

## PFCC Decision Report

<b>Report reference number:</b> 008 - 23
<b>Classification:</b> Official
<b>Title of report:</b> New Police Services Agreement relating to the Provision of Policing Services at Stansted Airport by Essex Police for the period 1 <sup>st</sup> April 2022 to 31 <sup>st</sup> March 2027
<b>Area of county / stakeholders affected:</b> Essex Police - Stansted Airport / OPC Command Team
<b>Report by:</b> Supt Richard Melton – OPC Command Team in conjunction with Paul Knapp – 7F Commercial <b>Chief Officer:</b> DCC Prophet <b>Date of report:</b> 7 February 2023 <b>Enquiries to:</b> Supt Richard Melton (Richard.Melton@essex.police.uk), Dave Levy (David.levy@essex.police.uk) or Paul Knapp paul.knapp@kent.police.uk

### 1. Executive Summary

Essex Police currently provides policing services at Stansted Airport under a Police Services Agreement (PSA). The agreement was entered into in 2018 with the airport operators Manchester Airport Group (MAG). The agreement commenced on 1<sup>st</sup> April 2018 and was for a four-year period and expired on 31<sup>st</sup> March 2022.

Due to protracted negotiations with MAG relating to the format of the new PSA agreement document, together with on-going discussions regarding the annual charge recoverable, a one-month extension to the existing PSA was sought to ensure continuation of contractual cover (Decision Report 053/22). Since the expiry of the one-month extension the force and MAG have continued to operate in the spirit of this interim arrangement. However, it has been agreed with MAG that once this new PSA is approved and signed it will supersede the extension variation so that the new PSA term matches force financial years and to aid budget planning.

The negotiations have now been concluded and this report is to request that the PFCC reviews and signs the attached PSA document for the term period of 1<sup>st</sup> April 2022 to 31<sup>st</sup> March 2027 (five years).

The initial maximum annual charge for the first 12 months of the agreement shall be [REDACTED]. Thereafter the annual charge will be reviewed each year in accordance with the terms and conditions of the PSA.

The PSA document has already been signed on behalf of MAG and also on behalf of the Chief Constable of Essex.

At this stage there is the possibility of a further variation which, if required, would be subject to a separate Decision Report.

## **2. Recommendations**

It is recommended that the PFCC approves and signs the agreement attached at Appendix 1. This is to ensure the legal requirement for commercial contractual coverage is documented and continues.

## **3. Background to the Proposal**

The background to this decision request is as per the Executive Summary shown above.

## **4. Proposal and Associated Benefits**

The PSA is in place to specify the level of policing to be provided at the airport, the payments to be made by MAG, the manner in which the payments are to be calculated and the accommodation and facilities that are to be provided by them in connection with the policing provided under this agreement.

It also provides the PFCC and Essex Police with contractual remedies should MAG either default on the payment of any sums due or if they should breach any of their other obligations under the agreement.

## **5. Options Analysis**

As this is for the provision of services to a third-party by Essex Police, no further options analysis has been considered. Stansted Airport is a designated airport under the Aviation Security Act 1982. In accordance with the Act, the policing of the airport must be undertaken by Essex Police with a PSA in place showing the services to be provided and the charges to be made as agreed between the parties.

## **6. Consultation and Engagement**

Consultation has been undertaken between the OPC Airport Commander, Essex Police Corporate Finance, 7F Commercial and MAG. There has been no other external consultation.



## **7. Strategic Links**

The continuation of policing services at Stansted Airport supports the Police and Crime Plan in providing a policing presence at a 'designated' UK airport for the prevention and detection of crime.

## **8. Police operational implications**

Stansted Airport is a designated airport under the Aviation Security Act 1982. In accordance with the Act, the policing of the airport must be undertaken by Essex Police with a PSA in place showing the services to be provided and the charges to be made as agreed between the parties.

## **9. Financial implications**

The cost of the provision of these policing services at Stansted has been calculated by Essex Police Finance and, for the initial 12-month period, is set as a maximum charge to MAG of [REDACTED]. The equivalent figure for 2021/22 was [REDACTED]. The increase year on year is reflective of inflation. The 2022/23 total includes an increased overhead charge which is shown as additional income to the force and has been included in the 2023/24 savings plan. The charges have been calculated by Essex Finance in accordance with NPCC guidelines.

As stated above, the annual charge will be reviewed each year in accordance with the terms and conditions of the PSA. The finances within the PSA are included in the force structure and building of the budget for 2023/24.

## **10. Legal implications**

There are no legal implications, bar the requirement to have a formal contractual agreement in place between the respective parties. The PSA template being used for this engagement is based on the new national template provided by Bluelight Commercial specifically created for forces that police designated airports under the Aviation Security Act 1982.

## **11. Staffing implications**

There are no staffing implications associated with the recommendation in this Decision Report. The number of officers increases by 5 FTEs to 71 FTEs. However, it should be noted that this does not increase the force establishment of 3,755 FTEs as they were incorporated into the establishment in 2022/23. The increase has also been taken into consideration in the budget planning for 2023/24.

## **12. Equality, Diversity and Inclusion implications**

There are no equality, diversity and inclusion implications associated with the request to endorse the recommendation contained within this decision report.

## **13. Risks and Mitigations**

As with any such agreement, there is a risk of disputes between the parties to the agreement arising from its interpretation. The process for dealing with such disputes is set out within Section 14 of the agreement.

#### **14. Governance Boards**

The new PSA document and subsequently this decision report have been discussed at the monthly PSA Review meeting held between the Airport OPC Command, Essex Police Finance and 7F Commercial.

They were also presented to the March 2023 Strategic Board.

#### **15. Links to Future Plans**

None to note.

#### **16. Background Papers and Appendices**

There are no background papers, but the [REDACTED] is attached for consideration and signing by / on behalf of the PFCC.

**Report Approval**

The report will be signed off by the PFCC’s Chief Executive and Chief Finance Officer prior to review and sign off by the PFCC / DPFCC.

Chief Executive / M.O.

Sign: 

Print: P. Brent-Isherwood

Date: 24 February 2023

Chief Financial Officer

Sign: 

Print: Janet Perry

Date: 24 March 2023

Delay in signing due to previous year financial information not being included in the original Decision Report.

**Publication**

Is the report for publication?

YES   
NO

If ‘NO’, please give reasons for non-publication (Where relevant, cite the security classification of the document(s). State ‘None’ if applicable)

To be published subject to redaction as some of the information provided within in Commercial in Confidence

If the report is not for publication, the Chief Executive will decide if and how the public can be informed of the decision.

**Redaction**

If the report is for publication, is redaction required:

1. Of Decision Sheet? YES  NO  2. Of Appendix? YES  NO

If ‘YES’, please provide details of required redaction:

Redaction of the cost figure shown in the 5<sup>th</sup> paragraph of the Executive Summary and in the 1<sup>st</sup> paragraph of section 9 (Financial information). Appendix not to be published.

Date redaction carried out: 27/03/2023

**Chief Finance Officer / Chief Executive Sign Off – for Redactions only**

If redaction is required, the Treasurer or Chief Executive is to sign off that redaction has been completed.

Sign:  .....


Print: Janet Perry .....

**Chief Executive / Chief Finance Officer**

Date signed: ..29 March 2023.....

**Decision and Final Sign Off**

I agree the recommendations to this report:

Sign:  .....

Print: R.C. Hibbs .....

**PFCC/Deputy PFCC**

Date signed:

I do not agree the recommendations to this report because:

.....

.....

Sign:

Print:

**PFCC/Deputy PFCC**

Date signed: