everyone to the meeting and apologies were noted. It was highlighted that Jenni Newberry was attending in the capacity of Acting Deputy Chief Executive.

731 Declarations of Interest

Mags Godderidge declared that she is CEO of Survive; a charity which is commissioned by the Commissioner's office to provide services to survivors of domestic abuse and sexual violence.

Martin Walker declared that he is a Trustee of IDAS, which receives funding for its work from the Commissioner's office.

732 Consideration of Exclusion of the Public

The Chair wished to note that the Panel retains the privilege to consider whether it is necessary (and appropriate) to retire into closed session at Item 11, in respect of its

consideration of the Commissioner's precept proposals.

733 Minutes of the Confirmation Hearing for Chief Constable - 11 January 2024

Resolved –

That the minutes of the Confirmation Hearing held on 11th January 2024, having been printed and circulated, be taken as read and confirmed and signed by the Chair as a correct record.

734 Minutes of the Ordinary Meeting of the Panel - 11 January 2024

Considered –

The draft minutes of the ordinary Panel meeting held on 11th January 2024 at 11:45am.

Clarification was sought regarding the Fire Brigade Union (FBU) Safety Critical Notice issued in January and whether it had been rescinded. The Chief Fire Officer confirmed that the FBU have now deemed they are not rescinding the Notice so discussions are underway with them.

Resolved –

That the minutes of the ordinary Panel meeting held on 11th January 2024, having been printed and circulated, be taken as read and confirmed and signed by the Chair as a correct record.

735 Progress on Issues Raised by the Panel

Considered –

The report from the Panel Secretariat updating the Panel on progress made against issues raised at or following the previous meeting.

The Commissioner agreed to provide further detail following the Member query on how many police officers and PCSOs had been investigated for potential domestic abuse and/or sexual offences.

Resolved –

That the Panel:

- (a) notes the report provided; and
- (b) receives further detail prior to the next Panel meeting regarding how many investigations into police officers and PCSOs relating to potential sexual/domestic abuse offences resulted in disciplinary or criminal action.

736 Public Questions or Statements to the Panel

Two questions/statements had been agreed in advance by the Chair as follows:

- 1) Councillor John McCartney (North Yorkshire Council):

“My council ward borders The East Riding of Yorkshire, South Yorkshire, and West Yorkshire. Cross-border crime; from fly-tipping to serious burglaries is a local concern, especially in those rural communities very close to the border. The communities of Kirk Smeaton and Little Smeaton are very close to both South Yorkshire and West Yorkshire.

A burglary in Kirk Smeaton, in January involving four men in balaclavas, waving iron bars created an outcry in the two villages. There has been another burglary since then.

At a packed meeting with our excellent local neighbourhood policing team and residents of Kirk Smeaton and Little Smeaton on the 22nd January, I was shocked to hear that residents ringing 999 were being put through to West Yorkshire Police. They then have to waste valuable time getting transferred to North Yorkshire Police.

I am pleased to see from the “Force Control Room Performance Report” that is before the Panel today that there have been improvements to both the 101 and 999 service. But there is an issue with the 999 service for the two communities in my area. Is this more widespread along the county borders and can it be resolved? Is this something that could be raised as you look at the “Force Control Room Performance” item?

A/CC Elliot Foskett provided some further context to the matter raised, which highlighted that the 999 system belongs to and is owned and managed by BT and local phone providers will direct calls to the nearest mast where a community is a long way from a mast. In communities lying on the county borders, calls may initially be taken by a neighbouring force. That force will deal with the matter but will also contact the local area force at the same time. This is not peculiar to North Yorkshire and A/CC Foskett was keen to reassure that there would be minimal delay to dealing with calls as a result. He offered to look into the matter further for Councillor McCartney if helpful. The Commissioner advised Councillor McCartney that issues of this nature may best be channelled via her Online Public Meetings.

2) Gwen Swinburn provided a question but was unable to attend the meeting. The Panel agreed that her question would be taken and a response shared in the meeting as follows:

“Chair, to give context, I sat in the meeting that accepted the new Chief Constable. In that process I witnessed an overwhelming focus on rural issues both in the prepared questions & debate. That and the issues below, make me feel as a citizen in York, that we are not equal partners, but rather being absorbed. It feels bad, as if York is being merged into North Yorkshire Council, in plain sight.

I also recognise that the whole police and fire part of the constitution came very late and remained confusing. But at face to me, the Panel is the equivalent of the other oversight committees - agreeing key policies, assurances on governance and accounts and so on.

I have also seen no discussion on the make-up of this committee or (other than it is an historical inherited artefact) why it will continue to exist as it was with 70% North Yorkshire seats 30% York which is contrary to all the other 50/50 membership in our Combined Authority arrangements.

