

REQUEST FOR DEPUTY MAYOR FOR FIRE AND RESILIENCE DECISION – DMFD148

Title: Estate-Wide Redecoration Programme

Executive summary:

This report seeks the approval of the Deputy Mayor for Fire and Resilience for the London Fire Commissioner (LFC) to commit revenue expenditure up to the amount set out in part 2 of the decision on a programme of cyclical redecoration works across the London Fire Brigade (LFB) estate, extending over the next six financial years. The budget for each financial year is set out in part 2 of the decision and the overall estimate covers the entire life of the project.

The redecoration programme will impact 91 fire stations. Excluded from the scope are the nine private finance initiative stations, together with those stations undergoing full refurbishment (Lambeth River and Plumstead fire stations) or redevelopment (Lambeth fire station) during this time. LFB aims to redecorate the estate on a six year cycle which reflects the intense use of the building fabric. Decorations are programmed to align with other projects.

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 Fire and Resilience authorises the LFC to commit expenditure as set out in part 2 of the decision for the purposes of redecoration works to the LFB estate.

Deputy Mayor for Fire and Resilience

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

The above request has my approval.

Signature:



Date:

8/3/22

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

Decision required – supporting report

1. Introduction and background

- 1.1 Report LFC-0615 to the London Fire Commissioner (LFC) sets out the background for the request to approve expenditure for London Fire Brigade (LFB) to undertake a programme of cyclical redecoration works across the LFB estate, extending over the next six financial years.
- 1.2 The LFB estate comprises 103 operational fire stations, which are situated throughout the Greater London area. For administrative purposes, these are grouped by location, with area offices in the north west; the north east; the south east; and the south west. Excluded from the scope are the nine private finance initiative (PFI) stations, which are Dagenham, Dockhead, Leytonstone, Mitcham, Old Kent Road, Orpington, Plaistow, Purley and Shadwell. As the private developer of the PFI stations has an ongoing 25-year contract to maintain them before handing back to the LFB, these are outside the scope of this project.
- 1.3 The remaining 94 stations within the scope of this project are all occupied 24 hours a day, seven days a week, with no downtime between watches. This means that all areas of stations are used intensively, and the building fabric requires regular maintenance to keep it in good and operationally suitable condition. Of these 94 stations, only 91 are included in the current cyclical programme, due to the pending refurbishments of Plumstead and Lambeth River, and proposed redevelopment of Lambeth.
- 1.4 The implementation of the redecoration programme is subject to coordination with other projects taking place at stations. For instance, if rewiring or major heating replacement is due to be carried out, liaison between the relevant project managers may determine that redecoration works are deferred until the other works have been completed.
- 1.5 The redecorations will be programmed in line with the wider LFB Property Services department annual works plan. The aim is to ensure that, prior to a redecoration starting, the property is in good repair, and that post-redecoration there are no major projects planned that would impact on the decorations as a whole. Typically, the external redecoration will consist of preparing and repainting elements such as windows, doors, fascia and soffit boards, where present, together with undertaking repairs that are needed before decoration, such as splice repairs to rotted timber window sills. Internal redecoration typically consists of preparing and painting walls, ceilings, doors and trim, such as skirting boards and architraves. Mobile towers are used to provide safe access together with fixed scaffolding in restricted areas such as pole houses.
- 1.6 Previously, LFB undertook redecoration as individual or small group projects using the Bluelight portal. The intention now is to gain advantages of scale and use the technical resources associated with procurement via the Yorkshire Purchasing Organisation (YPO) Dynamic Purchasing System (DPS), to which LFB has access as part of the Greater London Authority (GLA) group.

2. Objectives and expected outcomes

The proposed model

- 2.1 Report LFC-0615 (appendix 3 to that report) which is appended to part 2 of the decision provides an outline of alternative programme and procurement options that were considered, together with reasons for not taking them forward.
- 2.2 The recommended programme consists of a north and south single award for each area following a competitive tendering exercise based on bidders being invited to tender for only one of these two areas. There would be an initial four-year award for each area, with the option of a two-year follow-on contract if both parties wished to continue with the arrangement.
- 2.3 The initial tender exercise for each area would be based on the list of sites to be redecorated over the first four years. This is anticipated as being for 32 stations in the north area and 25 stations in the south area, and these numbers should be manageable for small and medium-sized companies to visit and tender against.
- 2.4 Tender prices for all stations for all stations would be on a year-one basis. The LFB Property Services department will take advice from LFB Procurement on incorporating a recognised mechanism for uplifting tender prices for stations, where work is to be undertaken in subsequent years. This is to avoid bidders having to price in the risk of unknown variables; and recognises that the decoration programme tends to change at short notice according to what else is going on at fire stations.
- 2.5 The follow-on two-year contract would be for 19 stations in the north area and 15 stations in the south area. To ensure that best value was obtained for these remaining sites, the contractor would be invited to submit prices for those sites; and these would be compared against reference prices from previous tender exercises, together with cost estimates obtained through pro rata adjustments to stations within the four-year contract that are of reasonably comparable size, scale, age and type of construction.
- 2.6 The proposed model has a two long-term decoration contracts awarded (north and south). This enables the optimal balance between economies of scale and resilience should there be a performance issue. Having a single supplier for each region will reduce the amount of procurement time at the outset, enabling more focus on the management and delivery of the redecoration programme.

