

REQUEST FOR DMPC DECISION – PCD 319**Title: National Framework Agreement for Emergency Boarding Up and Locksmith****Executive Summary:**

This Business Justification concerns the replacement of the current National Framework for the Provision of Emergency Boarding Up and Locksmith Services which is due to expire on 31 December 2018. The proposal requests approval for the initiation of the re-tender exercise with an agreement value of between £5.5m to £7m over a potential full 4-year period. This includes the anticipated MPS spend of £1.5m over the potential full 4-year period.

Recommendation:

The DMPC is asked to approve:

1. Approval is sought to initiate procurement action for the National Framework for the Provision of Emergency Boarding Up and Locksmith Services to commence from January 2019, with an agreement value of between £5.5m to £7m over the potential four year period, of which £1.5m relates to anticipated MPS revenue spend.
2. The MPS revenue spend of 1.5m over the potential 4 year period is to be funded from within existing DLS revenue budgets.

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*Eydie Under***Date***29/01/18*

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

Decision required – supporting report

1. Introduction and background

- 1.1. All Police Forces including the MPS have a legal obligation under PACE code of Practice B paragraph 6.13 to secure property where forced entry has been made and where the home owner or occupier is not on scene.
- 1.2. This service is available to support operational policing with all boroughs/command units having access to the service via Command Control Centres.
- 1.3. The public are liable to pay for emergency boarding up where the call out relates to a burglary, criminal damage or insecure premises. In these cases, the supplier invoices the owner/occupier of the premises directly. This aspect of the service is managed by the supplier with the owner/occupier of the premises. The MPS is not liable to pay for emergency boarding up in these circumstances.

2. Issues for consideration

- 2.1. The future Framework Agreement value is estimated to be between £5.5m and £7 million over a 4-year period allowing for increased usage on the framework through additional forces utilizing the framework.
- 2.2. The MPS are currently exploring opportunities with other emergency services such as London Fire Brigade (LFB) and London Ambulance Services (LAS) in order to reduce callouts attended by the MPS resulting in Boarding Up services, this may result in an opportunity to reduce spend for this service. Once feasibility is clear DLS and Commercial Services will formalise the agreed arrangements with LFB and LAS.

3. Financial Comments

- 3.1. The contract spend will be funded from within existing revenue budgets within the Directorate of Legal Services.

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). Awards of public contracts for goods/services by public authorities valued at £164,176 or above must be procured in accordance with the Regulations. This report confirms the value of the proposed procurement exceeds this threshold. This report confirms the proposed contract will be procured in compliance with the Regulations.
- 4.2. Paragraph 4.13 of the MOPAC Scheme of Delegation and Consent provides that the Deputy Mayor for Policing and Crime has delegated authority to approve all requests to go out to tender for contracts valued at £500,000 or above.

5. Equality Comments

- 5.1. Equality and Diversity Impact has been considered with no issues identified or foreseen. All bidders will be evaluated 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. The evaluation

exercise will consider their ability to act as a responsible employer and meet employment obligations deemed commensurate with wider GLA objectives.

6. Background/supporting papers

6.1. Report

Public access to information

Information in this form is subject to the Freedom of Information Act 2000 (FOIA) and other legislation. Part 1 of this form will be made available on the MOPAC website within 1 working day of approval. Any facts/advice/recommendations that should not be made automatically available on request should not be included in Part 1 but instead on the separate Part 2 form. Deferment is only applicable where release before that date would compromise the implementation of the decision being approved.

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 rational for non-publication.

Is there a **part 2** form – Yes

ORIGINATING OFFICER DECLARATION:**Head of Unit:**

The Head of Strategic Finance and Resource Management has reviewed the request and is satisfied it is correct and consistent with the MOPAC's plans and priorities.

✓

Legal Advice:

There are no legal issues arising from this proposal

✓

Financial Advice:

The Chief Financial Officer has been consulted on this proposal.

✓

Equalities Advice:

There are no Equality and Diversity issues arising from this proposal.

✓

OFFICER APPROVAL**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*R. Lawrence***Date**

25/1/18

INVESTMENT ADVISORY BOARD (IAB)

24th January 2018

**National Framework Agreement for the Provision of Emergency Boarding Up &
Locksmith Services – SS3/17/2**

EXECUTIVE SUMMARY

This Business Justification concerns the replacement of the current National Framework for the Provision of Emergency Boarding Up and Locksmith Services which is due to expire on 31 December 2018. The proposal requests approval for the initiation of the re-tender exercise with an agreement value of between £5.5m to £7m over a potential full 4-year period. This includes the anticipated MPS spend of £1.5m over the potential full 4-year period.

TIME SENSITIVITY

A decision is required by 14 February 2018.

A. RECOMMENDATIONS - That

The Deputy Mayor for Policing and Crime is asked to approve the following recommendation;

1. Approval is sought to initiate procurement action for the National Framework for the Provision of Emergency Boarding Up and Locksmith Services to commence from January 2019, with an agreement value of between £5.5m to £7m over the potential four year period, of which £1.5m relates to anticipated MPS revenue spend.
2. The MPS revenue spend of 1.5m over the potential 4 year period is to be funded from within existing DLS revenue budgets.

B. SUPPORTING INFORMATION

1. The provision of Emergency Boarding Up is currently provided by Boing Rapid Secure. The current contract will expire on the 31st December 2018.
2. All Police Forces including the MPS have a legal obligation under PACE code of Practice B paragraph 6.13 to secure property where forced entry has been made and where the home owner or occupier is not on scene.
3. This service is available to support operational policing with all boroughs/command units having access to the service via Command Control Centres. The service is also used for pre-planned operations where Public Order branch liaise with Boing Rapid Secure direct.
4. The service is provided Pan London which ensures:
 - a. A consistent standard of repair and costs;

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Part 1**

- b. An agreed level of service to MPS operational teams;
- c. A good level of service is provided to the external stakeholder community.

The MPS currently only pay for Emergency Boarding Up where the MPS have forced entry for the following reasons:

- To execute a warrant;
- To arrest a suspect;
- To search a property after an arrest;
- To comply with a Court Order;
- To gain access to a suspected crime scene;
- Life and Limb cases depending on the circumstances.

The home owner/occupier pays for the Emergency Boarding Up where the damage is the result of:

- Criminal damage;
- Burglary;
- Insecure premises.

The intention is that the new framework will have a similar requirement as currently based on the volume of calls generated by the MPS (Calendar year 2015 = 4729; 2016 = 5458; 2017 to November = 5196).

5. The future Framework Agreement value is estimated to be between £5.5m and £7 million over a 4-year period allowing for increased usage on the framework through additional forces utilizing the framework.

The total spend attributable to the MPS for the duration of the Contract is £1.5 m. The breakdown is as follows:

MPS spend	£1,500,000
Other Forces	£1,700,000*
Public spend	£2,300,000
Total	£5,500,000

*£1.7m of the spend includes the 23 forces currently utilising the framework which include Staffordshire, Warwickshire, Bedfordshire, Hertfordshire, West Mercia, Avon & Somerset, Lancashire, Yorkshire & the Humber, Merseyside, North Wales, Thames Valley, Leicestershire, Essex, Cambridgeshire, Devon & Cornwall, Dorset, Wiltshire, Gloucestershire, Hampshire, Cheshire. These forces have joined at different times during the current contract term which provides for scope for additional spending.

