

DMPC Decision – PCD 1670

Title: Forest Gate Police Station – Basic Command Unit Full Business Case Update

Executive Summary:

This paper seeks approval for the business case and procurement actions to enable the works necessary to bring Forest Gate Police Station back in to use following the fire on 6 March 2024. The estimated total cost of the project is £22,300,000 which is anticipated to be funded from a combination of grant funding, approved MOPAC capital funding and insurance claim.

Recommendation:

The Deputy Mayor for Policing and Crime is recommended to:

1. Note the approval under the Scheme of Delegation to the Director of Commercial Services for the procurement and award of professional services, including Project Management, Cost Management and Specialist Technical Support Services at a cost of up to £500k. These appointments will use the existing approved MOPAC framework for the provision of professional services.
2. Approve the granting of delegated authority to the Director of Commercial Services to procure replacement IT equipment via MPS approved suppliers to a value not exceeding £2.3m
3. Approve the granting of delegated authority to the Director of Commercial Services to award a design & build pre-construction services agreement (PCSA) of up to £3m for enabling works to facilitate the development of final designs and to commence site clearance, strip out and early stage construction works, so as to maintain the safety and integrity of the building and reduce the time until the building is refurbished and available for operational use. This appointment will use an approved MOPAC framework for construction works.
4. Approve the granting of delegated authority to the Director of Commercial Services to award the construction works contract to the appointed Design & Build contractor upon receipt of a lump sum price, subject to a maximum total project cost of £22.3m (including the costs identified at (1), (2) and (3) above), of which a maximum of £10.0m is to be allocated from the BCU funding within the approved Capital budget. The remaining funding will be provided by others – namely the insurance claim plus the award of already accepted PSDS Stage 3B grant funding application. This appointment will use an approved MOPAC framework for construction works.
5. Approve under the Scheme of Delegation, and in compliance with the PCR 2015 (Regulation 72), to uplift the threshold for the Building Works Framework Lot 4, Operational Support and Dangerous Structures lot from £1m to £1.5m to facilitate call-off and award of urgent orders

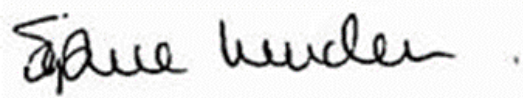
required from the approved framework supplier for emergency works as part of the initial response to the fire damage and further work to protect the building from further risks.

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

A handwritten signature in black ink, appearing to read "Spivey", is written over a light grey rectangular background.

Date 24/06/2024

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

1. Introduction and background

- 1.1. A fire on 6 March 2024 at Forest Gate Police Station caused significant damage and the temporary closure of the facility.
- 1.2. A temporary replacement front counter has been established at Stratford Police Station and the displaced teams accommodated at Plaistow Police Station.
- 1.3. This paper seeks approval for the investment and procurement actions necessary to re-provide the station.

2. Issues for consideration

- 2.1. Forest Gate Police Station provided a base for a number of teams including:
 - North East Basic Command Unit (NE BCU)
 - Emergency Response Policing Team (ERPT)
 - Senior Leadership Team (SLT)
 - Locally Delivered Support Services (NE BCU LDSS)
 - BCU Operations Room
 - Public Front Counter
 - Custody Suite
- 2.2. The site was one to be retained for the long term and is one which MPS state is “crucial to supporting operational policing in east London”.
- 2.3. If this scheme is not approved, operational policing for this area of London will have to continue to be provided from existing poor quality space at Plaistow and Stratford, both of which will require significant investment if they are to be retained.
- 2.4. Plaistow is not well located in the borough to provide an appropriate long term replacement for Forest Gate, and it does not provide sufficient space to accommodate any officer growth in the BCU (which is within an area of high population growth), it does not provide a custody site in the borough of Newham, a suitable exhibit/property store or suitable parking/infrastructure. Plaistow PS and Stratford PS would require significant investment (at least equivalent to that required at Forest Gate) if they are to be brought up to a standard suitable as a long term operational BCU site.
- 2.5. The proposed works will consist of:
 - Provision for a mix of cellular and open plan facilities to support NMFL
 - Reinstatement of the 3rd floor roof area to create additional office space
 - Dedicated conference and briefing facilities
 - Individual and group breakout spaces
 - Social hubs including provision of a MET Catering Micro Market
 - New dedicated locker rooms

- Refurbishment of existing and provision of additional toilet and shower (including accessible/ DDA) facilities.
- Refurbishment and security upgrades to the Front Counter area.
- Bespoke storage accommodation for LDSS
- New BCU Ops Room
- Staff gym area
- Mechanical/ Electrical/ Plumbing upgrades and replacements which will integrate with and support the NCZ programme
- Upgrades to IT infrastructure including refurbishment of the main TER (Technology Equipment Room).
- Secure line enhancements to meet current Met security standards (primarily replacement of windows and external doorsets)
- Taser storage facility
- Site-CCTV replacement

- 2.6. The insurance claim will be expected to cover the reinstatement to the “as was” condition including roof replacement, construction of a new 3rd floor, internal refurbishment throughout the building as a result of fire and significant water damage, and replacement of damaged furniture, computers, printers, shredders, server equipment and other IT systems damaged following the fire.
- 2.7. MOPAC will need to fund the enhancements to the “as was” condition to meet improved security and current and future operational BCU requirements. This includes replacing the life expired and insecure windows and external doors (which were not seriously damaged by the fire), creating modern open plan space throughout the building, improving the operational security of the building and creating additional open plan office space on the third floor in place of the original locker rooms.
- 2.8. In addition, and subject to funding the MPS may consider additional works required to bring the building up to a New Met for London (NMFL) standard.

