



Making Suffolk a safer place to live, work, travel and invest

ORIGINATOR: DEPUTY CHIEF EXECUTIVE	DECISION NUMBER: 23 - 2016
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REASON FOR SUBMISSION: FOR DECISION
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SUBMITTED TO: POLICE AND CRIME COMMISSIONER
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SUBJECT: SAFER SUFFOLK FUND AND SAFER SUFFOLK SMALL GRANTS FUND
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SUMMARY:

This decision paper outlines proposals for the future management of grant funds awarded by the Police and Crime Commissioner and in particular recommends that the Safer Suffolk Small Grant Fund be subsumed in to the umbrella Safer Suffolk Grant Fund.

RECOMMENDATION:

That the PCC agrees:

1. That all funds generated via the Police (Property) Regulations 1997 and Suffolk SAFEKey will, in future, be routed directly into the umbrella fund the 'Safer Suffolk Fund'.
2. That the Suffolk Small Grants Fund be abolished.
3. That for the purposes of transparency and compliance with our statutory obligations all funds generated from the Police (Property) Regulations 1997 and Suffolk SAFEKey will be ring-fenced within the Safer Suffolk Fund and all grants awarded from these funds will be recorded separately to ensure there is a clear audit trail.
3. That the Panel considers grant applications of over £3,500 and that any application for grants for £3,500 or less are determined by the Office of the Police and Crime Commissioner.

APPROVAL BY: PCC

The recommendations set out above are agreed.

Signature



for PCC.

Date 8 April 2016

DETAIL OF THE SUBMISSION

1. KEY ISSUES FOR CONSIDERATION:

- 1.1 This decision paper outlines proposed changes to the management, and award, of small grants by the Police and Crime Commissioner.

2. CURRENT ARRANGEMENTS FOR THE DISTRIBUTION OF GRANTS

- 2.1 Section 143 of the Anti-social Behaviour, Crime and Policing Act 2014 provides that PCCs may provide or arrange for the provision of services that will secure, or contribute to securing, crime and disorder reduction in the area and further, services which are intended to help victims, or witnesses of, or other persons affected by, offences and anti-social behaviour. In applying these provisions the Office of the Police and Crime Commissioner ensures that the services commissioned are consistent with the PCC's objectives as set out in the Police and Crime Plan 2013-2017 (revised).
- 2.2 The current arrangements for commissioning of services in accordance with the above provisions:
- A sum of money, currently £700,000, is provided within the commissioning budget for the purposes of commissioning services.
 - Of the £700,000 a sum is set aside in a separate fund, the 'Safer Suffolk Fund', the purpose of which is to provide the means to commission services from the charitable and voluntary sector. The Safer Suffolk Fund was established in the 2014/15 financial year and is administered on behalf of the OPCC by Suffolk Community Foundation. Services are commissioned from charitable and voluntary service providers where providers can demonstrate that the services will contribute to the PCC's objectives, as set out in the Police and Crime Plan 2013-2017 (revised).
 - In addition to the £700,000 a separate fund was created in 2014 to facilitate the discharge of responsibilities arising from the Police (Property) Regulations 1997 (see below). The 'Safer Suffolk Small Grants Fund' is administered by Suffolk Community Foundation and the fund monies derive from two sources:
 - Police (Property) Regulations 1997. The requirements in respect of this income are set out in the Police (Property) Regulations 1997 which principally require that the income derived from the sale of relevant property must be utilised for charitable purposes. Appendix A provides further detail.
 - Suffolk SAFEKey. The Constabulary also derives income from the Suffolk SAFEKey scheme which reunites people with their lost keys, and also allows Suffolk police access to properties in the event of an incident occurring whilst residents are away. The scheme charges subscribers a fee of £12.00 per annum and all income after disbursements is added to the Safer Suffolk Small Grants Fund.

