

DMPC Decision – PCD 1075

Title: Vehicle Purchase Collaboration

Executive Summary:

The Metropolitan Police Service seeks approval to enter into the collaborative Fleet Sub-Agreement for vehicle purchase with BlueLight Commercial and other police forces. The MPS is bringing its purchase volume to lower prices for UK policing and evaluating procured vehicles to ensure that they are fit for their policing purposes.

The MPS also seeks delegated authority to initiate procurement action and award contracts for vehicle purchase within the capital budget approved in Fleet Supply and Replacement Planning 2021 to 2025 (PCD 640), the delegated authority to be refreshed annually. The MOPAC Scheme of Consent and Delegation delegates the authority to award all contracts to the Director of Strategic Procurement except where they are called in.

Recommendation:

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

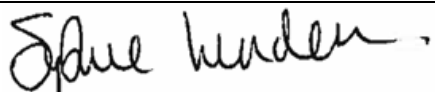
1. the Mayor's Office for Policing and Crime entering into the collaborative Fleet Sub-Agreement for vehicle purchase with BlueLight Commercial, policing bodies, and chief officers.
2. delegation of authority to the Commercial Directors to initiate procurement action and award contracts for vehicle purchase within the capital budget approved in Fleet Supply and Replacement Planning 2021 to 2025 (PCD 640) subject to annual approval of the capital budget and delegated authority.

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 12/11/2021

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

1. Introduction and background

- 1.1. In support of the Mayor of London's Police and Crime Plan 2017–2021 and the Met's mission to keep London safe for everyone, Fleet Services maintains a fleet of 5,200 vehicles, 1,000 bicycles, and 24 marine vessels. The fleet is a workplace for MPS officers and staff, carries sophisticated policing equipment, and provides a safe environment for the transport of the public and prisoners. The MPS is transforming in response to changes in crime, finances, and public expectations of policing – which has significant consequences for the fleet.

2. Issues for consideration

- 2.1. BlueLight Commercial is entering into a collaborative Fleet Sub-Agreement with policing bodies and chief officers to purchase vehicles on their behalf. The inclusion of the MPS' considerable purchase volume will deliver better prices for UK policing.
- 2.2. *Fleet Supply and Replacement Planning 2021 to 2025* (PCD 640) envisaged the MPS joining such an agreement with BlueLight Commercial and approval is now sought to do so.
- 2.3. HM Government's Decarbonising Transport: A Better, Greener Britain, the Mayor's London Environment Strategy, the Met's Environment Policy, and the Met's Environment and Sustainability Strategy 2019–21 have been taken into consideration.
- 2.4. The Met has committed to hybridising key vehicles up to 2025, purchasing hybrid emergency response vehicles from 2025 and phasing out fossil diesel in heavy goods vehicles by 2030. Vehicle purchase procurements contribute to the fleet's increased compliance.
- 2.5. Papers seeking annual approval for the delegated authority for the award of these contracts will include an update on progress on the environmental agenda.

3. Financial Comments

- 3.1. Funding for the replacement of the fleet is affordable and is contained within the capital plan approved in March 2021. Capital spend will continue to be approved through Fleet Supply and Replacement Planning papers and annual capital plans.

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 ("Regulations"). All awards of public contracts for goods and/or services valued at £189,330 or above shall be procured in accordance with the Regulations.

- 4.2. The Directorate of Legal Services (“DLS”) is instructed that the signing of the Fleet Sub-Agreement will enable the Met to utilise BlueLight Commercial’s procurement for vehicle purchasing to the extent provided for in that Sub-Agreement. DLS has advised Commercial Services and Fleet Services on the content of the Sub-Agreement and the overarching Customer Agreement from which the Sub-Agreement flows.
- 4.3. The Scheme provides the DMPC has delegated authority to approve:
- a) Business cases for revenue or capital expenditure of £500,000 and above (paragraph 4.8); and
 - b) 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).
- 4.4. 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 provides the DMPC reserves the right to call in any MPS proposal to award a contract for £500,000 or above.
- 4.5. No significant legal risks have been identified.

