

PROPOSED POLICE RESTRUCTURE

PORTFOLIO RESPONSIBILITY: CORPORATE STRATEGY AND FINANCE

CABINET

29TH JUNE, 2006

Wards Affected

County-wide

Purpose

To invite Cabinet to respond to the Secretary of State for Home Affairs reaffirming the Council's previous support for retaining a West Mercia Police Force and registering the Council's objection to the proposed merger of the Staffordshire, West Midlands and Warwickshire forces into a single police force for the whole of the West Midlands area.

Key Decision

This is not a Key Decision because it is a response to proposals for Police reform.

Recommendation

THAT the Council reaffirms its objection to the formation of a single police force for the West Midlands on the basis of the reasons set out in this report.

Background

1. Cabinet will be aware that the Secretary of State for Home Affairs initiated consultation aimed at examining the potential for restructuring the police service and for the amalgamation of forces to ensure enhancement of what were termed protective services. Broadly speaking protective services include counter terrorism, serious, organised and cross-border crime, major crime such as homicide, critical incident management, public order and civil contingencies. In response to that initial consultation and following an address which the Chief Constable gave to full Council the Council has supported the option of retaining the West Mercia Force.
2. That proposal has been rejected by the Secretary of State for Home Affairs who has now given formal notice under Sections 32 and 33 of the Police Act 1996 that the Home Secretary proposes to proceed with an Order to form the West Midlands force amalgamating Staffordshire, Warwickshire, West Mercia and West Midlands police areas. As this proposal does not have the support of all the police authorities in the proposed new region the Home Secretary must give four months notice of his proposal to them and also to councils affected by the proposals. The Secretary of State for Home Affairs must consider any objection but if he considers his proposal or any amended version to be in the interests of efficiency or effectiveness he may lay a draft Order to alter police areas before Parliament. As it is his own proposal (rather than a proposal requested by the Police Authorities) the draft Order is subject to affirmative procedure requiring resolutions from both Houses of Parliament to bring the Order into effect. The proposal does not require primary legislation. The Order was to have taken effect from 1st April, 2007. However, the Home Secretary has

Further information on the subject of this report is available from
N.M. Pringle, Chief Executive on (01432) 260044

subsequently announced whilst he believes mergers are ultimately “the right way for forces go”, there should be more talks before the proposed joining together of many of the nation’s forces. This will give forces, police authorities and local authorities more time to work out issues relating to the mergers, including costs, council tax and local accountability. With the exception of the voluntary merger of Cumbria and Lancashire forces, no forces would be ordered to merge before the summer recess which commences on 25th July. Talks with police force administrators will continue beyond the planned period of formal objections.

3. The Council has to submit its proposals to the Home Office by no later than 2nd July, 2006.
4. Although there was a clear indication at the Annual Meeting of Council on 12th May, 2006 the Council was unanimously opposed to the proposed reforms. This is a complex issue. Clearly the Council was concerned that the proposals would have a direct impact on the delivery of services to our local communities. It would also affect the way in which the Council is represented on the Police Authority and therefore the way in which the Council can directly influence the direction of the Police Authority although that direction has been confined to administrative and financial issues rather than to operational issues which are the preserve of the Chief Constable. The West Mercia Police Authority itself is concerned that the technical paper provided by the Home Office on the proposed amalgamation contains technical and data errors and that some figures have been changed. There is also a frequently asked questions paper prepared by the Police Reform Unit. All of these would no doubt have provided sources of information for Members of Council when they indicated at the Annual Meeting of Council their opposition to the proposed reforms.
5. It is important to support any objections with proper reasons. In this section of the report an attempt has been made to address the principal concerns which have emerged to date.

Size of Force

6. The initial consultation set arbitrary “ideal” levels in terms of the size of the Force and thresholds of a minimum of 4,000 officers or 6,000 staff were set. West Mercia has 4,000 officers and support staff and therefore fell short of that arbitrarily imposed limit. Whilst it has to be accepted that police forces have to be of a certain size to create an efficient basis to service there is no evidence to support the levels on which the Secretary of State for Home Affairs originally consulted. Indeed it is fairly self evident that there is a direct trade off between the size of the force and its ability to be locally responsive. There is a very similar argument employed in relation to local authority reform. It is a combination of population, patterns of crime, geography as well as the absolute size of the force. Given the thresholds proposed by the Secretary of State for Home Affairs it is relevant to note that the proposed amalgamation would produce a regional force of 21,000 staff. This is over three times the target level originally set in the consultation document. It also contains a mix across a huge geographical area of intensely urban and intensely rural areas to be policed. It is difficult to see how such an arrangement could provide the local sensitivity which is such an important part of local policing.