3. REVIEW OF THE ARRANGEMENTS FOR DISTRIBUTING CRIME AND DISORDER REDUCTION GRANTS

- 3.1 In the spirit of continuous improvement all arrangements for commissioning services are regularly reviewed to ensure that they remain efficient, effective and provide good value for money.
- 3.2 The review of the two grant funds highlighted three issues of significance.
- 3.3 Firstly, that there is a degree of confusion regarding the various grant funds used for the purposes of commissioning services and the processes for administering the funds, and thus there is a need to simplify the arrangements.
- 3.4 Secondly, the recent redesign of Suffolk Constabulary's service delivery included major changes to the arrangements for administering lost and found property. These changes are likely to result in a marked reduction to the income generated by the sale of property which will mean the available funds will considerably reduce.
- 3.5 Thirdly, a number of Constabulary officers/staff are involved in the determination of grants via a grants panel. In the current climate of continuous improvement and shrinking resources, it is recognised that it is no longer appropriate to sustain these arrangements, and that the arrangements should be revised.

4. FUTURE ARRANGEMENTS

- 4.1 Having consulted with other interested parties it is proposed that, in future, all income arising from the Police (Property) Regulations 1997 and Suffolk SAFEkey be routed directly into the umbrella fund the 'Safer Suffolk Fund' and that the Suffolk Small Grants Fund be abolished.
- 4.2 For the purposes of transparency and to ensure continued compliance our statutory obligations all funds generated from both income streams will be ring-fenced within the Safer Suffolk Fund and all grants awarded from these funds will be recorded separately so as to ensure a clear audit trail.
- 4.3 In line with current Office of the Police and Crime Commissioner (OPCC) policy it is also recommended that the Panel considers grant applications of over £3,500 and that any application for grants for £3,500 or less are determined by the OPCC .
- 4.4 The OPCC will deal with Suffolk Community Foundation directly regarding the transfer of all funds (in quarterly instalments) to the Foundation. The Constabulary will submit a quarterly summary for the OPCC showing all income and expenditure and will arrange a transfer directly into the OPCC commissioning budget.

5. FINANCIAL IMPLICATIONS

- 5.1 As stated the recent redesign of Suffolk Constabulary's service delivery arrangements included changes the way that lost and found property will in future be managed, which will have a marked reduction on the income generated by the sale of property. Furthermore a number of Constabulary officers/staff are involved in the determination of grants via a grants panel. In the current climate the resourcing of this arrangement is no longer appropriate to sustain.

5. RECOMMENDATION:

5.1 That the PCC agrees:

1. That all funds generated via the Police (Property) Regulations 1997 and Suffolk SAFEKey will, in future, be routed directly into the umbrella fund the 'Safer Suffolk Fund'.
2. That the Suffolk Small Grants Fund be abolished.
3. That for the purposes of transparency and compliance with our statutory obligations all funds generated from the Police (Property) Regulations 1997 and Suffolk SAFEKey will be ring-fenced within the Safer Suffolk Fund and all grants awarded from these funds will be recorded separately to ensure there is a clear audit trail.
4. That the Panel considers grant applications of over £3,500 and that any application for grants for £3,500 or less are determined by the Office of the Police and Crime Commissioner.

ORIGINATOR CHECKLIST (MUST BE COMPLETED)	PLEASE STATE 'YES' OR 'NO'
Has legal advice been sought on this submission?	YES
Has the PCC's Chief Finance Officer been consulted?	YES
Have equality, diversity and human rights implications been considered including equality analysis, as appropriate?	YES
Have human resource implications been considered?	YES
Is the recommendation consistent with the objectives in the Police and Crime Plan?	YES
Has consultation been undertaken with people or agencies likely to be affected by the recommendation?	YES
Has communications advice been sought on areas of likely media interest and how they might be managed?	YES
Have all relevant ethical factors been taken into consideration in developing this submission?	YES

In relation to the above, please ensure that all relevant issues have been highlighted in the 'other implications and risks' section of the submission.

APPROVAL TO SUBMIT TO THE DECISION-MAKER (this approval is required only for submissions to the PCC).

fr

Chief Executive

I am satisfied that relevant advice has been taken into account in the preparation of the report and that this is an appropriate request to be submitted to the (add decision-maker's title e.g. the PCC).

Signature:



Date

8/4/16.

S T A T U T O R Y I N S T R U M E N T S

1997 No. 1908

POLICE

The Police (Property) Regulations 1997

Made

31st July 1997

Laid before Parliament

7th August 1997

Coming into force

1st September 1997

The Secretary of State, in pursuance of section 2 of the Police (Property) Act 1897(1), and section 43(5), (6) and (7) of the Powers of Criminal Courts Act 1973(2), hereby makes the following Regulations:

1. These Regulations may be cited as the Police (Property) Regulations 1997 and shall come into force on 1st September 1997.

