



MAYOR OF LONDON
OFFICE FOR POLICING AND CRIME

Wembley PS BCU FBC Update Paper

MOPAC Investment Advisory & Monitoring meeting 01 August 2023

Report by Vince Fihosy on behalf of the Chief of Corporate Services

Part 1 – This section of the report will be published by MOPAC. It is classified as OFFICIAL – SENSITIVE

EXECUTIVE SUMMARY

Management Board approved the BCU Programme through 2 OBCs in Dec 2017 and March 2018 covering 27 buildings. FBC approval for the first 15 buildings was given in December 2019 [PCD694] with a further two buildings in July 2021 [PCD 1027] and another building in May 2022. All of these, 18 have been completed.

This paper seeks approval to progress the refurbishment of Wembley PS. The refurbishment needs to progress to accommodate the new locker rooms, welfare facilities, security works and Front Counter upgrade. Prioritisation of Wembley PS enables officer uplift and operational requirements to be met which as reflected in the design for the site all of which contribute toward the objectives set out in the New Met for London plan, specifically raising standards and setting the front line up to succeed.

This paper includes consideration of the Mayor's Anchor Institutions requirements and an option to ensure delivery of decarbonisation is fully considered.

Recommendations

The Deputy Mayor for Policing and Crime via the Investment Advisory and Monitoring meeting (IAM), is asked to approve the following for the refurbishment of Wembley PS:

1. Approve expenditure of £8,226,000 from the approved capital budget of £8,285,000 to refurbish Wembley PS as part of the BCU refurbishment programme;
2. From this, approve delegated authority to the Director of Commercial Services to award a construction contract up to the value of £5,191,000 to undertake refurbishment works at Wembley PS;
3. Note delegated authority to the Director of Commercial Services (PCD1268 Public Sector Decarbonisation Scheme – Approval to Invest) to instruct further recommended decarbonisation works at a gross cost of £2,803,000, of which £1,312,000 has been awarded as Public Sector Decarbonisation Scheme (PSDS) grant funding.

Time sensitivity

A decision is required from the Deputy Mayor by 16/08/2023, the standard advised earliest available date post-IAM, in order to begin project tasks.

Non-confidential facts and advice to the Deputy Mayor for Policing and Crime

Introduction and background

1. This paper provides an update to the BCU Refurbishment FBC [PCD694] approved in December 2019 and from this requests approval to progress Wembley as the next refurbishment scheme. This building, along with the remaining sites in Phase 2 of the programme, were held back from the original FBC to allow the impact of officer uplift to be reviewed before committing expenditure. Of the schemes identified in the Original Business Case [PCD290 and PCD337], 18 have been delivered successfully, 2 are not progressing at this time (Warspite and Kensington) and the remaining sites will be reported in future update papers.

Issues for consideration

2. The capital plan budget remains sufficient to deliver the remaining BCU Refurbishment schemes. A future paper will make recommendations on the works required for the remaining BCU sites.
3. The new Estate Strategy is currently under review to accommodate the Commissioner's Turnaround and New Met for London Plan. Whatever is decided around the new Estate Strategy, it is imperative to proceed with this investment to a core retained site as the works outlined for delivery at Wembley are essential. They will provide much needed improvements to site security, Front Counter; lockers and locker room accommodation and improvements to overall staff welfare. The requirement to continue these works also remains in order to maintain Wembley PS physical asset value. The rationale for the proposed investment will not be impacted by any decisions likely to be made as the estates strategy is further developed.
4. The refurbishment of Wembley Police Station will directly contribute to the delivery of the qualitative benefits of increased building utilisation, increased staff satisfaction, increased victim and user satisfaction, and more efficient use of officer time. These, together with the Estate Strategy objectives of investing and enhancing the quality of accommodation can only be realised through modernised accommodation that facilitates agile working patterns.
5. The designs that have been procured through this scheme reflect officer growth and new ways of working together with the new 350mm wide locker proposed in the Personal Storage Strategy Paper. The timing and sequence of installation of the new lockers are considered in the Personal Storage OBC due to be submitted to IAM in early 2024 *Date TBC.

Contributes to the MOPAC Police & Crime Plan 2022-25¹

6. The Mayor wants London both to be a safer city and for Londoners to feel safer. To deliver this vision the Police and Crime Plan sets out some key areas for action which include: Reducing and preventing violence; Increasing trust and confidence; Better supporting victims.
7. The MPS teams at Wembley PS support various units whose work is critical to keeping all Londoners safe. The refurbishment, will provide a modern facility to accommodate the operational needs, will ensure staff, data and equipment are kept safe and supports the MPS plans to meet its Net Zero Carbon ambitions.

Financial, Commercial and Procurement Comments

8. This paper is seeking approval to deliver Wembley PS refurbishment as part of the wider BCU refurbishment programme. The capital programme includes £197.6m to deliver the BCU refurbishments, of which £124.3m was approved in December 2019 to deliver the Phase One refurbishments. A further £3.9m was approved in July 2021 for Wave 1 of Phase 2, and a total cost of £5.72M was approved in May 2022. A Hayes FBC BCU Update paper (seeking approval to deliver the next project stage which includes expenditure of £1.71m allocated capital budget to progress agreed proposals) was approved by PIBDA in May 2023 and is awaiting MOPAC review and approval (July 2023 IAM).
9. The total budget allocated within the capital plan for Wembley PS is £8.285M (incl.OB). This report seeks approval to progress the refurbishment of Wembley PS at a total cost of £8.226M (incl.OB) The recommended decarbonisation options are to be progressed at an estimated cost of £2.8M, £1.3M of which has been awarded as delegated under PCD1268 Public Sector Decarbonisation Scheme – Approval to Invest. If this report (and Hayes) is approved, this will leave a balance of £42.85M to deliver the remaining schemes in the BCU Programme. This remaining expenditure covers the Phase 2 Planned schemes for refurbishment of buildings at, Harrow and Kensington (the latter reported separately) plus the Phase 2 Decisions Required schemes (currently on hold) in the South West and North East BCUs.
10. The commercial agreements required to deliver this project have been procured and awarded in full compliance with the Public Contracts Regulations (PCR) 2015 and MOPAC Scheme of Delegation.
11. The Decisions recommended for approval by MOPAC are supported by Commercial Services, and it is confirmed:

Recommendation 2- award of contract through a MOPAC approved MPS Framework, procured in accordance with PCR 2015. Note that the value of the contract at £5.191M is above the upper threshold for works procured and awarded under Lot 2 of this Framework but, in consultation with DLS, a modification notice

¹ [Police and crime plan: a safer city for all Londoners | London City Hall](#)

will be published in compliance with PCR Reg 72 (1)(c) ie a 'unforeseen' change becoming necessary.

Recommendation 3 – a contract change by variation has been provided for in compliance with PCR Reg 72 (1)(a), namely a 'foreseen' change for the scope and value for further NZC grant funded works.

12. The relevant MOPAC approved compliant frameworks that have been used to procure the suppliers needed for this project are:
- MPS Building Works Framework – 2022- 2026 (Lot 2 construction works up to £5m *); and
 - MPS Professional Services Framework 2022- 2026 (design services for all project values)

*Note. In consultation with PSD and DLS, Commercial Services has agreed and secured legal and Director of Commercial support for the need to issue a modification notice in compliance with PCR Reg 72 (1)(b) ie 'additional works becoming necessary'. The purpose of the modification is to formally amend the upper thresholds of the Building Works Framework as follows:

Lot 1: From 750,000 to £2m;
Lot 2: From £5m to £10m; and
Lot 3: From £1m to £5m.

Modification to the Lot upper thresholds allows the Framework Lots to be better align to PSD's prevailing capital programme spend profile and contract commitments, and in part, better aligns the Framework to PSD's strategy to deliver Net Zero 2030 by securing Salix PSDS grant funding for additional NZC works, which requires expenditure of grant funding over limited funding periods.

Note. The overall value and duration of the Building Works Framework is not subject to modification, only the Lot upper values and contract value of typical schemes procured by PSD.

13. Compliant call-off procedures have been undertaken to appoint an independent project/cost management consultant so as to progress the scheme through the early detailed design phase (RIBA Work Stages 2 to 4). Willmott Dixon were appointed under a Pre-Construction Services Agreement covering RIBA stages 2 to 4 (Design) and subject to this paper being approved will deliver the construction phase (stages 5 -7) under a JCT Design & Build contract. The NZC packages will be tendered with the successful contractor on an open book basis and incorporated into the main construction contract and subsequent programming of works as either a provisional sum or variation. This FBC update report requests authority is delegated to the Director of Commercial Services to award the final agreed construction contract.
14. The scope and terms of the original contract for decarbonisation works provides for the option of further decarbonisation works at a cost of £1,491M and, as

such, modification on this basis will be compliant with regulation 72(1)(a) of the Public Contracts Regulations 2015. The overall nature of the contract would not be altered as a result and the overall works value will not exceed 50% of the original contract value.

15. **London Anchor Institutions' Charter**². As part of their appointment onto the MPS frameworks, the delivery partners the MPS will use to deliver this project have committed to take specific actions to address the objectives of the LAIC. As part of the Framework Management approach, the linkage between individual appointments and actions taken and the effectiveness of those actions in delivering the above commitments will be reviewed and assessed. The contracts will encourage the use of London supply chain specific initiatives including: apprenticeship levies; adherence to modern slavery and London Living Wage obligations; social value impact opportunities.

Legal Comments

16. The Mayor's Office for Policing and Crime ("MOPAC") is a contracting authority as defined in the Public Contracts Regulations 2015 ("the Regulations"). All awards of, and modifications to, public contracts for goods and/or services valued at £213,477 or above shall be procured in accordance with the Regulations. All awards of, and modifications to, public contracts for works valued at £5,336,937 or above shall be procured in accordance with the Regulations. This report confirms the requested services and works shall be procured compliantly.

17. Recommendation 2: The framework agreement can be modified in accordance with Regulation 72 (1) (c) PCR which applies where:

- (i) the need for modification has been brought about by circumstances which a diligent contracting authority could not have foreseen;
- (ii) the modification does not alter the overall nature of the contract;
- (iii) any increase in price does not exceed 50% of the value of the original contract or framework agreement.

