

North Yorkshire Council

North Yorkshire Police, Fire and Crime Panel

Minutes of the meeting held in the Hudson Room at City of York Council's West Offices on Thursday, 25th July, 2024, commencing at 10.30 am.

Councillors Peter Wilkinson (North Yorkshire Council) in the Chair; Danny Myers (City of York Council), Lindsay Burr MBE (North Yorkshire Council), Tim Grogan (North Yorkshire Council), Emilie Knight (City of York Council), Heather Moorhouse (North Yorkshire Council), Andrew Murday (North Yorkshire Council), Michael Pavlovic (City of York Council), Steve Shaw-Wright (North Yorkshire Council) and Malcolm Taylor (North Yorkshire Council).

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

David Skaith (Mayor of York and North Yorkshire).

Jo Coles (Deputy Mayor for Policing, Fire and Crime).

Deputy Chief Constable Scott Bisset (North Yorkshire Police).

Officers from the Office of the Police, Fire and Crime Commissioner: Simon Dennis (Corporate Director OPFCC & Deputy MO for Policing, Fire and Crime (MCA)), Jenni Newberry (Director of Commissioning, Criminal Justice and Partnerships), Michael Porter (Assistant Director of Resources (Deputy s73 Officer for Police, Fire and Crime Functions)), Tamara Stevens (Director of Delivery and Assurance).

Officers present: Diane Parsons (North Yorkshire Council), Paul Clark (Mayoral Combined Authority).

In attendance: Councillor George Jabbour (North Yorkshire Council).

Apologies: Councillor Chris Aldred (North Yorkshire Council).

Copies of all documents considered are in the Minute Book

11 Election of Panel Chair

Considered –

Members noted the guidance note provided by the Panel Secretariat.

Two nominations were received for the role of Panel Chair; one for Councillor Peter Wilkinson and one for Councillor Lindsay Burr. Both were seconded. Councillor Burr proposed that a named vote be taken for the election, which was seconded. The Panel voted unanimously in favour of this proposal via a show of hands.

The results of the named vote for each nomination were as follows:

Nomination for Councillor Wilkinson (in alphabetical order):

Cllr Lindsay Burr	Against
Fraser Forsyth	For
Mags Godderidge	Against

Cllr Tim Grogan	For
Cllr Emilie Knight	Against
Cllr Heather Moorhouse	For
Cllr Andrew Murday	Against
Cllr Danny Myers	For
Cllr Michael Pavlovic	For
Cllr Steve Shaw-Wright	For
Cllr Malcolm Taylor	For
Martin Walker	For
Cllr Peter Wilkinson	For

Nomination for Councillor Burr (in alphabetical order):

Cllr Lindsay Burr	For
Fraser Forsyth	Against
Mags Godderidge	For
Cllr Tim Grogan	Against
Cllr Emilie Knight	For
Cllr Heather Moorhouse	Against
Cllr Andrew Murday	For
Cllr Danny Myers	Against
Cllr Michael Pavlovic	Against
Cllr Steve Shaw-Wright	Against
Cllr Malcolm Taylor	Against
Martin Walker	Against
Cllr Peter Wilkinson	Against

Resolved -

That Councillor Wilkinson be elected to serve as Chair of the Panel until July 2025.

12 Welcome and apologies

Councillor Peter Wilkinson in the Chair.

The Chair welcomed everyone to the meeting and apologies were noted. It was noted that Councillor Murday was attending as substitute for Councillor Aldred.

13 Declarations of Interest

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

Councillor Steve Shaw-Wright declared for transparency that a family member is currently a serving officer with North Yorkshire Police.

Councillor Lindsay Burr declared for transparency that she is a campaigner for tackling Violence Against Women and Girls.

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

14 Minutes of the Panel Meeting held on 12th June 2024

Resolved –

That the minutes of the meeting held on 12th June 2024, having been printed and circulated, be taken as read and confirmed and signed by the Chair as a correct record.

15 Election of Vice Chair to the Panel

Considered –

Two nominations were put forward for Panel Vice Chair; one for Councillor Myers and one for Councillor Knight.