In summary these are my unresolved concerns which I cannot see meet the spirit of a truly Combined Authority.

1. *I cannot see where the 70/30 arrangement is fair or where it is agreed in the*

constitution. It makes no sense that we do not have a 50/50 split considering the level of responsibility of this committee.

2. I think the Panel, if it is to be retained, should be renamed the York and North Yorkshire PFC Panel.

3. That it should meet alternately in York and Northallerton, not permanently in Northallerton.

4. That any references to the Lead Authority anywhere should be changed to administering authority or similar.

5. Finally, the constitution, which I understand is now adopted, and active, plainly in my reading, states that no member or substitute of the YNYCA may sit on the panel (page 233-2.8). It doesn't say, from May, but rather from now. I am conscious that this may be an oversight, and it is an odd interregnum - but I wanted to raise it formally, this in context that the constitution is the defining document that binds this authority, we need to follow it by the letter or make changes do [sic] we can".

Diane Parsons provided a response on behalf of the Panel as follows:

Gwen, thank you for the points you have raised with the Police, Fire and Crime Panel.

I think it's important to acknowledge firstly that the while, from May this year, there will clearly be some legal accountabilities and interrelationships between the Panel's role and the Mayoral Combined Authority (MCA) once the commissioner's police, fire and crime functions transfer to the MCA, the legislative basis for the Panel pre-dates and stands separately to that for the developing MCA. The Police Reform and Social Responsibility Act 2011 (the Act) defines how the Panel functions and this fundamentally doesn't alter once the Commissioner's functions are transferred to the MCA. The Panel will continue as a committee which is legally separate to the MCA.

To respond to your points as follows:

- 1. The Order which created the MCA does stipulate that the Mayor, a member of the MCA appointed by the constituent councils or substitute members acting in place of those members may not also be a member of the Police, Fire and Crime Panel (modification to Schedule 6, s21 of the PRSRA 2011). This element must be observed after May 7th this year once the Mayor is elected and the police, fire and crime commissioner functions are transferred to the Mayor. In the meantime, until the Mayor is appointed, there is no conflict of interest between being on the Combined Authority and Chairing the Police, Fire and Crime Panel.*
- 2. The Act provides (Sch 6) that there is a duty to provide a balanced panel to ensure that the LA members of a Panel, when taken together, represent all parts of the relevant police area as well as reflecting the political make-up of the force area. Prior to local government reorganisation last year, eight seats were held between the former district and borough councils and NYCC and two seats held by City of York. A view was sought from the Home Office as to what the Panel should consider in relation to impact of local government reorganisation and were advised that there may need to be a shift in membership allocations to better reflect population sizes for the two constituent authorities of York and North Yorkshire. As the population of York is around 211,000 and North Yorkshire is approx. 620,000, this represented a roughly 70/30 split. As such, it was proposed that York gains*

an additional seat (3) and NYC has seven and this was agreed through full councils at both York and NYCC last year.

- 3. While the Order which created the Mayoralty seeks to represent the two elements of York and North Yorkshire, it's important to note that the Act which created Panels specifies that there should be one for each police force area. As such, each Panel will take its name from its constituent police force and this is therefore not a locally-determined decision. For example, Durham Police and Crime Panel comprises Durham County Council and Darlington Borough Council but takes its name from the local force.*
- 4. In terms of meeting venues, traditionally, the Panel has tried to ensure some rotation between Northallerton, York and Selby on the basis that this broadly covers the best access for members and the public from the A1 corridor, in order to get some reach to all parts of the force area. The key is that any meeting venue meets accessibility requirements and also has the ability to easily broadcast so that we can reach a wider audience if possible too. The Panel meets in York at least once a year, generally at West Offices. As the Panel operates on a very tight budget we do also have to consider the cost to the public purse when looking at how frequently we meet at certain venues, particularly when off site and requiring others to resource meetings and arrange for our live broadcast.*
- 5. The term "Lead authority" is used by many Panels within their Rules of Procedure and as you will have seen from the draft paper brought to yesterday's Panel that the term is also interchangeable with "host authority". This simply refers to the constituent authority that has taken on responsibility for support and maintenance of the Panel, in contractual agreement with the Home Office. For example, as is stated in the Arrangements brought in January, "The Lead Authority shall take steps to coordinate the Authorities with a view to ensuring that the balanced appointment objective is achieved", so it is a co-ordination role.*

737

Members' Questions

Members discussed with the Commissioner and Chief Fire Officer regarding fire serve response times and comparable data shared from a national dataset. Mr Dyson was keen to underline for the Panel the broader context to this data and those factors which make North Yorkshire more of an 'outlier' including its size, travel times to call-outs and the fact that there isn't funding to locate fire stations in more outlying areas.

