

GREATER LONDON AUTHORITY

REQUEST FOR DEPUTY MAYOR FOR FIRE AND RESILIENCE DECISION – DMFD234

Title: Additional Expenditure for Plumstead Fire Station and Lambeth River Station works

Executive summary:

This report requests the approval of the Deputy Mayor for Fire and Resilience to authorise the London Fire Commissioner (LFC) to commit expenditure up to the amount in the Part Two report for the ongoing refurbishment project at Plumstead Fire Station and Lambeth River Station remedial works. The funding is expected to be covered via savings achieved in the Capital Asset Management Replacement Programme (LFC-0533y and LFC-0614y and DMFDs 120 and 147), as detailed in the Part 2 report.

The London Fire Commissioner Governance Direction 2018 sets out a requirement for the London Fire Commissioner 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 London Fire Commissioner to commit expenditure up to the amount set out in the Part 2 report for the additional requirements to the Plumstead Fire Station refurbishment project and Lambeth River Station remedial works.

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:

11 March 2024

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

Decision required – supporting report

1. Introduction and background

Plumstead Fire Station

- 1.1 In 2019, expenditure was approved to refurbish and extend Plumstead Fire Station (LFC-0263x and DMFD50). Further additional expenditure was approved (LFC 0715y and DMFD171) in 2022 to bridge the gap between the tender submission and the approved budget. Construction subsequently commenced in October 2022.
- 1.2 In order for the refurbishment to align to the London Fire Brigade's (LFB) Carbon Strategy published in summer 2022, a substation and new power supply will be required to achieve a carbon net zero fire station. This will remove all gas dependency from the station and move to electrical services only, including the domestic heating, hot water and appliance bay heaters. Expanding the electrical capacity will provide future provision for charging all-electric fire appliances. To achieve this the installation of a sub-station was required including larger incoming supply cables, larger LV switch panel (resulting in an additional small outbuilding to be constructed), new meter housing, changes to the foundation designs, additional trenching and changes to the small power installations throughout the building.
- 1.3 A consultant quantity surveyor has been engaged to manage and mitigate cost pressures as they arise. The claims have been assessed and LFB Property officers have been supported by experts to negotiate the best outcome on these claims and secure an acceptable settlement in each case.
- 1.4 The breakdown of costs for the requested additional expenditure is set out in the Part 2 report.

Lambeth River Station

- 1.5 In 2020 LFC-0379 (and DMFD82) granted permission for the expenditure of up to £3.8m to undertake urgent works at the Lambeth River Station. This was to be funded by the river station maintenance project as Lambeth Fire Station was the original proposed decant location. Decant to Lambeth Fire Station is not viable as market research has demonstrated that there is no cost effective and available temporary pontoon that can be used to run the river boat service from Lambeth Fire Station.
- 1.6 In 2023, Babcock, as a verified and long-standing partner due to the current vehicle and equipment contract with LFB, were appointed as the contractor for this project. The works are programmed to commence on the 19 February 2024. The delivery window for this project needs to align with the River Thames tides and bio-diversity. The linkspan for the river station will need to be fully removed as part of this decant proposal.
- 1.7 The river station will be disconnected from the linkspan and towed to Greenwich to be secured to enable it to be towed to Lowestoft which includes it going out to sea. When the river station arrives in Lowestoft it will be lifted into dry dock to enable the whole of the river station to be viewed.
- 1.8 The river station will then undertake a complete inspection which may identify additional remedial works. Due to the length of time without being sufficiently inspected it is anticipated that some additional remedial works will be required on the river station however, it is unknown what these will be. The re-allocation of capital to the amount set out in the Part 2 report will provide contingency in readiness for this project and supports the additional cost to the project of removing the linkspan.

Capital Programme Savings

- 1.9 LFC 0533y and LFC 0614y (and DMFDs 120 and 147) provided governance approval for the property capital asset replacement programme for 2022/23 and 2023/24. The majority of projects are now complete and the total spend is anticipated to be 15 per cent below the original funding approval. This is due to effective procurement and management of the projects by LFB. Property officers

express a high degree of confidence these savings will be achieved and details of how this saving was achieved are outlined in the Part 2 report. Of the 30 projects detailed in LFC 0533y and LFC 0614y, two of the projects were cancelled for reasons stated in the Part 2 report.

- 1.10 The savings from the capital programme will be used to support enhanced specification for Plumstead Fire Station and provide contingency for the Lambeth River Station project as detailed in this report.

2. Objectives and expected outcomes

- 2.1 The approval of further capital expenditure will ensure that the full project scope for Plumstead Fire Station and Lambeth River Station are delivered.

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 EIA has been produced and is attached to the report as an appendix. No potentially adverse equalities impacts were identified. Each of the projects listed above have previously completed EIAs which remain relevant. The proposals do not seek to amend the designs of those projects. The additional expenditure for repairs at Plumstead Station and Lambeth Station will ensure that the facilities cater for the protected characteristics of staff and visitors.