2. The Police (Disposal of Property) Regulations 1975(3) are hereby revoked.

3. In these Regulations:

- "the relevant authority" means

(a)

in relation to a police area in England and Wales listed in Schedule 1 to the Police Act 1996(4) or the City of London police area, the police authority (within the meaning of that Act);

(b)

in relation to the metropolitan police district, the Receiver for the Metropolitan Police District;

- "the 1897 Act" means the Police (Property) Act 1897.

4.—(1) Subject to regulation 5 below, this regulation applies to property in the possession of the police to which the 1897 Act applies in respect of which the owner has not been ascertained and no order of a competent court has been made.

(2) Subject to section 2(3) of the 1897 Act (which provides for the sale of property which is perishable or the custody of which involves unreasonable expense or inconvenience) property to which this regulation applies shall not be disposed of until it has remained in the possession of the police for a year.

5.—(1) This regulation applies to property which is in the possession of the police by virtue of section 43 of the Powers of Criminal Courts Act 1973 and in respect of which no application by a claimant has been made within six months of the making of the order under that section or no such application has succeeded.

(2) Subject to section 2(3) of the 1897 Act, property to which this regulation applies shall not be disposed of until the expiration of six months from the date on which the order in respect of the property was made under that section on the conviction of an offender or, if an application by a claimant of the property has been made within that period or the offender has appealed against the conviction or sentence, until that application or appeal has been determined.

6.—(1) After the expiration of the period referred to in regulation 4(2) or 5(2) above, as applicable, property to which these regulations apply (other than money) may be sold.

(2) The proceeds of all sales under these Regulations and any money to which these Regulations apply shall be paid to the relevant authority and shall be kept in a separate account to be called the Police Property Act Fund ("the Fund").

(3) The Fund or any part thereof, may be invested as the relevant authority think fit and the income derived from the investments shall be added to and become part of the Fund.

(4) The moneys, including income from investments standing to the credit of the Fund shall be applicable—

(a) to defray expenses incurred in the conveyance, storage and safe custody of the property and in connection with its sale and otherwise in executing these Regulations;

(b) to pay reasonable compensation, the amount of which shall be fixed by the relevant authority, to persons by whom property has been delivered to the police;

(c) to make payments of such amounts as the relevant authority may determine for such charitable purposes as they may select.

(5) The Chief Officer of Police may, at the request of the relevant authority, exercise the powers and perform the duties of the authority under the foregoing paragraphs of this regulation.

(6) The Fund shall be audited by an auditor nominated for that purpose by the relevant authority.

7.—(1) After the expiration of the period referred to in regulation 4(2) or 5(2) above, as applicable, if in the opinion of the relevant authority property to which these Regulations apply

(other than money) can be used for police purposes, the relevant authority may determine that the property is to be retained by the authority and the property shall vest in them on the making of the determination.

(2) A determination under paragraph (1) above shall be recorded in writing and published in such manner as the authority think fit and that record shall include the date on which the determination is made.

(3) No determination under paragraph (1) above may be made in relation to any property in relation to which an order has been made under section 43A of the Powers of Criminal Courts Act 1973(1).

8. If the Chief Officer of Police is satisfied that the nature of any property to which these Regulations apply is such that it is not in the public interest that it should be sold or retained, it shall be destroyed or otherwise disposed of in accordance with his directions.

Alun Michael
Minister of State

Home Office
31st July 1997

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which extend to England and Wales only, revoke the Police (Disposal of Property) Regulations 1975. They substantially re-enact the provisions in those regulations relating to sale and disposal of property in the possession of the police to which the Police (Property) Act 1897 ("the 1897 Act") applies with drafting amendments. The regulations also make provision for the retention of property by the police in certain circumstances following amendment to the 1897 Act by the Police (Property) Act 1997 (c. 30).

(1)

1897 c. 30; section 2 was amended by section 1 of the Police (Property) Act 1997 (c. 30).

(2)

1973 c. 62; section 43(5) was amended and subsections (6) and (7) added by section 2 of the Police (Property) Act 1997.

(3)

S.I. 1975/1474.

(4)

1996 c. 16.