It is stated that the change in lots does not alter the overall nature of the contract and on this basis the modification is compliant as the framework agreement is a compliant route to market.

18. Recommendation 3: Regulation 72 permits MOPAC to modify a contract in limited circumstances. Specifically, regulation 72(1)(a) provides MOPAC may modify a contract where:

(a) where the modifications, irrespective of their monetary value, have been provided for in the initial procurement documents in clear, precise and unequivocal review clauses, which may include price revision clauses or options, provided that such clauses— (i) state the scope and nature of possible modifications or options as well as the conditions under which they

² <https://www.london.gov.uk/coronavirus/londons-recovery-coronavirus-crisis/anchor-institutions-charter>

may be used, and (ii) do not provide for modifications or options that would alter the overall nature of the contract or the framework agreement;

This report confirms the above is met and will apply to the contract once awarded.

19. The MOPAC Scheme of Delegation and Consent provides the Deputy Mayor for Policing and Crime ("DMPC") has delegated authority to approve:
 1. Business cases for revenue or capital expenditure of £500,000 and above (paragraph 4.8); and
 2. All requests to go out to tender for contracts of £500,000 or above, or where there is a particular public interest (paragraph 4.13).
20. Paragraphs 7.23 and 7.24 of the Scheme provide respectively that the Director of Strategic Procurement has consent for the approval of the award and variation of all contracts, with the exception of those called in through the agreed call in procedure. Paragraph 4.14 of the Scheme provides the DMPC reserves the right to call in any MPS proposal to award a contract for £500,000 or above and all variations and extensions to contracts with an original value of £500,000 or above.

Equality Comments

21. A programme level Equality Impact Assessment (EIA) was approved by the Estate Transformation Board in July 2017, agreeing that project level EIAs will be produced locally by user group representatives. A site specific EIA has been undertaken as part of the Detailed Design process (available on request). All buildings included in the Estate Transformation Implementation Plan will be Equalities Act Compliant. There are no foreseen negative Equality or Diversity implications arising from these works. All Framework Consultants and Contractors are evaluated at Framework tender stage for acceptable Equality and Diversity statements, as well as their ability to meet the MPS requirements under the Equality Act 2010 as a supplier to MOPAC.

Privacy Comments

22. The MPS is subject to the requirements and conditions placed on it as a 'State' body to comply with the European Convention of Human Rights and the Data Protection Act (DPA) 2018. Both legislative requirements place an obligation on the MPS to process personal data fairly and lawfully in order to safeguard the rights and freedoms of individuals.

Under Article 35 of the General Data Protection Regulation (GDPR) and Section 57 of the DPA 2018, Data Protection Impact Assessments (DPIA) become mandatory for organisations with technologies and processes that are likely to result in a high risk to the rights of the data subjects.

The Information Assurance and Information Rights units within MPS will be consulted at all stages to ensure the project meets its compliance requirements.

GDPR and data implications – Wembley PS: The project does not use personally identifiable data of members of the public, so there are no GDPR issues to be considered. We will review the existing Data Protection Impact Assessments (DPIA) for the camera systems at Wembley PS as part of the project, updating them as necessary.

Real Estate Implications

23. This is a Property Services Directorate authored and owned proposal. Real Estate implications are outlined throughout the proposal.

Environmental Implications

24. Projects must propose an option to ensure they achieve Net Zero Carbon (NZC). Sustainable Design and Construction is an integral part of the MPS' Environment and Sustainability Strategy which, in turn, is aligned to Mayoral priorities for environmental and sustainability management and which more recently has included the formal policy change by the Mayor for London to achieve NZC by 2030. This project will be compliant with the MPS's Sustainable Design Guide and Checklist, and other relevant standards including the MPS's Mechanical Services Employers Requirements (MSER), BMS Design Guide, etc. Further energy saving measures, which contribute to the delivery of Net Zero Carbon (NZC), can be incorporated. These measures are simple and effective to incorporate, including a number of energy saving measures reducing consumption and energy costs and realising delivery cost savings if delivered as part of the main works. The additional cost of £2.8M to implement the full decarbonisation and energy efficiency measures has already been approved (PCD1268 Public Sector Decarbonisation Scheme – Approval to Invest) and is funded via the existing approved Forward Works budget (£1.5M) and topped up with Salix PSDS Grant funding (£1.3M).

Background/supporting papers

25. NONE

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Part 2 – This section refers to the details of the Part 2 business case which is NOT SUITABLE for MOPAC Publication.

The Government Security Classification marking for Part 2 is:
OFFICIAL-SENSITIVE [OPERATIONAL]

Part 2 of Wembley PS Refurb FBC Update Paper as part of Programme 11
Transforming the Estate is exempt from publication for the following reasons:

- Exempt under Article 2(2)(c) of the Elected Local Policing Bodies (Specified Information) Order 2011

- The relevant section under the FOIA that would exempt this information from disclosure is Law Enforcement - Section 31 (1).

The paper will continue to be exempt unless, on review, non-publishable sensitive data is redacted. To be reviewed no earlier than 1st August 2028.