

REQUEST FOR MAYORAL DECISION – MD2625

Title: Mortality Provision for London's COVID-19 Response

Executive Summary:

London is currently at the forefront of the UK's response to the COVID-19 pandemic and the Greater London Authority, as the strategic authority for London, is an integral part of the London response alongside local authorities, the NHS, Public Health England and the Government, to ensure that London has in place the mechanisms to slow the spread of the virus and to save the lives of Londoners.

The Strategic Coordination Group's Mortality Planning Group asked the GLA for assistance in securing resources, on an urgent basis, to support the operation of a number of temporary mortuary sites which are being constructed in London. These mortuary hubs will work closely with London's public mortuaries and hospitals and will also support deaths in the community and funeral directors.

This decision form requests approval for temporary expenditure of up to £40.4 million to support London's mortality planning and in particular the operations of up to seven new mortuary hubs. As set out below, a number of avenues are being explored to reduce costs. It is anticipated that the full cost of this work will be recouped from Government.

Decision:

That the Mayor approves:

- temporary expenditure of up to £40.4 million towards the operational costs incurred by Loud Sound Limited associated with the running of up to seven mortuaries across London, pending the full costs of these works being recouped or reduced. A review will be held on Monday 20 April to review costs incurred to that point, anticipated future expenditure and progress with ascertaining reimbursement of these costs. It is anticipated that costs to this point will be up to a maximum of £2.8 million;
- a single-source exemption from the requirement of the GLA's Contracts and Funding Code so as to enter into a contract, without competitive tender, with Loud Sound Limited to scope and deliver up to seven mortuaries, on the basis that Loud Sound Limited is the only organisation able to mobilise in the extremely short timeframes required;
- retrospective approval of two emergency payments made by the Executive Director of Resources of £249,436 and £250,000 pending this Decision to ensure that this mortuary provision could be established; and
- that the Executive Director of Resources, in consultation with the Chief of Staff, has the power to stop or limit funding dependent on the actual rate of spend and progress with confirming that the expenditure is covered by the Coronavirus Act or otherwise. The Executive Director of Resources and Chief of Staff will be provided with a weekly update on spend committed and the forward profile of anticipated spend, associated with this approval.

Mayor of London

I confirm that I do not have any disclosable pecuniary interests in the proposed decision and take the decision in compliance with the Code of Conduct for elected Members of the Authority.

The above request has my approval.

Signature:



Date: 17 April 2020

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

Decision required – supporting report

1. Introduction and background

- 1.1 London is currently at the forefront of the UK's response to the COVID-19 pandemic and the Greater London Authority, as the strategic authority for London, is an integral part of the London response alongside local authorities, the NHS, Public Health England and the Government, to ensure that London has in place the mechanisms to slow the spread of the virus and to save the lives of Londoners.
- 1.2 At the Mayor's Advisory Group (MAG) on the emerging coronavirus epidemic on 2 March 2020 the Mayor asked John Barradell (City of London) and Eleanor Kelly (LB Southwark) to form a systems-wide Strategic Coordination Group (SCG) for London. The SCG has established a number of groups to coordinate partners' activities in response to the pandemic.
- 1.3 One of these, the Mortality Planning Group (MPG), is the regional response group that brings together a range of stakeholders, including council services and various responders involved in the death management process, to assess the impact and consequences of COVID-19. It will provide a tactical and strategic response in dealing with the anticipated high levels of deaths predicted across the capital, particularly on matters that involve coordinated joint working across organisations in all sectors, as well as monitoring and increasing capacity and resources. This strategy is based upon the London Excess Deaths Framework Version 2 (February 2020) and the National Managing the Deceased During a Pandemic Guidance issued by Cabinet Office in March 2020.
- 1.4 On Saturday 21 March 2020, the MPG chair contacted the GLA to ask for assistance in securing resources, on an urgent basis, to support the operation of a number of temporary mortuary sites which are being constructed in London. These mortuary hubs will work closely with London's public mortuaries and hospitals and will also support deaths in the community and funeral directors.
- 1.5 The GLA contacted event production companies who would be best able to provide significant levels of resources and who had significant experience in pulling together large-scale events in short timeframes. One organisation confirmed that they were both willing and able to meet the needs specified. This organisation is Loud Sound Limited, whose experience in running large-scale entertainment events on behalf of major entertainment companies like AEG means that they have access to significant resources and infrastructure.
- 1.6 As a result of this, on Saturday 28 March, the MPG and SCG requested that the GLA engage and contract with Loud Sound to support the planning and delivery of logistics and resources as necessary to operate the first two temporary mortuaries in LB Hillingdon and LB Havering, and, as necessary, provide similar support for any further mortuaries which are required in London (subject to the availability of Loud Sound resources).
- 1.7 The MPG asked the GLA to contract with Loud Sound directly given the GLA's good working relationship with them and the speed with which we are able to activate the contract, given the first mortuary needed to be activated by Tuesday 31 March 2020.
- 1.8 If any further planning/logistical requirements are ascertained by the MPG, or indeed the SCG, they have advised that they will contact the GLA to consider whether the GLA, Loud Sound or another appropriate contractor would be able to support further similar work.
- 1.9 Loud Sound are not on any GLA or Transport for London procurement frameworks, and as such, will be single-sourced to deliver this work.