A show of hands was taken from the Panel for each nomination and Councillor Myers was elected as Vice Chair.

Resolved –

That Councillor Myers be elected to serve as Vice Chair of the Panel until July 2025.

16 Consideration of Exclusion of the Public

Resolved -

That the public and press be excluded from the meeting during consideration of Item 16 on the grounds that discussion would involve the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006.

17 Progress on Issues Raised by the Panel

Resolved –

That the Panel notes the update report on progress made against issues raised at previous Panel meetings.

18 Public Questions or Statements to the Panel

A statement was provided to the Panel by Gwen Swinburn as follows:

“I realise we’re in the early stages of a big change round but notwithstanding I first wanted to raise my concerns that the membership of this committee does not reflect all the other committees under the auspices of the Combined Authority. It is an inherited committee but I think we need to ensure that this committee now has equal numbers from York and North Yorkshire if we are to have proper geographic and political representation. As of now only three Members are from York, seven from the rest of North Yorkshire. We should have five each according to the Combined Authority rules we have had to follow to date. What is the legal basis for York being denied its extra places?”

As it seems at face, and I think it is a further democratic governance issue, is the independent people having a vote. As it stands they don't represent anyone, and have exactly the same weight as the three York Members. Can these issues be formally reviewed?

My second concern is related to the governance arrangements of the very below radar joint audit committees. I understand there is a proposal to look at the democratic accountability, and I hope transparency, of that committee. We do see the papers now, if anyone can find them.

Of particular concern is the last two audit meetings were both inquorate, also it seemed most people were on dial-in which we know is not the best for proper oversight, hence not allowed in most local government committees.

The fact members are in the dark about the major audit and governance issues, and are effectively excluded from the teams meetings is exacerbated by the legal framework that in essence, limits any proper scrutiny as we know it in local government.

So both audit and scrutiny are a long way off minimal standards we see in local government. We need to find a middle ground, to bring light to these matters.

Finally, I hope now that the responsibility of all of this lies with the Mayor and Deputy the standard local government ModGov and related practices will be quickly adopted, that could go a long way to addressing quite a few of the afore stated concerns."

A response was provided from the Panel (read by the Secretariat) as follows:

"Thank you for bringing your questions to the Panel.

In relation to the point raised regarding membership of the Panel from the two constituent authorities, a similar question was raised by Gwen to the Panel's meeting on 5th of February this year and the full response from the Panel was included within the published minutes for that meeting. As such I don't propose to repeat the full response. However, it spoke to the point that fundamentally, the legal basis for the Panel pre-dates and stands separately to that for the Mayoral Combined Authority so it isn't bound by any of the same principles of the Combined Authority. Also that Home Office guidance prior to unitarization recommended that the Panel re-align its membership around population between York and North Yorkshire, which was agreed through both councils.

The Panel is legally bound to ensure it represents the political make-up of the police force area and this is regularly reviewed.

In relation to the query around the voting rights of independent co-opted members to the Panel, under paragraph 4 of Schedule 6 of the Police Reform and Social Responsibility Act 2011, legally Panels must have a minimum of two such members. Para 26 of the same Act states that "All members of a police and crime panel may vote in proceedings of the panel", so where this entitlement to vote appears in the Panel's Rules of Procedure this is simply reflecting a legal requirement and is not discretionary.

In terms of the points raised by Gwen about police and fire audit committees, as explained previously at the Panel, the Panel has no legal oversight of these committees and the governance of them sits within the Mayoral Combined Authority (MCA) arrangements now. It is therefore a matter for the police, fire and crime

function of the MCA to consider.”

The Chair invited Simon Dennis to assist with additional commentary around Gwen’s points regarding audit arrangements under the MCA. Simon briefly highlighted that the police and fire audit committees are constituted under separate arrangements to the Panel in accordance with the financial management code of practice. Work is underway to align the audit and governance arrangements with those of the MCA. Simon acknowledged that there has been a higher churn in committee membership than would have been ideal but recruitment for extra members will bring resilience. Work is in progress as regards a house style and administrative improvements. The Annual Governance Statement (AGS) is presented jointly with the Chief Constable and PFCC. Gwen asked a supplementary on this latter point as regards why the AGS is not reviewed by the Panel. Simon responded to the effect that the audit arrangements for policing and fire fall within the MCA arrangements and not those of the Panel.

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Members' Questions

1) Crisis care response

A question was put to the Panel on behalf of Councillor Andrew Lee in his capacity as Chair of the North Yorkshire Council Scrutiny of Health Committee, as follows:

“At the NYC Scrutiny of Health Committee’s Mid-Cycle Briefing on Friday 19 July, we were presented with concerns surrounding the crisis care response for individuals with complex mental health needs. Councillor Paul Haslam (NYC) has raised his concerns with the Scrutiny of Health Committee on behalf of a particular resident in crisis who was met with an armed police response. Councillor Haslam is of the view that the case presented is not an isolated one and is keen to identify how the different agencies link up around such cases and whether the support in place is working effectively. Clearly such an issue does not just involve one agency or scrutiny committee.

To this end, I have agreed that I will facilitate co-ordination of a meeting among partners to better explore and consider the following:

- *Is the ‘Right Care, Right Person’ (RCRP) model monitored and reviewed internally within NYP? Has it been effective in North Yorkshire and York thus far?*
- *What challenges has RCRP faced, and how have these been addressed?*
- *What processes are in place to co-ordinate between North Yorkshire Police and Tees Esk and Wear Valley NHS Trust, both operationally on individual cases, and strategically?*
- *Are the funding levels supporting mental health care adequate, and how do they compare to funding levels across other ICBs?*

I am aware that the Police, Fire and Crime Panel has a longstanding interest in scrutiny of the Mayor’s (previously Commissioner’s) oversight of the RCRP policy in terms of its implementation and efficacy. I am therefore writing to invite the Panel Chair and Vice Chair (or other suitable representative) to attend a meeting of partners to discuss this further. I intend that this meeting includes the following:

- *North Yorkshire Police (NYP)*
- *Deputy Mayor for Police, Fire and Crime from York and North Yorkshire Combined Authority (Y&NYCA)*
- *Tees, Esk and Wear Valleys NHS Foundation Trust (TEWV)*

- *Humber and North Yorkshire Integrated Care Board (ICB)*
- *Chair and Vice Chair of North Yorkshire Council's Scrutiny of Health Committee (SOH)*
- *Chair and Vice Chair of North Yorkshire Council's Care and Independence Scrutiny Committee (C&I).*

I will be writing to representatives of the above groups and agencies with the aim of meeting later in the year to explore these issues further. The meeting would be internal, with a written summary provided to the public meetings of the two council Scrutiny Committees."

Members considered the issues raised by Councillor Lee's correspondence, noting that recent visits to the Force Control Room had highlighted an efficient triage operation. Members raised that it would be helpful to see data behind the Right Care, Right Person (RCRP) model and whether it is evidence-based. Concerns were raised that support through Tees, Esk and Wear Valley NHS Trust is not available 24 hours a day. The Deputy Mayor for Policing, Fire and Crime ('the DMPFC') acknowledged the issues raised and that further discussions should also include the relevant portfolio holder on City of York Council. DCC Bisset commented on the strategic and tactical governance arrangements in place around RCRP to review demand but noted that it's often not police officers who should be attending where someone is in crisis.

The Panel agreed that the Chair and Vice Chair will attend a multi-agency meeting to discuss these issues further.

2) Bailing of perpetrators

The DMPFC was asked whether she felt assured that operational policing decisions around bailing perpetrators to addresses in the immediate vicinity of alleged victims wasn't re-traumatising victims. The DMPFC responded that she was aware of the pressures in the system and could explore these further but acknowledged the impact on victim safety and confidence. DCC Bisset invited detail on specific cases to be fed through to the force.

