

DURHAM COUNTY COUNCIL

At a Meeting of **Police and Crime Panel** held in **Committee Room 2, County Hall, Durham** on **Wednesday 1 February 2023** at **10.00 am**

Present:

Councillor B Jones (Chair)

Durham County Council:

Councillors D Boyes, L Hovvels, D Nicholls, J Nicholson (Vice-Chair), R Potts, A Savory and M Simmons

Darlington Borough Council:

Councillors L McCollom and M Renton

Independent Co-opted Members:

Mr N Hallam and Mr R Rodiss

1 Apologies for Absence

There were no apologies for absence.

2 Substitute Members

There were no substitute Members.

3 Minutes

The minutes of the special meeting held 28 October and meetings held on 4 November 2022 were agreed as a correct record and signed by the Chair.

4 Declarations of Interest

There were no declarations of interest.

5 Precept Consultation

The Panel considered a report of the Police and Crime Commissioner, Joy Allen (PCC) which provided an update on the process for setting the Policing precept for 2023/24 and sought the Panel's support for an increase of £15 per household per year for properties in Band D, and commensurate increases for other properties (for copy see file of minutes).

The PCC highlighted that the country was facing one of the most challenging financial landscapes since 2011 and noted that County Durham faced its own pressures with multiple areas of deprivation. She noted the cost of living crisis that was being faced by members of the public and added that Durham Constabulary was no different, with increasing demands on the Force and increasing costs. She added that partners were also facing similar increases in demand and costs, such as Durham County Council (DCC) and Darlington Borough Council (DBC) and both had been consulted on the precept and the recommendations.

The Panel were asked to note the six key themes that were focussed upon, namely: Safer Business; Safer Communities; Safer Countryside; Safer Online; Safer People; and Safer Roads. The PCC added they were themes that were based upon feedback from the public. She explained that in 2021/22, influence had helped provide around £2.6 million additional funding for County Durham and Darlington. She noted areas had included £1.5 million from the Home Office from their Safer Streets Fund, an additional £220,000 from the Ministry of Justice (MoJ), a £144,000 boost for charities in preventing crime and £308,000 for victims services. The PCC added there had been £271,000 from the Home Office in terms of tackling domestic violence and explained as regards the work being undertaken in terms of rural crime and £190,000 of funding "devolved-down" to the Neighbourhood Teams for projects at that local level. She noted the new Investigation Hub, £10 million of benefit to the area, and newly developed websites. The PCC concluded by noting her national work where she helped to put Durham at the forefront of many aspects of policing and community work, including for the Association of Police and Crime Commissioners (APCCs) being the Joint Lead for Environment and Sustainability and also Joint Lead for Addictions and Substance Misuse. She noted she was APCC Deputy Lead for Emergency Services Collaboration and also Joint Lead for Road Safety. She concluded by noting she was also a member of the Blue Light Commercial Board.

The Chief Finance Officer - Office of the Police and Crime Commissioner (OPCC) and Assistant Chief Officer - Durham Constabulary, Gary Ridley explained that the recommendation was for a £15 rise in the precept for Durham and Darlington at Council Tax Band D, a rise from around £240 to £255.44, which equated to an increase of around 29p per week.

He explained that through the consultation with the public, it had been found that 51 percent of the public had agreed with a £15-20 increase in the precept, noting that the current (pre-increase) national average being £251, and some neighbouring authorities increases were highlighted. He noted that the £15 increase would equate to around £2.5 million per annum and while Northumbria and North Yorkshire forces were not similarly sized areas, he noted the comparison in terms of precept.

The Chief Finance Officer noted that the national increase and £15 precept increase represented a 3.6 percent more money, however, this impacted different force areas differently depending upon their Council Tax base, with some forces having an effective 4.3 percent increase, with Durham being 3.4 percent, an effective £300,000 reduction year on year. He added that the Home Office were expecting an increase of £10 for the 2023/24 financial year.

