

# Lincolnshire Police Property Disposal – Guiding Principles

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- 1.1 The Police and Crime Commissioner is empowered, under section 14 of Schedule 1 of the Police Reform and Social Responsibility Act 2011 (the PRSR 2011), to dispose of Police assets. Below is the relevant extract for ease of reference.

PRSR Act 2011, SCHEDULE 1 Police and Crime Commissioners

Incidental powers

14

- (1) A police and crime commissioner may do anything which is calculated to facilitate, or is conducive or incidental to, the exercise of the functions of commissioner.
- (2) That includes—
  - (a) entering into contracts and other agreements (whether legally binding or not);
  - (b) acquiring and disposing of property (including land);
  - (c) borrowing money.
- (3) This paragraph is subject to the other provisions of this Act and to any other enactment about the powers of police and crime commissioners.

Consequently this provides the PCC with a wide power in respect of the disposal of property and consequently he is able to approve the sale subject to the general requirement of the PRSR, Part 1, section 1, subsection 6 that “The police and crime commissioner for a police area must—

- (a) secure the maintenance of the police force for that area, and
- (b) secure that the police force is efficient and effective.”

- 1.2 Land and Property will be considered to be surplus or under-used if, following consultation, any of the following statements apply:
- 1.2.1 That the property no longer makes a positive contribution to the delivery of operational Policing services.
  - 1.2.2 That the impact of the closure of premises has been considered and mitigating actions have been implemented, where necessary, as identified in the CIA.
  - 1.2.3 An alternative site, where necessary, can provide a more cost effective and/or efficient policing base.
  - 1.2.4 Part of the site is vacant and likely to remain so.
  - 1.2.5 That there is no Lincolnshire Police plan/policy/strategy with identified resources, in place to support the beneficial use of the building(s) in the foreseeable future.
- 1.3 Disposals will be managed as a programme, designed to reduce revenue running costs of the estate and generate capital receipts.

- 1.4 The PCC will, as a matter of **general policy**, seek to achieve best consideration (market value) in all property disposals other than where specific cases can be sustained for sales at less than best consideration. Each such case will be considered on its individual merits and could include for example:
  - 1.4.1 The letting of property at less than best consideration to a third party, considered to be a 'Key Partner Agency', for the greater benefit of the community, demonstrating and supporting cohesive agency working. In each case a business case will be produced by the initiative sponsor and approved by both the Chief Constable and Police & Crime Commissioner.
  - 1.4.2 The letting of property, or part thereof, to a third party at less than best consideration in order to maximise the utilisation of a facility whereat a police presence will remain and the running costs will be proportionately shared.