



LONDON FIRE BRIGADE

LFC – 26-025

Procurement of the Provision for Depolluted Vehicles

Report to:

Investment & Finance Board
Commissioner's Board
Deputy Mayor's Fire Board
London Fire Commissioner

Date:

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Authorising Head of Service: Andy Pennick - AC Fire Stations

Report classification:

For decision

For publication: For publication

Values met

Service
Teamwork
Equity

PART ONE

Non-confidential facts and advice to the decision-maker

Executive Summary

This report seeks authority to commit expenditure in advance of formalising the contract award of the provision of Depolluted Vehicles following a competitive tender process and the selection of a preferred supplier. To ensure the provision of a range of vehicles that have been depolluted for use by fire station personnel for local and area training exercises whilst achieving best value for money for the London Fire Commissioner (LFC).

For the London Fire Commissioner

The London Fire Commissioner delegates authority to the Assistant Director of Procurement and Commercial to re-procure the provision of Depolluted Vehicles up to the value contained in part 2 of this report for a period of five years.

1 Introduction and background

- 1.1 London Fire Brigade is required to attend road traffic collisions (RTC's) to extricate people from vehicles if they are unable to exit the vehicle, or it is unsafe for them to do so. It is a requirement that Firefighters are trained in how to do this safely, efficiently and quickly.
- 1.2 The purpose of the proposed contract is to deliver a service to supply, deliver and collect depolluted vehicles for familiarisation and continuing professional development of operational personnel in the application of extrication techniques for road traffic collisions. Firefighters undertake this familiarisation exercise at Fire Stations or outside training venues. Vehicles therefore need to be representative of those currently on the roads across London boroughs and fully de-polluted to ensure health, safety and environmental risks are mitigated.
- 1.3 Fire Stations raise orders according to their training requirements 3 weeks in advance through the SAP Ariba. The ordered depolluted vehicle is delivered via flatbed truck by the contractor to the station yards designated RTC training area. Subsequently, the contractor picks up the used vehicle on the date specified by the Fire Station on the original order. The vehicle remains the legal property of the contractor at all times.

2 Objectives and expected outcomes

- 2.1 The objective of this report is to secure authorisation to commit expenditure and formalise the award of a new contract for the provision of Depolluted Vehicles following a successful competitive tendering process and the selection of a preferred supplier.
- 2.2 The proposed contract length is five years.
- 2.3 A successful competitive procurement process has secured the provision of de-polluted vehicles which includes deformed vehicles, reflecting the different types of vehicle impacts which occur on London's roads. This will allow crews to carry out realistic training scenarios to ensure they are operationally ready to attend RTC type incidents.
- 2.4 If the LFC was unable to provide these vehicles to stations, further work would be required to identify an appropriate training method for crews. This could result in a lack of confidence in our crews when dealing with these types of incidents.
- 2.5 This contract supports the identified and anticipated risks associated with alternative fueled vehicles, including electric vehicles (EVs). It ensures that personnel receive appropriate training and familiarisation in relation to emerging and current risks within London's road network, complementing the existing theoretical training provided under Policy number 0427 – Development and Maintenance of Operational Professionalism.

3 Values Comments

- 3.1 The LFC notes the Fire Standards Board requirements around adopting and embedding the Core Code of Ethics at an individual and corporate level. Following extensive engagement, the LFC has introduced Brigade values which build on and do not detract from the Code of Ethics.
- 3.2 The Brigade values are:
 - **Service:** We put the public first by ensuring realistic training is undertaken so we will be better prepared by ensuring fully trained and competent firefighters will be able to deal with RTC incidents.
 - **Teamwork:** The use of realistic training equipment allows teams to build up a better understanding of the roles each of them undertakes at RTC incidents.
 - **Equity:** these vehicles will be available to all operational staff to train and will give them all the same opportunities to carry out realistic training.

4 Equality Comments

- 4.1 The LFC and the Deputy Mayor for Planning, Regeneration and the Fire Service 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.
- 4.2 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.

- 4.3 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.
- 4.4 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.
- 4.5 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.
- 4.6 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.
- 4.7 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.
- 4.8 Central Operations team has completed and submitted an EIA screening form for consideration. This has been reviewed by the EIA team, and a full EIA is not required; a copy of the screening form is included in appendix 1

5 Other considerations

Workforce comments

- 5.1 There are no direct workforce implications associated with the contents of this report requiring staff side consultation.

Sustainability comments

- 5.2 As per the current contract, the supplier would be required to meet the Mayor's ULEZ compliance requirements for their delivery of vehicles.

Procurement comments

- 5.3 Following a competitive tender process conducted in accordance with the Public Contracts Regulations 2015 using an open procedure, a preferred supplier has been identified, and we are now seeking approval to commit expenditure in advance of formalising the contract award with the preferred supplier.

Communications comments

- 5.4 The contract will be a mirror image of our current provision and requirements that are already in place, and therefore the only communication which will be required is to inform the fire stations of the new supplier and new catalogue offerings on SAP Ariba.

6 Financial comments

- 6.1 The spend expectations related to this procurement, shown in part 2 of this paper, are factored into current and future Fire Stations Central Operations budgets within operational equipment. There are no incremental budgetary implications.

7 Legal Comments

- 7.1 This report seeks authority to commit expenditure set out in Part 2 in advance of formalizing the contract of award of the Depolluted Vehicles following a competitive tender process and the selection of a preferred supplier.
- 7.2 Under section 9 of the Policing and Crime Act 2017, the London Fire Commissioner (LFC) is established as a corporation sole with the Mayor appointing the occupant of that office. Section 1 of the Fire and Rescue Services Act 2004 (the 2004 Act) states that the LFC is the fire and rescue authority for Greater London and section 7 of the 2004 Act empowers the LFC to secure the provision of personnel, services and equipment necessary to efficiently meet all normal requirements for firefighting.
- 7.3 Under section 327D of the Greater London Authority Act 1999 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.
- 7.4 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, Planning, Regeneration and the Fire Service (the "Deputy Mayor"). In particular, paragraph (b) of Part 2 of said 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...". The value of proposed contract award, as set out in Part 2, exceeds this threshold, therefore the prior approval of the Deputy Mayor is required in accordance with the direction.
- 7.5 The statutory basis for the actions proposed in this report is provided by section 5A of the Fire

and Rescue Services Act 2004 under which the Commissioner must procure services they consider appropriate for the purposes incidental to their functional purposes.

- 7.6 Furthermore, under section 7(2)(a) of the aforementioned legislation, the Commissioner has the power to secure the provision of personnel, services and equipment necessary to efficiently meet all normal requirements for firefighting.
- 7.7 The General Counsel also notes that the proposed procurement of the goods and services provider is in compliance with the Public Contracts Regulations 2015.
- 7.8 The Commissioner may delegate authority to the Assistant Director of Procurement and Commercial to re-procure the provision of the Depolluted vehicles up to the value set out in Part 2 of the report of up to five years.

List of appendices

Appendix	Title	Open or confidential*
1	EIA Screening Form	Open

Part two confidentiality

Only the facts or advice considered to be exempt from disclosure under the FOI Act should be in the separate Part Two form, together with the legal rationale for non-publication.

Is there a Part Two form: **YES**