The Panel noted the figures relating to the number of Officers and how they had changed since March 2010 and the Chief Finance Officer explained that Durham was on track, by 31 March 2023, to have an additional 226 Officers, however that would still represent 144 fewer Officers than in March 2010. He added that given the large demand in Durham and the North East it was worth noting that the North East had also seen the largest reduction in Officer numbers in the country. For context, he explained Durham had the fourteenth highest funding per head of population, however, was the ninth highest for recorded crime per head of population and referred to a graph demonstrating Demand and Resolved Crime Rate against Officers per 100,000 population. He noted that the demand per population and noted that given factors increasing demand, such as deprivation, the performance of Durham in terms of a large demand and high outcome rate demonstrated the effectiveness of Durham Constabulary.

The Chief Constable, Jo Farrell noted the performance when viewed against demand and noted the high resolve rate, especially given Officer numbers. She explained that it was important to be as efficient and effective as possible within the financial envelope. She noted that important areas of focus included confidence and satisfaction, with community engagement and a His Majesty's Inspector of Constabulary and Fire and Rescue Services (HMICFRS) rating of 'good' in this regard. She added that surveys had shown that public confidence in the Force was high and that the fear of crime remained low. She explained that in order to maintain this it was important to maintain good communication with the public. The Chief Constable added that Durham Constabulary had the highest resolve rate for victim based crime, robbery, theft, burglary and second highest in terms of rape. She noted the Force was in the top five across all areas and that was a credit to the hard work of all Staff and Officers.

The Chief Constable noted the additional 226 Officers previously mentioned and noted that the attrition rate was very low for Durham, and noted that across the Force, around 30 percent were female. She noted that the Durham had a joint highest entry level with Northumbria Police, with 120 UCAS points and that this and life experience made for excellent recruits. She explained that all applicants had interviewed face-to-face and following a successful interview, they had a final assessment in terms of being fit for Durham Police. She noted that transfers from other Forces was encourage, especially in getting skills that would enhance Durham, such as the Deputy Chief Constable. It was reiterated that applicants would only be admitted to the Force if they were fully vetted, noting the process in Durham was over and above national guidance in this regard.

The Chief Constable explained as regards the dedicated prevention team, working closely with the PCC on issues, such as off-road bikes. Members were reminded of the HMICFRS rating of 'outstanding' in respect of the Force's work, with partners, in tackling organised crime groups, utilising any powers at the disposal of the Force or partners to disrupt activities. She referred to a number of deliveries made by the Force in terms of technology, including Operation Snap, 'Keeping in the Know', a live chat facility, and investment in equipment for Officers to help ensure they spend more time policing and less time inputting information. It was explained there had been an additional eight posts within the control room, 133 Police Community Support Officers (PCSOs), investment in IT equipment, new Investigation Hub and custody suite, as well as investment in the fleet.

The Panel noted operational priorities and challenges, noting that drug and alcohol misuse were often drivers of crime, and there was a drive to tackle domestic abuse and violence against women and girls. It was explained that a lot of crime was now taking place in the digital space and highlighted that good digital evidence was required in order to convict in the courts. National and local drivers were set out and the Chief Constable noted she was confident that on balance the Force delivered a good level of performance.

The Chief Finance Officer noted spending pressures, including energy costs having increased from around £1 million to £2.5 million, public sector pay rises of three percent, ISO certification of £1 million. He noted the PCC would be writing to the APCC as regards hidden costs in budgets, such as fuel costs. He noted that all investment in fleet would be from budget, with no funding in this regards from Government. He added that there was the commitment to maintain the number of PCSOs, however, there would be a loss of 50 Police staff jobs, with most to be through natural wastage. He noted that there would be use of some reserves in terms of the pay award, however there was a deficit gap. He noted this was an issue being faced by all Forces and noted future challenges in terms of funding, including the 'fair funding' work.

He noted that the position was such that precept was increased or there would be a requirement for borrowing. He concluded by noting that the proposed precept increase would result in a £10 increase at Band A, £15 at Band D, and around £30 at Band H and reiterated that this would still be around £11 below the national average and the Force's use of resources was the best and most efficient as possible.

The PCC concluded by noting that around 52 percent of respondents to the consultation on the precept had supported a £15-20 increase in precept and reiterated the proposed increase represented around a 29p increase per week at Band D.

The Head of Legal and Democratic Services explained the process which the Panel should follow in considering the proposed precept and options open to the Panel.

