

DMPC Decision – PCD 1646

Title: London Preparedness Review 2 Consultant - Contract Variation

Executive Summary:

This decision seeks approval for a contract variation to extend the existing contract with PPS Consultants Ltd who have been providing the required additional capacity and expertise to assist MOPAC with overseeing the progression of 294 recommendations made by Lord Harris' 2022 review into London's Preparedness for a Major Terrorist Attack. The contract variation value is £60,000.

This existing contract with PPS Consultants Ltd began in November 2022 and is due to run until April 2024. Much good progress has been made against several recommendations already but due to the complexity and very large number of recommendations contained within the review, the work to oversee progress needs to continue and this contract now needs varying to extend the end date to June 2025 (at which point it is expected that MOPAC will issue a final report to stakeholders and Assembly Members and close the review).

PPS Consultants Ltd have exemplarily discharged their requirements within this contract and MOPAC would like to issue a contract variation to ensure that further work to oversee recommendations in the review can seamlessly continue until formal closure of the report.

The work of PPS Consultants Ltd is crucial in providing subject matter expertise to the Counter Terrorism and Counter Extremism Hub at MOPAC alongside taking ownership in providing MOPAC with evidence to support recommendation resolution. Due to the very specific subject matter knowledge required alongside the importance of continuity of this work, it would not be suitable to commission another consultant to undertake this work.

The initial value of the contract was £49,500. This will increase to £109,500 following a contract variation of £60,000. The contract variation does not increase the agreed day rate of PPS Consultants which was considerably lower than the alternative quote sourced by MOPAC when initially commissioning this work. The value of the variation is greater than the original contract value due the need to allocate increased hours to this work above the number initially anticipated due to the complexity and very large number of recommendations.

Recommendation:

The Deputy Mayor for Policing and Crime is recommended to:

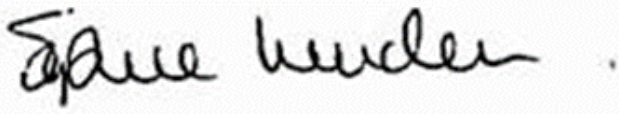
- Approve additional spend of £60,000 in 2024/25 to give a total cost of £109,500 from the MOPAC Counter Terrorism and Counter Extremism Hub budget on the re-appointment of PPS Consultants Ltd.
- Approve a contract variation to extend MOPAC's existing contract with PPS Consultancy Ltd. by one year (to June 2025).

Deputy Mayor for Policing and Crime

I confirm I have considered whether or not I have any personal or prejudicial interest in this matter and take the proposed decision in compliance with the Code of Conduct. Any such interests are recorded below.

The above request has my approval.

Signature



Date 12/03/2024

PART I - NON-CONFIDENTIAL FACTS AND ADVICE TO THE DMPC

1. Introduction and background

- 1.1. In March 2022, Lord Toby Harris published his second independent review into London's preparedness to respond to a major terrorist attack. The review took evidence from scores of counter terrorism and preparedness experts and key stakeholders, within London and nationally, making 294 recommendations for new or improved activity to ensure London is as prepared as possible.
- 1.2. Lord Harris has suggested that "To ensure that these issues identified throughout [his] recommendations are taken forward, the Mayor should prepare a report for scrutiny by the London Assembly and for wider debate. This should be completed within one year, and again at suitable intervals thereafter, to examine the progress that has been made on all of the recommendations...". This report has now been completed and a two year on report is currently being finalised.
- 1.3. Tracking and progressing 294 recommendations, many of which are aimed at multiple agencies, will take considerable resource. Current staffing within MOPAC apportioned to the wider portfolio of Counter Terrorism policy is insufficient to manage the progression of these recommendations. MOPAC also requires specific technical experience of protective security work to assist with overseeing the progress of recommendations.

2. Issues for consideration

- 2.1. As one of the Mayor's first actions he asked Lord Harris to conduct a review of how prepared London was for such an attack. In the intervening years the attack methodology has changed, and it is right that MOPAC are along with others ensuring steps are taken to mitigate this new risk.
- 2.2. The threat from terrorism is still very much present with Counter Terrorism Policing holding over 800 live investigations across the country, 60% of national demand in London and 39 late stage disrupted plots since 2017.
- 2.3. There is a clear need to continue to make progress with the recommendations of the Harris Review and keeping track of the responses and judging what further work, if any, needs to be undertaken is a considerable task, one which MOPAC is currently not resourced to achieve without stopping or delaying other important activity.
- 2.4. This activity will also require considerable expertise in this area, expertise which MOPAC does not currently have.

- 2.5. It is therefore desirable that MOPAC continue the contract with an external consultant with subject matter expertise to take ownership of progressing the recommendations within the 2022 Lord Harris Review.
- 2.6. MOPAC would like to vary the contract to extend the agreement with PPS Consultants Ltd. Their lead consultant has considerable experience in the Metropolitan Police Service (MPS) as Chief Superintendent and OCU Commander of the Metropolitan Police's Counter Terrorism Protective Security Operations.
- 2.7. They have unrivalled experience of not only the Protect and Prepare aspects of Counter Terrorism activity in London but have also been the senior lead officer in the MPS on the production and response to both of Lord Harris' preparedness reviews, with direct experience of the issues raised within the recommendations.
- 2.8. PPS Consultants have both the credibility and the existing stakeholder relationships necessary to progress these recommendations in a way that will provide MOPAC, the Mayor and Lord Harris with confidence that all partners are doing everything they can to ensure London is prepared for a major terrorist attack.
- 2.9. There potentially are alternative contractors available with expert knowledge of protective security and preparedness issues, however, PPS Consultants combine not only subject matter expertise but also the in-depth knowledge of the Metropolitan Police (the most significant contributor and partner within the Lord Harris Review), existing relationships with many of the key stakeholders who will be responsible for progressing the review's recommendations, and direct experience of having already contributed across the two Lord Harris preparedness reviews in both the consultation and delivery phases.