The Commissioner was asked about the North Yorkshire Police policy around use of electric scooters, particularly where these are used on pavements, and whether or not they are being used for lower level crimes, drug crime and so on. It was felt that their use in crimes was very low level in this area and that road safety is the key concern. A similar query was raised regarding data on mobility scooters which are poorly driven or misused on the public highway. A/CC Foskett offered to revert on these queries.

Resolved –

That the Panel:

- (a) receives details of the North Yorkshire Police policy on e-scooters and data regarding dangerous driving of the same, plus where they have been used in crime; and

(b) receives data regarding misuse/dangerous use of mobility scooters in the area.

738 Force Control Room performance

Considered –

The report of the Commissioner providing an annual update on the performance of the Force Control Room (FCR) and the impact of the investment into the FCR.

The Commissioner spoke to the key points of the report, highlighting improvements made to the FCR including:

- a reduction in abandonment of 101 calls by 30% to 12% in January 2024;
- 999 call answer time average reduced from 19 seconds in October 2022 to 6 seconds in December 2023;
- average 101 call answer times down from 3 minutes 34 seconds in October 22 to 1 minute 34 seconds in December 2023.

Members commended the improvements made to the 999 and 101 services. The Commissioner was asked whether calls not appropriate for North Yorkshire Police have a significant impact on its performance. The Panel heard that further investment will introduce a triage/switchboard system to help with this although it was felt that such calls do not greatly affect the response that the public get. Clarification was also provided that the investment will ensure an increase in dispatch officers, switchboard, supervision, the introduction of live chat, a performance analyst and QA officer in addition to increasing admin personnel. The Panel also sought reassurance that the FCR will be able to deal with any surge in call volumes. The Commissioner felt confidence that it would be well placed to do so.

It was requested that abandonment rates are incorporated into future reporting to the Panel.

Resolved –

That the Panel notes the report provided regarding the performance of the FCR and impact of the Commissioner's investment.

739 Enhancing Neighbourhood and Response Policing

Considered –

The Commissioner's report regarding the review of the Response and Neighbourhood Policing functions at North Yorkshire Police.

Process Evolution were engaged to develop demand modelling to help improve response times and manage demand more effectively. This has led to an adjustment of current processes and distribution of staff to improve dispatch time and reduce variability in incident response performance. In relation to improving Neighbourhood Policing, high-harm wards have been identified and tasking is data driven, based on ward profiles. The neighbourhood teams will focus on targeted activity, problem solving and drivers for change, with accountability delivered through monthly meetings. The force has also introduced an abstraction policy designed to

reduce short-notice abstractions to cover policing response to incidents and to ensure continued visibility in localities.

Members acknowledged North Yorkshire Police's engagement at a community level, particularly where missing persons incidents have arisen and felt encouraged by the plans put in place. The Commissioner felt it important that the incoming Chief Constable is able to shape and improve the service further, in line with the Mayor's Police and Crime Plan.

Resolved –

That the Panel notes the report provided on improving Response and Neighbourhood Policing.

740 Panel Scrutiny of the Precept Proposals

Resolved –

That the Panel notes the guidance note provided by the Panel Secretariat regarding the Panel's legal role in reviewing the Commissioner's precept proposals for 2024/25.

741 Policing Precept Proposal 2024/25

Considered –

The report from the Commissioner seeking the Panel's approval of her Council Tax policing precept proposal for 2024/25.

The Commissioner presented a proposal to the Panel to set the police element of the Council Tax precept for 2024/25 at £306.86, which represents an increase of £11.77 (or 3.99%) over the 2023/24 level for a Band D property.

The Panel heard from the Commissioner that she had chosen not to increase the policing precept by the maximum amount permissible (£13) as she is concerned to only ask residents to fund what is absolutely necessary. The Panel also noted that 61% of those residents who responded to the Commissioner's public consultation regarding the 2024/25 precept supported an increase of £10 or more.

The Commissioner outlined that the funds levied from the precept would be invested back into priority areas such the Force Control Room and continuing to ensure an effective frontline policing response. There will also be investment required into tackling areas of 'high harm'. These included investments into specialist safeguarding teams, the Digital Forensics Unit and increasing the numbers of detectives at NYP. The planned capital programme will ensure replacement of police vehicles as needed, as well as investment in the estate and ICT infrastructure.

The Commissioner highlighted that any efficiency savings found within NYP going forward will continue to be reinvested in areas of high demand. Further to Panel questions, the Commissioner underlined that she felt comfortable with the level of policing reserves and with the planning assumptions made around future pay awards.