Implementation of the works

- 2.7 The works will be carried out during normal working hours, being planned and phased to ensure fire station remains fully operational 24 hours per day, seven days per week. The order of the stations is based on the historic schedule, with priority given to stations that missed decorations due to Covid-19 and the delivery of previous projects.

Revenue costs

- 2.8 The revenue costs shown in part 2 of the decision are approximate estimates based on the aggregated costs from previous schemes undertaken to date. These costs have then been adjusted for each station to create a cost estimate – for example, to include the cost of external scaffolding,

which can create a significant variance for stations with more complex frontages such as at Whitechapel fire station.

- 2.9 The revenue allocation for these works has been apportioned across 2022-23; 2023-24; 2024-25; 2025-26; 2026-27; and 2027-28.

3. Equality comments

- 3.1 The LFC and the Deputy Mayor for Fire and Resilience 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 Equality Impact Assessment has been undertaken and submitted to LFB's Inclusion Team for review. In all categories it was considered that the impact would be neutral. There is the potential for temporary impact on occupants and users of premises during the works and measures would put in place to mitigate this in practice.

4. Other considerations

Workforce comments

- 4.1. LFB's Property Services department will ensure that the Borough Commanders, Station Commanders, and watches of the affected fire stations are kept informed throughout the feasibility consultation process.
- 4.2. The Station Commander at each fire station will be consulted on potential impact of the works on operational effectiveness. Delivery and phasing of the construction works will seek to minimise the impact on station operations.
- 4.3 A representative of the Fire Brigades Union will be invited, via the Station Commander, to attend each pre-start site meeting.
- 4.4 In advance of works commencing on site, LFB Property Services department will liaise with LFB's Communications section to review and confirm the most appropriate strategy for informing station personnel. In addition to preliminary discussions with the Station Commander, this will typically include sending a circular email to all watches at the station concerned, to ensure that all firefighters based there are aware of the anticipated start and completion dates, together with extent of the works and name of the appointed main contractor.

Procurement implications

- 4.5 The LFC's intention is to procure the works through the YPO DPS, and the viability of this option has been confirmed through previous experience of tendering redecoration works during the current financial year.
- 4.6 LFB Procurement has advised that the YPO DPS will be used appropriately, which achieves compliance with the Public Contracts Regulations.
- 4.7 The option of procuring the work as part of LFB's existing Facilities Management "measured term contract" has been considered. However, this is primarily for repairs and maintenance of the LFB estate rather than improvement works such as cyclical redecoration, and moreover the current Facilities Management term contract comes to an end in December 2021 with a one-year extension agreed.

Conflicts of interest

- 4.8 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 recommends that two contracts for decorations are agreed at a total revenue cost, as set out in part 2 of this decision, over six years. This would include an initial four-year contract with the option for a two-year follow-on contract.
- 5.2. This cost will be contained within the existing revenue budget for building decorations, with a detailed breakdown of proposed costs contained in appendix two. The total works will be managed and revised as necessary to ensure the total spend stays within the authorised amount.
- 5.3. There are no direct financial implications for the GLA.

6. Legal comments

- 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 for Fire and Resilience (the Deputy Mayor).
- 6.3 Paragraph (b) of Part 2 of that 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 statutory basis for the actions proposed in this report is provided by sections 7 and 5A of the Fire and Rescue Services Act 2004 (FRSA 2004). Section 7 (2)(a) FRSA 2004 the LFC has the power to secure the provision of personnel, services and equipment necessary to efficiently meet all normal requirements for firefighting and section 5A allows the LFC to procure personnel, services and equipment they consider appropriate for purposes incidental or indirectly incidental to their functional purposes. Redecoration of the estate is one such incidental purpose.
- 6.5 LFC’s General Counsel also notes that the proposed service will be procured in compliance with the Public Contracts Regulations 2015 and the Commissioner’s Scheme of Governance by using the YPO competitive tendering system.

Appendices and supporting papers:

Part 2 of the decision

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 either be published 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

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

✓

Assistant Director/Head of Service

Niran Mothada has reviewed the documentation and is satisfied for it to be referred to the Deputy Mayor for Fire and Resilience for approval.

✓

Advice

The Finance and Legal teams have commented on this proposal.

✓

Corporate Investment Board

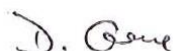
This decision was agreed by the Corporate Investment Board on 7 March 2022.

✓

EXECUTIVE DIRECTOR, RESOURCES:

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

Signature



Date

7/3/22