



THE POLICE & CRIME COMMISSIONER FOR CLEVELAND

DECISION RECORD FORM

REQUEST:

Approval for the use of Seized vehicles for OCU/Surveillance

Title:

Use of Seized vehicles for OCU/Surveillance

Executive Summary:

The surveillance and OCU Teams have 21 vehicles of various makes and models allocated to them. However due to the nature of the role that these teams carry out these vehicles can become compromised.

Due to budget cuts the Fleet replacement budget has reduced significantly since 2011, this has resulted in OCU and Surveillance having a less frequent turnover of vehicles and a reduced budget allocation which affects the make and models available to the unit.

Officers throughout the Cleveland Police area seize and recover vehicles for a variety of reasons, however there are limited circumstances whereby the vehicle could be rebranded and reused for Police purposes (recovered under SOCAP, seized in crime and abandoned).

It is proposed that rather than vehicles being sent to auction, the suitability of the vehicle is assessed by OCU, Fleet and Legal services. If the vehicle is deemed suitable, then a decision will be made to either rebrand the vehicle i.e. allocate a new vehicle registration number or rebrand so that the vehicle colour is changed etc.

Decision:

Approve the use of appropriate seized vehicles for use by Surveillance and OCU by changing their identity to reduce the need to purchase replacements.

Implications:

Has consideration been taken of the following:	Yes	No
Financial	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Legal	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Equality & Diversity	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Human Rights	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sustainability	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Risk	<input checked="" type="checkbox"/>	<input type="checkbox"/>

(If yes please provide further details below)

Decision Required – Supporting Information

Financial Implications: (Must include comments of the PCC's CFO where the decision has financial implications)

The Fleet Team would require additional revenue budget to enable vehicle identity changes, however capital money would not be required to replace vehicles for these units.

Legal Implications: (Must include comments of the Monitoring Officer where the decision has legal implication)

Legal services will be consulted for every selected vehicle to ensure that there are no legal implications in the vehicle being utilised by the Police.

Equality and Diversity Implications

There are no Equality and Diversity Implications.

Human Rights Implications

There are no Human Rights Act implications.

Sustainability Implications

There are no sustainability implications.

Risk Management Implications

There is the potential that the original vehicle owner will recognise the car, however this will be mitigated by the change of identity.

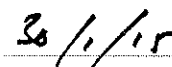
OFFICER APPROVAL**Chief Executive**

I have been consulted about the decision and confirm that financial, legal, and equalities advice has been taken into account. I am satisfied that this is an appropriate request to be submitted to the Police and Crime Commissioner.

Signed: _____

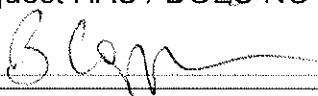


Date: _____



Police and Crime Commissioner:

The above request HAS / DOES NOT HAVE my approval.

Signed: _____



Date: _____





**Report of the Chief Constable to Police and Crime Commissioner for
Cleveland
14th November 2014**

Status: For Decision

Use of Seized Vehicles by OCU/Surveillance

1 Purpose

- 1.1 Cleveland Police have a number of vehicles which are used by Surveillance and OCU; however these vehicles can become compromised.
- 1.2 Current budget pressures has resulted in the OCU/Surveillance having to keep their vehicles for a longer period of time and on occasion there is insufficient money available to procure a vehicle which best meets the needs of the team.
- 1.3 The report highlights an alternative option available to Cleveland Police.

2 Recommendations

- 2.1 Police and Crime Commissioner for Cleveland to approve that the scheme and policy be implemented within Cleveland.

