

Decision 2015/60



REPORT TO: POLICE AND CRIME COMMISSIONER FOR LANCASHIRE

REPORT BY: Steve Freeman – Chief Finance Officer

DATE: 13 November 2015

TITLE: Awards to community and voluntary organisations from PoCA receipts

Appendix A refers

EXECUTIVE SUMMARY

This report seeks authority from the Police and Crime Commissioner for Lancashire Constabulary to allocate PoCA (Proceeds of Crime Act) receipts to local community and voluntary organisations via grant awards.

The PoCA reserve currently stands at £1.2m and it is proposed that £600,000 should be made available to award as grants to local Community and voluntary organisations to promote projects that contribute to the delivery of the priorities set out in the Commissioner's Police and Crime Plan.

RECOMMENDATION

The Police and Crime Commissioner is recommended to:

- 1) Allocate £200,000 to each BCU (Basic Command Unit) geographical area from the PoCA reserve to be made available for award as grant to local community and voluntary organisations.
- 2) Utilise the process and assessment criteria identified in this report in order to determine the grants to be awarded from PoCA funding

Decision taken by the Police and Crime Commissioner for Lancashire:

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| Original decision, as set out in the attached report, approved without amendment (please delete as appropriate) | YES | NO |
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Original decision required to be amended and decision as detailed below:

The reasons for the amended decision are as detailed below:

Police and Crime Commissioner: Comments

DECLARATIONS OF INTEREST

The PCC is asked to consider any personal / prejudicial interests he may have to disclose in relation to the matter under consideration in accordance with the law, the Nolan Principles and the Code of Conduct.

STATEMENT OF COMPLIANCE

The recommendations are made further to legal advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation.

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| Signed: <i>Clive Ashman</i> Police and Crime Commissioner Date: 13 th November 2015 | Signed: Chief Officer: Date: |
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| Signed: Chief Constable: Date: | Signed: Chief Finance Officer: Date: |
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1. Background

- 1.1 The Proceeds of Crime Act, 2002 (PoCA) and three further pieces of legislation provide the legal framework for law enforcement agencies, including the constabulary, to recover the financial gains made by those involved in criminal activity. Under the asset recovery incentivisation scheme (ARIS) agencies receive a proportion of the money they have recovered from criminals.
- 1.2 The amount the constabulary receives for allocation is determined by the proportion of the total value of receipts received in the Home Office in any particular financial year it has contributed.
- 1.3 The constabulary's annual allocation is based on a percentage of its receipts as determined by the CJS in relation to 3 areas of recovery as demonstrated in the table below:

| Type of receipt | Proportion refunded to the constabulary |
|-----------------------------------|---|
| Cash forfeiture orders | 18.75% |
| Confiscation orders | 18.75% |
| Civil recovery and taxation cases | 12.5% |

- 1.4 Home Office guidelines state that the use of such proceeds is a matter for each agency but incentive payments should be used to further drive up performance on asset recovery and, where appropriate, to fund local crime fighting priorities for the benefit of the community.
- 1.5 Lancashire complies with these guidelines through the funding of a number of financial investigator posts that contribute to the delivery of a significant level of POCA receipts and through this activity have generated receipts in excess of their cost over a number of years.
- 1.6 It is this activity that has realised a balance on the PoCA reserve of some £1.2m that is now available for the Commissioner to allocate.

2. Use of the PoCA reserve

- 2.1 All reserves are held by the Commissioner and it is therefore appropriate that he consider the use of the PoCA reserve that currently stands at £1.2m.
- 2.2 In line with Home Office guidelines it is reasonable that the Commissioner allocate a proportion of this funding to schemes that "fund local crime fighting priorities for the benefit of the community".
- 2.3 In order to enable the Commissioner to meet the Home office guidance it is therefore recommended that £600,000 of the reserve be made available to local community and voluntary organisations to deliver schemes that enable the delivery of the priorities set out in the Police and Crime plan for Lancashire. It is further proposed that the £600,000 be allocated in the amount of £200,000 per BCU (Basic Command Unit) geographical area.
- 2.4 The following sections of this report set out a proposed mechanism for the allocation of this funding to local organisations.