- 1.10 Section 9 of the GLA's Contracts and Funding Code requires that goods and services over £25,000 are procured competitively. However, Section 10 of the Code sets out the circumstances in which such a single-source exemption may be sought. These include urgency, defined as satisfying the legal definition of urgent through an unforeseen event such as flood, fire or civil unrest. On these grounds, this Decision Form requests an exemption from the requirement in the Code to procure competitively.
- 1.11 Approval is being sought for temporary expenditure of up to £40.4 million to support London's mortality planning and in particular the operations of the recently constructed mortuary hubs. It is anticipated that the full cost of this work will be recouped from the Government.
- 1.12 A formal MACA (Military Aid to the Civil Authorities) request has been submitted by the SCG to request the provision of military resources for the handling of bodies. At the time of writing, no response to this has yet been received. If this can be secured it will enable a significant reduction in costs incurred by the GLA. A number of other avenues are being explored to provide resources from public sector sources thereby reducing this overall cost.
- 1.13 The MPG finance work stream is keeping a full track of all costs incurred and this will include the costs associated with this work. The intention is that the GLA and local authorities receive full cost recovery from Government for any support within London.
- 1.14 The GLA will also closely monitor all expenditure associated with this contract.

2. Objectives and expected outcomes

- 2.1 At the time of writing, commitment has been made to construct three mortuary hubs, at Brakespear Crematorium in LB Hillingdon, at South Essex Crematorium in LB Havering and at a further site owned by the City of London Corporation but located in LB Newham.
- 2.2 A further four sites are also under consideration. The SCG is yet to take a decision to construct these sites, but if they do so, Loud Sound will support their operation.
- 2.3 In collaboration with the MPG, we have agreed that Loud Sound will provide the following services seven days per week, either on a 17-hour per day basis, or 24-hour per day basis. Each site will require circa 150 people to manage the required services across a 24/7 operation.
- Project management
 - Management
 - Site management
 - Logistics management
 - Hub supervision
 - Personnel
 - Body handling
 - Administration
 - Facilities
 - Catering
 - Cleaning
 - Communications equipment – radios, IT, printing
 - Signage and CCTV
 - Trolleys and stretchers
 - Barriers/fencing
 - Security & traffic
 - Security
 - Traffic management

- Transport
- Driving
- Fuel
- Welfare

- 2.4 The Hillingdon hub went into initial mobilisation on Tuesday 31 March 2020 supported by Loud Sound. The LB Havering hub will go into operation by Friday 3 April 2020. The site in LB Newham is expected to be in operation in early/mid-April.
- 2.5 For the purpose of this decision and financial planning only, it is anticipated that there will be a maximum of seven hubs, operating 24/7 until end August 2020. The ability to quickly scale down hub operation has also been built into the hub planning.
- 2.6 The GLA will support Loud Sound with regard to reporting progress to the MPG and SCG particularly in the early stages of mobilisation. The GLA will also provide tactical and communications support to Loud Sound as necessary alongside the MPG.

