

POLICE PROPERTY ACT FUND

PURPOSE OF THE REPORT

1. The purpose of the report is to present Members with a proposal for the future management of the Police Property Act Fund, which has been developed by the Strategic Development Manager – Communities & Partnerships in consultation with the Choices Income Generation Review Team.

BACKGROUND

2. In July 2010 the Choices Programme initiated a review of income generation, which included consideration of income from the sale of found and other than found property. The proceeds from the sale of other than found property, which is property that comes into police possession as the result of an investigation, are paid into the Police Property Act Fund (less any costs of administering, storing and disposing of the property). This Fund is administered by the Police Authority and used to support charitable and not-for-profit initiatives aimed at crime reduction and community safety in the area. The process for disbursing the Fund was agreed by the (former) Audit and Strategy Committee on 9 November 2004 (Minute 102 refers)
3. The Choices review found that the Fund was very small (circa £7k per annum) and that the projects funded were also being funded separately by the High Sheriffs' and Humberside Police Tribune Trust, the charitable trust formed by the High Sheriffs of Lincolnshire and the East Riding of Yorkshire together with the Chief Constable, who sits on its board. The Tribune Trust provides grants to charities and community groups to support projects that fulfil the following objectives:
 - Improve quality of life
 - Create a positive image for business and residential communities
 - Make the area a safe place to live, work and invest
 - Protect the vulnerable
 - Promote good citizenship
 - Tackle drug and alcohol misuse
 - Promote sport and good health
 - Improve road safety
 - Protect homes, businesses and transport
 - Promote a safe and vibrant community
4. These findings were presented to the Strategic Development Manager – Communities & Partnerships, who agreed that, although the administrative burden of managing the Fund is not significant, it would reduce duplication and enhance the added value to ask the Tribune Trust to administer Police Property Act Fund on behalf of the Police Authority. The Director of the Tribune Trust has also been approached and indicated that he would be willing to take on this responsibility.

5. The Choices Review Board considered the proposal and, after taking legal advice from the Head of Legal Services, resolved to recommend to Members that they delegate administration of the Police Property Act Fund to the Tribune Trust. Legal obligations will be discharged provided that the proposals for allocation of funding are approved by Members.
6. This would avoid duplication and the potential to double-fund initiatives. By combining the limited funding available within the Fund with that of the Trust, the impact on crime and community safety initiatives will be enhanced.

OPTIONS, RISKS AND OPPORTUNITIES

7. If Members decide to delegate the management of the Fund, once a year the Strategic Development Manager will notify the Director of the Tribune Trust of how much is available in the Police Property Act Fund. The next meeting of the Tribune Trust will then consider the applications that have been made to the Fund in the previous year and make recommendations for the allocation of funds. These recommendations will then be presented, along with details of any funding received by the applicants from the Tribune Trust's own funds, to the next meeting of the Police Authority for Members to approve.
8. This option has the advantage of reducing bureaucracy and with it the administrative burden on the Police Authority Secretariat. It also provides opportunities to generate added value of the Fund by joining up the allocation of funding with that provided by the Tribune Trust.
9. There is a possible reputational risk because the Police Authority is responsible for the proper allocation of monies through the Police Property Act Fund. The Head of Legal Services has however advised that this requirement would be discharged by the Police Authority retaining responsibility for approving the allocations.
10. Responsibility for all Police Authority functions, including the Police Property Act, will pass to the Police and Crime Commissioner from November 2012. Among the powers and responsibilities of the Commissioner will be the making of grants to community groups to assist with the reduction of crime and disorder. The recommendations in this report are therefore wholly consistent with their role. Should the Commissioner wish to do so, none of these recommendations will prevent them, should they wish, from implementing an alternative process for disbursing funds from the Police Property Act.
11. If Members decide not to implement the recommendation then administration of the fund would remain with the Police Authority Secretariat. This would mean that the Secretariat would need to retain sufficient resilience to administer the Fund.
12. Retaining separate processes for the Tribune Trust and the Police Authority, brings with it the risk that the opportunity to make the most of limited funding for crime reduction and community safety initiatives will be lost

POLICING PLAN AND PERFORMANCE

13. As indicated above, the aims and objectives of the Tribune Trust are consistent with those of the Police Authority in general and of the Police Property Act Fund in particular.
14. The Chief Constable and the Head of Community Safety represent the Force on the Board of the Tribune Trust and at least one of them would be present at any meetings. This will provide the Authority with assurance that the proposals have been considered in the context of the strategic objectives.
15. The proposed links between the Police Property Act Fund and the Tribune Trust would enable projects to avoid making duplicate applications for funding and would reduce the risk that funding for the projects is not joined up. The additional added value will support performance in the community cohesion agenda.

IMPACTS ON OR LINKS TO COLLABORATION

16. It is not possible to administer the allocation of the Police Property Act Fund regionally as it is a requirement of the Act that the supported initiatives are delivered within the relevant Police Area. The only other funding stream in the area with the same objectives as the Police Property Act Fund is the Tribune Trust, which is why this approach has been proposed.

FINANCIAL IMPLICATIONS

17. There are no direct financial implications as a result of this report, however if the administration is taken on by the Tribune Trust this would reduce bureaucracy for applicants and for staff within the Secretariat saving time and resource that could be used more productively on other initiatives..

LEGAL IMPLICATIONS

18. The Head of Legal Services has advised that it is a legal requirement for the Police Authority to retain authority over the Police Property Act Fund. He has been consulted regarding the detail of this proposal and advises that so long as the Authority approves any recommendations made then the legal requirements of the Police Property Act will have been met.

EQUALITY AND DIVERSITY AND HUMAN RIGHTS

19. All applications to the Tribune Trust are assessed by the Trust Director for their impact on equality, diversity and safeguarding children and vulnerable adults. These assessments form part of his recommendation to the Trust Board and so Members can be assured that these issues will be addressed in any proposals made by the Tribune Trust for support from the Police Property Act Fund.

CONCLUSION

20. The Tribune Trust has an existing process and structure for receiving and assessing applications for funding for community safety and crime reduction projects. The Director of the Trust is skilled and experienced in assessing the merits of proposals and making recommendations accordingly. Humberside Police has already bought into this process.
21. The Tribune Trust is supporting most if not all of the initiatives that receive funding from the Police Property Act Fund. This means that at present applicants are having to complete two separate processes and receiving approval and potentially funds at different times. It also means that there is no assurance that the two funding streams are adding value to the project.
22. The Police Property Act Fund is very small but needs to be administered to comply with legislation. At present this is placing an admittedly very small administrative burden on the Police Authority Secretariat.
23. The Tribune Trust is well placed to take over the administration of the Police Property Act Fund. It would be able to consider applications alongside those to its own funds and make recommendations with cognisance for the value being added by both funding sources. Legal advice has been received that this can be done in accordance with the relevant legislation provided final allocations are approved by members..

RECOMMENDATIONS

24. It is recommended that Members:
 - (i) Delegate the administration of the Police Property Act Fund to the High Sheriffs' and Humberside Police Tribune Trust as described in paragraph 6.

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Background documents: Choices Review of Income Generation
Minute 102 Audit & Strategy Committee 9 November 2004