The Chair thanked the PCC, Chief Finance Officer and Chief Constable and asked the Panel for their comments and questions.

Councillor M Renton asked why a £20 increase had not been requested, given the public response to the consultation and the fact that the majority of properties in the area were in Council Tax Bands A-C and therefore represented a low tax base. The Chief Finance Officer noted that the Department of Levelling Up, Housing and Communities (DLUHC) guidance noted that if working with an increase greater than £15 then there was a requirement for a public referendum. The PCC noted for a number of years the amount up to which required a referendum had been £10, however, at the last minute Government had noted it could be up to £15. She added that the consultation in Durham had included a number of options, however some areas had been forced to re-consult. Councillor M Renton asked what a £20 increase would represent in terms of increased funding, noting it would require a referendum. The Chief Finance Officer noted an £20 increase at Band D, £5 more than the £15 proposed, would equate to an additional £850,000 for 2023/24 noting some capital investment and the costs associated with IT and fleet as previously mentioned.

Councillor R Potts noted he had looked at the figures and noted an overall rise over a number of years of 42.4 percent to the precept, adding that there had been a Chief of Staff added to the OPCC and while the number of Police Officer had fallen, the number of civilian staff had increased. He asked, given the current financial situation, whether the increase of £15 at Band D, the maximum permitted was justifiable, noting the responses to the consultation could be influenced by the way the question was put. The Chief Finance Officer noted the delivery of PCSOs and noted the Force was on track to add 180 Officers as previously referred to at Panel.

He noted the 'civilianisation' of a number of roles, noting they typically represented a £20,000 less cost than an Officer and explained that many of the roles did not require the powers of arrest. He noted that since 2008 Officers lost were replaced by civilian staff and in 2010 – 2019 were included in the figures. The PCC noted that it could be different with fair funding, giving an example of North Yorkshire Police, who in 2010 had less Officers than Durham, but have the ability to raise around £2 million more than Durham on a £15 precept rise at Band D. She noted the changes in Officer numbers across a number of Forces since 2010, including Cambridge having 261 more, North Yorkshire having 148 more, and Durham having 144 fewer.

Councillor R Potts noted that Durham received more Government grant than North Yorkshire per head of population and noted the increase of civilian staff while reducing Officers, noting 60 percent of the responses to the consultation had noted they wanted more Police Officers, not civilian staff. He noted as regards injured Officers being offered civilian roles and reiterated that the public did not want more civilian staff, they wanted more Officers on the street.

Councillor D Boyes noted Durham relied on Government Grant, noting the low tax base, with around 80% of properties being within Band A. He added he felt unfortunately it was a perfect storm of reducing Government grant, low Council Tax base and cost of living crisis. He added he accepted what Councillor R Potts had said, however, he would support the proposed £15 increase at Band D, noting that an additional 29p per week was not a huge additional burden. He explained that, however, the increase could only be justified if the result was a Force fit for purpose. Councillor D Boyes explained that in his Electoral Division there was low confidence, and he observed only one response to the consultation from an SR8 postcode, noting they could not get through on the 101 contact number. He asked therefore, if the precept was raised, what would be done in terms of promoting policing to tackle issues such as anti-social behaviour, off-road bikes, so that residents felt that those responsible were not just getting away with it, in other words raising confidence in those hard to reach areas such as his Electoral Division.

The Chief Constable noted there had been investment in all areas, including road policing relating to off-road bikes. She noted that the £15 increase would keep the current position, not add above and beyond current provision. She added that there would be continued work in terms of efficiencies to make best use of assets and resources and reiterated that the £15 increase would help ensure the numbers of PCSOs and foundation of Policing was maintained. The PCC noted that in terms of postcodes with low consultation responses, links could be made to community groups to help engage in those areas. She added there was the 24/7 chat function and noted a lot of work in the Peterlee area in terms of initiatives such as Safer Streets.

She noted the Crimestoppers contact as an alternative to the 101 number in terms of being able to pass on intelligence on and explained as regards the Fearless Youth Outreach Worker in schools and the 'keep in the know' system where people could respond to local PCSOs direct. She acknowledged it was important to promote all these services in reluctant communities and to increase visibility in those areas and would ask for members assistance in that regard.

