



SOUTH YORKSHIRE POLICE AND CRIME PANEL

29 APRIL 2024

PRESENT:

Councillor B Miskell (Sheffield City Council) (Vice-Chair in the Chair)

Councillors: J Church (City of Doncaster Council), R Davison (Sheffield City Council), H Nottage (Sheffield City Council), E Muddiman-Rawlins (City of Doncaster Council),

J Griffin (Independent Co-opted Member of the Police and Crime Panel) and R Hindley (Independent Co-opted Member of the Police and Crime Panel)

Dr A Billings (South Yorkshire Police and Crime Commissioner)

S Abbott, S Baldwin, N Muchiti, S Parkin and F Topliss
(Office of the South Yorkshire Police and Crime Commissioner)

A Perriman, A Shirt and C Smallman
(Barnsley MBC)

Apologies for absence were received from
Councillor N Wright (Barnsley MBC), Councillor T Baum-Dixon (Rotherham MBC), Councillor R Haleem (Rotherham MBC), Councillor S Hunt (Barnsley MBC), W Carratt (Independent Co-opted Member of the Police and Crime Panel), K Wright (Office of the South Yorkshire Police and Crime Commissioner) and K Charlton (Barnsley MBC)

1. **WELCOME**

The Chair welcomed everyone to the meeting.

2. **APOLOGIES FOR ABSENCE**

Apologies for absence were noted as above.

3. **ANNOUNCEMENTS**

Councillor Miskell stated on behalf of the Police and Crime Panel, he wanted to say a few words of farewell and gratitude to Dr Alan Billings, who's term of office as the Police and Crime Commissioner for South Yorkshire was coming to an end on 6th May after 9 years of dedicated service.

He continued, as Members may recall, Dr Billings was first elected as the South Yorkshire Police and Crime Commissioner in October 2014 and re-elected in May

2016 and again in May 2021. During his term of office, Dr Billings had attended a grand total of 56 Police and Crime Panel meetings.

Dr Billings had overseen the transformation of the police force, the improvement of community relations, and the delivery of innovative projects and initiatives. He had also been a strong advocate for protecting the most vulnerable, tackling crime and anti-social behaviour and for treating people fairly. He had always put the interests and needs of the people of South Yorkshire first and had worked tirelessly to make the region a safer and better place to live, learn, work, and travel. He had been a pleasure to work with and will be missed greatly.

Councillor Miskell concluded that on behalf of the Police and Crime Panel, he wanted to thank Dr Billings for his outstanding contributions during his time as South Yorkshire's Police and Crime Commissioner. He wished him and his family all the best for the future.

4. URGENT ITEMS

None.

5. ITEMS TO BE CONSIDERED IN THE ABSENCE OF THE PUBLIC AND PRESS

None.

6. DECLARATIONS OF INTEREST BY INDIVIDUAL MEMBERS IN RELATION TO ANY ITEM OF BUSINESS ON THE AGENDA

None.

7. PUBLIC QUESTIONS:-

Both the Police and Crime Commissioner and the Police and Crime Panel received one public question, shown below;

Will the PCP and PCC give a full account of their own role, actions and responsibility in this democratic; ethical and legal fiasco, and in light of the legal advice that South Yorkshire residents received where the legal team stated: "*we appreciate and share your frustration with how difficult this is given how wrong it obviously is for the mayoral election to proceed on an unlawful basis.*"

A) TO THE POLICE AND CRIME COMMISSIONER

The following response was given from the Police and Crime Commissioner:

“On 31 May 2023, following local discussions, South Yorkshire’s Mayor wrote a letter to the Home Office and the Department for Levelling Up, Housing and Communities (DLUHC), co-signed by the four local authority leaders and the PCC, formally requesting the transfer of PCC functions to the Mayor in May 2024. As the law stood at that time, the Mayor only required the consent of the four district leaders to do this.

The transfer of PCC functions to a Mayor is achieved under section 107F Local Democracy, Economic Development and Construction Act 2009 through the passing of a piece of secondary legislation - a transfer order – which brings forward the Mayoral election in South Yorkshire from May 2026 to May 2024, cancels the PCC election due in May 2024, transfers PCC functions to the South Yorkshire Mayoral Combined Authority (SYMCA) exercisable by the Mayor only, and transfers the policing and crime budget, assets, rights and liabilities (including PCC-employed staff) to SYMCA as the new legal entity and employer.

The Home Secretary and Secretary of State for Levelling Up, Housing and Communities & Minister for Intergovernmental Relations approved the Mayor’s formal request for PCC functions, in September 2023, and stated that they intended to draft and lay the transfer order.