3. Financial Comments

- 3.1. The additional budget requirement for this work is £60,000 which brings the total budget to £109,500 between 1 April 2023 and 30 June 2025. The additional £60,000 will be funded from the 2024/25 Counter Terrorism and Counter Extremism programme budget. It is anticipated that the work will be completed by the end of 2024/25 but in the event it does continue into 2025/26 then any spend in 2025/26 would be funded by the 2025/26 Counter Terrorism and Counter Extremism programme budget.
- 3.2. The provider will be remunerated with payment on claim and it is anticipated this will amount to up to £60,000 across the contract extension.

4. Legal Comments

- 4.1. Section 3(6) of the Police Reform and Responsibility Act 2011 ('PRSRA') provides that MOPAC must secure the maintenance of the Metropolitan Police force and secure that the Metropolitan Police force is efficient and effective. Paragraph 7 of Schedule 3 to the PRSRA provides that MOPAC may do anything which is facilitative of, or conducive or incidental to, the exercise of its functions. Furthermore, MOPAC has powers under section 143 of the Anti-Social Behaviour, Crime and Policing Act 2014 to commissioning services and grants that will contribute to securing crime and disorder reduction in London. The proposed expenditure is consistent with MOPAC's functions under section 3(6) of the PRSRA and section 143 of the Anti-Social Behaviour, Crime and Policing Act 2014.
- 4.2. Legal advice has not been sought for this Decision. The authority for the Deputy Mayor to approve this Decision is clear in the scheme of delegation and this Decision is not considered to be novel in nature nor contentious.
- 4.3. The Mayor's Office for Policing Crime is a contracting authority as defined in the Public Contracts Regulations 2015 ("the Regulations"). All awards of public contracts for goods and/or services valued at £214,904 (inclusive of VAT) or above will be procured in accordance with the Regulations.

5. Commercial Issues

- 5.1. This Decision requests approval to vary MOPAC's existing contract with PPS Consultancy Ltd for further provision of additional consultancy services at a value of £60k. The original contract was awarded via exemption from competitive tendering at a value of £49,500.
- 5.2. With the proposed variation approved, the cumulative value of the contract will be £109,500. A justification for this requirement is included in Section 2 above. Any future contract for this requirement (or variation or extension to this contract) should be subject to competitive tendering, with award made in accordance with the requirements of public procurement legislation.
- 5.3. The Scheme of Delegation requires the approval of the DMPC for all contract exemption requests exceeding £100k in value. The cumulative value of work directly awarded to PPS Consultancy Ltd will exceed this threshold.
- 5.4. Following approval of this Decision, a transparency notice will be published, as required by public procurement legislation.
- 5.5. The actions proposed can be taken in compliance with public procurement legislation and MOPAC's Contract Regulations.

6. GDPR and Data Privacy

- 6.1. MOPAC will adhere to the Data Protection Act (DPA) 2018 and ensure that any organisations who are commissioned to do work with or on behalf of MOPAC are fully compliant with the policy and understand their GDPR responsibilities.

7. Equality Comments

- 7.1. MOPAC is required to comply with the public sector equality duty set out in section 149(1) of the Equality Act 2010. This requires MOPAC to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations by reference to people with protected characteristics. The protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. There are no such implications in regard to this decision.

Public access to information

Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FOIA) and will be made available on the MOPAC website following approval.

If immediate publication risks compromising the implementation of the decision it can be deferred until a specific date. Deferral periods should be kept to the shortest length strictly necessary.

Part 1 Deferral:

Is the publication of Part 1 of this approval to be deferred? NO

Part 2 Confidentiality: Only the facts or advice considered as likely to be exempt from disclosure under the FOIA should be in the separate Part 2 form, together with the legal rationale for non-publication.

Is there a **Part 2** form – NO

ORIGINATING OFFICER DECLARATION

Tick to confirm statement (✓)

Financial Advice:

The Strategic Finance and Resource Management Team has been consulted on this proposal.

✓

Legal Advice:

Legal advice is not required.

✓

Equalities Advice:

Equality and diversity issues are covered in the body of the report.

✓

Commercial Issues

Commercial issues are not applicable

✓

GDPR/Data Privacy

- GDPR compliance issues are covered in the body of the report

✓

Director/Head of Service:

The Head of Operational Oversight has reviewed the request and is satisfied it is correct and consistent with the MOPAC's plans and priorities.

✓

Chief Executive Officer

I have been consulted about the proposal and confirm that financial, legal and equalities advice has been taken into account in the preparation of this report. I am satisfied that this is an appropriate request to be submitted to the Deputy Mayor for Policing and Crime.

Signature



Date 13/03/2024