

DURHAM COUNTY COUNCIL

At a Special Meeting of **Police and Crime Panel** held in Committee Room 2, County Hall, Durham on **Thursday 15 February 2024 at 1.30 pm**

Present:

Councillor L Brown (Chair)

Durham County Council:

Councillors D Boyes, L Hovvels, R Potts, K Robson (Substitute) (substitute for J Charlton), A Savory and C Varty (Substitute) (substitute for D Nicholls)

Darlington Borough Council:

Councillors G Lee (Vice-Chair), Mr N Hallam and Mr R Rodiss

Independent Co-opted Members:

Mr N Hallam and Mr R Rodiss

1 Apologies for Absence

Apologies for absence were received from Councillors J Charlton, D Nicholls, S Ali and N Johnson.

2 Substitute Members

Councillor K Robson substituted for Councillor J Charlton and Councillor C Varty substituted for Councillor D Nicholls.

It was noted that it was G Ridley's last attendance at the Police and Crime Panel and the Chair thanked him on behalf of the Panel for all his hard work and support over the years.

3 Declarations of Interest

Councillor L Hovvels was unclear if those County Councillors who were on planning committees should be involved in the discussions around agenda item 7.

The Head of Legal and Democratic Services and Clerk to the Panel, Helen Bradley explained that those County Councillors that were on planning committees did not need to declare an interest in relation to agenda item 7 as there was no overlap between the role of the Panel and the PCC's operational decision making. Whilst Councillors did not need to declare an interest today, they may be privy to information from the Office of Police and Crime Commissioner today, which may impact on their ability to participate in future planning committee meetings. However, that would need to be considered at the relevant time.

Councillor D Boyes declared that he was a member of the County Planning Committee but had already spoken to the Head of Legal and Democratic Services and Clerk to the Panel outside of the meeting.

Councillor A Savory declared she was also a member of the County Planning Committee.

Councillor L Brown did not have a declaration and was not a member of any planning committee but did not wish to participate in the discussions on agenda item 7. The matter was in her division and she had previously made her views on the issue public and was unable to consider the matter objectively. She indicated that she would leave the meeting and Councillor G Lee would take over as Chair.

4 Summary of Durham Constabulary's PEEL 2023 Inspection Findings

The Panel received a report and presentation of the Police and Crime Commissioner to provide an update in relation to Durham Constabulary's 2023 PEEL (Police Effectiveness, Efficiency, and Legitimacy) Inspection Findings, presented by Chief Constable Rachel Bacon (for copy see file of Minutes).

J Allen, Police and Crime Commissioner (PCC) gave a narrative on the gradings that were issued to forces against various areas of policing that were identified in the PEEL Assessment Framework based on questions and topics that forces were assessed against. The gradings were outstanding, good, adequate, requires improvement and inadequate. Durham was the only force to be judged as outstanding for serious and organised crime. She noted that upon reflection there were 139 fewer police officers in the force than in 2010 with the biggest issue being funding. She noted that Durham received £300 per crime less than its peers and received the same level of precept than other more affluent areas even though it had a higher demand on its force due to lots of areas with high levels of deprivation that left vulnerable children prone to criminal activities.

The PCC added that drug and alcohol deaths placed a demand on policing along with vulnerable children that went missing from registered and unregistered children's homes. Given all the challenges Durham still had the highest resolved rates and was classed as good value for money. She commented that call handling had now been triaged that took the pressure off the 999 emergency number that had reduced call times from 2 minutes to 40 seconds.

R Bacon, Chief Constable gave a presentation that covered the following areas:

- National context for PEEL reports and grades
- Crime Data Integrity
- Treatment of the Public
- Prevention and Deterrence
- Responding to the Public
- Investigating Crime
- Protecting Vulnerable People
- Managing Offenders and Suspects
- Serious and Organised Crime
- Building, Supporting & Protecting Workforce
- Leadership and Force Management

The Chief Constable noted that it was not possible to make direct comparisons between the grades awarded in this PEEL inspection and those from the previous cycle of PEEL inspections as they had increased their focus on making sure forces were achieving appropriate outcomes for the public, and in some cases, they had changed the aspects of policing inspected. The methodology of the inspection had specified what good looked like and what they believed to be areas for improvement and innovation. The British Crime Survey worked with forces to locate where crime was located. She agreed to report back to the Panel whether the statistics were genuine crime and if numbers had increased dependent on the size of the population to other forces as it was needed to be triangulated to get it right.

The Chief Constable summarized that there had been 9 reports published so far and Durham was still at the top of the tree in performance. There was a need for more investment in data analytics as resources had been borrowed from revenue and this was unsustainable in the long term. It was thought that this investment would help provide the public with what they wanted which was more police on the streets. Durham was good at problem solving but again needed more resources. There had been a recruitment drive to increase the number of PCSO (Police Community Support Officers) and on average there were 90 in a force but Durham now had 190.

The Neighbourhood Teams had improved as the year had gone on. There was an aim to only have 'restricted from front line' officers in the control room so other officers could be there for when the public needed them. The rates of rape, burglaries and neighbourhood crime were more likely to be brought to justice in Durham and the recording of domestic violence had been improved to ensure victims were now only recorded once.

Councillor L Brown thanked the Chief Constable for the informative presentation and acknowledged that the results could not be compared.

Councillor D Boyes commented that it was a good report in challenging circumstances. He was concerned with the lack of neighbourhood policing that was addressed at a previous meeting. He felt that the neighbourhood police and the 101 contact number combated the issue. He thought the results within the inspection for organised crime were fantastic. He was worried that when cuts to the service were made that history would repeat itself and queried if any stress tests had been made on how they would deal with potential cuts.

G Ridley reassured Councillor D Boyes and commented he had met with the Home Office and Gavin Stephens, Chair of the National Police Chiefs' Council to start the process to look at police funding nationally. There was a resilience test being carried out for every police force to look at HR in the workplace. He commented that there was £160 million nationally for police forces in the country but Durham Constabulary was to receive only 1% that left a £3million cash shortfall. The investment in assets, fleet and IT had been financed by debt but that was not sustainable long term. He hoped that in future years there would be multiyear settlements to give certainty. Funding was predicated on the low council tax base that was shared with the local authority.

The PCC mentioned that this work on a national level was helpful to meet with the Minister as the funding formula did influence what happened in the force as to what could or could not be done. She confirmed that the Chief Constable would continue to work with G Ridley going forward for a good response.

Mr R Rodiss mentioned stop searches and the amount that were carried out in a specific period was a real concern. The main aim of stop searches was to stop crime before it happened. He calculated that there were only 3 stop searches per officer per year which was not efficient. He felt that this was a sign that there was a lack of confidence from Officers that did not know what to do. He suggested that more should be carried out to prevent crime.

The PCC had raised issues that to invest in IT or Officers it cost money. She had written to the Inspectorate to make representation to create a more level playing field for Durham. The Inspectorate did not share the same view as to the reasons Durham lacked money for the uplift of resources due to deprivation and unemployment along with drug and alcohol abuse that had an impact on the Force. She stated that Durham Constabulary did not have the same resources as other forces due to the unfair funding formula. She reiterated that Durham received £300 less per crime than other forces and stressed that funding should be a Government issue to fund policing and not the tax payer.

The PCC responded to Mr R Rodiss that Durham was one of 15 forces out of 43 that were not back to the same resource level as it was in 2010 with 100's of officers less. She stressed that Council Tax could not be raised enough to provide the finance required. The unfair funding formula meant that there was a difference between the rich and the poor. This was a challenge for the Inspectorate as it was not about money but key services that were required to be delivered.

The Chief Constable accepted that universally the Police and Home Office funding formula would come under review for Police forces to be better funded. She responded to Mr R Rodiss in relation to the stop searches and explained that officers within the force were working at full capacity with proactive policing leaving little time to carry out stop searches. In the future she wanted officers to work at 80% capacity to give them time to do stop searches. Officers were confident in carrying out stop searches as they were fully trained to do so. Previously there had been funding to put officers in vulnerable areas to carry out searches to ensure they took place in the right place at the right time to prevent crime. The Neighbourhood teams were at full strength and did use these tactics to increase proactive policing but time for these had been reduced.

Mr R Rodiss commented that County Durham had the lowest success rate compared to other forces and felt that officers were not searching the right people.

Councillor C Varty thanked Officers for the report. She had looked at the responses and she was concerned about policing around vulnerable people. She gave an example of a vulnerable lady who had attended a PACT meeting in her division who had rang 101 for help after being subjected to domestic violence, had waited 20 minutes for a response then gave up. When the lady eventually got through, she had to wait 3 days for an officer to turn up at her door. She was concerned that these vulnerable people including elderly people and people with SEND had trouble getting a response.

The Chief Constable apologised on behalf of the police as that response was not acceptable. She asked Councillor C Varty for details of the individual case so that she could investigate further. She stated that the police could only learn and improve the service if they could see where things happened. It was a challenge and there was a requirement to work with partners to overcome these challenges around domestic violence and helping vulnerable people. The key was intervention to increase resources in the neighbourhood team and work with the local authority at early stages to protect people where they could.

Councillor L Hovvels commented that there had been a lot of great work taken place but there was still a long way to go. She felt that it should be everyone's business to play a role in safeguarding vulnerable people. As a Councillor she was concerned regarding the number of young people that required support for their own protection. She acknowledged that the budget was growing but people needed to come together more to help as there was a high volume of young people who were coming into the legal system for the first time due to misdemeanours impacted by the cost of living and mental health issues. She was happy to hear that it was planned to keep as many Police Community Support Officers (PCSO) as possible. She was concerned at the lack of resources as that made the work harder as the demand grew.

The PCC reiterated that funding was not only a challenge on the demand for policing but also on the children and young people service. She stated that Durham County was the largest in the northeast in comparison to Darlington where things happened.

She stressed that if local Members had issues with vulnerable people they should contact the PCCO as the example previously given by Councillor C Varty was not acceptable. It was vital to support vulnerable people and the key role as a champion was to learn and share the good, bad and ugly but needed to have voices heard.