The PCC was informed by the Home Office that the laying of the transfer order would occur on various dates provided between November 2023 and Christmas 2023.

Shortly before Christmas, the Home Office notified South Yorkshire (and West Midlands) that they needed to conduct a public consultation exercise in each area because it was a requirement within the new Levelling-up and Regeneration Act 2023 that such consultation should have been done before the Home Secretary could make their decision to proceed to lay the transfer order. The laying of the transfer order was therefore delayed until February 2024.

The PCC for West Midlands later judicially reviewed the Home Secretary’s decision to lay the order, arguing that the decision was procedurally flawed (based on a flawed/inadequate public consultation exercise).

The Home Office kept the PCC informed of developments throughout. The SYMCA-led programme of work in South Yorkshire to achieve the transfer considered the risks presented by West Midlands’ legal challenge and the consequent delays, throughout.

The PCC for West Midlands was successful in judicial review proceedings and subsequent application for appeal.

At no time was the PCC in South Yorkshire cited as an interested party in West Midlands' JR proceedings.

The Home Secretary's decision in South Yorkshire was a separate decision to that made for West Midlands and was not challenged by South Yorkshire's PCC (as mentioned, the PCC had provided his support to the Mayor's request for functions in May 2023). It should be noted the PCC did submit a response to the consultation exercise setting out his concerns and the risks with the transfer and the delays that had occurred.

Despite the overall public consultation results in South Yorkshire, and the judgment in the West Midlands JR case, the Home Secretary decided to lay in Parliament the transfer order for South Yorkshire in early February 2024. As a result of the parliamentary process, the order was passed, and the transfer order will take effect on 7 May 2024 to transfer PCC functions in South Yorkshire to SYMCA, exercisable by the Mayor."

8. TO THE POLICE AND CRIME PANEL

The following response was given from the Police and Crime Panel:

"Thank you for your question. We understand your concern about the role and accountability of the PCP and PCC in this situation. The Panel are committed to transparency and integrity in its work.

Within its powers, the Police and Crime Panel are responsible for scrutinising the actions and decisions of the PCC, providing both support and challenge, together with acting as a critical friend.

Following the announcement made in June 2023 by the South Yorkshire Mayoral Combined Authority Board regarding its ambition to transfer PCC functions to the South Yorkshire Mayor in May 2024, the Panel has regularly received updates throughout 2023/24, (both verbally and in writing) from the PCC and his Office with regards to the transition programme for PCC functions to transfer to the Mayor.

At its meetings, Panel Members have asked questions and received detailed responses from both the PCC and from his Office with regards to the transition programme for PCC functions to transfer to the Mayor.

Furthermore, Panel Members were invited to take part in the Home Office's public consultation on the South Yorkshire Police and Crime Commissioner functions transfer which ran from 20 December 2023 to 31 January 2024.

In the interests of openness and transparency, Panel meetings are webcast live and are available to view online at www.southyorks.public-i.tv

Minutes and reports of Police and Crime Panel meetings held throughout 2023 to date are published on the Panel's website."

9. MINUTES OF THE POLICE AND CRIME PANEL MEETING HELD ON 5 FEBRUARY 2024

The Panel discussed and noted progress in respect of the agreed actions captured on the Panel's Action Log set out in Appendix A to the minutes.

RESOLVED –

- i) That the minutes of the Police and Crime Panel meeting held on 5th February 2024 be agreed and signed by the Chair as a correct record.
- ii) Noted that the Panel's Action Log would be updated following discussion and agreement at today's meeting.

10. POLICE AND CRIME COMMISSIONER'S UPDATE (INCLUDING DECISIONS MADE SINCE THE LAST MEETING)

The Police and Crime Commissioner (PCC) is supported by the Office of the Police and Crime Commissioner (OPCC) to deliver his Police and Crime Plan and effectively discharge his wide range of legal responsibilities. The OPCC has a Delivery Plan that outlines how it is done each year.

The update provided Members with PCC activities and decisions and key OPCC activities against the OPCC's Delivery Plan.

Highlights of the report included;

- The continued work to support the transfer of PCC functions to the Mayor for South Yorkshire.
- The hosting of a knowledge sharing event on 20th March to build on previous work undertaken on the Violence against women and Girls Statement launched in September 2022.
- Further work and the sharing of findings relating to Rape and Serious Sexual Offences (RASSO), specifically around phase two of the rape tracker work that has been undertaken.
- The work the independent ethics panel had undertaken around the embedding of South Yorkshire Police's values and behaviour framework, and associated culture.