3. Allocation of PoCA funding – process

- 3.1 In order to encourage as wide a range of organisations as possible to seek support from PoCA funding it is recommended that the Commissioner establish a grant award process to allocate the reserve involving an independent review panel to determine the final allocation of the funding.

- 3.2 It is proposed that the grants awarded from the PoCA funding be subject to a set of criteria as set out in Annex 'A', the key elements of which are:
- How the proposal set out in the bid meets the priorities set out in the Police and Crime plan
 - That the bid sets out how the proposal meets the financial criteria set out in Annex 'A'.
 - That having met the criteria identified above the final allocation of the funding is determined via an independent review process
- 3.3 A set of guidance notes (Annex 'B') and an application form (Annex 'C') will be provided to applicants that will enable bids to be constructed for submission.
- 3.4 The criteria set for applications recognises different requirements for different levels of funding. This enables a variety of types of scheme to be supported across a significant range of values. The different levels of criteria recognises the relevant levels of financial risk at different values of funding being provided and that the level of risk does vary depending upon the amount of funding being awarded.
- 3.5 The operation for the public vote process that will allocate funding is set out in Annex 'D'

4. Allocation of PoCA funding – Timetable

- 4.1 It is proposed that a formal launch of the grant award process be made during November 2016 with allocations announced early in 2016.

5. Recommendations

- 5.1 That the Commissioner set aside £600,000 from the PoCA reserve to provide funding for grants to local community and voluntary organisations to enable them to deliver schemes that "fund local crime fighting priorities for the benefit of the community"
- 5.2 That the £600,000 be allocated in the amount of £200,000 per BCU.
- 5.3 That the Commissioner agrees the process set out in this report for the awarding of grants from PoCA, including the operation of the independent review panel process, and also agrees the criteria against which bids will be assessed.

6. Links to the Police and crime Plan

- 6.1 All applications recommended for approval support one or more of the priorities in the

7. Implications

a. Legal

There are none arising specifically from this report.

b. Financial

There are no specific financial implications arising directly from this report. Any costs incurred supporting the approved applications will be contained within the existing PoCA reserve.

c. Equality considerations

There are none arising specifically from this report.

8. Public access to information

Information in this form is subject to the Freedom of Information Act 2000 and other legislation.

Part 1 of this form will be made available on the PCC website within 3 working days of approval. Any facts/advice/recommendations that should not be made available on request should not be included in Part 1 but instead on the separate Part 2 form.

Assessment Criteria

1. The grant is to meet a one-off requirement for funding, for example:
 - a. Is for capital purposes such as the purchase of equipment or machinery,
 - b. Provides pump-priming funding for the long term delivery of a service
 - c. Provides one-off funding for additional services for a defined fixed period
2. For non-capital expenditure the applicant must provide evidence of match funding for at least 50% of the cost of the bid
3. The proposal being funded by the grant award can demonstrate clear links to the priorities set out in the Police and Crime Plan
4. The grant award supports a service that will be provided within Lancashire
5. The proposal provides value for money (and this is clearly demonstrated in the bid)
6. Where pump priming funding is being provided the bid must clearly demonstrate the sustainability of the service being supported by the grant award including, for example, a clear exit strategy following the end of the funding being awarded
7. A successful applicant cannot bid for funding for the same proposal in any future year

COMMISSIONING AND GRANT APPLICATION 2015/16

POCA FUNDING

NOTES AND GUIDANCE

Please read these Notes and Guidance before completing the Commissioning and Grant Application to ensure that your initiative/project supports the Commissioner's outcomes and that the Outputs demonstrate value for money.

