

DMPC Decision – PCD 531**Title: Special Police Services Agreement with Westfield Europe Limited****Executive Summary:**

Westfield Europe Limited has requested special police services (SPS) under Section 25 of the Police Act 1996 for the provision of SPS. The request for SPS is for a period from 1 April 2019 to 31 December 2024 to be provided by a dedicated police team of one Police Sergeant and six Police Constables at an estimated cost in year one of £513,050.

Section 4.8 of the MOPAC Scheme of Delegation and Consent requires the Deputy Mayor for Policing and Crime (DMPC) to approve the provision of policing services to external bodies where the contract value is £500,000 or above.

It is recommended that the Deputy Mayor for Policing and Crime to approve of the SPS Agreement with Westfield Europe Limited.

Recommendation:

The Deputy Mayor for Policing and Crime is recommended to approve:

- Approve the Special Police Services Agreement with Westfield Europe Limited.

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**

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

1. Introduction and background

- 1.1. Westfield Europe Limited (Westfield Europe) has requested special police services (SPS) under Section 25 of the Police Act 1996 for the provision of SPS at the Westfield Europe Shopping Centre (Centre). The request for SPS is for a period from 1 April 2019 to 31 December 2024 to be provided by a dedicated police team of one Police Sergeant and six Police Constables at an estimated cost in year one of £513,050.
- 1.2. There is an existing SPS Agreement with Westfield Europe at the Centre that is due to expire on the 31 March 2019.

2. Issues for consideration

- 2.1. The SPS Agreement with Westfield Europe directly supports the Police and Crime Plan in that the funded officers, through their work with partners in the Centre, are focused on tackling policing matters that are important issues to the local community such as violent crime and curtailing gang activity from specific individuals drawn to the Centre. In addition, the officers will combat volume crimes such as acquisitive crime, anti-social behaviour and deter / disrupt terrorism.

3. Financial Comments

- 3.1. The charge for SPS to Westfield Europe for the period 1 April 2019 to 31 March 2020 of £513,050 is reflective of the full cost recovery of one Police Sergeant at £85,675 and six Police Constables at £71,229 per Police Constable. There will be an adjustment to increase income and expenditure budgets by £513,050 to reflect this new SPS Agreement for the period 1 April 2019 to 31 March 2020. There will be further adjustments for each successive year of the SPS Agreement to reflect pay increases and thereby continue to represent full cost recovery.

4. Legal Comments

- 4.1. The MPS may provide policing resources to SVDP under Section 25 of the Police Act 1996. Under that Act the Commissioner may, at the request of any person, provide SPS at any premises or in any locality in the police area for which the force is maintained, subject to payment to MOPAC on charges on such scale and on such terms as it may determine.
- 4.2. Section 4.8 of the MOPAC Scheme of Consent and Delegation requires the DMPC to approve the provision of policing services to external bodies where the contract value is £500,000 or above.

5. GDPR and Data Privacy

- 5.1. The proposal does not use personally identifiable data therefore there are no GDPR issues to be considered.

6. Equality Comments

- 6.1. There are no equality or diversity implications arising from this report.

7. Background/supporting papers

7.1. MPS report

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 –

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: Legal advice included in body of the report	✓
Equalities Advice: Equality and diversity issues are covered in the body of the report.	✓
Commercial Issues Commercial issues are covered in the body of this report	✓
GDPR/Data Privacy A DPIA is not required.	✓
Director/Head of Service: The Chief Finance Officer has reviewed the request and is satisfied it is correct and consistent with the MOPAC's plans and priorities.	✓

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 27/3/19



Special Police Services Agreement with Westfield Europe Limited

MOPAC Investment Advisory Meeting 22 March 2019

Report by Assistant Commissioner Frontline Policing and the Chief of Corporate Services

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

Westfield Europe Limited has requested special police services (SPS) under Section 25 of the Police Act 1996 for the provision of SPS. The request for SPS is for a period from 1 April 2019 to 31 December 2024 to be provided by a dedicated police team of one Police Sergeant and six Police Constables at an estimated cost in year one of £513,050.

Section 4.8 of the MOPAC Scheme of Delegation and Consent requires the Deputy Mayor for Policing and Crime (DMPC) to approve the provision of policing services to external bodies where the contract value is £500,000 or above.

It is recommended that the Deputy Mayor for Policing and Crime to approve of the SPS Agreement with Westfield Europe Limited.

Time Sensitivity

A decision is required by 29 March 2019 to ensure legal compliance with the term of the SPS Agreement that has a start date of the 1 April 2019.

Recommendations

The MPS Portfolio & Investment Board (PIB) is asked to:

- 1. Recommend to the Deputy Mayor for Policing and Crime the approval of the Special Police Services Agreement with Westfield Europe Limited.**

If supported by the MPS Portfolio & Investment Board, the Deputy Mayor for Policing and Crime, via the Investment Advisory Meeting (IAM), is asked to:

- 1. Approve the Special Police Services Agreement with Westfield Europe Limited.**

Time sensitivity

A decision is required from the Deputy Mayor by 29 March 2019. This is because the Start Date of the SPS Agreement with Westfield Europe Limited is the 1 April 2019.