5. Commercial Issues

- 5.1. BlueLight Commercial ran mini-competitions from the Crown Commercial Services Vehicle Purchase Framework RM6060, complying with the Public Contracts Regulations 2015. It followed good commercial practice and used an evaluation methodology similar to that used by the MPS for its own procurements.

6. GDPR and Data Privacy

- 6.1. The Met is subject to the requirements and conditions placed on it as a 'State' body to comply with the European Convention of Human Rights and the Data Protection Act 2018 (DPA). Both requirements place an obligation on the Met to process personal data fairly and lawfully in order to safeguard the rights and freedoms of individuals.
- 6.2. Under Article 35 of the General Data Protection Regulation (GDPR) and section 57 of the DPA, Data Protection Impact Assessments become mandatory for organisations with technologies and processes that are likely to result in a high risk to the rights of the data subjects.
- 6.3. The Information Assurance and Information Rights Units within the Met will be consulted when necessary to ensure that compliance requirements are met.

7. Equality Comments

- 7.1. This business case has undergone an initial equality screening. Due regard has been taken to the Equality Act 2010’s Public Sector Equality Duty. Real consideration has been taken to assess equality impact caused by the activity. Evaluation ensures that vehicles purchased are fit for their policing purpose, taking into account the diverse needs of individuals, and that suppliers have rigorous employment practices. No

positive or negative impact has been identified to any individual or group safeguarded by a protected characteristic and those who are not.

8. Background/supporting papers

- 8.1. *Fleet Supply and Replacement Planning 2021 to 2025* (PCD 640) provided approval for the planned fleet replacement over this period.

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: N/A

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 The proposal is in keeping with the GLA Group Responsible Procurement Policy.	✓
GDPR/Data Privacy <ul style="list-style-type: none"> • GDPR compliance issues are covered in the body of the report. • A DPIA is not required. 	✓
Drafting Officer Craig James has drafted this report in accordance with MOPAC procedures.	✓
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.	✓

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 9/11/2021

**Vehicle Purchase Collaboration****Strategic Fleet Board – Thursday 7 July 2021****Portfolio and Investment Board Delegated Authority – Tuesday 31 August 2021****Portfolio and Investment Board – Tuesday 14 September 2021****MOPAC Investment Advisory and Monitoring Meeting – Thursday 7 October 2021****Report by Sébastien Fivaz, Commercial Director – Vehicles
on behalf of Robin Wilkinson, Chief of Corporate Services****Part 1 – This section of the report will be
published by MOPAC. It is classified as OFFICIAL.***EXECUTIVE SUMMARY*

The Met seeks approval to enter into the collaborative Fleet Sub-Agreement for vehicle purchase with BlueLight Commercial and other forces. The Met is bringing its purchase volume to lower prices for UK policing and evaluating procured vehicles to ensure that they are fit for their policing purposes.

The Met also seeks delegated authority to initiate procurement action and award contracts for vehicle purchase within the capital budget approved in *Fleet Supply and Replacement Planning 2021 to 2025* (PCD 640) and refreshed annually. The MOPAC *Scheme of Consent and Delegation* delegates the authority to award all contracts to the Director of Strategic Procurement except where they are called in.

Decisions required

Portfolio and Investment Board and the Deputy Mayor for Policing and Crime are asked to:

- 1. Approve the Mayor's Office for Policing and Crime entering into the collaborative Fleet Sub-Agreement for vehicle purchase with BlueLight Commercial, policing bodies, and chief officers.**
- 2. Approve delegation of authority to the Commercial Directors to initiate procurement action and award contracts for vehicle purchase within the capital budget approved in *Fleet Supply and Replacement Planning 2021 to 2025* (PCD 640) subject to annual approval of the capital budget and delegated authority.**

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Time sensitivity

A decision is required from the Deputy Mayor for Policing and Crime by 21 October 2021, to enable timely delivery of the Fleet Supply and Replacement Programme.