1. Before completing a Commissioning and Grant Agreement the proposed initiative/project must have been discussed with the Office of the Police and Crime Commissioner.
2. The Commissioner would normally enter into an Agreement with, and make payment to, the Lead Commissioning Organisation and not directly to a service provider. Where a request is made for payment direct to a service provider this must be approved by the Office of the Police and Crime Commissioner prior to the Agreement being accepted.
3. Details of any match funding or resources should be summarised in the first section of the Agreement and further details included in the "Details of the project or initiative"
4. The minimum grant that can be applied for is £5,000.
5. The grant can only be used to fund one-off expenditure only and will not be used for on-going revenue/maintenance costs. One-off expenditure includes:
 - a. Capital expenditure such as the purchase of assets (buildings, vehicles, computer equipment) or spending on the refurbishment of assets
 - b. Pump-priming expenditure that provides a one-off investment that enables an on-going service to be established.
 - c. One-off funding for additional services for a fixed (defined) period
6. Any application for funding for non-capital expenditure must be no more than 50% of the cost of the proposal and evidence must be provided of match funding having been secured for the remaining cost
7. Details of the proposed Outcomes/Achievements should be shown against the relevant Police and Crime Commissioner's priorities – taking into account the priority areas under each of these as detailed in the Police and Crime Plan.

<http://emails.madeatworkhouse.com/emags/lancspcc/policeandcrimeplan/index.html>

FUNDING TERMS AND CONDITIONS

1. Grants may only be used for the purpose specified in the approved application and offer letter.
2. Assets or equipment purchased with grant monies may not be sold or otherwise disposed of without written approval of the Police and Crime Commissioner. Where sale or disposal does take place (approved or otherwise), repayment of the grant may be required. The level of repayment and the timescale for this will be determined by the Police and Crime Commissioner.
3. Payment of the grant will not be made until the confirmation of acceptance of these terms and conditions and any additional conditions outlined in the offer letter are received by the Police and Crime Commissioner
4. Any approved grant does not imply any on-going commitments by the Police and Crime Commissioner to make further payments to the applicant organisation.
5. Applicant organisations will inform the Police and Crime Commissioner of any changes to bank details.
6. Applicant organisations shall comply with all relevant legislation, including law, taxation rules, equality and safeguarding.
7. The organisation will share with the Police and Crime Commissioner prior to publication any publicity that they may wish to undertake in respect of the grant to allow the Police and Crime Commissioner to contribute to the publicity.
8. Applicant organisations will acknowledge the Police and Crime Commissioner in any publicity material they produce specific to the grant. Applicants agree to provide copies of any such materials to the Police and Crime Commissioner.
9. Funding is granted subject to the organisation agreeing to take part in publicity agreed by the Commissioner's office. This can take the form of media interviews for broadcast, online and print media; documentaries, posters, newsletters, social media and web updates.
10. The Police and Crime Commissioner agrees his name "Police and Crime Commissioner for Lancashire" should be used by the applicant organisation to indicate the grant support he has provided.
11. Where an applicant overspends on the activity which was the subject of the grant application, no further funds will automatically be made available by the Police and Crime Commissioner. There may be instances where a project is so successful that the PCC would wish to provide additional funding.
12. Where the grant is not spent in its entirety, any unspent balance must be returned to the Police and Crime Commissioner.
13. The applicant organisation will permit any officer of the Police and Crime Commissioner or its appointed auditors to visit its premises and/or inspect any activities and records related to this grant.
14. The decisions made by the Police and Crime Commissioner in awarding grants and in operating this fund are final. There is no appeal process.
15. The Police and Crime Commissioner has the discretion to withhold 20% of the grant value, for payment upon successful evaluation of the Project/ Initiative.
16. The applicant organisation will be expected to retain the following documents for a period of at least 6 years from the end of the funding period:
 - Original invoices
 - Receipts

Minutes from relevant meetings
Copies of accounts and deeds
Any other relevant documentation
(Please note these may be retained in either written or electronic form)

Contact Us

If you need any help with your application you can contact us:

Website: www.lancashire-pcc.gov.uk

Telephone: 01772 533587

E-Mail: Commissioner@lancashire-pcc.gov.uk

Address: Police and Crime Commissioner's Office
Room E11,
County Hall,
PRESTON
PR1 0LD

COMMISSIONING AND GRANT APPLICATION 2015/16

POCA FUND

Please read these Notes and Guidance before completing the Commissioning and Grant Application to ensure that your initiative/project supports the Commissioner's outcomes and that the Outputs demonstrate value for money.