Councillor L Hovvels noted that, when looking at postcode responses, it was important to also remember rural communities and the challenges they faced. She noted there could be role at a more local level, for example Parish Councillors, in terms delivering messages locally. She noted that increasing costs were impacting upon all people and all sectors, however, most people would accept an increase and be happy to pay as long as the Force delivered in terms of policing. She added that it was important to report good news stories and successes and to invest in staff, and to listen to the concerns of the public noting that was what had brought her into public service. She added she would be happy to move approval of the £15 precept rise at Band D. The Head of Private Office, Sweety Sahani noted public consultation via Town and Parish Councils and Area Action Partnerships (AAPs).

R Rodiss noted his concern in terms of the performance of call handling, noting BT had released data last year for Durham Police and asked if that was available. The PCC noted it could be made available at future meetings. R Rodiss asked as regards retention of staff in terms of call handlers, and noted newly recruited Officers being in that role, adding he felt the public would expect those Officers to be out on the street, rather than taking calls. The Chief Constable noted that those Officers were above 40 hours, with that element being overtime, and additional response to address the issues with the 101 line. She added Officer had not been obliged to assist, but to provide cover where they could, especially where numbers had been depleted due to illness, including COVID-19. R Rodiss asked as regards paying less than the national average for Officer and whether this could mean Officers would leave. The Chair noted that the agenda item was looking at the precept, not wider issues.

N Hallam noted that, when looking at his Council Tax bill, the increase in the policing element had represented the largest percentage increase over the last six years. The Chief Finance Officer noted that in percentage terms it could be for policing, other than perhaps Parish Councils. He noted that Local Authorities were very limited in their ability to increase and had additional areas such as Adult Social Care as separate elements. He noted that the national average for policing as a percentage of a Council Tax bill was around 12 percent. N Hallam noted that while the highest percentage increase, the level of funding was going backwards.

The Chief Finance Officer noted that for policing, £240 increased by £15 was 6.1 percent, with the current average being £251 which would represent a 6 percent. He noted that for the majority of properties that would be the highest charge.

N Hallam noted he supported the increase, however, he asked how in a cost of living crisis could we support the most vulnerable who would feel that increase in precept the most. The PCC noted that it was important to continue to lobby, through elected Members, MPs as regards the 'fair funding formula' as it could have significant negative impact on County Durham and Darlington, adding that the Chief Finance Officer was the lead nationally on this issue for PCCs. She added that a report would be presented to the Panel regarding this issue.

Councillor A Savory noted she felt all communities needed the support in terms of the Police, and given the need to support them in terms maintain service levels, she would second Councillor L Hovvels' motion for approval of a £15 increase at Band D.

Councillor D Nicholls echoed the earlier comments from Councillor D Boyes and added that in terms of having informed communities, it was important to understand that the poorest areas were most impacted by the cost of living crisis. He added that he too felt the £15 increase was justified and reminded the Panel of the HMICFRS report which gave Durham an 'outstanding' rating in terms of its use of resources. He noted he felt the PCC was very good as listening to the Panel and gave an example of the response to his call for 24/7 contact that was acted upon. He reiterated his support for the recommendation. The PCC noted she felt it was important to come to the Panel and listen to the concerns raised, adding there were the relationships with Neighbourhood Teams and Elected Members, and they would always look to response where they could. The Chief Constable thanked Councillor D Nicholls for his feedback and noted that there would be an increase in demand on the Police as cost of living pressures resulted in issues such as strike action. She asked the Panel to note that there was a lot of activity that was 'below the surface', likening the situation to an iceberg. She explained there was important work that was always ongoing in relation to high impact, high harm crime and that the increase precept would help ensure that work would continue.

The Vice-Chair, Councillor J Nicholson noted she would struggle to support the £15 increase to the precept as residents in her area, Stanley, would struggle to see any improvement or impact. She noted the poverty in the area, with a rise in food bank use and felt residents would struggle to support such a rise if they did not see an improvement in the service in their community.

Councillor J Nicholson noted there was not much engagement with the local Police and Communities Together (PACT) meetings and people were unhappy. She noted that it had been said that the £15 increase would be standstill position in terms of service, and therefore people would not necessarily see an improvement day to day.