4. Other considerations

Workforce comments

- 4.1 Staff and Trade Union consultation has been an ongoing feature as part of the works for Plumstead and Lambeth Stations. At Plumstead, the project team is currently engaged with staff to address queries on the location of the substation and the drill tower. At Lambeth, consultation on the project was completed in January 2024.

Sustainability comments

- 4.2 Sustainable development impact assessments were completed and agreed with the Sustainable Development Team at the time of approval for both Plumstead Fire Station and Lambeth River Station. This report does not pose any further impacts.

Procurement comments

- 4.3 Required works will be tendered in accordance with the Commissioner's Code of Practice on Tenders and Contracts and the Commissioner's external professional consultants will prepare an award report summarising the results of the evaluation using the price and quality ratio stated and using the criteria included in the tender documents. The tenderer with the highest score will be recommended for the award as the most economically advantageous tenderer to carry out these works.
- 4.4 Where possible, the Brigade tries to utilise existing frameworks for tendering works, in accordance with the Greater London Authority (GLA) collaborative procurement approach. LFB is not currently in scope to use the TFL minor works framework however LFB is exploring the suitability of using existing framework agreements including the MET construction framework and other public sector frameworks for delivering major and minor building projects. The replacement of bespoke assets may not have a suitable framework, in this instance such works will be tendered using the InTend portal which gives LFB access to registered suppliers alongside the other national police and fire and rescue services. A further requirement is that all tenderers will be reviewed using Constructionline to confirm and give assurance that they have the appropriate certifications including insurance and the relevant health and safety systems.
- 4.5 The successful contractor will be the one that achieves the highest overall score for price and quality following the evaluation by the tender assessment panel.
- 4.6 The additional works for these two projects, Lambeth Pontoon and Plumstead Refurbishments are to be sourced via variations to the existing contracts. These variations are compliant with the Public Contracts Regulations 2015.
- 4.7 Each of the projects is estimated to be below the Public Contract Regulations (PCR) works threshold of £4,733,252 negating the need to conduct the procurement part of the process in accordance with the PCRs.
- 4.8 In order to ascertain the scope and financial costs involved in these projects, the Property project

managers commissioned feasibility reports for the more complex proposed works. These feasibility reports are produced by external quantity surveyors, and technical experts who have been appointed through the current LFB framework agreement to produce a detailed cost estimate for the schemes. The feasibility reports (where available) as background information to this report. where possible benchmarking from previous feasibility reports has been undertaken to estimate the required value.

- 4.9 The Part 2 shows a breakdown of the anticipated pre-tender feasibility costs or Property Services estimated cost for each package of works. The tables highlight key financial elements in delivering the works. A more detailed breakdown of the feasibility cost plans is available as background information to this report. Procurement colleagues have advised on the required contract variations that may be needed to enable these works to proceed.
- 4.10 Associated with the costs of the paper are the capitalised staff costs to deliver these works. No additional staff will be added for these projects and the works are already included in the capitalised staff costs of the capital project team.

Conflict of interest

- 4.11 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 use the underspend within the LFC reports LFC 0533y and LFC 0614y capital delivery programme for 2022/23 and 2023/24 to fund the Plumstead refurbishment project and Lambeth River Station remedial works additional requirements.
- 5.2 The financial implication is set out in Part two of this report. See recommendation in Part 2.

6. Legal comments

- 6.1 This report seeks approval to commit capital expenditure set out in more detail in Part 2 to make improvements to the estate.
- 6.2 Under section 9 of the Policing and Crime Act 2017, the London Fire Commissioner (the "Commissioner") 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 Commissioner specific or general directions as to the manner in which the holder of that office is to exercise his or her functions.
- 6.3 By direction dated 1 April 2018, the Mayor set out those matters, for which the Commissioner would require the prior approval of either the Mayor or the Deputy Mayor for Fire and Resilience (the "Deputy Mayor"). Paragraph (b) of Part 2 of the said direction requires the Commissioner 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...". Accordingly, the capital expenditure set out in more detail in Part 2, requires prior approval.
- 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"). Under Section 7 (2)(a) FRSA 2004 the Commissioner 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 Commissioner to procure personnel, services and equipment they consider appropriate for purposes incidental or indirectly incidental to their functional purposes.
- 6.5 General Counsel advises that all proposed tenders (and any variations to existing contracts) for any remedial works must be carried out in accordance with the Public Contracts Regulations 2015 ("the Regulations") and the London Fire Commissioner's Scheme of Governance (Part 3 Standing Orders Relating To Procurement).

6.6 The remedial works to the estate will ensure the Brigade can operate efficiently and effectively.

Appendices and supporting papers:

Appendix 1 – Part One of LFC report 24-021 of the London Fire Commissioner.

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

Luke Bruce 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

A summary of this decision was reviewed by the Corporate Investment Board on 11 March 2024.

✓

INTERIM CHIEF FINANCE OFFICER:

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

Signature:



Date:

11 March 2024