

**REQUEST FOR DEPUTY MAYOR FOR PLANNING, REGENERATION AND THE FIRE SERVICE
DECISION – DMFD270**

Asbestos consultancy services contract

Executive summary:

The London Fire Commissioner (LFC) seeks authority to commit revenue expenditure, up to the amount set out in Part 2, to procure a new contract for asbestos consultancy services. The existing contract, due to expire in November 2025, is required to ensure compliance with the Control of Asbestos Regulations 2012 and the Asbestos Management Plan for the Control of Asbestos in London Fire Brigade (Policy 694). The new contract is proposed to be in place for three years, with the option to extend for two further years.

The London Fire Commissioner Governance Direction 2018 sets out a requirement for the LFC to seek the prior approval of the Deputy Mayor before “[a] commitment to expenditure (capital or revenue) of £150,000 or above as identified in accordance with normal accounting practices”.

Decision:

That the Deputy Mayor for Planning, Regeneration and the Fire Service authorises the London Fire Commissioner to commit revenue expenditure, up to the amount set out in Part 2, to procure and award a new contract for asbestos consultancy services.

Deputy Mayor for Planning, Regeneration and the Fire Service

I confirm that I do not have any disclosable pecuniary interests in the proposed decision.

The above request has my approval.

Signature:

Date:

28 July 2025

PART I – NON-CONFIDENTIAL FACTS AND ADVICE TO THE DEPUTY MAYOR

Decision required – supporting report

1. Introduction and background

- 1.1. Report LFC-25-033 to the London Fire Commissioner (LFC) provides a detailed overview of the request for agreement to procure and award a contract for asbestos consultancy services. This decision paper provides a summary of that report.
- 1.2. The Control of Asbestos Regulations 2012 (the 2012 Regulations) set out the duty of all premises owners and managers to manage the risks from asbestos to those using or working within the premises. The Asbestos Consultancy Services contract ensures compliance with these regulations.
- 1.3. The current contract is held by Tersus Limited, and is due to expire in November 2025. No further extensions are available; therefore, a new procurement is required. The new contract will include the provisions of a wider scope of technical training for London Fire Brigade (LFB) Property staff; this will ensure technical competence and awareness to include accredited training in compliance activities.

2. Objectives and expected outcomes

- 2.1. The new contract term will be three years, with the two optional one-year extensions. LFB intends to use these two extensions, providing service delivery is being achieved; and market rates at the time of the extension show value for money is being achieved.
- 2.2. The contract is expected to ensure LFB premises are safe for staff and visitors; and that robust processes are in place to manage asbestos within the LFB estate.

3. Equality comments

- 3.1. The LFC and the Deputy Mayor for Planning, Regeneration and the Fire Service (the Deputy Mayor) are required to have due regard to the Public Sector Equality Duty (section 149 of the Equality Act 2010) when taking decisions. This in broad terms involves understanding the potential impact of policy and decisions on different people, taking this into account and then evidencing how decisions were reached.
- 3.2. It is important to note that consideration of the Public Sector Equality Duty is not a one-off task. The duty must be fulfilled before taking a decision, at the time of taking a decision, and after the decision has been taken.
- 3.3. The protected characteristics are: age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership (but only in respect of the requirements to have due regard to the need to eliminate discrimination), race (ethnic or national origins, colour or nationality), religion or belief (including lack of belief), sex, and sexual orientation.
- 3.4. The Public Sector Equality Duty requires decision-takers in the exercise of all their functions, to have due regard to the need to:
 - eliminate discrimination, harassment and victimisation and other prohibited conduct
 - advance equality of opportunity between people who share a relevant protected characteristic and persons who do not share it
 - foster good relations between people who share a relevant protected characteristic and persons who do not share it.

- 3.5. Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
- remove or minimise disadvantages suffered by persons who share a relevant protected characteristic where those disadvantages are connected to that characteristic
 - take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it
 - encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- 3.6. The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.
- 3.7. Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
- tackle prejudice
 - promote understanding.
- 3.8. An Equalities Impact Assessment has been completed and is attached at Appendix 1. The outcome of the assessment is expected to consider: the number of individuals affected by asbestos-related illnesses; and the training requirements of individuals with neurodivergent needs.

4. Other considerations

Workforce comments

- 4.1. The delivery of asbestos services (including refurbishment and demolition surveys; planned annual inspections; removals; air-quality testing; training; and consultancy advice) will ensure that the workforce welfare and health is maintained, and risks are safely managed. It will also allow accredited training to be delivered to improve knowledge throughout the workforce.