The Chief Constable reminded the Panel that Durham was one of the best performing Forces in the country, within the financial constraints it faced. She added that it was also important to judge against the benchmarks and the environment in which the Force operated. Councillor J Nicholson noted she understood, however, she had to approach the proposals from the perspective of her residents and how they would feel in terms of precept increase and performance.

The PCC noted it was her role to hold the Chief Constable to account and noted that Councillor J Nicholson could raise any local issues with her. She noted that where issues were not reported they were invisible, and it was important to make sure all partners came together to tackle issues in the best way possible. She noted examples of good work, such as the improvements to CCTV in Darlington and reiterated the importance of working together.

Councillor L McCollom noted that it perhaps would be easier to understand if there was a great breakdown of how the increase, and precept in general, would be allocated. She asked regards the consultation and whether it had been online only, with concern this may have left some groups disenfranchised. The PCC noted that in addition to the online route, copies had been made available at libraries and community hubs. Councillor L McCollom noted that she recognised the terrible position financially, she felt as a result of Government and funding, and noted it would be important to see the result of the 'fair funding formula'.

Upon a vote being taken it was;

Resolved:

- (i) That the current position of the consultation and the outcome be noted;
- (ii) That the proposal for a £15 precept increase at Band D be approved;
- (iii) That there be no veto to the proposal; and,
- (iv) That a report be produced.

6 Victims' Champions

The Panel considered a report and presentation from the Police and Crime Commissioner which gave an overview of the work of the Victims' Champions, presented by Michael Banks and Andrea Patterson, the Crime and Domestic Abuse Champions respectively (for copy see file of minutes).

The PCC reminded the Panel of the background in terms of the introduction of Victims' Champions in Durham, following a letter in 2021 from the then Victims' Commissioner, Dame Vera Baird, to all newly elected PCCs encouraging them to consider appointing Victims' Champions. She added that it was seen that Victims' Champions would sit outside the local police force and report directly to the PCC, with their role being threefold: to advise the PCC on victim related issues; to offer a victim perspective in respect of local policies and practices either within the police force or in respect of issues being considered by the Local Criminal Justice Board; and act as a point of contact for local victims and those providing support services. The PCC noted the three Champions for Durham, with the areas of focus being: Anti-social Behaviour; Crime; and Domestic Abuse.

M Banks explained as regards the role of the Champions and explained that each had a delivery plan that underpinned the Commissioner's Police and Crime Plan. He noted that the Champions were independent and reported directly to the PCC and worked with partners to ensure the voice of the victim was heard and that their lived experiences would inform planning, policies and the commissioning of services. He explained that there were three principles to: raise awareness; respond locally, if possible and if not; reform, via lobbying for change. He added that the emerging themes under crime had been: communication - explanation of investigative process and Criminal Justice Service; Consistency, empathy, reassurance and support; choice; re-listing = re-traumatising (court appearances); getting to and being at court; Victim Impact Assessments.

A Patterson noted that when the PCC had consulted on what areas residents were concerned with, the top priority had been anti-social behaviour. She added that the emerging themes within anti-social behaviour had been: confidence to report incidents; knowing where to report incidents; communication and response times; explanation of investigative process and action; consistency, ongoing communication, empathy, reassurance and support; perception of lack of action by agencies; empathy with the Force over competing demands, lack of resource, ability to react; and victim impact from repeat incidents.

She explained as regards the ongoing work alongside DBC, DCC and the Safe Durham Partnership (SDP) in terms of an Anti-Social Behaviour Strategy and explained that the eight principles used were: Working in Partnership; Champion the Victims' Voice; Provide the Best Victim Experience; Provide Victim Centric Community Trigger & Community Remedy Processes; Implement Preventative Measures; Make full use of tools and powers; Maximise use of digital technologies; and an Inclusive Approach.

The Panel noted that the Champions' Annual Report was being completed and would be available in due course.

The Chair thanked M Banks and A Patterson and asked how many days were spend in Darlington. A Patterson noted she spend one day in Darlington working with Councillor M Renton as Portfolio Holder Stronger Communities.

The PCC highlighted that one of the issues referred to be the Victims' Champions, in terms of court sessions being cancelled and victims having to reattend, was a national disgrace and was a good example of why Victims' Champions were needed.