3. Equality comments

- 3.1 Under Section 149 of the Equality Act 2010, as a public authority, the Mayor of London must have 'due regard' of the need to eliminate unlawful discrimination, harassment and victimisation as well as to advance equality of opportunity between people who have a protected characteristic and those who do not. Accessibility issues have been considered as part of the planning of each hub.

4. Other considerations

Risks

Risk	Mitigation
Insufficient resources available from the local authority hosting the hub to support the operation and its administration.	Local authorities are aware of the minimum requirements to support the hub and are confident that this level can be maintained. Loud Sound can top-up administrative resources if required.
Body handling resources cannot be obtained from the military to support the hubs.	This can be resourced by Loud Sound, though it should be noted that the level of resources required here means that there are significant costs associated with this.
The GLA does not currently have written confirmation that costs associated with this will be covered by Government.	Communications to senior Government officials are planned to attempt to mitigate this.
Resources become difficult to obtain due to sickness of staff.	Resource contingency plans are in place. Full health and safety plans are in place to ensure there is no additional risk to those working on site.

Links to Mayoral strategies and priorities

- 4.1 This work links to the Mayor's responsibilities under the Civil Contingencies Act.

Consultation

- 4.2 The SCG's lead for mortality planning and the chair of the MPG have both been consulted on this proposal.

Conflicts of interest

- 4.3 The drafting officers have no known conflicts of interest.

5. Financial comments

- 5.1 This decision requests approval of temporary expenditure of up to £40.4 million to support the operating costs of up to seven mortuaries in London required because of the COVID-19 pandemic. An estimated breakdown of the costs is set out in the table below.

Cost element	£m
Project Management	1.0
Hillingdon Hub	6.2
Havering Hub	6.2
City of London Hub (Newham)	7.2
Hub 4	5.0
Hub 5	5.0
Hub 6	4.9
Hub 7	4.9
TOTAL	40.4

- 5.2 Further detail on the costs can be found in Part 2.
- 5.3 The location of hubs 4 to 7 has been identified, but a decision has not yet been taken by the SCG as to whether they are required. This will depend on ongoing modelling of the impact of the virus in London and consideration as to the additional capacity required.
- 5.4 A review will be held on Monday 20 April to review costs incurred to that point, anticipated future expenditure and progress with ascertaining reimbursement of these costs. It is anticipated that costs to this point will be up to a maximum of £2.8 million. These are maximum costs and we anticipate that actual spend will be less than this.
- 5.5 The costs will be temporarily incurred by the GLA, with the expectation that they will be funded by the Government or costs will be borne by other public bodies.
- 5.6 Pending formal confirmation from the Government that costs will be reimbursed or covered by other bodies, the Executive Director of Resources, in consultation with the Chief of Staff, has the power to stop or limit funding dependent on the actual rate of spend and progress with confirming that the expenditure is covered by the Coronavirus Act or otherwise.
- 5.7 The Executive Director of Resources and the Chief of Staff will be provided with a weekly update on spend committed and the forward profile of anticipated spend, associated with this approval.
- 5.8 The maximum costs are profiled to be incurred as set out below.

	2020						Total
	March	April	May	June	July	August	
Profile spend	0.2	3.9	9.4	9.0	8.9	9.0	40.4

- 5.9 An emergency payment was authorised by the Executive Director of Resources of £249,436 to ensure the mortuary facilities were established. A second payment is required on Monday 6 April of £250,000 towards the costs associated with this contract. Retrospective approval is sought for these payments.