The Commissioner advised that a 3.99% increase will achieve a balanced budget over the next four years, leaving NYP in a stable financial position for the incoming Mayor but that there will be a continued need for the organisation to become more

efficient too.

The Panel voted unanimously in support of the Commissioner's precept proposal for policing.

Resolved –

That the Panel supports the Commissioner's proposal to increase the policing precept for 2024/25 to £306.86, thereby representing an increase of £11.77 (or 3.99%) over the 2023/24 level for a Band D property.

742

Fire and Rescue Service Precept Proposal

Considered –

The report from the Commissioner seeking the Panel's approval for her Council Tax precept proposal for fire and rescue for 2024/25.

The Commissioner presented a proposal to set the fire and rescue element of the Council Tax precept at £83.02 for 2024/25, which represents a 2.99% increase (or £2.41) over the 2023/24 level for a Band D property.

The Panel noted that in spite of the best efforts of the Commissioner and support of the Panel, unfortunately fire and rescue authorities have not been afforded the precept flexibility granted to Shire District Councils this year and as such the Commissioner is seeking the maximum amount permissible. It was also noted that public support remains high for an increased precept level for the FRS, with 69% of respondents to the public consultation agreeing with an increase of at least £2.41 and 54% agreeing with an increase of at least £5.

The Commissioner advised that the financial position for the fire and rescue service ("the FRS") looking ahead to the next year has been made slightly more comfortable by the indication from government that the service will be given a 4% funding guarantee. This is expected to provide around £350/400k more than previously forecasted (to be confirmed shortly), which will enable the Commissioner to balance the plan for 2024/25. In turn, this means that the Commissioner has also been able to increase planning assumptions around pay awards and slightly increase the amount of general reserves. However, the Panel noted with concern that the position remains exceptionally tight and committed to writing back to the Department for Levelling Up, Housing and Communities to emphasise the precarious position for next year in the hope that additional flexibility will be granted.

The Panel noted that the FRS continues to look at creative ways to adapt around the financial position presented, such as replacing appliances with newer second-hand models.

Following a show of hands, eleven of the Panel voted in favour of the Commissioner's precept proposal and one Member voted against; as such the approval was carried.

Resolved –

That the Panel:

(a) supported the Commissioner's proposal to increase the fire and rescue service precept for 2024/25 to £83.02 for 2024/25, which represents a 2.99% increase (or

£2.41) over the 2023/24 level for a Band D property; and

(b) responds to Simon Hoare MP to underline its concerns regarding the financial position of the service and the need for greater precept flexibility in the 2025/26 funding round.

743 Closed Session

The Panel did not retire into closed session as business under Item 10 was concluded in public session.

744 Panel Rules of Procedure - Revisions Following Mayoral Devolution

Resolved –

That the Panel:

(a) agrees the proposed revisions to be made to its Rules of Procedure from 7th May 2024; and

(b) reviews revisions to its complaints handling material via email prior to 7th May 2024.

745 Work Programme

Considered –

The outline work programme for the Panel.

It was proposed that an item comes to the Panel later in the year which provides a more rounded look at fire and rescue appliance availability, response times and cover moves to help give reassurance to the Panel around response times. It was acknowledged that the recent Fire Safety Critical Notice from the trade union and issues stemming from that cannot be discussed in public forum while being explored further. It was also acknowledged by the Panel that the fire service performance information published as part of the Commissioner's Online Public Meetings provides much of this data currently so further work will need to be undertaken with the Panel to clarify on requirements.

Resolved –

That the Panel agrees the outline work programme for 2024/25.

746 Any other items

The Chair highlighted that it was the last Panel meeting for the Commissioner and invited her to speak to this. The Commissioner gave a summary of the various changes and impacts brought to bear for both policing and fire and rescue under her tenure. These included ensuring improvements to both services following recent HMI inspections, investments made into the FCR, improvements in governance including a new Assurance Framework, investing in a new Sexual Assault Referral Centre and launching a new strategy to tackle Violence Against Women and Girls. She also gave thanks to her office and colleagues in both the police and fire services.

Panel members provided their individual thanks to the Commissioner for her work over the last couple of years and in particular the collegiate way in which she has worked with Panel. The Commissioner was commended by the Panel for the impact she has made through her dedication and drive to improve services for the public, in particular for improving services to victims of crime.

747 Date of Next Meeting

It was noted that the precept reserve meeting on 19th February will not be required and as such the next meeting will take place on:

Wednesday, 12th June 2024 at 10:30am – County Hall, Northallerton.

The meeting concluded at 12.30 pm.
DP.