

## PART 2 – CONFIDENTIAL FACTS AND ADVICE

**DMFD185**

**Title: Website maintenance and development contract tender**

*Information may have to be disclosed in the event of a request under the Freedom of Information Act 2000. In the event of a request for confidential facts and advice, please consult the Information Governance team for advice.*

**This information is not for publication until the stated date, because:**

Publication of the information included in this report is deferred as its disclosure would be likely to prejudice the commercial interests of the London Fire Commissioner (LFC).

**Date** at which Part 2 will cease to be confidential or when confidentiality should be reviewed:  
1 August 2023

**Legal adviser recommendation on the grounds for not publishing information at this time:**

In the event the information contained in this Part 2 and/or its appendix is the subject of a request for information under section 1 of the Freedom of Information Act 2000 (the Act), it is considered that access can be denied on the basis that such information constitutes exempt information under:

Section 43(2) of the Act on the basis that the information in this report includes information that is exempt information if its disclosure under this Act would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it).

**Public interest assessment**

At present, on balance, it is considered that the public interest is best served if the information is not disclosed at this point. Disclosure by the LFC would be likely to have a detrimental effect on the LFC's position and related commercial interest regarding the expenditure incurred for this procurement. The eligibility of these exemptions should be reassessed in the event of a request under the Act for this information as the level of sensitivity will change over time and different circumstances may alter the arguments in favour of non-disclosure.

The recommended period for non-publication of Part 2 is 1 August 2023.

**Legal Adviser** – I make the above recommendations that this information should be considered confidential at this time.

**Name:** Justine Curry

**Date:** 8 December 2022

*Once this form is fully authorised, it should be circulated with Part 1.*

**Confidential decision and/or advice:**

Part 1 of this report sets out the background for the request to the Deputy Mayor for Fire and Resilience to authorise the LFC to commit revenue expenditure for the purposes of letting a contract for four years (two plus two years) commencing in June 2023 to maintain the London Fire Brigade (LFB) website. For this, LFB has an annual budget £120,000 annually, totalling £480,000 over four years.

The total amount of expenditure to be authorised is up to £480,000 over four years commencing 2023-24.

Further to the above, part 1 of the report explains that the contract for continuous maintenance will include provision for additional development work. The contract will not commit the LFC to further expenditure; therefore, potential expenditure on development of the website is not the subject of this decision. Where a future development proposal is proposed, the budget for this will come from the proposing department, with the work undertaken either by the successful contractor under this contract or under a separate procurement exercise if required. If expenditure on those projects is £150,000 or more separate a Deputy Mayor's decision will be required. The upper limit of expenditure on additional development work under the proposed contract will be £300,000 per year.

**Confidential Appendices and supporting papers:**

Appendix 1 – Part 2 of Report LFC-0767y – Website maintenance and development contract tender