Procurement comments

- 4.2. The contract will be competitively tendered using the Consortium Framework Lot 1, which covers the required scope of services. Following initial market engagement, Bureau Veritas was considered as a potential supplier for the provision of asbestos-related services. However, upon further exploration, it was confirmed that Bureau Veritas cannot deliver the full scope of services required, which includes consultancy, training, management, and the ability to quote for third-party removal works. As such, they have been ruled out as a viable option. Subsequent market research identified a suitable route to market via the Consortium Asbestos, Legionella and Mould Management Framework. We propose to use Lot 4: Asbestos, Legionella and Mould Fully Managed Service, which is specifically designed for the full-service provision required. This procurement will be conducted under the Public Contracts Regulations 2015, as the Procurement Act 2023 will not apply in this instance. Lot 4 of the framework includes two suppliers, one of whom is the incumbent provider; this enables a compliant, competitive and efficient route to award, while maintaining continuity and value for money.

Conflicts of interest

- 4.3. There are no conflicts of interest to declare from those involved in the drafting or clearance of this decision.

5. Financial comments

- 5.1. This report seeks approval to award a contract for asbestos consultancy services by up to five years (three years with the option to extend for up to two more years), when the current asbestos consultancy services agreement expires in November 2025. All costs related to the agreement will be solely funded by the LFC.
- 5.2. The contract for asbestos consultancy services has been operational for a number of years, as it is an ongoing requirement. There is sufficient budget cover for the contract extensions across all years.

6. Legal comments

The London Fire Commissioner's General Counsel Department has advised as follows:

- 6.1. Under section 9 of the Policing and Crime Act 2017, the LFC is established as a corporation sole with the Mayor appointing the occupant of that office. Under section 327D of the GLA Act 1999, as amended by the Policing and Crime Act 2017, the Mayor may issue to the LFC specific or general directions as to the manner in which the holder of that office is to exercise his or her functions.
- 6.2. By direction dated 1 April 2018, the Mayor set out those matters, for which the LFC would require the prior approval of either the Mayor or the Deputy Mayor.
- 6.3. Paragraph (b) of Part 2 of the direction requires the LFC to seek the prior approval of the Deputy Mayor before "[a] commitment to expenditure (capital or revenue) of £150,000 or above as identified in accordance with normal accounting practices".
- 6.4. The Deputy Mayor's approval is accordingly required for the LFC to enter into a contract for the services set out in this report at a value set out in part 2 to this report.
- 6.5. The 2012 Regulations create a functional requirement upon the LFC by requiring that, to manage the risk from asbestos in non-domestic premises, the duty holder in relation to those premises (the LFC, for the purposes of the estate of properties owned by the LFC) must ensure that a suitable and sufficient assessment is carried out as to whether asbestos is or is liable to be present in the premises. If asbestos is present, a plan must be produced to assess and manage the risks this poses. It is therefore within the LFC's functional powers undertake the actions set out in this report.
- 6.6. The LFC may delegate authority to the Assistant Director, Procurement and Commercial, to undertake the procurement and award a contract.

Appendices and supporting papers:

Appendix 1 – Report LFC-25-033 – Asbestos Consultancy Services Contract

Public access to information

Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FOI Act) and will be made available on the GLA website within one working day of approval.

If immediate publication risks compromising the implementation of the decision (for example, to complete a procurement process), it can be deferred until a specific date. Deferral periods should be kept to the shortest length strictly necessary. **Note:** This form (Part 1) will be published either within one working day after approval or on the defer date.

Part 1 Deferral:

Is the publication of Part 1 of this approval to be deferred? NO

Part 2 Confidentiality: Only the facts or advice considered to be exempt from disclosure under the FOI Act 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:

Drafting officer to confirm the following (✓)

Drafting officer

Soeli Dayus has drafted this report with input from the LFC and in accordance with GLA procedures and confirms the following:

✓

Assistant Director/Head of Service

Chandru Dissanayeke has reviewed the documentation and is satisfied for it to be referred to the Deputy Mayor for Planning, Regeneration and the Fire Service for approval.

✓

Advice

The Finance and Legal teams have commented on this proposal.

✓

Mayoral Delivery Board

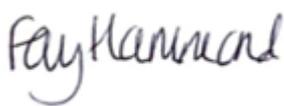
A summary of this decision was reviewed by the Mayoral Delivery Board on 21 July 2025.

✓

CHIEF FINANCE OFFICER:

I confirm that financial and legal implications have been appropriately considered in the preparation of this report.

Signature:



Date:

28 July 2025