About you and your organisation

| | |
|--|---|
| NAME | |
| NAME OF GROUP/ORGANISATION | |
| CHARITY NUMBER (if applicable) | |
| CONTACT TEL. NO. | |
| EMAIL ADDRESS | |
| POSTAL ADDRESS | |
| WEBSITE | |
| COPY OF CONSTITUTION ATTACHED? | |
| COPY OF LATEST ACCOUNTS ATTACHED? | |
| QUALITY ASSURANCE ACCREDITATION | (Does your organisation currently hold any form of accreditation in respect of its; Governance, Resources, initiatives or people. If so, please attach details) |

Bank details

| | |
|---|--|
| NAME OF ORGANISATION RECEIVING FUNDING | |
| NAME OF BANK | |
| BANK ADDRESS | |
| ACCOUNT NUMBER | |
| SORT CODE | |

**ALL COMMISSIONING AND GRANT APPLICATIONS MUST BE SIGNED OFF BY A
SENIOR OFFICER FROM THE ORGANISATION RECEIVING FUNDING**

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| SIGNED: (Please note electronic signatures may be used) | |
| POSITION: | |
| DATE: | |

About the Project/ Initiative

| | |
|---|---|
| NAME OF PROJECT/INITIATIVE | |
| AMOUNT REQUESTED | £ |
| DETAILS OF ANY MATCH FUNDING | |
| ESTIMATED START DATE | |
| ANTICIPATED COMPLETION DATE | |

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| 1. SUMMARY OF ISSUE / TOPIC BEING ADDRESSED |
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| 2. | <p>DETAILS OF THE PROJECT OR INITIATIVE</p> <p>(Please include a breakdown of costs include details of assets purchased, or one-off activity to be undertaken.)</p> <p>Details should include the identification of match funding of at least 50% for any non-capital expenditure</p> |
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|--------------------------|--|--------------------------------|-------------------------------|
| 3. | <p>WHICH OF THE PCC's PRIORITIES DOES YOUR PROJECT/INITIATIVE SUPPORT?</p> <p>(Please explain how your proposed project/ initiative supports all or some of the PCC's Priorities)</p> | | |
| | Defend Frontline Policing | | |
| | Protect Vulnerable People | | |
| | Tackling Crime and Reoffending | | |
| | Championing the Rights of Victims | | |
| For OPCC use only | | | |
| | Community Liaison 14137 | Public Protection 14138 | Criminal Justice 14139 |

| 4. | WHO BENEFITS FROM THIS INITIATIVE/ PROJECT? |
|-----------|--|
| | |

| 5. | PROJECT/INITIATIVE OUTCOMES? (Please provide information of all outcomes which you expect this project to deliver) |
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| 6. | SUMMARY OF PERFORMANCE MANAGEMENT FRAMEWORK (Explain how you will use the information to monitor and evaluate your project) |
| <p>a) Monitoring</p> <p>b) Evaluation</p> | |
| DETAILS OF ANY STEERING GROUP/MANAGEMENT BOARD – Where relevant (The commissioner may wish to be represented on any steering Group/ management board) | |

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| 7. | SUMMARY OF COMMUNICATIONS AND PROMOTIONAL PLANS (This should include details of any opportunity for the Commissioner to engage with the initiative e.g. launch event, award ceremony etc.) |
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| 8. | THIS FUND WILL PROVIDE ONE-OFF SUPPORT ONLY. PLEASE DETAIL HOW YOU WILL FUND THE PROJECT IN FUTURE YEARS. |
| | |

Contact Us

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