Performance

7. Based on the latest performance statistics West Mercia is one of the best performing police forces in the country. In informing the debate on restructuring a national

assessment of level 2 protective services was carried out. West Mercia was one of the highest performing amongst comparable forces. There is concern that an amalgamation of the forces in the way suggested would have a direct impact on the provision of services within Herefordshire. There is a real risk that investment would migrate to the West Midlands, base unit, where crime levels are higher, and it would be difficult to argue that it was irresponsible on the part of the appointed Chief Constable to prioritise resources in this way. The Chief Constable is responsible for the operational efficiency of the police force and there would therefore be no means of challenging investment decisions of that nature.

Financing

8. The issue of the likely impact on the Police Authority precept is still unresolved. The level of precept in the West Mercia force area has predominantly been much higher than in other areas of the region particularly the West Midlands. This is a consequence of the grant system rather than an indication of the level of resources available to the respective forces. The present proposals are for the equalisation of precepts over a number of years although it is difficult to see how that could be easily or quickly achieved given the complexities of the current financing system. Potentially, however, it has to be accepted that there would be a reduction in the precepts within the more rural areas although there has to be some caution as mentioned in relation to performance about the impact that would have on the investment in local policing. There would also inevitably be consequential costs arising out of amalgamation although these have yet to be identified in any detail and it is not therefore possible to calculate their impact on precepts locally.

Local policing

9. The arguments in relation to this issue are more finely balanced. Although there is obviously some concern that the headquarters of the force itself would become more remote. Herefordshire would continue to be served by a basic Command Unit as at present and there is no reason therefore why the current local police initiatives and involvement with the local strategic Partnership should be weakened. There has to be some concern therefore that at headquarters level there would be less local knowledge and therefore a less sensitive response to local initiatives. There is a very significant change in focus of the police force from serving what is with one or two exceptions in the north of the policing area a predominantly rural police force to a force which is dominated by the West Midlands conurbation. Whilst there is no direct evidence within the proposals to suggest that there would be reallocations across the region it is difficult to avoid the perception that any Chief Constable appointed for the region as a whole would responsibly look to allocating greater levels of resources to the higher crime areas within the conurbation thus reducing over time the presence and service levels in relatively low crime areas such as Herefordshire. This would also have consequences for the performance of the new police authority.

The arguments for greater support for protective services are legitimate. However, in practice the very nature of protective services means they have rarely been delivered by one force in isolation and in practice a significant number of the protective services are unlikely to be deliverable on a regional basis alone. Crime does not respect regional boundaries. Indeed the arguments in respect of protective services could be made far more consistently if there were proposals for a national police force supported by local police forces who would be responsible for local policing. Collaboration will be required between the new police forces and it is difficult to accept that collaboration could not have achieved the necessary support to protective services except by creating regional size police forces.

The Police Authority

10. The role and constitution of the Police Authority itself is still far from clear. It is expected that there would only be one place for an elected Member from all top tier councils on any new police authority for an amalgamated force. The current arrangements which are designed to secure cross party representation would no longer be possible and the link between the police and communities in Herefordshire would potentially be weakened by reducing the role of the democratically elected community leader in holding the force to account. These arrangements have been successively eroded over previous police authority reforms and these latest proposals would to all intents and purposes end the link between individual authorities and the police authority that serves them.

Conclusion

11. As indicated in the Recommendation and for the reasons set out it is recommended that Cabinet object to the proposals made by the Home Secretary to amalgamate the West Mercia Police Force in a single police force for the West Midlands.

Alternative Option

Alternative Option 1

The only alternative option would be to make no objection and to accept the proposals put forward by the Secretary of State for Home Affairs.

Risk Management

The notes arising from the proposed reforms are set out in the report.

Consultees

The Council is being consulted on the potential changes to the constitution of the Police Force.

Background Papers

The Home Office proposals

Police Force Restructuring – Governance and Accountability: Frequently Asked Questions.