The Chief Constable advised that there were 6 areas of innovation in the force that the Inspectorate wanted done differently with lots of trail blazers and pathfinders. Durham recognised that they did do things differently and welcomed ideas that were contained in the Inspectorate's report.

The Chief Constable responded to Councillor K Robson's query that the force was more forward thinking with senior leaders. She referred to the concept of the 'Durham Difference' and contrasted this with other forces where she had worked. She reiterated that officers within Durham felt empowered and she had been blown away with the standard of work.

She acknowledged that from an internal sense there were still challenges and things that could be done better but the tone of officers wanting to make a difference was phenomenal. Officers wanted to work together and they did not have their own agenda, she commented this was not something you could create but it existed in Durham. She acknowledged there were challenges on resources and sometimes Officers did not get it right.

Councillor A Savory also thanked the Chief Constable for the presentation and found it very positive. As a Corporate Parent she was concerned about children and young people. She gave an example of a young person in her division that had gone missing 51 times with the police using their resources to find them and return them home. She felt that there was something wrong that took resources away from serious crime. She wished to congratulate the Chief Constable and her force on receiving Outstanding within the inspection for serious crime. She knew as a Councillor there was a part to play to liaise with the police. She noted that she would have liaised immediately with the police if a vulnerable person had come to her for help to try to move them further up the line. She stressed that Councillors needed to be pro-active when it came to vulnerable people.

The PCC stated that all organisations needed to work together to protect and support vulnerable people and vulnerable children. She was saddened when she saw footage from body cameras worn by officers that showed how some children lived in such poverty with properties not being fit for purpose. She noted that nationally things were wrong and a lot more checks were needed in schools especially with vulnerable young people in unregulated homes and things needed to be done better.

Councillor R Potts stressed that the main thing was to ensure vulnerable children were safe. He stated that His Majesty's Inspectorate (HMI) had reported that there was a need to ensure that when people went missing they were not reported incorrectly. He added that looked after children were a medium risk and he was passionate to ensure that lessons were learnt regarding what happened to them while they were away and why they left in the first place.

The Chief Constable advised that a lot of work had been carried out nationally around missing children when they were returned home. Interviews with children had now stopped with police officers and were now carried out with officers from the local authority. This had seen 75% of missing children agreeing to partake in an interview. She noted that children could not be forced to carry out an interview if they did not want to. This was a significant increase from when the police carried these out. It was important to engage with children and young person.

She stated that there was a huge journey nationally around dealing with sexual exploitation with multi agency training taken place to ensure things were done right and done well. Safeguarding training was carried out with all PCSO's. Work had been carried out with the charity Behind Closed Doors that dealt with people affected by domestic violence to raise awareness in teams. She advised that she looked at the missing persons register daily and RAG rated to which review took place which was important to her. She noted that there was a lot more done at Durham than other forces but she was aware that more was needed to be done.

Resolved:

That the report be noted.

5 Review of OPCC External Scrutiny

The Panel considered a report of the Police and Crime Commissioner that gave an update on the recent Review of OPCC External Scrutiny undertaken and the agreed position with Durham Constabulary on existing and future external scrutiny panel arrangements (for copy see file of Minutes).

Resolved:

That the report be noted.

*Councillor L Brown left the meeting at 3pm and
Councillor G Lee took over as Chair.*

6 Any resolution relating to the exclusion of the public during the discussion of items containing exempt information

Councillor R Potts requested to **move** a motion to consider agenda item number 7 in public as it was in the public interest. This was **seconded** by Mr R Rodiss.

The Head of Legal and Democratic Services and Clerk to the Panel, Helen Bradley advised that it was for the Panel to determine whether to hear the report in public or in private. She explained that she had treated the report as exempt for the purposes of publishing the agenda on the basis that the report contained information relating to the financial and business affairs of the OPCC.

She acknowledged that the previous report had been considered in public because it covered information that had been considered at planning committee and therefore already in the public domain.

There was a distinction to be drawn with the report on the agenda today in that included information regarding the options available to the PCC to bring a resolution to the situation. That information was not yet in the public domain.

She acknowledged that there was a public interest in the matter but it could prejudice the PCC's options and undermine her negotiating position in relation to those options. She added that considering the matter in public would likely inhibit the Panel's ability to fully consider the issue. This was because colleagues from the OPCC would be concerned about sharing information that might prejudice their position. She advised the Panel to carefully consider their decision as she did not want any unintended consequences to occur if debated in public and if undermined stretch out the resolution and add additional cost to the public purse.

It was put to the vote and the majority voted that the item be considered in private.

Resolved:

That the resolution failed.

Councillor L Hovvells then **moved** a resolution to exclude the press and public from the meeting and was **seconded** by Councillor D Boyes. It was put to the vote and the majority voted that the press and public be excluded from the meeting.

Resolved:

That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the Act.

7 Former Telecommunications Mast - Update

The Panel considered a report of the Police and Crime Commissioner which provided an update in relation to the former telecommunications mast formerly located on the site of the old police headquarters with the last report to Panel being in April 2023 (for copy see file of minutes).

Resolved:

That the report be noted.