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

The entire content of this report is considered to be non-confidential and is therefore open for public release.

Introduction and background

1. Westfield Europe Limited (Westfield Europe) has requested special police services (SPS) under Section 25 of the Police Act 1996 for the provision of SPS at the Westfield Europe Shopping Centre (Centre). The request for SPS is for a period from 1 April 2019 to 31 December 2024 to be provided by a dedicated police team of one Police Sergeant and six Police Constables at an estimated cost in year one of £513,050.
2. There is an existing SPS Agreement with Westfield Europe at the Centre that is due to expire on the 31 March 2019.
3. The Deputy Mayor for Policing and Crime is required to approve of the Special Police Services Agreement with Westfield Europe.

Issues for consideration

7. There are no issues of consideration upon which the DMPC needs to be informed.

Contributes to the MOPAC Police & Crime Plan 2017-2021

8. The SPS Agreement with Westfield Europe directly supports the Police and Crime Plan in that the funded officers, through their work with partners in the Centre, are focused on tackling policing matters that are important issues to the local community such as violent crime and curtailing gang activity from specific individuals drawn to the Centre. In addition, the officers will combat volume crimes such as acquisitive crime, anti-social behaviour and deter / disrupt terrorism.

Financial, Commercial and Procurement Comments

9. The charge for SPS to Westfield Europe for the period 1 April 2019 to 31 March 2020 of £513,050 is reflective of the full cost recovery of one Police Sergeant at £85,675 and six Police Constables at £71,229 per Police Constable. There will be an adjustment to increase income and expenditure budgets by £513,050 to reflect this new SPS Agreement for the period 1 April 2019 to 31 March 2020. There will be further adjustments for each successive year of the SPS Agreement to reflect pay increases and thereby continue to represent full cost recovery.
10. The benefit to the MPS of the provision of the funded officers at Westfield Europe is the ability to work with Westfield Europe's own security in making the shopping centre a far more difficult location for criminals. They also have the ability to deal immediately with crime and thereby ensure resources are not diverted from the policing of the remainder of the area policed by CW-CU.
11. In order to receive a mandate with regard to the funded posts at a senior level within Frontline Policing (FP), the BCU Commander at CW-CU approached Deputy Assistant Commissioner (DAC) FP for approval. Notwithstanding that

there are vacancies at CW – CU, DAC FP approved the rationale for the deployment of the funded officers to the Centre to perform the aforementioned duties. The approval was in recognition that the funded officers perform a priority role at the Centre particularly as they are deployed to the biggest shopping centre in Europe with an estimated annual footfall of between 35 and 40 million persons and that the projected constable vacancy levels for CW - CU are within the tolerance level that makes the deployment achievable.

12. In the event that the SPS Agreement was not renewed by Westfield Europe, as these posts are additional posts above the workforce target for CW-CU, the posts would be removed and the officers filling these positions would be redeployed.

Legal Comments

14. There are no direct legal issues identified from the recommendations set out in this report.
15. The MPS may provide policing resources to SVDP under Section 25 of the Police Act 1996. Under that Act the Commissioner may, at the request of any person, provide SPS at any premises or in any locality in the police area for which the force is maintained, subject to payment to MOPAC on charges on such scale and on such terms as it may determine.
16. Section 4.8 of the MOPAC Scheme of Consent and Delegation requires the DMPC to approve the provision of policing services to external bodies where the contract value is £500,000 or above.

Equality Comments

17. Westfield Europe (as part of the Westfield Group) has a published Diversity and Equality policy that states that it is fully committed to the elimination of unlawful and unfair discrimination, and values the difference that a diverse workforce brings to the organisation. The policy adds that the company will never discriminate on the grounds of race, gender, disability, nationality, religion, age, sexual orientation, family status. Its aim is to be a build a culture that values meritocracy, openness, fairness and transparency.
18. There are no aspects from the above approach that would cause MOPAC any cause for concern in agreeing to provide the SPS that Westfield Europe has requested.

Privacy Comments

19. There are no privacy issues identified with this proposal.

Real Estate Implications

20. Westfield Europe provide a facility on a peppercorn lease within the Centre area to house the dedicated police team. The lease provides the necessary cover in terms of health and safety for the funded officers. This facility ensures that the officers do not have to travel to remote locations to deal with domestic aspects such as booking on/off and to undertake investigations. This facility is provided at no cost to MOPAC.

Environmental Implications

21. The contents of this report does not raise any environmental issues or contribute to delivering the Mayor's London Environment Strategy.

Background/supporting papers

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.

There are no matters in this report which are not suitable for MOPAC publication.