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Part 1**

6. The public are liable to pay for emergency boarding up where the call out relates to a burglary, criminal damage or insecure premises. In these cases, the supplier invoices the owner/occupier of the premises directly. This aspect of the service is managed by the supplier with the owner/occupier of the premises. The MPS is not liable to pay for emergency boarding up in these circumstances.
7. Commercial Services intend to undertake a competitive tender process via the Open Procedure in accordance with the Public Contracts Regulations 2015. The requirement will be advertised via Official Journal of the European Union (OJEU) and Contracts Finder in order to encourage Supplier Interest and to ensure compliance with the EU procurement rules.
8. Undertaking a competition will ensure supplier selection is based on the most economically advantageous bid that meets the technical requirements. The outcome of this process will result in a National Framework Agreement for the MPS and Participating Bodies to utilise.
9. The National Framework intends to combine the spend of all forces so that the MPS and other Police Forces achieve best value for money.
10. The nature of this agreement will mean that the MPS is not committed to any value or volume of spend.
11. The MPS are at early stages of discussions with the LFB and LAS in relation to attendance of emergency services to specific call outs that fall within the requirements of this Framework, such as 'collapsed behind closed doors'. The LFB receive enhanced training and have access to equipment which enables entry to a property for this type of call out without causing any damage. In such circumstances there will be no requirement for police to attend. At present no agreement between the MPS, LFB and LAS has been reached and this will be explored further with a trial period, when this becomes a feasible option to implement then action will be taken to formalise any agreed arrangements between the Authorities at the earliest opportunity.
12. Police forces in the South West – Avon & Somerset, Devon & Cornwall, Gloucestershire, Wiltshire and Dorset are currently trialing this process. Avon & Somerset have seen a significant reduction in callouts. DLS and Commercial Services will be liaising with these forces to gain more insight of the process they undertook, the positives and any lessons learnt that would enable the MPS to implement a successful process that would reduce the number of callouts in these circumstances.

C. OTHER ORGANISATIONAL & COMMUNITY IMPLICATIONS

Equality and Diversity Impact (mandatory)

1. Equality and Diversity Impact has been considered with no issues identified or foreseen. All bidders will be evaluated 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

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Part 1**

MOPAC. The evaluation exercise will consider their ability to act as a responsible employer and meet employment obligations deemed commensurate with wider GLA objectives.

Financial Implications / Value for Money (mandatory)

1. Finance has approved a budget of £375k per annum (£1.5m over a 4-year period).
2. This is the re-tendering of a current National Framework Agreement for a 4-year term to commence in January 2018.
3. The estimated MPS spend is up to £1.5m over 4-years which will be covered from existing budgets within the Directorate of Legal Services.
4. The public are liable to pay for emergency boarding up where the call out relates to a burglary, criminal damage or insecure premises. In these cases, the supplier invoices the owner/occupier of the premises directly. This aspect of the service is managed by the supplier with owner/occupier of the premises and the MPS is not liable to pay for emergency boarding up in these circumstances.

Legal Implications (mandatory)

1. The Mayor's Office for Policing and Crime (MOPAC) is a contracting authority as defined in the Public Contracts Regulations 2015 (the Regulations). Awards of public contracts for goods/services by public authorities valued at £164,176 or above must be procured in accordance with the Regulations. This report confirms the value of the proposed procurement exceeds this threshold. This report confirms the proposed contract will be procured in compliance with the Regulations.
2. Paragraph 4.13 of the MOPAC Scheme of Delegation and Consent provides that the Deputy Mayor for Policing and Crime has delegated authority to approve all requests to go out to tender for contracts valued at £500,000 or above.

Environmental Implications

1. Environmental Implications have been considered with no issues identified or foreseen.

Risk (including Health and Safety) Implications (mandatory)

1. Risk (including Health and Safety) Implications have been considered with no issues identified or foreseen.

Exemptions

1. The Business Justification paper has areas that are considered commercially sensitive and therefore are exempt from publication for the following reasons:

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Part 1**

- Part 2 is exempt under Article 2(2)(a) of the Elected Local Policing Bodies (Specified Information) Order 2011.
- The FOIA that would exempt this information from disclosure is:

Section 3 - Economic Case – Option 3, paragraph 4: **(Section 43: Commercial Interests).**

Section 4 – Commercial Case Paragraph 14 & 15: **(Section 43: Commercial Interests).**

2. Part 2 will cease to remain confidential until 7 years from the end date of the contract expiry date: 31st December 2025.

Report author: (Helen Johnson – Head of Administrative Services - 0207 230 7902)

