

MINUTES of a meeting of the **DERBYSHIRE POLICE AND CRIME PANEL** held on 9 September 2021 at County Hall, Matlock.

PRESENT

Councillors W Armitage (NE Derbyshire District Council), J Atkin (Derbyshire Dales District Council) (substitute member) A Barrow (High Peak Borough Council), V Clare (Erewash Borough Council), P Innes (Chesterfield Borough Council), T Harper (Amber Valley Borough Council) (substitute member); C Hart (Derbyshire County Council), G Potter (Derby City Council), and V Newbury & Dr S Handsley (Independent Member).

Derbyshire County Council officers also in attendance: L Collard (Improvement and Scrutiny Officer) I Walters (Democratic Services) and L Wild (Legal Services).

Also in attendance: A Foster, Police and Crime Commissioner, D Peet, Chief Executive (OPCC), A Dale, Chief Finance Officer (OPCC).

7/21 **APPOINTMENT OF CHAIR** Following requests for nominations, Vicky Newbury and Carol Hart were duly nominated and seconded for the position.

A recorded vote took place amongst those present, with both nominees receiving 5 votes.

Therefore, given the Panel's inability to vote in a new chair, and in accordance with the Panel's Terms of Arrangements, the existing Chair Vicky Newbury would continue in the Chair on an interim basis until such times as the Panel were able to appoint a new Chair.

RESOLVED that Vicky Newbury continue as Chair of the Derbyshire Police and Crime Panel on an interim basis until such times as the Panel were able to appoint a new Chair.

V Newbury (in the Chair)

8/21 **APPOINTMENT OF VICE-CHAIR** Following requests for nominations, Ged Potter and Carol Hart were duly nominated and seconded for the role.

A recorded vote took place amongst those present, with Councillor Potter receiving 6 votes and Councillor Hart 4 votes.

RESOLVED that G Potter be appointed as Vice-Chair of the Derbyshire Police and Crime Panel for the ensuing municipal year.

9/21 **APOLOGIES FOR ABSENCE** Apologies for absence were submitted on behalf of Councillors S Carter (Amber Valley Borough Council), M Dooley (Bolsover District Council); G Purdy (Derbyshire Dales District Council) and G Rhind (South Derbyshire District Council),

10/21 **MINUTES RESOLVED** that the minutes of the meeting of the Derbyshire Police and Crime Panel held on 18 March 2021 be confirmed as a correct record.

11/21 **BALANCED APPOINTMENT OBJECTIVE** The Director of Legal and Democratic Services of Derbyshire County Council, provided a report requesting that the Panel review its composition following the commencement of the new municipal year and to co-opt additional Councillor Members to ensure the Panel meets the statutory balance requirements.

Prior to considering the item, the Director of Legal Service's representative referred members to recommendation 4 in the report which stated that should all members of the panel not be in attendance the matter would be deferred and included on the agenda for the subsequent meeting, scheduled to take place on 18 November 2021 at County Hall, Matlock as a decision to co-opt an additional member to the Panel must be unanimous. As this was the case with two constituent authorities not being represented, this was something for the Panel to consider.

Following discussion amongst members with regard to the way forward, and consideration of the two proposed officer recommendations suggesting either 3 or 7 co-optees as detailed in the report, Councillor Barrow suggested that if it was clear from amongst those present that unanimous agreement could not be reached on either of the options, that regardless of whether all constituent members were present at the meeting, the matter would still have to be referred to the Secretary of State for determination, and he proposed that a vote be taken to gauge opinion. Following a vote, opinion was evenly split amongst those present.

The interim Chair then proposed that as it was clearly apparent following the vote, that a unanimous decision was not going to be reached by the Panel, regardless of whether all members of the Panel were in attendance at a meeting, that the matter be referred directly to the Secretary of State for determination, given that the Panel was unable to unanimously agree on the

number of co-optees. The proposal was duly seconded and put to the vote. The proposal was carried by a majority vote, with one abstention.

RESOLVED that the Director of Legal and Democratic Services and Monitoring Officer for Derbyshire County Council as the host authority write to the Secretary of State for determination of the co-optees required to achieve the balanced appointment objective as a result of the Panel being unable to be able to reach a unanimous decision

12/21 DERBYSHIRE POLICE & CRIME PANEL – ANNUAL REPORT

The Panel was asked to consider the proposed Annual Report of work undertaken by the Panel and to also consider the process for the future publication of the Annual Report.

As the Panel was aware, Derbyshire County Council was provided with a grant for 1 April 2020 to 31 March 2021 of up to £67,100 as the host authority in respect of the Derbyshire Police and Crime Panel. Payment of the Grant was subject to the standard terms and conditions of the Grant Agreement which, together with the letter confirming the award was attached to the report at Appendix 3.

To demonstrate that the Panel had met the Key Performance Indicators for the year 2020 to 2021, a report of the work undertaken by the Panel for the municipal year of May 2020 to May 2021 was attached at Appendix 2 to the report.

RESOLVED (1) to approve the Annual Report as detailed in Appendix 2 to the report to demonstrate that the Panel has met the Key Performance Indicators as specified in the Grant Agreement for the period 1 April 2020 to 31 March 2021;

(2) to agree to produce the Annual Report for the year 2021 to 2022 to provide a response to the Key Performance Indicators as specified in the Grant Agreement; and

(3) to agree to establish a working group to consider format, framework and content for the annual report 2021 to 2022.

