

**DMPC Decision – PCD 528****Title: Hosted Bodies – Accommodation****Executive Summary:**

MOPAC hosts a number of national policing bodies. Under the arrangements MOPAC is the contracting entity for these bodies. Following the expiry of the previous licence to occupy, revised agreements to occupy central London accommodation has been agreed, and MOPAC approval is sought for these. The estimated multi-year cost is £11.1m which will be funded from the respective national policing bodies.

**Recommendation:**

The Deputy Mayor for Policing and Crime is recommended to approve the agreements to occupy accommodation on behalf of hosted bodies

**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. Following the expiry of the previous occupation licences and negotiation with the landlord new agreements to occupy accommodation have been agreed, and MOPAC approval for the agreements is now sought.
- 1.2. The MPS Property Services Directorate have managed the negotiation on behalf of the national policing bodies.

### **2. Issues for consideration**

- 2.1. The national policing bodies who occupy this accommodation have approved the proposed arrangements and the funding to meet the costs of the proposal.

### **3. Financial Comments**

- 3.1. The estimated cost of the rental and service charges across the term of the agreement is £11.1m. This will be funded by the respective national policing bodies. There is no liability for MOPAC.

### **4. Legal Comments**

- 4.1. Para 4.16 of the MOPAC Scheme of Consent and Delegation provides that the DMPC approves "All business cases to acquire or renew a leasehold with a value in excess of £500,000 over the initial lease period or 5 years whichever is the lesser".
- 4.2. MOPAC acts as the contracting body for these hosted bodies under approved respective Section 22 Police Act 1996 collaboration agreements.

### **5. GDPR and Data Privacy**

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

### **6. Equality Comments**

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

### **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 – Yes

**ORIGINATING OFFICER DECLARATION**

	<i>Tick to confirm statement (✓)</i>
<b>Financial Advice:</b> The Strategic Finance and Resource Management Team has been consulted on this proposal.	✓
<b>Legal Advice:</b> Legal advice is not required.	✓
<b>Equalities Advice:</b> Equality and diversity issues are covered in the body of the report.	✓
<b>Commercial Issues</b> Commercial issues are not applicable.	✓
<b>GDPR/Data Privacy</b> A DPIA is not required.	✓
<b>Director/Head of Service:</b> 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**



**Date** 21/2/19





## APPROVAL OF MOTO AGREEMENTS ON BEHALF OF MPS HOSTED BODIES

**Report by the Director of Property Services on behalf of the Deputy Commissioner**

### **MOPAC Investment Advisory Board**

**Part 1 – This section refers to the details which are suitable for MOPAC Publication.**

#### ***EXECUTIVE SUMMARY***

MPS Hosted Bodies occupy accommodation in central London. MOPAC is the contracting entity for the bodies. The Hosted Bodies are self-governing and funded but MOPAC approval is required under the MOPAC Scheme of Consent & Delegation as the contract value of the agreements exceeds £11million.

#### **Recommendations**

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

- 1. Note the occupational agreements on behalf of the Hosted Bodies for the relevant accommodation**

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

- 1. Approve the occupational agreements on behalf of the Hosted Bodies for the relevant accommodation**

#### **Introduction and background**

1. The Hosted Bodies have occupied office accommodation in Central London for a number of years. They have occupied the accommodation on informal Civil Service licence agreements known as MOTO's
2. The existing agreements expired on 31/03/2016 but occupation continued pending negotiations on the renewals. Negotiations with the landlord, the Government Property Agency, have concluded and new MOTO agreements are ready to be signed for completion.
3. As Hosted Bodies the governance and funding for the accommodation sits with each Body itself rather than the MPS. However MOPAC is the legal entity that enters into contracts, including property agreements, on behalf of the Bodies under respective Collaboration Agreements under s.22A Police Act 1996.

4. Under MOPAC Scheme of Delegation, acquisitions over £500,000 require MOPAC approval. All but one of the seven agreements have a contract value in excess of £1 million, and the aggregate value for this accommodation is £11.1 million over the duration of the agreements. Full details are set out in Exempt Appendix 1.
5. Under the Police Collaboration Agreements the Hosted Bodies follow their own governance processes in respect of decision making. The Hosted bodies have confirmed that they wish to enter into the licence agreements and are seeking MOPAC to do so on their behalf. Details of the approvals are in Exempt Appendix 2.

#### **Issues for consideration**

6. As the Hosted Bodies have considered the agreements through their own governance processes no specific issues arise for consideration other than compliance with MOPAC governance due to contract values.

#### **Contributes to the MOPAC Police & Crime Plan 2017-2021<sup>1</sup>**

7. The provision of this accommodation supports both London and national policing activity. This links directly to the MOPAC Police & Crime Plan and MPS operational activity.

#### **Financial, Commercial and Procurement Comments**

8. The costs of the MOTO are funded by the respective bodies concerned from their own budget provisions and budgeting and financial processes. Full details of the rent and other occupational costs are set out in Exempt Appendix 1.
9. In all three cases the bodies are already in occupation of the accommodation and are renewing existing agreements to avoid the cost and disruption of relocation. The MOTO's are aligned to the Estates requirements of each Hosted Body.
10. As the landlord is a Government body the charges made for rent and other costs are on a cost recovery basis. The Hosted Bodies are charged only those costs incurred by the landlord.

#### **Legal Comments**

11. The bodies concerned are hosted by the MPS and MOPAC under s.22A Police Collaboration Agreements (Police Act 1996). MOPAC is the contracting and legal entity for these bodies and through this paper is being asked to sign accommodation agreements on behalf of these bodies in accordance with the collaboration agreements.

#### **Equality Comments**

12. As this is an extension of an existing service this work does not change any aspects relating to equality or diversity.

---

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

**Privacy Comments**

13. There are no privacy issues identified as arising from this paper.

**Real Estate Implications**

14. The occupation of accommodation by the Hosted Bodies is aligned to their respective Estates requirements and detailed in the Exempt Part 2 paper.

**Environmental Implications**

15. There is no impact on the Mayor's Environment Strategy.

**Background/supporting papers**

Report author: Tony Cooper, Head of Estates & Asset Management, 782322