3. Financial Comments

- 3.1. The estimated total budget requirement for these works is £22,300,000. The funding to meet this cost is expected to come from the insurance claim (upto £15,000,000), MOPAC approved capital programme (upto £10,000,000), and the Public Sector Decarbonisation Scheme (PSDS) funding of £500,000 which is in relation to the installation of a Air-Source Heat Pump (ASHP) to contribute toward net zero carbon ambitions.
- 3.2. The MPS assure that there are no revenue implications arising from this proposal.

4. Legal Comments

- 4.1. 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 public contracts for goods and/or services valued at £214,904 or above shall be

procured in accordance with the Regulations. All awards of Public contracts for works valued at £5,372,609 or above shall be procured in accordance with the Regulations.

- 4.2. The MPS Directorate of Legal Services assure that recommendations 1 - 4 - can be lawfully approved on the basis that contracts will be awarded through valid framework agreements which are a compliant route to market, and that for recommendation 5 Regulation 72 permits the MOPAC to modify a contract in limited circumstances.
- 4.3. Specifically, regulation 72(1)(b) provides a modification is permitted for additional works, services or supplies by the original contractor that have become necessary and were not included in the initial procurement, where a change of contractor:
 - (i) cannot be made for economic or technical reasons such as requirements of interchangeability or interoperability with existing equipment, services or installations procured under the initial procurement, or
 - (ii) would cause significant inconvenience or substantial duplication of costs for the contracting authority, provided that any increase in price does not exceed 50% of the value of the original contract.
- 4.4. Regulation 72(1)(c) requires that all of the following conditions are fulfilled to modify under regulation 72(1)(b):
 - (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.
- 4.5. The proposed increase of this contract is within the limit of 50% in regulation 72(1)(b). PSD and Commercial confirm that the above conditions apply and that changing contractor would cause significant inconvenience. On this basis, regulation 72(1)(b) would apply.
- 4.6. Regulation 72(3) requires contracting authorities that have modified a contract in the case described 72(1)(b) shall send a notice to that effect, in accordance with regulation 51, for publication.
- 4.7. Paragraph 4.13 of the MOPAC Scheme of Delegation provides that the Deputy Mayor of Policing and Crime (DMPC) has delegated authority to approve all unforeseen variations and extensions to contracts with an original value of £500,000 or above, when the variation or extension is greater than 10% of the original value and / or is for a period of more than 12 months.
- 4.8. The MOPAC Scheme of Delegation and Consent provides the Deputy Mayor for Policing and Crime ("DMPC") has delegated authority to approve:
 - Business cases for revenue or capital expenditure of £500,000 and above (paragraph 4.8); and

- 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).
- Paragraph 7.23 of the Scheme provides that the Director of Strategic Procurement has consent for the approval of the award 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.

5. Commercial Issues

- 5.1. The procurement actions will involve both the acquisition of professional construction services (project, cost and technical support) and construction building works.
- 5.2. The proposed approach is for the works to be carried out under a 'design and build' contract. MPS state that this is the fastest practical route to delivery as time saving is in the order of 6 months compared with a traditional design approach, and also reduces risk as building unknowns can be explored alongside the design process.
- 5.3. The existing MOPAC approved MPS Professional Services Framework 2022- 2026 (design services for all project values) and Southern Construction Framework will be used.
- 5.4. 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 London Anchor Institutions' Charter. 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

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.
- 6.2. Under the requirements of the Surveillance Commissioners Code for CCTV, Data Protection Impact Assessments (DPIA) will be required for any adaptations/amendments undertaken on the Forest Gate CCTV system. These assessments are well understood and are part of the contractual delivery of any CCTV works. Currently it is not envisaged there will be any wider issues and this area will be kept under review.
- 6.3. The project does not use personally identifiable data of members of the public, so there are no GDPR issues to be considered The MPS assure that the project does not use personally identifiable data of members of the public, so there are no GDPR issues to be considered.

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.
- 7.2. The MPS assure that 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. All buildings included in the Estate Transformation Implementation Plan will be Equalities Act Compliant

8. Background/supporting papers

- Appendix 1 – MPS Report - Forest Gate PS BCU FBC Update paper

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

If yes, for what reason:

Until what date:

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 – YES

| ORIGINATING OFFICER DECLARATION | <i>Tick to confirm statement (✓)</i> |
|--|--------------------------------------|
| Financial Advice: The Strategic Finance and Resource Management Team has been consulted on this proposal. | ✓ |
| Legal Advice: The MPS legal team has been consulted on the proposal. | ✓ |
| Equalities Advice: Equality and diversity issues are covered in the body of the report. | ✓ |
| Commercial Issues Commercial issues are covered in the body of the report. | ✓ |
| GDPR/Data Privacy GDPR compliance issues are covered in the body of the report | ✓ |
| Drafting Officer Alex Anderson has drafted this report in accordance with MOPAC procedures. | ✓ |
| Director/Head of Service: The interim MOPAC Chief Finance Officer and Director of Corporate Services 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

A handwritten signature in black ink, appearing to be 'JBL'.

(Delegated CEO Authority) **Date** 24/06/2024