Dr Billings added that the most important aspect of his role was holding the force to account, the relationship the Police and Crime Commissioners Office built with the Police was essential in challenging the Chief Constable proactively.

Other key parts of the Police and Crime Commissioners roles related to neighbourhoods, partnerships, the Violence Reduction Unit and the Criminal Justice Board.

R Davison thanked Dr Billings for the report and congratulated him on his service over the past 9 years. He asked if there was a correlation between neighbourhood issues and the reduction in police foot patrols.

Dr Billings stated that the number of officers in training was on the rise, there were hopes that the number of fully operational and deployable officers would increase in the future. However, the types and complexity of crime were stretching resources further.

RESOLVED – That Members of the Police and Crime Panel:

- i) Noted the contents of the report.
- ii) Asked questions on the matters contained within the report, given it explained how the PCC had over the period delivered his Police and Crime Plan and discharged the wide range of his legal responsibilities, and the decisions he had taken which are of public interest.

11. MONITORING DELIVERY OF THE POLICE AND CRIME PLAN - QUARTERLY REPORT (OCTOBER - DECEMBER 2023 (QUARTER 3 2023/24))

A report of the Police and Crime Commissioner (PCC) was presented to the Panel, highlighting the Quarterly Report for period 1st October to 31st December 2023 (Quarter 3 2023/24), produced from the Police & Crime Commissioner's (PCC's) Police & Partners Performance Framework.

The report aimed to provide information about how the police and partners as well as the Office of the PCC (OPCC) were working to achieve the outcomes and priorities set out in the Police and Crime Plan for South Yorkshire.

Dr Billings commented on the use of the word 'epidemic' in relation to knife crime stating that the numbers shown were steady over the years and had not accelerated or increased. Dr Billings continued that he resented publications trying to suggest knife crime was escalating out of control as that was not the case.

RESOLVED – That Members of the Police and Crime Panel noted the contents of the report and commented on any matters arising.

12. QUARTER 3 - CONSOLIDATED BUDGET MONITORING REPORT 2023/24

A report of the Chief Finance and Commissioning Officer, OPCC, was shared with the Committee setting out the consolidated financial position for the period 1 April 2023 to 31 December 2023.

RESOLVED – That Members of the Police and Crime Panel noted the contents of the report and commented on any matters arising.

13. APPOINTMENT OF INTERIM MONITORING OFFICER / LEGAL ADVISER TO THE PANEL

The Monitoring Officer and Legal Adviser for the Police and Crime Panel, Sukdave Ghuman, who was also Service Director Law and Governance Barnsley MBC, left the Council in April 2024.

The report detailed future arrangements for Monitoring Officer/Legal Adviser support to the Panel, including the Panel's Complaints Procedure.

Members were recommended to appoint the new Interim Monitoring Officer, Kate Charlton, Service Director Law and Governance, with effect from 1 April 2024.

RESOLVED – That Members of the Police and Crime Panel:

- i) Appointed Kate Charlton, Interim Service Director Law and Governance, as the Panel's Monitoring Officer / Legal Adviser with effect from 1 April 2024, for a period until the role is recruited to on a permanent basis.
- ii) Noted the appointment of Kate Charlton, Barnsley MBC as the Legal Adviser for the purposes of the Complaints Procedure and authorise her to delegate any of those duties to such officers within Barnsley MBC Legal Services as she sees fit.

14. LEARNING AND DEVELOPMENT UPDATE

The report provided an update to Members on current events – national, regional and local – together with future plans in respect of learning and development for the Panel.

RESOLVED – That Members of the Police and Crime Panel:-

- i) Noted the update.
- ii) Agreed to provide suggestions for future learning and development.

15. WORK PROGRAMME / PAB DATES

Members considered the 2024/25 Work Programme and were reminded that they could nominate topics for the Work Programme that fall within the Panel's statutory role in supporting and scrutinising the Commissioner.

All issues would be given full consideration by the Chair, Vice-Chair and Commissioner at the pre-agenda planning meetings.

Additionally, Members were encouraged to attend the meetings of the Commissioner's Public Accountability Board (PAB) to increase their operational knowledge.

RESOLVED – That Members of the Police and Crime Panel noted the contents of the 2024/24 Work Programme.

16. DATE AND TIME OF THE NEXT MEETING - MONDAY 10 JUNE 2024 - ANNUAL MEETING, 1:00 PM IN THE COUNCIL CHAMBER, TOWN HALL, CHURCH STREET, BARNSELEY, S70 2TA

RESOLVED – That the next meeting of the Police and Crime Panel be held on Monday 10th June 2024, at 1:00 pm in the Council Chamber, Town Hall, Church Street, Barnsley.

CHAIR