3) Force Control Room – staffing and CCTV access

Following recent Panel visits to the Force Control Room (FCR), Members highlighted concerns that the FCR is operating at about 20% fewer staff than there should be, especially around dispatch. The FCR also doesn't have access to live CCTV feeds in some key areas of North Yorkshire. DCC Bisset highlighted that dispatch roles are harder to recruit to as the role is more complex and/or the training is difficult; whereas the FCR currently has the highest number of communications officers it has ever had. York is also a difficult labour market for such roles as there are many customer service-type roles available, although the service has tried to adjust salaries to assist. It was also highlighted that staff in the FCR often see this as a stepping stone to other roles within the service. The concerns around CCTV were acknowledged and the DMPFC will explore this aspect further.

4) County Lines

The DMPFC was asked about work around County Lines issues in Malton and Scarborough. The DMPFC acknowledged the need for investment in prevention and early intervention and noted that the issue is much wider than just a policing matter. The Mayor reinforced the need for an economic framework which will support communities in all aspects.

5) Induction programme for DMPFC

In response to a question regarding induction training, the DMPFC highlighted the range of events and briefings she has received, such as on VAWG, briefing on the

early release of prisoners and starting to better understand the law around some of the aspects of work. Simon Dennis added detail around a programme including meeting and listening to victims and an induction curriculum provided by the Association of Police and Crime Commissioners. Members highlighted the importance of the DMPFC engaging with staff associations and unions as part of her induction, in addition to attending the FCR. The DMPFC thanked the officers and staff of North Yorkshire Police for their work.

6) PCSOs

In response to a query on the development plan for PCSOs and whether recent recruitment had been effective, Panel were advised that the service is in the middle of a neighbourhood policing review but that communities have been put at the centre of this. There is a need to ensure the correct blend of officers and targeting those areas with most need; some areas require further work with partners to tackle issues rather than necessarily drawing on additional PCSOs.

7) Retail crime

Members raised concerns regarding retail crime and being able to get investigating officers engaged. The DMPFC highlighted that this will be reviewed and the Mayor outlined that the High Street Fund is aimed at getting businesses to invest and make communities safer.

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HMICFRS 'PEEL' inspection of North Yorkshire Police - outcomes and progress

Considered –

The update report provided to Panel regarding progress made against the recent inspection by HMICFRS of North Yorkshire Police.

The Panel commended the significant improvements made. A number of other aspects were highlighted as concerns or queries to the Mayor, which included:

- the level of victim withdrawal;
- poor inspection outcomes in relation to the investigation of crime;
- ensuring that securing a trial or conviction aren't seen as the only outcomes for victims but looking holistically at what's needed; and
- efforts to retain and support staff.

The DMPFC acknowledged the need to get victim support right and to do better within the resources available. DCC Bisset highlighted a national shortage of detectives and that the service now has multiple entry routes to improve this locally. Operation Soteria outcomes are being embedded to help change how the service investigates and improves its outcome rates on serious sexual violence and rape cases. The DMPFC also highlighted that there is likely to be national movement around improving response to spiking incidents. In relation to staff welfare, the DMPFC recognised the challenges faced by staff and the need to ensure support is available to both back office and frontline staff at all levels.

Resolved –

That the Panel notes the update report provided on progress against inspection outcomes within North Yorkshire Police.

21

Draft Policing and Crime Annual Report 2023/24

Considered –

The draft Policing and Crime Annual Report for 2023/24.

The Panel were reminded that this report and that for fire and rescue are provided on behalf of the former Police, Fire and Crime Commissioner, Zoe Metcalfe and comments were sought.

The Panel felt that overall the draft report reads very well and is accessible in terms of language and content to communities. Some specific observations and comments were made by the Panel for further consideration in relation to the draft report, as outlined below.

- a) Members had recommended in 2023 that information could be provided on the average time taken to respond to police complaints and noted that this was omitted again from the 2023/24 draft. It was noted that the DMPFC will provide this information separately but the Panel would be grateful for this to be taken into consideration for a future draft as it would provide a richer picture on police complaints handling.
- b) The Panel sought reassurance that the development of the new Sexual Assault Referral Centre (SARC) in York will not be hindered by further delays as it will provide an important service for victims in the area. The Panel welcomed the DMPFC's reassurance on this matter and commitment to provide a written update, in addition to noting that should delays be encountered it would be helpful to engage with local authority partners further.