3 Reasons

- 3.1 The surveillance and OCU Teams have 21 vehicles of various makes and models allocated to them. However due to the nature of the role that these teams carry out these vehicles can become compromised.
- 3.2 Due to budget cuts the Fleet replacement budget has reduced significantly since 2011, this has resulted in OCU and Surveillance having a less frequent turnover of vehicles and a reduced budget allocation which affects the make and models available to the unit.
- 3.3 A Fleet Review Team has been established, led by the Procurement and Fleet Lead Business Partner with SPOC's at Chief Inspector rank from each command.
- 3.4 As part of the Fleet review a solution to the OCU/Surveillance vehicle issues was identified and ACC White approved further investigation into this model.

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- 3.5 [REDACTED] use seized vehicles within the role of OCU/Surveillance and has a policy in place to outline the key working practices for this model. A copy of this policy has been obtained.
- 3.6 Following a review of [REDACTED] Policy it has been identified that this model could be adopted in Cleveland, this would alleviate the pressures on the capital fund and provide OCU/Surveillance with a regular vehicle turnover.
- 3.7 Officers throughout the Cleveland Police area seize and recover vehicles for a variety of reasons, however there are limited circumstances whereby the vehicle could be rebranded and reused for Police purposes (recovered under SOCAP, seized in crime and abandoned).
- 3.8 SOCAP vehicles are seized due to either a lack of driving licence, insurance or a failure to stop when the driver is suspected to have no driving licence. The driver/owner is served a seizure notice and has 21 days to address the initial reason for recovery. Failure after this 21 day period to address the issue results in vehicles sent to auction. Crime recovery vehicles are sent to auction also. The sale price is used to pay the recovery agent any outstanding fees and the remainder is paid to the Office of the Police and Crime Commissioner.
- 3.9 It is proposed that rather than vehicles being sent to auction, the suitability of the vehicle is assessed by OCU, Fleet and Legal services.
- 3.10 Fleet Management will have all vehicles safety checked by an independent contractor to ensure that the vehicle is road worthy and safe to drive for operational purposes.
- 3.11 Legal Services will assess every vehicle for civil law status (ownership of the chattel), risks to that ownership e.g. any court order which may be reversed on appeal and any other Legal risks.
- 3.12 If the vehicle is deemed suitable, then a decision will be made to either rebrand the vehicle i.e. allocate a new vehicle registration number or rebrand so that the vehicle colour is changed etc.
- 3.13 A policy in line with [REDACTED] policy has been produced as per Appendix 1

4 Implications

- 4.1 Finance
Current allocation to OCU/Surveillance from the Fleet vehicle replacement budget is £30,000 every two years.
- 4.2 This scheme would not incur capital costs but will incur revenue costs of between £100 and £1500 per vehicle dependent on the nature of the rebrand. It is estimated that approximately £7,500 of additional revenue for the Fleet Budget is required for this scheme.

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- 4.3 There will be a reduction in relation to the income received by the Office of the Police and Crime Commissioner and some additional revenue would be required within the Fleet budget to enable vehicle identity changes.
- 4.4 For the months January to October 2014, the OPCC received income of £38,000 from auctioning recovered vehicles, which averages £3,800 per month.
- 4.5 It is proposed that any savings made through the capital funds by not replacing covert vehicles as a result of this scheme is utilised to purchase vehicles for the main operational fleet. This will equate two additional IRT vehicles plus a volume crime vehicle that can be replaced every 2 years.
- 4.6 Diversity & Equal Opportunities
There are no diversity or equal opportunities implications arising from the content of this report.
- 4.7 Sustainability
There are no sustainability implications arising from the content of the report.
- 4.8 Risk
The owner of the vehicle identifies the vehicle as theirs. This can be mitigated through full rebrand or swapping vehicles with a neighbouring force who operate a similar policy.
- 4.9 Vehicles will be insured third party in line with the current force insurance policy and details will be loaded onto the motor insurance database under a fictitious company name.