Councillor D Boyes noted he took reassurance knowing that the Assistant Chief Constable and former Councillors were involved in looking at this issue. He asked where the Victims' Champions fit into the picture in terms of the OPCC and in working with Local Authorities and partners. He also asked as regards court backlogs, noting an example of a victim having a 15 month wait for a date.

M Banks noted the backlogs within the court system, with the impact of COVID-19 still being addressed. He understood that the length of time as described by Councillor D Boyes would prolong levels of anxiety for victims and agreed that the situation needed to change. He reiterated that the view would always be that taken through the prism of the victims and noted that, through the support of the PCC, a number of services had been commissioned. He noted the Victims and Prisoners Bill going through Parliament and added that should that come into effect there would be a cultural shift. He reiterated that the PCC had a role in making sure the opportunities and challenges presented by the Bill were grasped and tackled. A Patterson noted awareness of the issues raised and noted the work of the Anti-Social Behaviour Strategy Group and gave an example in Darlington of working with housing providers. She referred to the development of interactive reporting tools and work with the Local Authorities in this regards.

Councillor L McCollom left the meeting at 11.56am

Councillor D Nicholls asked as regards any assistance that was given to victims in terms of travelling to court. M Banks noted that the Crown Prosecution Service (CPS) offered support under certain criteria, however, in the main the support was from the community and voluntary sector. He added that the Victims and Prisoners Bill be impact upon that, noting the PCC was lobbying nationally in this regard.

Resolved:

That the report and presentation be noted.

7 National Association of Police, Fire and Crime Panels Annual Report 2022

The Panel considered report of the Head of Legal and Democratic Services which set out, for information, the annual report of the National Association of Police, Fire and Crime Panels (NAPFCP) (for copy see file of Minutes).

The Head of Legal and Democratic Services explained that there was reference within the Annual Report as regards Home Office training for Police and Crime Panel Members, adding that an associated video had been shared with Panel.

She added there was also information in respect of two key lines of inquiry in relation to vetting of Officers, following the abduction and murder of Sarah Everard:

- What Police recruitment and vetting process are in place?
- Are acceptable policing behaviour policies in place and how is this monitored?

Resolved:

- (i) That the report and presentation be noted.
- (ii) That a response to the two key lines of inquiry from the Police and Crime Commissioner is reported at the next meeting of the Panel.

8 Complaints Update

The Panel considered a report of the Head of Legal and Democratic Services which provided an update on complaints relating to the PCC or the Deputy PCC (for copy see file of Minutes).

Members were reminded that at its meeting on 23 June 2022, the Panel approved an updated procedure for dealing with complaints and conduct matters about the PCC and their Deputy, the updated procedure reflecting the Local Government Association's best practice guidance for complaints handling, and therefore all complaints received after 23 June 2022 would be dealt with in accordance with the updated procedure

It was noted that since the last ordinary meeting of the Panel, held 9 September 2022, there had been two formal complaints received. It was explained that the first complaint had been received on 22 October 2022. It was explained that initially it appeared that the complaint related to a member of staff within the OPCC and therefore was outside of the scope of the procedure. However, it had since been clarified that the complaint did relate to the PCC and therefore it was being progressed in accordance with the Procedure, with a report to be presented to the Panel in due course.

In respect of the second complaint, received on 15 November 2022, it was noted that it related to operational policing matters and had been submitted to the Independent Office of Police Complaints (IOPC) and had been copied to the Clerk to the Panel for information. It was noted that the Complainant had been advised that the complaint falls outside of the scope of the complaints procedure as it did not relate to the PCC and a copy had also been shared with the OPCC for information

Councillor R Potts noted a few complaints from residents as regards how a recent incident had been handled, with a formal complaint having been submitted to Durham Constabulary. He noted there had not been a response and asked how that could be dealt with, noting it was not a complaint against the PCC. The Head of Private Office noted that when she had spoken to the complainant it was implied that they did not want to go to the IOPC, however, she could speak to the complainant further as required. The Head of Legal and Democratic Services noted that should any Member be unsure on such matters they could speak to her for advice as required.

Resolved:

That the report be noted.