In addition, it was highlighted by the Panel that North Yorkshire Police does not currently appear to be listed as a 'White Ribbon' accredited organisation but were provided with reassurance by DCC Bisset on this point and that this will be rectified in due course.

Resolved –

That the Panel:

- (a) recommends that the draft Policing and Crime Annual Report 2023/24 be approved, subject to the Mayor's further consideration of the issues raised; and
- (b) receives an update from the DMPFC on progress with the build of the SARC in York.

22

Draft Fire and Rescue Annual Report 2023/24

Considered –

The draft Fire and Rescue Annual Report 2023/24.

The Panel felt that the style and language of the report similarly reads well to the policing and crime report. Several specific queries and comments were raised as outlined below:

- Page 105 refers to investment into prevention and protection teams and Panel would welcome further detail on this;
- Page 105 refers to there being “no notable increase in response times to incidents in the Huntington area” following the implementation of the Risk and Resource Model. Members asked for further detail to better understand this;
- It was highlighted that the North Yorkshire Fire and Rescue Service is the worst performing service in the country based on recent data so Members expressed concerns that the draft report does not reflect this and as such the following information was requested for the Panel’s October meeting:
 - Detail of appliance availability of fire engines across the area;
 - An update on the FBU Critical Safety Notice issued this year. The DMPFC was urged to meet with the FBU to better understand their concerns.

The DMPFC agreed to revert in writing to the Panel on points raised, with further detail. A more substantive review of the Risk and Resource Model will be brought to Panel in October 2024 which will incorporate these updates.

Resolved –

That the Panel:

- (a) recommends that the draft Fire and Rescue Annual Report 2023/24 be approved; and
- (b) receives further information in response to the detailed queries raised during discussion on the draft report for its next meeting.

23 Annual Report of the Police, Fire and Crime Panel 2023/24

Considered –

The draft Annual Report of the Police, Fire and Crime Panel for 2023/24.

Members endorsed the draft report, with the suggestion that an amendment may be helpful around the update on the development of the Sexual Assault Referral Centre in York to reflect the further delays.

It was noted that a one-page summary will be shared with Members of the constituent authorities, with a link to the full published report.

Resolved –

That the Panel agrees its Annual Report 2023/24, subject to minor amendment.

24 Work Programme

Resolved –

That the Panel agrees its outline work programme.

25 EnableNY Progress Report

Considered –

The published reports to the Panel regarding the progress of the EnableNY shared services collaboration.

Simon Dennis introduced the material by outlining the challenging aspects which had impacted the progress of the programme. Simon spoke to the difficulties of re-designing services at the same time as endeavouring to baseline efficiency and effectiveness and how the re-shaping of the collaboration in 2023 resulted in being able to address aspects of the design which could on reflection have been better modelled at the start. A review has been taken independently of the programme and the report shared privately with the Panel, incorporating potential options for consideration by the partners involved. These have not yet been through the appropriate decision-making channels or shared with staff representatives and as such cannot be shared publicly. Simon acknowledged that aspects of this report are not as positive as would be desired but that it's important now to commit to a forward programme of review for both services. The MCA is a party to this collaboration and discussions are underway to consider how that collaboration might best serve the needs of the MCA itself.

The Panel thanked Simon for the information provided. Due to the nature of the confidential reports the Panel proposed and seconded to retire into closed session to be able to consider the confidential material provided on the rising of the Panel.

Resolved –

That the Panel notes the published papers and verbal update provided regarding the progress of the EnableNY programme.

26 Any other items

The Panel were advised that no urgent items had been raised with the Chair.

27 Date of Next Meeting

The Panel were notified that the next meeting will be held on Thursday, 10th October 2024 at 10:30am at City of York Council's West Offices.

28 Closed Session - EnableNY progress update

The Chair brought the meeting of the Panel held in public to a close and following a short break the Panel moved into closed session to consider the material exempted from publication under Item 15.

The meeting concluded at 12.53 pm.
DP.