13/21 DERBYSHIRE POLICE & CRIME PANEL ACHIEVEMENTS JUNE 2020 – SEPTEMBER 2021

To compliment the Annual Report of the Panel, Vick Newbury and Cllr Ged Potter, the Chair and Vice Chair through this period, outlined that it been a very busy year for the Derbyshire Police and Crime Panel, challenged by Covid and new ways of working. Despite the challenges, the panel had achieved a number of notable successes and these

were shared with the Panel members as a reminder of the excellent work the Panel had achieved.

Members were given the opportunity to make comments and ask questions which were duly noted or answered.

RESOLVED to note the report

14/21 **COMPLAINTS** As members were aware, The Police and Crime Panel considered complaints about the conduct of the Police and Crime Commissioner for Derbyshire and the Deputy Police and Crime Commissioner for Derbyshire. The Panel has delegated authority for the initial handling of complaints, together with other aspects of the process, to Derbyshire County Council's Monitoring Officer and Director of Legal Services, under section 101(2) of the Local Government Act 1972.

When a complaint about the conduct of the Police and Crime Commissioner or Deputy Police and Crime Commissioner is recorded the Director of Legal Services in consultation with the Chair and/or Vice Chair of the Panel, will make arrangements for the informal resolution of the complaint.

Details of complaints received were given in the report

RESOLVED to note the complaints received in the period April 2020 to March 2021 and the action taken.

15/21 **POLICE & CRIME COMMISSIONER UPDATE** Angelique Foster, Police and Crime Commissioner attended the meeting and provided members with an update on some the work she had undertaken, since her election and how she looked forward to working constructively with the Panel moving forward

This included:

- Understanding the Office supporting the PCC
- Relationship Building with Chief Constable & Chief Officer Team
- Developing the Police & Crime Plan (
- Securing funding from Home Office for Domestic Abuse Perpetrator Programme
- Launching Anti-social Behaviour Grant for local communities
- Re-affirmed commitment to support Neighbourhood Watch
- Safer Streets round 3 – applications submitted, awaiting outcome
- Reviewing current Estates Strategy and Current Projects
- Established Finance Assurance Board with CC

The Commissioner outlined a number of key areas of work and initiatives that she was keen to promote and emphasised the importance of collaborative working with key stakeholders and partners. She gave a brief summary of some of the Key Priorities that would be contained in the Police and Crime Plan, and that more detail and opportunity for discussion would be provided when the plan was submitted to the next meeting of Panel in November.

Members were given the opportunity to make comments and ask questions which were duly noted or answered by the Commissioner.

The Chair thanked the Commissioner for attending the meeting and for an interesting and informative presentation.

RESOLVED to note the update report.

16/21 **SUCCESSION PLANNING** The Police and Crime Commissioner provided the Panel with the proposed plans in place for succession planning should the Police & Crime Commissioner be unable to continue undertaking the role.

The Policing Minister, Kit Malthouse, wrote to all Police & Crime Commissioners (PCCs) in July 2021 requesting that all PCCs work to develop succession planning arrangements.

Section 62 of the Police Reform and Social Responsibility Act 2011 placed the responsibility for appointing an Acting PCC upon the Police and Crime Panel.

Section 62(2) stated that the appointment can only be of a member of the PCC's staff at the time of appointment.

For clarity, where a Deputy PCC has been appointed, they are defined within the legislation as being a member of staff, and therefore able to take up the role of Acting PCC, if required.

At the time of submitting this report there was currently no Deputy PCC appointed for Derbyshire

The proposed approach until such time as a Deputy PCC had been appointed (and confirmed by the Police and Crime Panel), was that the role of Acting Police and Crime Commissioner would be undertaken by the Chief Executive of the Office of the Police & Crime Commissioner.

Should the Chief Executive be unable to undertake the role, or the post be vacant, the duties will be undertaken by the Chief Finance Officer

Should a Deputy PCC be appointed, the role of Acting PCC would then be undertaken by that postholder

RESOLVED that the Panel agrees in principle the proposed arrangements for succession planning but notes that the matter would return to Panel for determination should the circumstances described in section 62 of the Police Reform and Social Responsibility Act 2011 arise.

17/21 **FORTHCOMING EVENTS/UPDATES** The National Conference of Police and Crime Panels hosted by Frontline Consulting would take place on 2 November in Warwick, and any members wishing to attend should contact Lucie Collard, Improvement & Scrutiny Officer, who would book the places.

The National Association of Police Fire and Crime Panels was to hold its AGM on 17 November 2021 by Zoom. The appointments to the Executive Committee would be considered. Councillor Potter was currently a member of this Committee and was happy to continue unless there were any other nominations for this role. If any other Panel Members wished to be considered they should contact Lucie Collard, Improvement and Scrutiny Officer.

The OPCC confirmed that the deadline for applications from the Grants Scheme relating to ASB would end soon and asked Panel Members to encourage organisations in their areas to let the OPCC know of any projects they may have.

18/21 **DATE OF NEXT MEETING RESOLVED** to note that the next meeting of the Derbyshire Police and Crime Panel would take place on Thursday 18 November 2021 commencing at 10.00am