6 Legal comments

- 6.1 The GLA is a Category 1 Responder under the Civil Contingencies Act 2004 ("CCA"). Other Category 1 Responders include local authorities, the Metropolitan Police Service, the London Fire Brigade, NHS primary care trusts, and the Environment Agency. Section 2 of the CCA requires a Category 1 Responder to maintain plans for the purpose of ensuring that if an emergency occurs it is able to perform its functions so far as necessary or desirable for the purpose of preventing the emergency, reducing, controlling or mitigating its effects, or taking other action in connection with it.
- 6.2 There is a general duty upon Category 1 and 2 Responders to co-operate with each other in the performance of their duties under Section 2 of the CCA.
- 6.3 Under section 30(1) of the Greater London Authority Act 1999 (as amended) (GLA Act), the Mayor may do anything which he considers will further one or more of the principal purposes of the Authority of promoting economic development and wealth creation, social development, or the improvement of the environment in Greater London. The allocation of funding proposed in this Mayoral Decision falls within one or more of the GLA's principal purposes, and is not precluded by any of the limitations contained in section 31 of the GLA Act.
- 6.4 In order to exercise the power under section 30 of the GLA Act, the Mayor must consider as appropriate various matters contained in section 30(3-11); none of which are relevant to proposed decision. The Mayor must also consult with the bodies listed in section 32(2) of the GLA Act, if he considers this appropriate. The report above demonstrates that the Mayor is consulting as appropriate.
- 6.5 Under section 34(1) of the GLA Act, the Mayor may do anything which is calculated to facilitate, or is conducive or incidental to, the exercise of any functions of the Authority.
- 6.6 Part C of the Contracts and Funding Code (the 'Code') requires the GLA to seek a call-off from a suitable framework, where possible, or if not, undertake a formal tender process which will be managed by TfL in respect of the services. However, the Mayor may approve an exemption from this requirement from paragraph 10, Part C of the Code upon certain specified grounds. One of those grounds is that the approve of the exemption if such services are required in urgent and unforeseen circumstances. Officers have indicated at paragraph 1 of this report that this ground applies due to the urgent implications of COVID-19. On this basis the Mayor may approve the proposed exemption if satisfied with the content of this report.
- 6.7 Officers must ensure that the appropriate contract documents are put in place and executed by Loud Sound Limited and the GLA as soon as possible.
- 6.8 Section 86(1)(c) of the Coronavirus Act 2020 provides that there is to be paid out of money provided by Parliament expenditure which is incurred by a public authority in connection with the making of payments, or the giving of financial assistance to a person (whether directly or indirectly), as a result of coronavirus or coronavirus disease. The GLA's expenditure and proposed expenditure under this Mayoral Decision is likely to qualify as money that is to be paid out of money provided by Parliament. There is currently no procedure or guidance as to out how such payments will be dealt with or made.

7 Planned delivery approach and next steps

Activity	Timeline
Supplier search commenced	21 March 2020
Supplier secured	28 March 2020
First site live	31 March 2020
Second site live	3 April 2020
Third site live	Early/Mid April
Further site considerations	Ongoing
Operation ceases	31 August 2020

Appendices and supporting papers:

None

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 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 either be published within one working day after it has been approved or on the defer date.

Part 1 - Deferral**Is the publication of Part 1 of this approval to be deferred? YES**

If YES, for what reason: The MD needs to be deferred until the UK's COVID-19 planning response is in a less critical stage so as not to cause additional public distress.

Until what date: 31/12/2020 for now, may require further deferment.

Part 2 – Sensitive information

Only the facts or advice that would be exempt from disclosure under FoIA should be included 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:

Emma Strain has drafted this report in accordance with GLA procedures and confirms the following:

✓

Sponsoring Director:

Niran Mothada has reviewed the request and is satisfied it is correct and consistent with the Mayor's plans and priorities.

✓

Mayoral Adviser:

Fiona Twycross has been consulted about the proposal and agrees the recommendations.

✓

Advice:

The Finance and Legal teams have commented on this proposal.

✓

Corporate Investment Board

This decision was agreed by the Corporate Investment Board on 6 April 2020.

EXECUTIVE DIRECTOR, RESOURCES:

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

Signature**Date**

6 April 2020

CHIEF OF STAFF:

I am satisfied that this is an appropriate request to be submitted to the Mayor

Signature**Date**

14 April 2020