5. Conclusions

- 5.1 The force currently utilises 21 vehicles for OCU/Surveillance, which can become compromised.
- 5.2 The OCU/Surveillance Team require more of a greater turnover of vehicles which the current capital allocation does not allow for.
- 5.3 [REDACTED] for a number of years have utilised Seized vehicles within this role. Cleveland Police have reviewed the [REDACTED] policy and have identified that Cleveland Police could put in place a similar model.
- 5.4 A policy has been produced based on the [REDACTED] model which will require approval by the Force Executive and the Police and Crime Commissioner.

Claire Wrightson
Procurement and Fleet Lead Business Partner



CLEVELAND POLICE

Cleveland Police Organised Crime

VEHICLE POLICY

1. Cleveland Police has no dedicated vehicle recovery unit who solely deal with vehicle recoveries; however Officers throughout the Cleveland Police area seize and recover vehicles for a variety of reasons. These vehicles are stored within the following garages. [REDACTED]
2. There are a number of reasons why a vehicle would come into Police possession. And there are a limited set of circumstances whereby the vehicle could be rebranded and reused for Police purposes. Those circumstances are: recovered under SOCAP, seized in crime and abandoned.
3. **SOCAP recoveries.** The vehicle is seized due to no insurance, no driving licence or fail to stop when driver is suspected to have no driving licence. The driver/owner is served a seizure notice and the driver/owner has a 21 day opportunity to address the initial reason for recovery. Failure after this 21 day period, by the driver/owner, to address the issue results in the vehicle being sent for auction.
4. **Crime recoveries** vehicles are sent to auction and costs recovered. The profit is paid into the office of the Police Crime Commissioner.
5. DI John Ward in consultation with Fleet management and Legal Services will agree that vehicles suitable can be acquired for use by the OCU/Surveillance. Given that vehicles may be seized under differing statutes they will not be subject operational usage without the ratification of legal services.

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6. Fleet Management will arrange for the vehicles to be safety checked by an independent contractor to ensure that the vehicle is road worthy and safe to drive for operational purposes.
7. The cost of rebranding the vehicle will vary depending on the severity of the rebrand. Costs will be between £100 and £1500.
8. As previously outlined the scheme will be with Cleveland Police only and as such it is felt prudent at this earlier stage to identify *SPOC's*.

DI John WARD
DS Colin Helyer
Fleet Management
Legal Services

CONDITIONS FOR USE OF VEHICLES AUTHORISED FOR DISPOSAL

9. Cleveland Police must be responsible for all costs associated with this process.
10. The vehicles must be taxed, have a current MOT certificate and insurance covering all 3rd party risks in line with the Force standard insurance policy. The vehicle must be properly maintained in a roadworthy condition before deployment onto a public road. They must also be assessed as suitable for the operational purpose they are subsequently required to carry out.
11. The vehicle must not display its original vehicle registration plates or mark prior to any Police deployment. Consideration to re spraying the vehicle dependant upon the costs?
12. Cleveland Police must inform the DVLA SPOC the vehicles new identity (This information would be in the domain of the DVLA SPOC only).
13. The vehicle prior to its disposal must not have any parts taken from it for any other use.
14. Prior to its disposal the Police SPOC will ensure that the vehicle is returned to its original identity.
15. At the conclusion of the vehicles usefulness and or it becoming unfit for purpose. The vehicle must be destroyed without delay.
16. When the Cleveland Police SPOC presents the vehicle for destruction, the vehicles Identity Number (Stamped Chassis) and it original Registration Mark will be recorded by the Authorised Treatment Facility.

CLEVELAND POLICE CONDITIONS OF USE - COVERT USE

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17. All vehicles obtained through the scheme will be used within the Organised Crime Unit and Surveillance.
18. All vehicles will be used in line with current Cleveland Police policy on Covert vehicles.
19. Fleet Management will maintain the vehicles in a road worthy condition using tried and established contacts.
20. Vehicles used by the Organised Crime Unit and Surveillance officers will be insured to a covert company address and the vehicle shown as an asset of the company.
21. The vehicle will only be used operationally and when not deployed will be parked covertly at prescribed police premises.