

Data Protection Office

Police Headquarters, Saunders Lane, Hutton, Preston PR4 5SB

Tel: 01772 41332 / 412144

Email: FOI@lancashire.pnn.police.uk



Ponting Paul

Sent via email to: request-536489-c2fd0377@whatdotheyknow.com

Date: 30 January 2019

Dear Mr Ponting

FREEDOM OF INFORMATION APPLICATION REFERENCE NO: DPO/FOI/004298/18

Thank you for your request for information received by Lancashire Constabulary on 02/12/2018 which was as follows:

I refer to a FOI made the the PCC, Clive Grunshaw.

https://www.whatdotheyknow.com/request/use_of_public_money_for_donation

I would like you to provide me with the regulations on how the Chief Constable or PCC can use PUBLIC assets for donations to charities, especially charities with potential for conflicts of interest.

I refer to the following publication where Clive Grunshaw (or Lancashire police as Clive says) donated a police motorcycle of significant value to North West Blood Bikes.

<https://nwbb-lancs.org/blog/post.php?s=2013-11-25-police-donate-a-bike>

I refer to potential conflicts of interest, as the charity is chaired by an ex Lancashire police officer and current magistrate. At the time believed to be a freemason.

This conflict of interest is identified clearly in that the chair is an ex police officer so this begs the question,

WHY this charity?

What was the process for deciding which charity?

What other charities were considered?

The second conflict of interest is that the chairman is a magistrate and this could invoke significant BIAS in any criminal convictions by the magistrate.

Are police allowed to 'donate' assets to members of the judiciary?

What safeguards are in place to ensure no conflict exists?

Who overlooks potential conflicts and abuse of public assets?

I also ask, why the motorcycle was valued at £1,500? even at today's market, it could fetch as much as £4,000. The £1,500 valuation was made back in 2013 and it is estimated the motorcycle was worth closer to £7,000 at this time so a deficit of over £5,000 of public assets to a police run charity.

Who overlooks valuations to ensure they are not abused?

What process was used to ensure this valuation was correct?

Please provide bills of sale for this valuation/sale/donation?

While this may be a worthwhile charity, my request is, who decides which charity is in receipt of disposals of such significant value?

Suspensions will obviously be raised at the selection of charity so please detail why this charity was selected in the knowledge an ex-police officer/magistrate was the chair.

I have suspicions that this may in fact be a fraudulent or illegal devaluing of public assets, followed by a 'biased' selection of charity. This was identified by the PCC as a donation by himself. This was the same year he was investigated for expenses fraud and maybe CPS should be notified?

If it is not possible to provide the information requested due to the information exceeding the cost of compliance limits identified in Section 12, please provide advice and assistance, under your Section 16 obligations, as to how I can refine my request to be included in the scope of the Act. In any case, if you can identify ways that my request could be refined please provide further advice and assistance to indicate this.

I refer to your request as above and in accordance with Section 1(1)(a) of the Freedom of Information Act (FOIA) 2000 I can confirm some information is held relevant to your request.

Under delegated powers the Head of Business Support was authorised to dispose of police equipment up to the value of £2000 by whatever means was believed to be most appropriate. An extract from the relevant section of the Delegated authority is set out below.

***LOST DAMAGED OBSOLETE AND SURPLUS ITEMS OF FURNITURE EQUIPMENT
STOCKS AND STORES***

To write off furniture, equipment, stocks and stores found to be deficient, damaged or obsolete

- i) Up to a value of £2,000 per individual item delegated to Divisional Commander/Head of Business Support*

To dispose of any obsolete items of furniture, equipment stocks and stores as follows

If the value of goods to be disposed of is estimated to be in excess of £2,000 the items should be disposed of publicly, by tender or auction as appropriate. Where the value of goods is below £2,000 disposal should be by whatever method is considered to be the most appropriate and financially advantageous to the PCC delegated to Divisional Commander/Head of Business Support.

Within your request you have also asked a number of questions. These are not valid requests for information held under the FOIA.

However, in accordance with our duty to assist I can advise that an approach was made by a representative of the Charity to the Director of Resources. The matter was referred to the Head of Business Services, who had delegated powers, as detailed above and considered the offer from the Charity, as a corporate entity, following a valuation of the motorcycle by the Business Services Fleet Manager.

A copy of the email authorising approval to the donation is attached.

Please accept our apologies for the delay in processing your request.

If you are unhappy with the service you have received in relation to your request and wish to make a complaint or request an internal review of our decision, you should write to the Information Assurance Manager, Information Compliance and Disclosure Section, Police Headquarters, Saunders Lane,

Hutton, Preston PR4 5SB or alternatively send an email to FOI@lancashire.pnn.police.uk. Details of the Constabulary's Freedom of Information Complaint Procedures can be found attached to this email.

If you are not content with the outcome of your complaint, you may apply directly to the Information Commissioner for a decision. Generally, the Information Commissioner's Office cannot make a decision unless you have exhausted the complaints procedure provided by Lancashire Constabulary. The Information Commissioner can be contacted at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours sincerely

Compliance Team

Data Protection Office