Background

1. In support of the Mayor of London's *Police and Crime Plan 2017–2021* and the Met's mission to keep London safe for everyone, Fleet Services maintains a fleet of 5,200 vehicles, 1,000 bicycles, and 24 marine vessels. The fleet is a workplace for our officers and staff, carries sophisticated policing equipment, and provides a safe environment for the transport of the public and prisoners. The Met is transforming in response to changes in crime, finances, and public expectations of policing – which has significant consequences for the fleet.

Issues for consideration

2. BlueLight Commercial is entering into the collaborative Fleet Sub-Agreement with policing bodies and chief officers to purchase vehicles on their behalf. The Met bringing its considerable purchase volume will deliver better prices for UK policing.
3. *Fleet Supply and Replacement Planning 2021 to 2025* (PCD 640) envisaged the Met joining such an agreement with BlueLight Commercial and approval is now sought to do so.

Financial comments

4. Funding for the replacement of the fleet is affordable and is contained within the capital plan approved in March 2021. Capital spend will continue to be approved through Fleet Supply and Replacement Planning papers and annual capital plans.

Commercial comments

5. BlueLight Commercial ran mini-competitions from the Crown Commercial Services Vehicle Purchase Framework RM6060, complying with the Public Contracts Regulations 2015. It followed good commercial practice and used an evaluation methodology similar to that used by the Met for its own procurements.

Legal comments

6. The Mayor's Office for Policing and Crime ("MOPAC") is a contracting authority as defined in the Public Contracts Regulations 2015 ("Regulations"). All awards of public contracts for goods and/or services valued at £189,330 or above shall be procured in accordance with the Regulations.
7. The Directorate of Legal Services ("DLS") is instructed that the signing of the Fleet Sub-Agreement will enable the Met to utilise BlueLight Commercial's procurement for vehicle purchasing to the extent provided for in that Sub-Agreement. DLS has advised Commercial Services and Fleet Services on the content of the Sub-

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Agreement and the overarching Customer Agreement from which the Sub-Agreement flows.

8. The Scheme provides the DMPC has delegated authority to approve:
 - a) Business cases for revenue or capital expenditure of £500,000 and above (paragraph 4.8); and
 - b) 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).
9. 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 provides the DMPC reserves the right to call in any MPS proposal to award a contract for £500,000 or above.
10. No significant legal risks have been identified.

Equality comments

11. This business case has undergone an initial equality screening. Due regard has been taken to the Equality Act 2010's Public Sector Equality Duty. Real consideration has been taken to assess equality impact. Evaluation ensures that vehicles purchased are fit for their policing purpose, taking into account the diverse needs of individuals, and that suppliers have rigorous employment practices. No positive or negative impact has been identified to any individual or group safeguarded by a protected characteristic and those who are not.

Data privacy comments

12. The Met is subject to the requirements and conditions placed on it as a 'State' body to comply with the European Convention of Human Rights and the Data Protection Act 2018 (DPA). Both requirements place an obligation on the Met to process personal data fairly and lawfully in order to safeguard the rights and freedoms of individuals.
13. Under Article 35 of the General Data Protection Regulation (GDPR) and section 57 of the DPA, Data Protection Impact Assessments become mandatory for organisations with technologies and processes that are likely to result in a high risk to the rights of the data subjects.
14. The Information Assurance and Information Rights Units within the Met will be consulted when necessary to ensure that compliance requirements are met.

Environmental comments

15. HM Government's *Decarbonising Transport: A Better, Greener Britain*, the Mayor's *London Environment Strategy*, the Met's *Environment Policy*, and the Met's *Environment and Sustainability Strategy 2019–21* have been taken into consideration.

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16. The Met has committed to hybridising key vehicles up to 2025, purchasing hybrid emergency response vehicles from 2025 and phasing out fossil diesel in heavy goods vehicles by 2030. Vehicle purchase procurements contribute to the fleet's increased compliance.

17. Papers seeking further delegated authority for the award of these contracts will include an update on progress on the environmental agenda.

Supporting paper: Vehicle Purchase Collaboration Part 2 Business Justification Paper, which is not suitable for MOPAC publication. Disclosure under the Freedom of Information Act 2000 is exempt by section 43(2). Confidentiality should be reviewed after 2031.

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